

**CITY OF BATTLE CREEK
PLANNING COMMISSION
10 North Division, Battle Creek, MI 49014
Minutes for Wednesday, April 27, 2022**

MEETING CALLED TO ORDER:

By Chairperson Godfrey at 4:06 p.m. This meeting was held in person.

ATTENDANCE: Chairperson Godfrey asked for a roll call attendance.

Commission Members Present:

Comm. Newman , present, in Battle Creek	Comm. Gray , present, in Battle Creek
Comm. Spranger , present, in Battle Creek	Mayor Behnke , present, in Battle Creek
Vice Mayor Faris , absent, in Battle Creek	
Comm. Godfrey III present, in Battle Creek	

Commissioners Absent: **Comm. Sobieralski, Comm. Laws**

Staff Present: Marcel Stoetzel, Deputy City Attorney, Susan Cronander, Planning Administrator and Travis Sullivan, Planner, Marcie Gillette, Community Development Director, Vanessa Hernandez, CSR II,

APPROVAL OF MINUTES: Previous meeting minutes submitted for approval for March 23, 2022 meeting.

MOTION MADE BY COMMISSIONER GRAY TO APPROVE THE MARCH 23, 2022 MEETING MINUTES AS SUBMITTED. SECONDED BY COMMISSIONER NEWMAN.

ROLL VOTE: Chairperson Godfrey asked everyone in favor to signify by saying “aye”:
ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.

CORRESPONDENCE: None

ADDITIONS/DELETIONS: Deputy City Attorney Marcel Stoetzel requested discussion to be added before public hearing deliberation, in regards to adopting rules of procedure similar to City Commission in December 2021. Ordinance 11-2021, Chapter 212.02, Section 17, “Rules of Procedures” to deal with public comments time period, imposing a 3 minute limit per speaker.

MOTION MADE BY MAYOR BEHNKE TO APPROVE RULES OF PROCEEDURE TO DEAL WITH PUBLIC COMMENTS TIME PERIOD TO A 3 MINUTE MAXIMUM. SECONDED BY VICE MAYOR FARIS.

ROLL VOTE: Chairperson Godfrey asked everyone in favor to signify by saying “aye”:
ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.

PUBLIC HEARINGS/DELIBERATIONS:

Chairperson Godfrey asked to open the public hearing for item 6A (#S-06-22) on the agenda.

A) SPECIAL USE PERMIT #S-06-22:

Petition from Ramez AbdulNour, 24225 9 Mile, Suite 180, Southfield, MI 48033, requesting a Special Use Permit for property located at 5700 Beckley Rd Suite F. The request is for a self-storage facility.

Property is zoned “B-2 Regional Commercial District,” pursuant to Sections 1251.42 & 1281.05 of the zoning code. Parcel # 0086-00-260-0.

Staff Presentation: Travis Sullivan, Planner, gave the staff report presentation. Staff recommends approval to allow for a new self-storage facility within an existing building located at 5700 Beckley Rd., Suite F. Important to note that parking is provided by Minges Creek Mall owner. Staff feels the request meets a couple of the stated goals in the Master Plan with the 8 conditions listed in the staff report.

Public Comments: None

Chairperson Godfrey asked if the petitioner or anyone on behalf of the petition #S-06-22 was present to speak.

Applicant: Ramez AbdulNour, 24225 9 Mile, Suite 180, Southfield, MI 48033. Proposing a special use, they have tried a few retail uses due to changes in retail they think this is a viable choice for use to make it a feasible project and an added value to the community.

Planning Commission Discussion: None

MOTION MADE BY COMM. NEWMAN AND SECONDED BY COMM. SPRANGER TO APPROVE #S-06-22 SPECIAL USE PERMIT FOR SELF-STORAGE FACILITY, WITH THE 8 CONDITIONS LISTED IN THE STAFF REPORT, FOR PROPERTY LOCATED AT 5700 BECKLEY RD, SUITE F (PARCEL #0086-00-260-0) FROM THE B-2 REGIONAL COMMERCIAL DISTRICT.

ROLL VOTE: ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.

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B) SPECIAL USE PERMIT #S-07-22:

Petition from Ganton Lakeview Real Estate LLC, 14420 S. Helmer Road, Battle Creek, MI 49015, requesting a Special Use Permit Amendment for property located at 14661 S. Helmer Rd. The request is for an addition to an existing assisted living facility. Property is zoned “R-1A Single-Family Residential District,” pursuant to Sections 1251.46 and 1281.05 of the zoning code. Parcel # 0071-00-100-0.

