

CITY OF PORTAGE PLANNING COMMISSION

AGENDA

**Thursday, November 21, 2024
7:00 PM**

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

1. Meeting Minutes dated November 7, 2024

PUBLIC HEARINGS

- * 1. Parking Reduction Request for a proposed commercial development on 8939 South Sprinkle Road

SITE/FINAL PLANS:

OLD BUSINESS:

NEW BUSINESS:

STATEMENT OF COMMISSIONERS AND CITIZENS:

ADJOURNMENT:

Star (*) indicates printed material within the agenda packet.

CITY OF PORTAGE PLANNING COMMISSION

Thursday, November 7, 2024
7:00 PM Portage
Portage City Hall Council Chamber

The City of Portage Planning Commission meeting of November 7, 2024, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, Senior City Planner
- Josh Thall, City Attorney
- Biqi Zhao, Deputy Director of Planning and Zoning

ROLL CALL

Staff called the roll: Chairman Corradini (yes); Vice Chair Baldwin (yes); Secretary Freiman (yes), Adams (yes); Copp (no); Joshi (no); Fries (yes); Youngs (yes); and Longjohn (no).
6-Present; 3-Absent.

Motion by Vice Chair Baldwin, seconded by Commissioner Joshi to approve the excused commissioners. Upon a voice vote, motion carried 6-0.

Commissioner Longjohn later arrived at the Public Hearing item.

APPROVAL OF MINUTES

1. Minutes dated October 17, 2024.

Motion by Vice Chair Baldwin, seconded by Secretary Freiman to approve the Planning Commission Meeting minutes dated October 17, 2024, as submitted. Upon a voice vote, motion carried 6-0.

PUBLIC HEARINGS

1. Active Home Occupation at 6734 Oakland Drive

Eric Feldt provided a presentation that outlined project details, pictures, site location and layout, surrounding area parcels, a description of the home occupation elements and hours of operation, explained applicable codes, including the differences between passive and active home occupation, and indicated the 11 criteria required for operating active home occupations. He stated that required public notice was distributed, no public comments were received by staff, and that the applicant has contacted all adjacent owners with no objections received. The applicant was unable to make it to the meeting. Mr. Feldt concluded his presentation by recommending approval of an active home occupation and 6734 Oakland Dr.

Chair Corradini opened the public hearing.

No public comments made, motion by Chair Corradini, seconded by Commissioner Adams to close the hearing. Upon a voice vote, motion carried 7-0.

Commissioner Fries indicated that he found it redundant and unnecessary to hold this applicant to the same standard as a developer by requiring a neighborhood meeting since public notification mailers are also required to be distributed to adjacent properties.

Commissioner Adams asked clarifying questions regarding parking locations, parking on unimproved surfaces, parking of vehicles/equipment storage, and commercial business' parking/ storage. He stated that he has seen a lot of cars parked around the house and on Google maps, and that it is an eyesore from of a major thoroughfare.

Mr. Feldt indicted that the vehicles and equipment for the Active Home Occupation not generally used during the season will be parked on the grass in the side yard which the code allows. Anything in front of the house will need to be stored on an improved surface.

Commissioner Adams indicated his support to require parking to the side of the house be on an improved surface be in the new zoning ordinance update.

Motion by Commissioner Fries, supported by Vice Chair Baldwin, to approve active home occupation at 6734 Oakland Dr.

Mr. Feldt provided roll call vote; motion carried 7-0.

SITE/FINAL PLANS

None.

OLD BUSINESS

None.

NEW BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS/ STAFF

Commissioner Adams asked about updates to the zoning ordinance project, regarding a contractor for the and a timeline for the project.

Ms. Zhao indicated that the contract has been signed and staff has initiated this project.

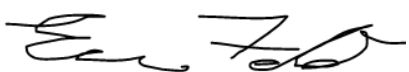
Vice Chair Baldwin congratulated Commissioner Longjohn on being a newly elected a House district representative.

