

Vergennes Township

PLANNING COMMISSION MINUTES

November 5, 2001

A meeting of the Vergennes Township Planning Commission was held on November 5, 2001 at the Township Offices. At 7:00 PM the meeting was called to order by Scott Jernberg, chairman pro tem per Nauta. Also present were Commissioners Alger, Gillett, Medendorp, Read and Richmond. Absent was Chairman Nauta.

APPROVAL OF OCTOBER MINUTES: Motion to approve by Alger, seconded by Richmond. All approved.

APPROVAL OF AGENDA: Motion to approve by Gillett, seconded by Read. All approved.

OLD BUSINESS

1. COMPREHENSIVE MASTER PLAN AMENDMENT NO.1.

Presentation by Planner/Planning Commission: Review by Jay Kilpatrick. This is a modest amendment reflecting faster-than-anticipated growth in the township, which will likely lead to need for more services. The proposed amendment seeks to balance those needs with the desire to retain rural character in the township by allowing a modest, expanded commercial area at Lincoln Lake & Vergennes. A new statute requiring airport designation is added. Master Plan is a blueprint, not zoning. This changes future land use designation in the area of commercial.

Public Hearing beginning 7:10

1. Mari Stone, speaking as a resident of township. Where is the north line of the proposed district? (It's the parcel line south of intersection with Burroughs)

Public Hearing Closed 7:12

Discussion/Motions by Planning Commission: This incorporates the Cook property and reclassification of the airport area. Not reclassifying to community commercial.

Motion: Recommend by Gillett to recommend adoption of changes in the Master Plan to create a larger commercial area and to change the designation of the airport. Seconded by Richmond. Approved by Gillett, Alger, Jernberg, Richmond, Read. Opposed by Medendorp.

2. COMMERCIAL ORDINANCE: COORDINATING REFERENCE AMENDMENTS.

Presentation by Planner/Planning Commission: Review by Jay Kilpatrick. On Sept. 10, the Planning Commission recommended the new designation of Community Commercial zoning concept, setting the stage for what's on the agenda tonight. This involves finding references in the ordinance and clarifying which commercial area is being referred to. Those changes are in the table for Sections 1-6 of the amendment

proposed tonight. (Section 7 is the next public hearing topic.) Changing the map can be done tonight without another public hearing if it isn't made more restrictive.

Public Hearing Opened 7:17 PM:

1. Paul Barron/Elite Auto Body: submitted a letter today (also representing the owner of Caribbean Pools). Elite has been there 15 years, and opposes being rezoned from general commercial to community commercial at this point. The proposed ordinance (8 pages) is confusing. A lot of the changes seem unnecessary. They worry about the future, trying to sell their land with these new stipulations.
2. Some clarification of what's being decided in this and the following agenda items.

Public Hearing Closed 7:27

Discussion/Motions by Planning Commission: Medendorp recommends to the Township Board to adopt language as submitted. Seconded by Read. Approved by all but Alger.

3. COMMERCIAL REZONING: PROPOSED ZONING MAP AMENDMENTS Start here.

Presentation by Planner/Planning Commission: What was proposed was to amend the current zoning map at Lincoln Lake & Vergennes so that what's currently general commercial would be classified community commercial. Lines can be moved back (made less restrictive), but not expanded, in this hearing. This is a recommendation to alter the zoning map.

Public Hearing Opened 7:32

1. Larry Marvel/partner at Elite Auto Body: please explain why we need community commercial. Been here 15 years, supporting 5 families, have clean lot. Nothing wrong with our business. People who move here and want property - why would we change for those people rather than coming to us to ask us what we think. We aren't Ada or Cascade. It's not an eyesore. None of that area is. We cleaned up the front of the building. We don't want the community commercial to satisfy the yuppie people in the woods. We're an old farming community. We don't need that type of atmosphere here. Jim Cook should be able to do what he wants with his buildings across the street. We're not building a new town. We just want to conduct our business. Agrees on need for nice atmosphere but we don't need a dollhouse atmosphere.
2. Jim Cook distributed 2-page letter to the commission. Until last month's meeting, hadn't realized the intention was to change his 10 acres of general commercial to community commercial. This letter asks the Planning Commission to consider alternatives to the proposed Community Commercial (CC) due to negative comments he has received from others, who find it too restrictive to make commercial development feasible or possible, and incompatible with the existing area. Models upon which this is based are untested. Doesn't want this area modeled after Cascade Township. Setting the land aside is a hardship. Wants not to have property rezoned until language is adopted. Wants his existing commercial property to stay the same, and to rezone the other property in question to general commercial, not CC – or he withdraws his request.

3. Jeanne Vandersloot: plat map, questions whether the area in question (10 acres at top of parcel) isn't actually 16 acres/Jernberg: the parcel would be split 10/6 acres.
4. Cook doesn't recall any discussion about splitting the parcel.
5. Mari Stone: Asked Kilpatrick is it alright to separate out 10 acres without following parcel lines? Kilpatrick: owner would have to contend with a parcel with split zoning. It was also noted there is a three acre parcel on the west side of Lincoln Lake in the newly designated area that is already zoned commercial but was not included as commercial on the land use map.

Public Hearing Closed 7:47

Discussion/Motions by Planning Commission:

Read: wasn't under the impression that the map proposal would change the whole area to CC. He thought it was just the part of the Cook property's request to change his zoning. Elite had nothing to do with it at all, they do a very nice job. Changing what Elite and others already have isn't the issue.

Jernberg: explained that the intention is to avoid a huge commercial thing such as a Walmart-type corporation which would have a huge building and lots of parking lots. / Is there any way to keep out the big businesses without it being so restrictive? / more discussion on whether this can be made less restrictive.

