

OSHTEMO CHARTER TOWNSHIP

MINUTES OF JOINT MEETING OF THE TOWNSHIP BOARD, PLANNING COMMISSION AND ZONING BOARD OF APPEALS HELD FEBRUARY 20, 2007

A joint meeting was conducted by the Oshtemo Charter Township Board, the Planning Commission and the Zoning Board of Appeals on Tuesday, February 20, 2007, commencing at approximately 6:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT:

Township Board:	Jim Grace, Acting Chairman Dave Bushouse Neil Sikora
Planning Commission:	Terry Schley, Chairman Lee Larson Mike Smith Robert Anderson Carl Benson
Zoning Board of Appeals:	Duane McClung Cheri Bell Grace Borgfjord Millard Loy

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Township Senior Planner; Brian VanDenBrand, Township Associate Planner; and approximately eight other interested persons.

Call to Order

Jim Grace, on behalf of the Township Board, called the meeting to order, as Acting Chairman, at approximately 6:00 p.m.

Inclusionary Housing Presentation

The Acting Chairman introduced Tobi Hanna-Davies from ISAAC Housing Task Force. Ms. Hanna-Davies introduced the President of ISAAC, Dr. Larry Oppliger. Dr. Oppliger explained that the purpose of ISAAC was to fight for social justice and that they were specifically focusing on the issue of affordable housing, also known as Inclusionary Housing. Dr. Oppliger then turned the presentation over to Tobi Hanna-Davies.

Ms. Hanna-Davies made a presentation outlining the purpose and intent of the proposed Inclusionary Zone Program. Ms. Hanna-Davies also provided information regarding median household income, as well as a copy of the ordinance being considered by the City of Baltimore

for Inclusionary Housing. Ms. Hanna-Davies concluded by asking if there were any questions from the various Board members.

Mr. Schley asked Ms. Hanna-Davies, of the 150 communities that have implemented Inclusionary Housing requirements, how many had been voluntary? Ms. Hanna-Davies said 20 to 30. Mr. Schley asked if ISAAC recognized some people's desire to have "exclusive housing."

Ms. Hanna-Davies said that they did, but if the ordinance were mandatory, it would be required for all new housing. However, she said there were site substitute clauses or waivers which could be applied under the proposed ordinance.

The Acting Chairman asked if they would be getting a list of other communities that had implemented this Program so the Boards could review and consider what those communities had done. Ms. Hanna-Davies said that in the handout there were Websites which could be used to identify those communities currently providing for Inclusionary Housing. She also noted that Mr. David Rusk would be coming to the Kalamazoo area to promote Inclusionary Housing on May 10, 2007. The Acting Chairman asked whether the Home Builders Association was receptive. Ms. Hanna-Davies said that Dale Shugars, Director of the Home Builders Association, was receptive, but only if the Program was voluntary. She said that the results would have to be reviewed, and if no one volunteers, she said ISAAC would advocate for a mandatory ordinance requiring Inclusionary Housing.

Ms. Bugge asked if various non-profits or governmental units were purchasing the affordable housing and providing it to needy individuals. Ms. Hanna-Davies said that in other states that was taking place, but that 75 to 80 percent of the developments were still being sold at market rates.

Attorney Porter asked if governmental agencies were in place in the Kalamazoo area to assist in the purchase of the Inclusionary Housing. Ms. Hanna-Davies said that the County had just recently expanded the authority of the County Housing Commission to provide a full-service Program to the community. She also stated that the Housing Commission had just received its first grant money to establish a pool of funds necessary for these types of Programs.

Mr. Benson asked what percentage of housing starts would be needed in order to determine whether a Program was successful. Ms. Hanna-Davies said they had not set a base line at this point in time and thought that would have to be looked at in conjunction with the governmental entities which would be enacting such Programs. She said obviously voluntary Programs produce fewer low income housing units than mandatory provisions, but hoped that it would be enough so as not to require a mandatory ordinance.