Mr. Feldt indicated that City Council has set a public hearing and vote for the Lake Center Rezoning for December 3rd, and the Council approved the Tentative Plan Amendment and Preliminary Condo Plan of McConley Cove increasing the number of housing units from 40 to 54 lots for future single-family homes.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 7:27 p.m.

Respectfully submitted,



Eric Feldt
Senior City Planner

TO: Planning Commission

DATE: November 21, 2024

FROM: Peter Dame, Chief Development Officer

SUBJECT: Parking Reduction Request for a proposed commercial development on 8939 South Sprinkle Road

I. INTRODUCTION:

The applicant (same as property owner) has submitted a Parking Reduction Request to facilitate a proposed commercial development on 8939 S. Sprinkle Road pursuant to Sec 42-520(O). The request will reduce the parking requirement from 8 spaces to 6 spaces (25% reduction).

The property is currently vacant and located at the northwest corner of S. Sprinkle Road and Waruf Avenue and consists of 14,749 square feet (1/3 acre) in area. It has relatively flat topography. The proposed development consists of a 4,160 square foot, single-story building for two future contractor/repair workshop businesses. A new 6-space parking lot, loading bay, and one access drive are also designed. Remaining areas will be for required landscaping and stormwater needs. Although the site abuts two rights-of-way (S. Sprinkle Road and Waruf Avenue), access is only provided along Waruf Avenue.

A Site Plan permit is required for this development pursuant to Sec 42-482 and meets onsite improvements such as parking, landscaping, lighting, etc. The applicant has submitted a Site Plan which has been under review by the City and is near completion. The site has remain vacant for decades due to the challenges in creating a viable development on this parcel. See attached site drawing. The applicant requests Planning Commission approval for a smaller parking area through the subject parking reduction request. Without this request, the Site Plan cannot be approved.

Per the City's Public Participation Plan, the applicant has discussed this project with adjacent property owners. No opposition was received.

II. BACKGROUND INFORMATION:

According to City records, the site has been vacant for several decades but did contain a building prior to 1981. It has changed ownership since then. The applicant acquired it in 2023, and plans to lease the building to two future tenants of the proposed development. The site abuts single family homes to the east, commercial businesses to the north and south, and mix of commercial and residential to the west.

III. ANALYSIS:

Applicable Zoning Regulations

The following sections of [Chapter 42. Division 5](#). Division 6 Subdivision 1- Off-Street Parking & Loading, *Reduction in Parking Requirements* procedures and regulations apply and addressed further in this report: [Parking Reduction Request: Sec 42-520 \(O\)](#).

Sec 42-520 (O) Parking Reduction Request

The applicant shall meet standards addressing reduction in parking, impacts to neighbors and adjacent streets. All requests shall be voted by the Planning Commission during a public hearing.

Pursuant to Sec 42-523, the parking requirement for this use is categorized as ‘...*showrooms of plumbers, decorators, electricians or similar tradesmen; shoe repair; and other similar uses*’ consisting of 1 space per 800 Usable Floor Area + 1 space per 2 employees during working shift. This development’s parking calculation is noted on the attached site plan, indicating 8.49 spaces – round down to 8 spaces. The site plan shows only six spaces. Therefore, the requested parking reduction will reduce the parking requirement by two spaces. This is a 25% reduction and is the maximum allowed under Sec 44-520(O) for Planning Commission consideration.

The applicant submitted a project narrative summarizing the parking for the proposed two contractor/ repair workshop businesses with limited retail area. It indicates a lower forecasted parking demand than a traditional retail operation. It is anticipated that the main operations of the contractor’s business will be service-oriented contractor/ repair work occurring off-site. Further, it indicates as a result of this type of business, it will have an overall low parking demand that can be accommodated by the proposed six spaces and is not expected to have spillover onto adjacent streets.

Staff has prepared a parking agreement acknowledging the proposed parking reduction calculation, a smaller loading/ unloading space, and proposed garage door bay operations.

