

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A REGULAR MEETING HELD MARCH 22, 2007

AGENDA

CHERRY RIDGE PUD - SPECIAL EXCEPTION USE AND SITE PLAN REVIEW - SOUTH SIDE OF WEST MAIN STREET, WEST OF 10TH STREET/LODGE LANE - (PARCEL NOS. 3905-14-405-050, 3905-14-430-060 AND 3905-14-430-071) [From Table of January 25, 2007]

PARKVIEW MEADOWS PUD - CONCEPTUAL REVIEW - NORTHWEST CORNER OF SOUTH 11TH STREET AND WEST N AVENUE - (PARCEL NO. 3905-36-380-023)

STRAUTKALNS - CONCEPTUAL REVIEW OF SITE PLAN - NORTH SIDE OF STADIUM DRIVE BETWEEN 9TH STREET AND 8TH STREET - (PARCEL NO. 3905-35-105-024)

A regular meeting was conducted by the Oshtemo Charter Township Planning Commission on Thursday, March 22, 2007, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairman
Lee Larson
Deborah L. Everett
Fred Gould
Bob Anderson
Carl Benson
Mike Smith

MEMBERS ABSENT: None

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Township Senior Planner; Brian VanDenBrand, Township Associate Planner; James Porter, Township Attorney, and 50 other interested persons.

CALL TO ORDER

The Chairman called the meeting to order at approximately 7:00 p.m.

AGENDA

The Chairman asked if there were any changes to the Agenda. Mr. Smith then moved to approve the Agenda as submitted. The motion was seconded by Mr. Gould. The Chairman called for a vote on the motion, and the motion passed unanimously.

The Chairman reminded those in attendance to refer to the Policy for Public Comments on the back of their meeting Agenda. He asked that they keep their comments brief and within the confines of the four-minute rule.

MINUTES

The Chairman asked if the Commissioners had had a chance to review the Minutes of March 8, 2007, and if there were any changes. Mr. Larson moved to approve the Minutes as submitted. The motion was seconded by Mr. Smith. The Chairman called for a vote on the motion, and the motion passed unanimously.

CHERRY RIDGE PUD - SPECIAL EXCEPTION USE AND SITE PLAN REVIEW - SOUTH SIDE OF WEST MAIN STREET, WEST OF 10TH STREET/LODGE LANE - (PARCEL NOS. 3905-14-405-050, 3905-14-430-060 AND 3905-14-430-071) [From Table of January 25, 2007]

The Chairman said the fourth item was the special exception use and site plan review for Cherry Ridge PUD. He noted that the Planning Commission was being asked to postpone action on the request until April 26, 2007, or May 24, 2007. Mr. Larson made a motion to table the matter to May 24, 2007. The motion was seconded by Ms. Everett. The Chairman called for discussion, and hearing none, called for a vote on the motion. The motion passed unanimously.

PARKVIEW MEADOWS PUD - CONCEPTUAL REVIEW - NORTHWEST CORNER OF SOUTH 11TH STREET AND WEST N AVENUE - (PARCEL NO. 3905-36-380-023)

The Chairman said the next item for consideration was the conceptual review for Parkview Meadows PUD. He explained that this was the time to conduct a conceptual review of a proposed residential planned unit development for single-family homes at the northwest corner of 11th Street and West N Avenue. He said the subject property was Parcel No. 3905-36-380-023. The Chairman asked to hear from the Planning Department. Mr. Brian VanDenBrand submitted his report to the Planning Commission dated March 22, 2007, and the same is incorporated herein by reference.

Mr. VanDenBrand explained that Allen Edwin Homes was proposing a single-family planned unit development at the northwest corner of 11th Street and N Avenue. He said the property was located in the Genessee Prairie Focus Area. He explained that it was zoned "R-2" and consisted of approximately 51 acres, 1.5 acres which was to be split-off with the

existing farmhouse and the remaining 49.5 acres to be developed into a single-family residential PUD. Mr. VanDenBrand took the Commission through a review of the three proposed phases, focusing initially on how density should be computed for the proposed project. The issue was whether it should be based upon the net developmental area, excluding roads, or should be figured on the gross number of acres for the property. Mr. VanDenBrand then proceeded to complete his review of Section 60.430, as more fully set forth in his report.

At the conclusion of Mr. VanDenBrand's report, the Chairman asked the Planning Commission members if there were any questions of Staff. Hearing none, he asked to hear from the applicant. Mr. Sanderson on behalf of Allen Edwin Homes introduced himself to the Planning Commission. Mr. Sanderson then presented a colored Master Plan for the Commission's review, along with a bullet-point presentation. Mr. Sanderson then proceeded to take the Commission through his presentation indicating that Allen Edwin Homes was open to various avenues of developing the property, emphasizing the Company's flexibility. He said Allen Edwin would consider a PUD or Open Space development, or as a platted subdivision. He asked that the Planning Commission focus on several ideas, including meaningful open space, transition zones within neighborhoods, pedestrian-friendly paths and trails, preservation of wooded areas, and attractive entrance-way design. He said he thought the proposal fulfilled all these goals.