Mr. Schley asked why ISAAC had sought to implement this Program only in the communities affected by the Kalamazoo Promise and not the community as a whole. Ms. Hanna-Davies said primarily because people seemed anxious to build in the areas affected by the Kalamazoo Promise; and second, they needed to establish an example of how the Program would work and thought it would be easier to start with a limited number of municipalities. She said if successful, they would try to enlarge this Program throughout the community. Ms. Hanna-

Davies provided some statistics of the number of poor that resided within the various communities, including Oshtemo Charter Township.

Ms. Bugge asked, if the information showing a large number of lower income persons living in Oshtemo Charter Township was not evidence that the Township was, in fact, providing affordable housing. Ms. Hanna-Davies conceded that was true, but felt that more could be done.

Upon the conclusion of the discussion with the Board, the Acting Chairman thanked the representatives of ISAAC for their presentation. Ms. Hanna-Davies concluded by saying that she invited Oshtemo Charter Township to be a part of the proposed Inclusionary Housing Program.

Discussion Item: Accessory Buildings

The Acting Chairman said the next item for discussion was the issue of accessory buildings. Mr. Sikora said he raised the issue because of some concerns made by Zoning Board of Appeals members as to whether an upper limit on the size of accessory buildings should be established. At this point, a lively discussion ensued regarding those who felt that the Ordinance was too restrictive and those who felt that the current requirements provided for an appropriate review of large accessory buildings and that the current administrative review process was working properly. At the conclusion of the discussion, it was the consensus that the process for reviewing large accessory structures was operating successfully, and there were no recommendations for a change to the Ordinance at this time.

Discussion Item: Temporary Structures

The Acting Chairman stated the next item up for discussion was the issue of temporary structures. Attorney Porter said that he was concerned, based on recent events in the Township, about how to deal with large temporary structures. He explained, to those present, that the Township Zoning Ordinance dealt with permanent structures in residential zones and not temporary structures. Because of that fact, it was his opinion that temporary structures were not a permitted use within the residential zoning districts. He inquired as to whether the members felt that should be addressed. It was the consensus of those present that incidental temporary structures, such as tents for weddings or graduations (for a day or two) were not significant enough to compel an Ordinance change. Therefore, it was the consensus of those present to leave the Ordinance as it is, thereby not permitting temporary structures for anything more than incidental use.

Discussion Item: Requirements for Planned Unit Developments

The Acting Chairman said the last item for discussion was the issue of Planned Unit Developments. The Acting Chairman said, based on recent review of several Planned Unit Developments, he was concerned that the commercial and the residential portions of the PUD's did not seem to be planned or developed simultaneously, and he had a concern in that regard. Attorney Porter asked that any PUD's under consideration by the Planning Commission not be

discussed specifically. However, he felt there seemed to be some disconnection within those PUD developments which had commercial development because of the Ordinance requirement mandating development of the residential portion of the PUD first.

Several members said they thought the current PUD provisions were adequate. They expressed their opinions that the form and functionality of the PUD as provided for under the Ordinance dealt more with connectivity, street design and property layout than with the actual design and construction of the physical buildings.

Ms. Bugge pointed out that you could have PUD's with just residential development, but those which combined residential and commercial often required additional time to develop the nonresidential portions of the PUD. Mr. Sikora said that hitting a right balance requires closely following the Township Ordinance. Mr. Larson said he believed that was true, but that there had to be a harmonious connection between the nonresidential and residential development to properly consider a planned unit development.

At the conclusion of the discussion, the Acting Chairman suggested that the Planning Commission members focus on the issues as set forth in the Ordinance and be diligent in properly applying the Ordinance in a manner consistent with the purpose of the Ordinance as set forth in Section 60.410. With that, it was the consensus of the members present to not recommend any changes to the PUD provisions at this time.

Any Other Business

There was no other business to be considered at this meeting.

Adjournment

The meeting was adjourned at approximately 7:50 p.m.

By: Jim Grace, Acting Chairman

Minutes prepared:
February 22, 2007

Minutes approved:
_____, 2007