Staff finds that the applicant’s parking analysis together with the City’s parking agreement with 8939 S. Sprinkle Road meets Parking Reduction Request Sec 42-520 (O).

Public Notice

Public notice was published in the Kalamazoo Gazette and a notice was sent to all property owners/occupants within 300 feet of the subject property on November 5, 2024. As of the date of this report (Wednesday, November 14), no public comments have been received.

IV. RECOMMENDATION:

Based on the above analysis and subject to any additional information brought before the Planning Commission during the public hearing, staff recommends the Parking Reduction for 8939 S. Sprinkle Road be approved with the following condition:

1. Prior to issuance of a Building Permit for developing 8939 S. Sprinkle Road, the attached City Parking Agreement shall be recorded.

Attachments:

1. Application
2. Project Narrative
3. Site Plan
4. Staff's Site Picture
5. Vicinity Map
6. DRAFT Parking Agreement; 8939 S. Sprinkle Rd



DEVELOPMENT REVIEW APPLICATION

Department of Community Development
7900 South Westnedge Avenue – Portage, Michigan 49002 – (269) 329-4477

Applicant must complete all items in sections 1-9 (if applicable).

Please note: Separate applications must be submitted for Plumbing, Mechanical and Electrical Work Permits

No Work is to Start Prior to the Issuance of Building Permit

1) PROJECT INFORMATION

Project Description 8939 S. Sprinkle Rd	Address 8939 S. Sprinkle Rd
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2) IDENTIFICATION (OWNER)

Name D Lawrence and G Gillespie Sprinkle Rd Properties, LLC	Address 610 E. Cork Street
City Kalamazoo	State Michigan
Zip 49001	Phone (269)-343-6660

3) ARCHITECT OR ENGINEER

Name Pat Flanagan	Address 1209 E. Milham Ave, Suite B	City Portage
State Michigan	Zip 49002	Phone (269)-344-6165
License Number 38170	Expiration Date 7/30/2025	Email pflanagan@monumentengineering.com

4) BUILDING CONTRACTOR

Company name N/A	Address	City
State	Zip	Phone
Email	Federal Employer ID	
Builder License Number	Expiration Date	
Workers Comp Insurance Carrier	MESC Employer Number	

5) TYPE OF DEVELOPMENT PROJECT

- Site Plan [±] **PARKING REDUCTION**
 Building Plan
 Final Plan in Planned Development
 Subdivision
 Condominium
 Land Division Requiring Public Improvements
 Landscape Plans
 Public Water Main
 Public Sanitary Sewer Main

Other: _____

(Note: Please provide a Portable Document Format (PDF) of the plans for the project at time of document submittal. The submitted format shall be CD/DVD or USB. If a PDF is not submitted, an additional \$25 fee plus \$1 for each plan sheet after 20 sheets will apply.)

6) TYPE OF IMPROVEMENT

- New Building
 Alteration
 Addition
 Repair
 Demolition
 Foundation Only
 Relocation
 Special Inspection
 Solar
 Other: _____

7) DESCRIPTION OF WORK

A) Proposed two tenant 4,160 SF office building with storm sewer, infiltration basin, water service and sanitary sewer

B) Valuation of Project: \$ Pending

C) Any known soil and/or groundwater contamination? Yes No

8) CHARACTERISTICS OF THE BUILDING

A) Water Meter Size

- 5/8" 3/4" 1" 1 1/2"
- Other _____ Irrigation Size _____ Fire Sprinkler Size _____

B) Electric Service Size

- 200 AMP 400 AMP 600 AMP 800 AMP 1000 AMP Other _____

C) Type of Mechanical

- Air Conditioning? Yes No Fire Suppression? Yes No Hood System? Yes No

9) CONSTRUCTION PLANS SUBMITTED

Required submittals for plan review:

- Plans shall be signed and sealed when required in accordance with State of Michigan Act No.299 of Public Acts of 1980.
- All plans shall be drawn on uniform sheets no greater than 30"X42".
- All plans shall be drawn to an architectural scale.
- All plans shall be clear, legible and accurate.
- Plans shall be stapled along the left margin.