Mr. Sanderson then discussed with the Commission his analysis of the density issue. He said he thought their proposal did not maximize density, since they were only proposing 191 units and it was their interpretation that the Ordinance would allow 204 units in a PUD, 214 as part of an open-space development, 214 if the property were platted properties with duplexes, and 145 lots for a plat of single-family homes.

Mr. Sanderson indicated that he thought the proposal did comply with the Genessee Prairie Focus Area requirements by preserving open space and establishing greenways.

Mr. Sanderson took the Commission through the proposed standards for Parkview Meadows which he thought made the proposal consistent with Township Ordinances. He emphasized the conservation easement along the north boundary of the property; the installation of a fence along the north property; installation of entrance trees and street trees; the planting of large pines on the west boundary line; preserving open-space in the prairie conservation zone; prohibiting sheds along 11th Street; providing a buffer area along the south boundary line; allowing the boundary encroachment along the south boundary line; providing public bike trails; preserving the historic home status; and providing homes of at least 1,540 square feet for two story and 1,320 for single-story homes.

The Chairman asked if the grade of the property would be changed to any significant degree east-to-west. Mr. Dan Lewis from Prein & Newhof said the land was quite flat with approximately six feet of slope and, while they would balance the site, he did not expect much change in the overall configuration of the property. He also noted that the streets, even though proposed to be private, would be built to KCRC standards.

The Chairman asked the applicant if he could explain why he thought his proposal met the intent of the Ordinance. Mr. Sanderson, referring to Section 60.410, said he thought the proposal provided an economical use of the land and, because of the narrow lots, it constituted a more efficient use of the property. He said he thought there was a benefit from open space. He said creating wider lots would only take away from the open space. He also noted that they were proposing 22% open space versus the 5% required under the open-space requirements. He stated he thought the project would be harmonious with the surrounding area because it provided a variety of housing and recreation activities, including the bike trails and the walking paths. He also said the development provided safe and efficient streets. He said, in his opinion, they met all of the goals of the Township Ordinance.

The Chairman said before he went much further, he wanted to hear public comment on the issue.

Mr. George Von Behren introduced himself to the Planning Commission. He thanked the Commission volunteers, as well as the Staff working for the Township, for their work and dedication. He suggested that the Planning Commission reject the proposal because it was not compatible with neighboring properties, lacked meaningful open space, destroyed mature forests and was of a high density similar to a mobile home park of mass production, low-quality homes. He concluded by saying he thought the proposal would be detrimental to the neighborhood.

Mr. Tom Riley introduced himself to the Planning Commission. He said that variances are important, but that they should only be granted under special circumstances, not for business purposes such as that proposed by the applicant. He also asked why the applicant was seeking such large variances, such as a reduction in lot width from 80 feet to 50 feet. He said this would constitute a virtual rewriting of the Township Ordinance which he did not feel was appropriate. He also noted that, in his opinion, this was not a gentle transition from one neighborhood to other, but a stark change in neighborhoods likely to create friction. He said there were other alternatives that the applicant could pursue without the requested variances and suggested the Commission pursue those avenues.

Ms. Robin Ross introduced herself to the Planning Commission. She said that Mr. Sanderson had told them that because of the Kalamazoo Promise and the cost of land in the area they had to create developments with greater density. She said she thought this proposal was too dense and suggested that the Planning Commission do a survey so see how residents felt about quality of life and developments with this degree of density.

Mr. John Brennan introduced himself. He asked that the Commission reject the proposal because it was incompatible with development in the area. He suggested that they allow this development only as a platted subdivision. It was his opinion that the proposed designed looked like an army post.

Ms. Theresa Cland from Paw Paw said that she thought the applicant was not adequately taking into consideration the noise, traffic and the light pollution that would result from such a crowded subdivision. She said it was much too crowded and would have a negative effect on surrounding properties.

Mr. Richard Modderman introduced himself to the Planning Commission as the developer of Rose Arbor. He said that the proposal did not preserve the rural character of the area. He said he opposed the narrow lots and asked that the Planning Commission reject the applicant's proposal.

Ms. Liz Chatman told the Planning Commission that adding 500 to 700 people on a 50-acre parcel would strain both police and fire protection services, as well as the utility infrastructure and create traffic problems for the area.

Mr. Ed Tyson said he had two basic concerns – the first was traffic and the second was the density of the proposed development. He recommended rejection of the proposal.