Alger: As a businessman, understands the concerns expressed, esp. during hard times. You have to have parking in front. It's expensive to landscape. There are empty businesses in Lowell. Ada looks nice, nice walking malls is usually in a ritzy area where people have a lot of money to blow. This is still farm country. Concerned about light pollution/night skies – that has to be controlled. Sees the CC idea as extremely restrictive, and should be scrapped. Doubts we'll ever see a K-Mart type place come in. Ada has a kept population of 3,000 across the street to walk across to it. People are convenience-oriented nowadays. This idea sounds neat, but I can't see it for this township. (Others agreed with concern for night lighting.)

Discussion about writing an ordinance for low night lighting, one for smaller buildings.

Jernberg: designation on the map is why this discussion - shouldn't act on it until it's correctly drawn regarding original intention.

Gillett: need to keep in mind that Mr. Cook wants to withdraw his application if it's within the CC. Gillett feels there are issues still to resolve. There is concern about CC, and we have to look back to the public hearing that started all this, when Cooks came and wanted to increase commercial on the property – a lot of the residents at that meeting were concerned about what was going to go in there, and the Planning Commission felt the general commercial ordinance didn't have the teeth to protect this community from the bad things that could happen. Recommends we maybe went too far, and need to compromise and discuss it more - do revisions to the CC idea or address whether the township even wants to make that land commercial. It's time to reevaluate.

Tim Wittenbach: you just recommended the ordinance to the board last month,

and the board needs to decide what to do. This part of the process is now out of the Planning Commission's hands. Tonight, the Planning Commission can recommend (or not) to adopt the CC zoning map (with or without changes) – or they can table it.

Motion by Gillett to table the issue until the proper map is created.

Discussion: Alger: why are we bogging down? Cook: need time to sort it out. Those with commercial shouldn't be dragged into the new plan. The Master Plan change has been adopted; the object of changing the master plan was for the Cooks so what should happen if they withdraw. Gillett: Master Plan doesn't mean there's a zoning change; the zoning is possible. Tim W: did the Master Plan change/adoption encompass Cook's request?

Motion was seconded at this point by Alger. All approved.

Jay: Can reconvene this hearing next time, but while the public is here, he recommends the Planning Commission specifically tell him what map to draw for next time. If there's CC, it makes sense to have it on the west side. Should honor Jim's original request.

Jernberg: without something like CC, we'll have nothing in our toolbox to prevent a giant parking lot and the worst case scenario.

Cook: what happens when the next generation gets on the Planning Commission? Things change.

Jernberg: Trying to work with the Cooks, and with high-density designation, he could build a lot of apartments.

Mrs. Cook: This has gone from one extreme to another – neither is a good option.

Elgin Wolschlager/lives across from Cook farm. Questioned what has occurred. Explained by Jernberg.

Ted Wolschlager: questioned use of the CC / Jernberg explained. Then couldn't Cook rework his plan and have specific needs met? / Jernberg: we can have lots of different commercial zones in the ordinances, but they don't mean anything until they appear on a map. And there were no tools in the commission's toolbox to prevent a worst-case scenario if developers have free-rein.

Jernberg: to Jay: accurate map is needed, and where CC should be posted. Not on East side of Lincoln Lake. Need to discuss the north & south sides of Vergennes. Size of area on NW corner is in question. PC wants something where there cannot be a giant building like Walmart.

Jay Kilpatrick: the maximum of 8,000 square feet is there - that alone eliminates "big box" commercial – if that's all you want to do then you could adopt that into general commercial; also lighting standards. Existing commercial ordinance also has no uses by right, all required site plan review and special permitting - CC was intended to allow certain by-right development. The idea of the two standards, to look 20 years down the road, was to figure out what kind of commercial you want to encourage and position the community to be what it wants to be. The more standards you apply, the more restrictive the process gets. The CC is actually less restrictive in some ways, and clearer and has

more specific standards, with ability to vary by PC if someone wants to apply for a change.

Further time spent clarifying and discussing the issue.

Discussion to have the commission relook at the issue in a work session, perhaps with some community input. Tim: wants the board to discuss and get back to the planning commission. Commission will await the Board's input. Tentatively scheduled for Nov. 26, 7:00 PM, at Township Hall (Jay Kilpatrick has a conflict).

4. 2002 PROJECT GOALS LIST. In the October minutes there is a list of four items. Additions pending.

NEW BUSINESS

1. ADULT USE ORDINANCE. Not discussed in the interest of time.

2. ITM CORP – ADDITION TO BUILDING. Paul Vandawater, Director, needs to do this ASAP; would appreciate (and pay for) an early public hearing before the Board's on the 19th for action by the Board on the 19th. In order to get the foundation in before cold/freezing weather. The project is a replacement addition, from 8-feet to 12-feet. It's a minor change. Issue: falls too close to the setback. Property line is crooked to the building. Public hearing is required re: special use on this building is required, would be another modification to the special exception. Special meeting cost is \$350.

Motion by Gillett to schedule a public hearing on Nov. 19 at 6:00 PM, with additional information to Zoning Administrator as needed and that the building is of similar material to existing building. Seconded by Alger. All approved.

3. YEAR 2002 MEETING SCHEDULE. Meetings of the Planning Commission will be January 7, Feb. 4, March 4, April 8, May 2, June 3, July 1, August 5, Sept. 9, Oct. 7, Nov. 4, Dec. 2.

Motion by Alger. Seconded by Medendorp. All approved.

Motion to adjourn by Alger. Seconded by Richmond.

The next meeting is December 3, 2001.

The meeting was adjourned at 9:15 PM.

Respectfully submitted,

Kate Dernocoeur, Recorder