Type of Plan Submitted:

- Building Electrical Plumbing Mechanical Energy

Building Code: Site plan, foundation plan, soil bearing capacity, floor plans, building elevations, building sections, framing plan, details, roof plan, roof finish schedule, roof live and dead loads.

Electric Code: Lighting layout, circuiting, switching, conductor and raceway sizes, wattage schedule, service location and riser diagram, load calculations, and appropriate plans showing standard symbols of all electrical equipment.

Plumbing Code: Site plan, floor plans, DWV riser diagrams and water distribution system and roof plan, Show direction of flow, pipe sizes, grade of horizontal piping, elevations, drainage fixture unit loading of both stacks and drains in the DWV system, supply fixture unit load for the water system, branch supplies serving more than one plumbing fixture, appliance or hose outlet, meter locations.

Mechanical Code: Plans indicating heating equipment, air conditioning equipment, ductwork material and layout, fire dampers, ventilation of rooms and areas, location of chimneys and vents, piping layouts, kitchen equipment layout, and combustion air. (Plans for fire suppression systems may be submitted after permit issuance, but are required prior to installation.)

Energy Code: Floor plans, building sections, details, average annual degree days, exterior envelope components materials, "U" values of elements, "R" values of insulating materials, size and type of apparatus and equipment, energy calculations.

Note: Additional plan review fee(s) required of all non-concurrent plan submittals

APPLICANT INFORMATION

Applicant is responsible for the payment of all fees and charges applicable to this application and must provide the following information:

Name <u>D Lawrence and G Gillepsie Sprinkle Rd Properties, LLC.</u>	Phone <u>(269)-343-6660</u>
Address <u>610 E. Cork Street</u>	City <u>Kalamazoo</u>
State <u>Michigan</u>	Zip <u>49001</u>

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent, and I agree to conform to all applicable laws of the State of Michigan and ordinances of the City of Portage. All information submitted on the application is accurate to the best of my knowledge.

Signature of Applicant: _____

(DYLAN LAWRENCE)

Date: 11/01/2024

FOR DEPARTMENTAL USE ONLY

- | | | |
|---|--|--|
| <input type="checkbox"/> Vacant | <input type="checkbox"/> F-2: Factory (Low Hazard) | <input type="checkbox"/> I-4: Institutional (Day Cares, ETC.) |
| <input type="checkbox"/> A-1: Assembly (Theaters) | <input type="checkbox"/> H-1: High Hazard (Detonation) | <input type="checkbox"/> M: Mercantile |
| <input type="checkbox"/> A-2: Assembly (Restaurants) | <input type="checkbox"/> H-2: High Hazard (Deflagration) | <input type="checkbox"/> R-1: Residential (Hotels, Motels, ETC.) |
| <input type="checkbox"/> A-3: Assembly (Library, ETC.) | <input type="checkbox"/> H-3: High Hazard (Physical) | <input type="checkbox"/> R-2: Residential (Multi Family, ETC.) |
| <input type="checkbox"/> A-4: Assembly (Indoor Sports) | <input type="checkbox"/> H-4: High Hazard (Health) | <input type="checkbox"/> R-3: Residential (1 & 2 Fam. Townhomes) |
| <input type="checkbox"/> A-5: Assembly (Outdoor Sports) | <input type="checkbox"/> H-5: High Hazard (HPM) | <input type="checkbox"/> R-4: Residential (Assisted living) |
| <input type="checkbox"/> B: Business | <input type="checkbox"/> I-1: Institutional (Supervised) | <input type="checkbox"/> S-1: Storage (Moderate hazard) |
| <input type="checkbox"/> E: Educational | <input type="checkbox"/> I-2: Institutional (Hospital) | <input type="checkbox"/> S-2: Storage (Low hazard) |
| <input type="checkbox"/> F-1: Factory (Moderate hazard) | <input type="checkbox"/> I-3: institutional (Prisons) | <input type="checkbox"/> U: Utility (Garage, Shed) |