Mr. Van Dickerson told the Planning Commission that the proposal would destroy the area as it currently exists and would drive people away from the area.

Mr. Mark Hoogerheide told the Planning Commission he saw no reason to grant the variances being requested. He said he thought the request was motivated by the greed of the developer. He noted that the greenspace, in his opinion, was unusable and did not meet the intent of the Ordinance. He suggested that small houses with no basements or limited garages would lead to congestion on the streets and an overall degradation of quality of life in the area.

Mr. Richard Reist told the Planning Commission there was too much traffic in the area, and he simply did not believe it was proper to allow three houses to be built behind his one house because of the narrow lots.

Mr. Marty Poolman was concerned about the price of the homes and asked what effect the value of the lower-priced homes would have on property values in the area, coupled with the change in density.

Mr. Darwin Warner said he was very concerned about setting a precedent of this magnitude, since it would likely affect the type of continued development surrounding the area. He said if that happened, the area would be seriously overbuilt with an inadequate infrastructure to serve the community.

Mr. Gerald Maze said he heard the homes were going to be in the \$140,000 range, when he had spent \$300,000 on his home, and he was concerned about a loss in value for existing homes, as well as the impact of the density of the proposed development.

The Chairman asked if there were any further public comment, and hearing none, closed the public portion of the meeting, then called for Planning Commission deliberations.

The Chairman began by asking the applicant what the target market price was for the proposed development. Mr. Sanderson said mid-\$140,000 range. The Chairman explained to the audience that this was simply the time for conceptual review, that it was an opportunity

for the Planning Commission to discuss with the applicant the proposed development, but that no action would be taken.

The Chairman began by asking the Planning Commission members how they felt about the proposed PUD. Mr. Smith said he did not feel very good about it. He said he thought that it lacked creativity and imagination. He said he thought it was a proposal by the developer to slam as many home sites into the proposed area as possible. Mr. Larson said he had to agree. He said he did not like the layout. He said he did not believe it satisfied the spirit or intent of the Ordinance to conserve natural resources, be compatible with surrounding developments, and did not fit into the Genessee Focus Area. He said he would not look favorably on reduction of any of the lot sizes.

Mr. Anderson asked if the homes would be built without basements. Mr. Sanderson said approximately 90% of the residents request basements and that they would be built when requested, but it was not a requirement of the proposed development.

Mr. Benson said he thought, looking at Section 60.450, that the design and land use plan was not consistent with the intent of the planned unit development concept and was extremely dense. He said he would have extreme trouble granting the deviations requested by the applicant for reduction in lot size.

The Chairman asked for the opinion of the Planning Commission on the issue of density. It was the consensus of the Planning Commission that density for developments in the "R-1" and "R-2" area (including PUD's) should be based upon lot or parcel area, excluding the road right-of-way (i.e., upon net development area).

The Chairman asked if the Commission was inclined to grant any of the proposed deviations. Various members spoke in opposition, based upon their perception that the proposed application did not meet the requirements of the Ordinance and was too dense. The Chairman said that he was of the opinion that many developers, when looking at promoting the economical and efficient use of land, looked at that from purely a business standpoint to maximize profit, rather than a guide to provide for the most effective use of the land. He thought that was a misconception of many developers in reading the Ordinance.

The Chairman also suggested that the Commission not forget the last sentence of Section 60.410 in which the Ordinance states that the PUD regulations are not "intended as a device for ignoring the Township zoning standards, nor the planning concepts upon which the Zoning Ordinance has been based." He said this property was zoned "R-2" and that the proposal was not consistent with "R-2" development. He suggested the applicant come back with another design plan because he could not consider the scale of deviations being requested. He thought that the overall proposal was too dense and not in character with the surrounding properties.

Mr. Gould echoed the Chairman's comments and said he thought the proposal lacked creativity and imagination.

The Chairman again asked if the Commission would consider lots smaller than 72 feet wide. It was the consensus of the Commission members that they would not. He asked if the Commission would consider a reduction in the overall minimum area requirements of the lots, and the Planning Commission indicated they would not. He asked if the Planning Commission would consider the requested reductions in setback. The Planning Commission indicated they would not.

The Chairman did thank the applicant for discussing issues with the neighbors in advance of the meeting. He said he thought that was always very helpful. He said he did appreciate their attempts to address some of the issues which were of concern to the neighbors, however, the Chairman suggested the applicant take into account the comments of the Planning Commission and rework the proposal before resubmitting it. With that, the Chairman thanked the applicant and the citizens for their time and input.

