

**VILLAGE OF SCHOOLCRAFT
PLANNING COMMISSION
JUNE 8, 2009**

The Regular Meeting of the Planning Commission was called to order by Chairperson Tim Brown at 7:05 p.m.

ROLL CALL:

Present: Chairperson Tim Brown, Commissioners Gunnett, DeVries, Harden (7:06 p.m.), Rozeboom and Vestal.

Absent: Pfof.

Also Present: Village Manager Cheri Lutz, Andy Blodgett.

APPROVAL OF MINUTES:

Motion by Rozeboom, seconded by DeVries, to approve the minutes of the Regular Meeting of April 13, 2009, as presented. All aye.

PUBLIC HEARINGS:

None.

UPDATE ON VILLAGE ACTIVITIES:

Minutes of the Regular Meetings of the Village Council held on April 6, 20, May 4, 18, 2009, were reviewed for file.

UNFINISHED BUSINESS:

Mr. Andy Blodgett appeared before the Planning Commission to request consideration for allowance of Open Air Sales at his business located at 403/413 N. Grand Street in the B-1 District.

Mr. Blodgett had the following comments:

- He stated that he is interested in pursuing a request for Conditional Zoning to allow Open Air Sales in the B-1 District.
- He stated that he will adhere to all necessary requirements including inside sales and restroom facilities, and that he will comply with fencing and signage requirements if allowed to conduct Open Air Sales.
- He asked if Conditional Zoning could be approved for one person/business located within a shared business complex on the same parcel.
- He stated that tenants change frequently in his business location, that the zoning ordinance is restrictive, and that he is looking for ways to fill occupancies.
- He requested that the Planning Commission consider why his request could work rather than why it would not work.
- He stated that there is adequate parking for Open Air Sales at his business.
- He stated the Planning Commission needs to bring business back to the community rather than to restrict them, and stated that there are seven (7) zoned areas within the Village limits.

Commissioner Tim Brown had the following comments:

- He stated that Conditional Zoning is a tool that has not been used in Kalamazoo County.
- He stated that Conditional Zoning allows flexibility for a unique piece of property and should not be used as a mechanism to allow additional zoning opportunities for businesses for uses that are provided in other zoning districts.
- He stated that the Planning Commission cannot negotiate conditions or place stipulations on the request, and the Planning Commission's role is either to approve or to deny the request.
- He stated that current zoning allows for Open Air Sales in the B-2 District.
- He stated that Mr. Blodgett's property abuts residential properties.
- He stated that the characteristics of the property are not so unique that it would warrant a Conditional Zoning request.
- He stated that Mr. Blodgett's request would necessitate a change to the existing ordinance, a change in site design standards, and require a variance request.
- He stated that he does not see Open Air Sales being a good fit with the residential homes along Hayward Street.
- He stated that the text amendment or Conditional Rezoning request may be at the cost of Mr. Blodgett as he approached the Planning Commission for the request.

Commissioner Dan DeVries had the following comments:

- He discussed the definition Open Air Sales and asked what constitutes an Open Air Business.
- He stated that the Planning Commission could have a pre-discussion with Mr. Blodgett regarding a request for Conditional Zoning.
- He asked if the existing Land Use Plan reflects the best interest of the Village of Schoolcraft, and stated that a request for Conditional Zoning should support the Land Use Plan.
- He stated that the Village should make opportunities through proper zoning to encourage business development.
- He stated that the Village of Schoolcraft is missing out on additional taxes by restricting certain uses.
- He stated that the Planning Commission should look to define Open Air Sales to create an opportunity to conduct Open Air Sales in the B-1 District.
- He stated that the Planning Commission should ask if there is an Open Air Business that would be desirable in the B-1 District.
- He stated that the Village of Schoolcraft could make efforts to revitalize the Business District through less restrictive zoning.

Commissioner Rozeboom had the following comments:

- He asked if the Planning Commission could modify the definition of Open Air Sales.
- He stated the current definition of Open Air Sales is too broad, and would like to see it narrowed down to specific uses such as low intensity/high intensity.
- He stated that if the Village of Schoolcraft utilizes the Access Management Concept formulated by MDOT, then zoning decisions should be made on that basis.

Commissioner Vestal had the following comments:

- He asked if the former Hoppy's could be re-established as Open Air Sales based on the fact that Mr. Blodgett's request is for non-profit.
- He stated that there are reasons why Open Air Sales are not allowed in certain zoning districts, and cited a request from Burger King to build a drive through restaurant in the B-1 District.

Commissioner Gunnett had the following comments:

- He stated that Planning Commission should work to promote businesses rather than to discourage them.
- He stated that the Planning Commission should look for ways to allow for more business opportunities.
- He stated that he wants to help people who wish to invest into the community and those who pay taxes in the community.

Commissioner Harden had the following comments:

- He stated that the proposed use of Mr. Blodgett does not fit into the overall attractiveness of the business community.
- He stated that he has issues with the appearance of the snow fence and signage.
- He stated that approval of Conditional Zoning may not be in alignment with the Comprehensive Land Use Plan.
- He stated that he would not be opposed to looking at less restrictive requirements for Open Air Sales in other zoning districts.
- He stated that the Planning Commission should be cognizant of the impact that a business could have on abutting residential properties.
- He stated that he is concerned about additional traffic volume on local streets.
- He stated that he does not want to consider Conditional Zoning and would consider modification of the Zoning Ordinance to allow Open Air Sales in certain districts.

Commissioner Brown thanked Commissioners for their comments and had the following concluding remarks:

- He stated that the Planning Commission does not have the authority to make exceptions for Open Air Sales in the B-1 District.
- He stated that the request for Open Air Sales and revitalization of the Business District are two separate issues.
- He stated that he believes the economy is the problem with regard to vacant storefronts, and does not feel that it is because of restrictive zoning.
- He stated that traffic on Grand Street should be different than traffic on Hayward Street.
- He stated that he does not support access management.
- He requested that Open Air Sales and Business Development be placed on the July Agenda.

ADJOURNMENT:

The meeting was adjourned at 8:50 p.m.

Cheri M. Lutz, Recording Secretary

Tim Brown, Chairperson