CHARACTERISTICS OF BUILDING

Frame:

- Masonry Wood Frame Structural Steel Reinforced Concrete Other

Heating System:

- Gas Electricity Solar Other_____

New Sewer Connection:

- Yes No

New Water Connection:

- Yes No

Type of Mechanical:

- (Y) Air Conditioning (Y) Fire Suppression

DIMENSIONS / DATA

Number of Stories _____ Use groups _____ Construction Type _____

Number of Occupants _____

Floor Area	Existing	Alterations	New
Basement			
1 st Floor			
2 nd Floor			
3 rd Floor			
4 th Floor			
5 th Floor			
Total			

Parking Reduction Narrative for 8939 South Sprinkle Road, Portage, Michigan

Regarding property located at 8939 South Sprinkle Road and the submitted Site Plan, along with all other supporting documents, the following justification for a reduction in parking spaces is as follows:

The reduction in parking spaces from eight (8) spaces down to six (6) spaces will still allow business operations to run smoothly and will ensure adequate traffic circulation. This is mostly due to the nature of the building's business operations. The expected operations of said future businesses are primarily related to contractor/repair work. The proposed building's primary function will be to serve as a small office space (two units) for a contracting or repair company. Each individual unit will contain a small retail area as part of their respective business practices (in compliance with City zoning ordinance). These retail areas will occupy a small walk-in section of the building where customers can discuss plans, review issues, or pay expenses owed to the company. Said retail areas are not intended to act as an area where goods and/or services are exchanged, and therefore the nature of the retail sections of the building will be exclusively drop-in only. This will allow for parking spaces to be occupied for a smaller duration of time, thus reducing the need for parking spaces. This also means that the level of customer traffic will be lower than that expected of a similar retail building. This is not a temporary aspect of said building and is expected to operate as such whenever said building is in operation. Spillover of parked vehicles will not occur on Waruf Ave because 6 parking spaces will be sufficient to handle vehicle flow, as customers will use proposed retail area as drop-in only, as discussed above.

In addition to the parking reduction request, the topic of a loading/unloading space will also be addressed: Due to high ground water level, the storm water basins on site were required to be shallower, and thus wider, as the space required to reach a basin depth of 3' below ground water level was not available (for both East and West Basins). Due to this, the spacing needed for a potential larger loading/unloading space was unavailable. To accommodate this, multiple changes were made to the Site Plan along with the required Parking Agreement. Firstly, the most Easterly parking space is enlarged to 10' wide by 20' deep. This is to accommodate the trucks that will be using said loading/unloading space. Secondly, it is specified that trucks bigger than class 2 trucks (6,001-10,000 lb) are not allowed to utilize the loading/unloading space. This is to ensure that the spacing is adequate and traffic circulation is not inhibited. Lastly, the type of truck allowed, the functionality, and timing of said loading/unloading space is specified in the Parking Agreement to be agreed upon by the owner of the property and the City of Portage. It is additionally worth noting, that in case of an emergency, or if deemed necessary, the loading/unloading space may serve as an extra seventh (7th) parking space, since deliveries are anticipated to occur during non-business hours.

Staff's Site Pictures

November 12, 2024



Figure 1: Looking SE at subject site. Car parked near back lot line. Black silt fence is front property line (approx.).



Figure 2: Looking east at subject site. Dashed lines represent property lines (approx.).



Figure 3: Looking east at subject site. Waruf Avenue forms the southern edge of the subject site. Dashed lines represent property lines (approx.).



Figure 4: Looking north at subject site. Portage Road forms the western edge of the subject site. Dashed lines represent property lines (approx.).



Figure 5: Looking NW at subject site from Waruf Avenue. Dashed lines represent property lines (approx.).



Figure 6: Looking north from Waruf Avenue. Dashed lines represent property lines (approx.).