STRAUTKALNS - CONCEPTUAL REVIEW OF SITE PLAN - NORTH SIDE OF STADIUM DRIVE BETWEEN 9TH STREET AND 8TH STREET - (PARCEL NO. 3905-35-105-024)

The Chairman indicated the next item on the agenda was item #6, conceptual review of a site plan in the Village Commercial District. He said the subject property is located on the north side of Stadium Drive between 9th Street and 8th Street, Parcel No. 3905-35-105-024. The Chairman asked to hear from the Planning Commission. Ms. Mary Lynn Bugge submitted her report to the Planning Commission dated March 22, 2007, and the same is incorporated herein by reference.

Ms. Bugge explained that the applicant was requesting review of a sketch plan for a proposed commercial building on a property approximately 3.4 acres in size. She said that the proposed building was in the Village Fringe Planning Area. She explained that the developer was seeking discussion regarding acceptability of the proposed plan before extensive engineering or other costs were incurred. She explained that the Township has recently adopted the Village Theme Development Plan to guide development in the DDA Village Area. She informed the new members of the Planning Commission and the applicants that the Planning Commission was formulating new Zoning Ordinance text to govern future development, and wanted to look at this in light of the direction the Planning Commission was headed.

The Chairman asked if there were any questions of Ms. Bugge. Hearing none, he asked to hear from the applicant. Mr. Richard Baker, Architect, spoke on behalf of Mr. and Mrs. Strautkains. He explained his overall concept for the proposed structure, but said that he and the applicants were seriously interested in any suggestions the Planning Commission might have. The Chairman asked the Planning Commission members if they had any comments.

Mr. Smith said he thought the proposal was reasonable in light of the fact that it was in a transition area. Mr. Larson said that he agreed that the overall building design was suitable, but thought there needed to be an emphasis on the vertical elements of the building. Mr. Larson raised a question regarding the awning and whether it was solid wood or could be replaced with some type of canopy. The Chairman suggested perhaps some

modification in the design of the canopy to break up the horizontal pattern of the proposed overhang. Mr. Baker said he agreed and thought perhaps they could break the awnings up in such a fashion so as to emphasize the major columns of the building, thereby, emphasizing the vertical aspects of the building.

The Chairman explained they were really trying to get a two-story look if at all possible and that doing so would bring it much closer to the Planning Commission's vision.

Mr. Baker said that perhaps he could make some changes within the window design to emphasize that as well. Mr. Larson also encouraged the applicant to dress up the back of the structure. Mr. Baker said he agreed since that was going to be the main business entrance to the property. Mr. Larson said perhaps some additional height could be added.

The Chairman asked where the signage would be. Mr. Baker said it was proposed to be above the canopy area. The Chairman said the Planning Commission was trying to get away from that design in order to obtain more of a pedestrian look and enhance the concept of two-story structures. Mr. Baker said they would look at that area and perhaps they could reduce the overall signage area to minimize the non-pedestrian feel. After a fairly lengthy discussion, the Chairman thanked the applicant for coming in for the conceptual review. He complimented the Architect on a job very well done. The Chairman then noted that if the applicants took into account some of the suggestions made by the Planning Commission that they would return with a design consistent with the goals and intent of the Planning Commission.

Public Comment

The Chairman asked if there were any public comment on non-agenda items, and hearing none, closed that portion of the meeting.

Other Business

The Chairman asked if there was any other business. Ms. Stefforia reminded the Planning Commission members that Mr. Smith was leaving the Planning Commission and, therefore, they needed to choose a liaison to the Zoning Board of Appeals. The Chairman thanked Mr. Smith for his good service and said he would be missed. Mr. Smith said he appreciated working with all the members of the Planning Commission and wished them well. After a discussion as to qualifications and availability, Mr. Larson made a motion to appoint Robert Anderson as the Planning Commission's liaison to the Zoning Board of Appeals. The motion was seconded by Mr. Gould. The Chairman called for a vote on the motion, and the motion passed unanimously.

Ms. Stefforia presented the Planning Commission with a brief update regarding the variance request of Cherry Ridge. She explained that the request was denied and that once the plans were revised in accordance with the Township Board's decision, they would be revisiting this matter at their second meeting in May.

Planning Commission Comments

Mr. Larson explained that he had recently written to the *Kalamazoo Gazette* to complain about its use of the term “vacant land.” He said he explained to the *Gazette* that the more appropriate term to use would have been “open space.” He said not all land needs to be developed to be useful to society.

Mr. Gould said he was concerned about the overall permitted density within some of the zoning districts in the Township and thought the Planning Commission should look at lowering the density provisions of the Township Ordinance.

Mr. Smith again thanked the Commission members for being able to serve with them and wished them the best in the future.

Adjournment

There being no other business, the meeting adjourned at approximately 9:55 p.m.

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

By:

Minutes prepared:
April 3, 2007

Minutes approved:
_____, 2007