Chairperson Godfrey asked if the petitioner or anyone on behalf of the petition #S-07-22 was present to speak.

Applicant: Scott Ganton, 3004 Gardener, Parma, MI stated he is requesting an expansion of the existing facility to accommodate residents. The expansion includes a fitness room, P.T. room, dining room and 6 additional residential units.

Public Comments:

Michael Goy, 133 Barbados TRL, stated he will be the most impacted neighbor. Will have to deal with new traffic, noise, trash and property will be financially impacted with property value decrease due to construction in the area. Inquired if this is phase 1 or any more phases.

Kevin Culp, 150 Barbados TRL, stated that he was concerned about the increase in traffic by commercial vehicles. His concern was also that this was a blanket special use permit and if it is just phase I, or whether additional phases will occur. Stated this should not be passed, government is for citizens but this is a business.

Dave Davis, 118 Mesa Verde, stated he opposes the special use permit. Stated that this addition could damage their neighborhood with the increase of traffic from employees and delivery trucks.

Dave Walters, 262 Jacaranda Dr, stated he opposes the special use permit, and recommended to postpone the petition decision for a later date. He recommended commissioners to visit the area. Shared concerns about pg. 33 with parking.

Chad Wolschlager, 137 Barbados TRL., stated he is concerned about parking and the possibility of a driveway, since children play in the area.

Sharon Zapata, 117 Mesa Verde Dr., stated that this is a place for our community the residents living in the facility do not come and go. The staff is phenomenal, and the community needs more places like this for the seniors. Stated that the community is neglecting senior citizens if the addition is not allowed to accommodate the residents on the waiting list.

Staff Presentation:

Susan Cronander, Planning Administrator, gave the staff report presentation. Staff finds that this petition request for property located at 14611 S Helmer Rd. meets the Zoning Ordinance and Master Plan. Recommends approval with the 6 conditions listed in the staff report.

Planning Commission Discussion:

MAYOR BEHNKE stated he was concerned about the project was premature and if City staff could address these issues. Suggested to postpone or table for two months at this time, until another meeting.

MOTION MADE BY MAYOR BEHNKE AND SECONDED BY COMMISSIONER GRAY TO POSTPONE FOR TWO MONTHS, #S-07-22 SPECIAL USE PERMIT FOR A SPECIAL USE FOR AN ASSISTED LIVING FACILITY FOR SENIORS LOCATED AT 14611 S HELMER RD., IN A “R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT,” WITH THE 6 CONDITIONS OUTLINED IN THE STAFF REPORT.

ROLL VOTE: THREE IN FAVOR, THREE OPPOSED, MOTION TIED.

COMMISSIONER GRAY asked the applicant if he is willing to arrange a meeting with neighbors to address these concerns.

COMMISSIONER NEWMAN asked if this is for special use only or if the site plan is included. Clarified that the special use is for expansion of existing facility which has been in place for a number of years.

VICE MAYOR FARIS asked staff that as they go through the site plan review that they take into consideration the planning requirements as well as neighbors.

MR. GANTON stated he is willing to meet with neighbors for further discussion about the project and answer their questions. Asked if he comes back to another meeting what will the decision be predicated on. Shared he is constructing an addition, traffic will be the same as building a home. Further commented if he comes back in two months, whether it is going to be the same decision. Shared that he has been an excellent tax payer and the city of Battle Creek does not want his business, he can look for other options.

MOTION MADE BY COMMISSIONER GODFREY AND SECONDED BY COMMISSIONER SPRANGER TO APPROVE #S-07-22 SPECIAL USE PERMIT FOR A SPECIAL USE FOR AN ASSISTED LIVING FACILITY FOR SENIORS IN A “R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT,” WITH THE CONDITIONS OUTLINED IN THE STAFF REPORT.

ROLL VOTE: FIVE IN FAVOR, ONE OPPOSED, AND MOTION APPROVED.

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OLD BUSINESS: None

NEW BUSINESS:

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM COMMISSION MEMBERS AND STAFF:

TRAVIS SULLIVAN stated that conditions were not reviewed for #S-06-22 and asked Marcel if a motion should be revisit.

ADJOURNMENT:

Chairman Godfrey adjourned the meeting at 4:59 p.m.

Submitted by: Vanessa Hernandez, CSR II, Planning and Zoning
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