Parking Agreement

This Parking Agreement ('Agreement') entered into this _____ day of _____, 2024 by and between City of Portage, whose address is 7900 S. Westnedge Avenue, Portage, MI, and D. Lawrence & G. Gillepsie Sprinkle Rd. Properties, LLC., whose address is 610 E Cork Street, Kalamazoo, MI.

WHEREAS on _____ 2024 the City of Portage approved a Site Plan (Exhibit A) for the development of a two-tenant contractor/ repair workshop with associated retail development at 8939 S. Sprinkle Road. The Site Plan approval was conditioned upon the approval of a Parking Reduction Request.

WHEREAS the development is required to provide off-street parking per City Sec 42-520. Based on the proposed use, a total of eight parking spaces are required, as noted on Exhibit A. Only six spaces will be provided, however. To permit fewer parking spaces, a Parking Reduction Request has been filed pursuant to Sec 42-520 and has been conditionally approved by the Planning Commission on _____ 2024. In this Request, a lower parking demand has been forecasted based on the proposed contractors/ repair business. And the proposed 6-space parking lot will better meet the needs of the lower parking demand. Lastly, it is anticipating that despite the smaller parking area, the future parking demand will not result in overflow of parking onto adjacent street.

WHEREAS the Site Plan shows several parking spaces located in front of two garage doors. Each door is provided for use of tenants' occupants. The use of those doors may be blocked when vehicles are using certain parking spaces. This may result in blockage of the garage doors. To avoid this, it is agreed upon that the usage of garage doors shall only be during non-business hours (such as 6:00-7:00am and/or 5:00-8:00pm), as to not conflict with employee or customer parking; and the trucks accessing the overhead doors shall be class 1 (6,000 lb or less) vehicles which are small enough to fit within the regular parking spaces of parking lot. Placing signage on/ near these garage doors indicating periods of operation shall be provided.

WHEREAS the development is required to provide off-street loading per City Sec 42-522. A loading space is provided in the Site Plan. This Agreement sets forth the following unique loading/unloading times and vehicles sizes for the related development. The loading/unloading of vehicles shall not interfere with the retail area of proposed tenant spaces through any means necessary, including walling off said retail space, only conducting loading/unloading during non-business hours, etc. The loading /unloading space provided on the Site Plan is shown at 10' x 20' (200 square feet) which is smaller than the minimum 500 square foot area size. This Agreement limits vehicles that are smaller than Class 2 (6,001 to 10,000 lb) vehicles to be used for loading/ unloading.

WHEREAS the agreement herein satisfies the intent of the parking and loading zone operations of the City of Portage site plan condition of approval and an executed copy hereof shall be provided to the City of Portage be included in D. Lawrence & G. Gillepsie Sprinkle Rd. Properties, LLC. record of site plan approval.

NOW THEREFORE it is agreed as follows:

D. Lawrence & G. Gillepsie Sprinkle Rd. Properties, LLC. agrees to the operations of the loading zoning, parking, and garage doors as addressed above.

TERM

This Agreement shall be effective upon execution by both parties and shall be accepted by the City of Portage Chief Development Officer or his/her designee and shall not be amended and/or terminated without written consent of both parties and the City’s Chief Development Officer or his/her designee.

The term of this agreement shall be for as long as the approved contractor/ repair workshop + retail development occupies the property identified herein and approved site plan and shall be automatically revoked upon the removal, discontinuation, or change in use from the property.

COOPERATION

The parties agree to cooperate and work together in good faith to effectuate the purpose of this Agreement.

SUPPLEMENTAL COVENANTS

No private agreement shall be entered into that overrides this agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Site Plan approval date of _____ 2024. forth at the outset hereof.

D. Lawrence & G. Gillepsie Sprinkle Rd. Properties, LLC.

Dylan Lawrence, Member or Manager.

Witness:

City of Portage:

Witness:

Acceptance by the City of Portage

Witness:

Date: _____

By:

By:

By:

DRAFT