

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A MEETING HELD APRIL 24, 2008

Agenda

PUBLIC PRESENTATION: VILLAGE FORM BASED CODE OVERLAY ORDINANCE

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, April 24, 2008, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairman
Deborah Everett
Lee Larson
Fred Gould
Bob Anderson
Carl Benson
Kitty Gelling

MEMBERS ABSENT: None

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

Call to Order

The meeting was called to order at about 7:00 p.m. The "Pledge of Allegiance" was recited.

Agenda

The Chairman asked if any changes needed to be made to the Agenda. There being none, Mr. Larson made a motion to approve the Agenda as submitted. The motion was seconded by Ms. Gelling. The Chairman called for a vote on the motion, and the motion passed unanimously.

Minutes

The Chairman said approval of the minutes of April 10, 2008, was next on the Agenda. Ms. Everett made a motion to approve the Minutes as submitted, and Robert Anderson seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

PUBLIC PRESENTATION: VILLAGE FORM BASED CODE OVERLAY ORDINANCE

The Chairman indicated that the next item on the Agenda was the public presentation of the Village Form Based Code Overlay draft ordinance prepared by McKenna Associates with the Planning Commission's guidance. The Chairman introduced Greg Milliken and asked him to review the Form Based Code Overlay Ordinance.

Mr. Milliken explained the history behind the formation of the Downtown Development Authority within the Village Area, as well as the progress toward developing the Form Based Code. He then went on to explain the differences between the Form Based Code ordinance and a traditional zoning ordinance.

Having laid the basis for the proposed ordinance, Mr. Milliken then systematically took the public through the process of how to properly use the Form Based Code. At the conclusion of Mr. Milliken's presentation, the Chairman invited those persons in attendance to ask general questions, again pointing out that, while this was not a public hearing, it was an opportunity to ask questions and have a forum for discussion prior to the public hearing.

Mr. Beck, attorney for Hardings West, introduced himself to the Planning Commission. He asked that Mr. Milliken help him understand how the proposed Code would impact his client's business, which was a supermarket. Mr. Milliken explained, using the Form Based Code, that his client would first look to the underlying zoning, which in this case was commercial and permitted grocery stores, and then explained how the new Code would be used in regard to building type, etc. It was noted that a grocery store was a special exception use allowed in the Village Area and that applying that Code to that particular use would explain how the form of the structure should be built and site designed.

Cathy Schmidt introduced herself and said she represented a Trust which held property on Parkview Avenue. She asked what effect this Form Based Code would have on her property and how she would explain this to a potential buyer. Mr. Milliken explained that the Form Based Code did not change the underlying zoning and that it was an overlay zone. Ms. Bugge recommended that if Ms. Schmidt wanted to, that she could contact her for more details or that a potential buyer would be more than welcome to contact the Planning Department to discuss the particulars as to how the Form Based Code would be applied to the subject property in the future.

Mr. Beck asked if he could ask an additional question. He said, looking at the map provided for in the Form Based Code, it appeared that an arterial road would

actually travel through his client's existing building. Mr. Milliken and the Planning Department Staff explained that the future roads shown on that map were just conceptual and that the intent was not to specifically locate roads but to indicate that there is a desire to see further infrastructure development within the Village Area. Ms. Bugge and Ms. Stefforia said that a person might think of it more as an access drive rather than a public road. Mr. VanDenBrand said it is a guideline, not a requirement or a specific development plan.

Mr. Beck asked what would happen if the owner did not agree to put in a road. Mr. Milliken explained that part of the development of this Form Based Code would require interaction between public and private entities, including the Township, in order to fully implement the overall plan. The Chairman also noted that, in certain cases with special exceptions, conditions could be imposed or made a requirement of redevelopment. Mr. Larson reminded those in attendance that the map did not show any definitive roads which were planned; it was simply a conceptual design at this point, showing a need to develop additional infrastructure within the community.

Mr. Beck then asked if it was a goal or desire of the plan to have a grocery store in the Village Area. The Chairman said that the goal was to create a pedestrian-friendly village community, and he certainly thought a grocery store was an absolute necessity for that plan to be implemented. The other members of the Planning Commission concurred.

The Chairman asked if there were any other questions or comments.

Mr. DeVisser introduced himself. He explained that they had operated their business on 9th Street for a number of years and wondered what the overall implications for his business were. The Chairman said he thought there were implications for all involved, but much of it depended upon the type of development. He said those who were not changing their businesses might be impacted very little. He stated that those developing larger areas within the Village might see a more significant impact on how they developed. The Chairman again reiterated what Mr. Milliken said about the need for a cooperative effort between the public and private entities in the area to move the village concept forward for the benefit of all of the residents, including those operating businesses, within the Village Area.

The Chairman stated that he encouraged everyone in attendance to stop in and visit with the Staff to discuss this matter in more detail, ask questions and remain engaged in the process. The Chairman explained that this was a fairly new concept, but that the Township was trying to be progressive, as was the DDA, in implementing this type of zoning tool.

Ms. Bugge reminded those in attendance that there were complete copies of the Form Based Code on-line, or if they chose, they could obtain a copy through the Township office.

The Chairman said, hearing no further discussion, he thought the next step for the Planning Commission was to consider a date for public hearing on the proposed text. At the point, Mr. Larson made a motion to schedule a public hearing on the Village Form Based Code Overlay Ordinance for May 22, 2008. The motion was seconded by Ms. Gelling. The Chairman called for a vote on the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

None.

Any Other Business

None

Planning Commissioner Comments

Mr. Anderson told the Commission that he had been at the last Township Board meeting and was very impressed in the awards handed out to the various firefighters. He applauded the firefighters' commitment to the community, and he wanted to make sure that everyone was aware of the fine firefighting staff which the Township has. Mr. Benson concurred with the statements made by Mr. Anderson. Ms. Gelling thanked Mr. Anderson and Mr. Benson for their kind comments about the Fire Department.

Adjournment

There being no further comments from the Commissioners, the Chairman called for an adjournment, and the meeting was adjourned at approximately 8:00 p.m.

Minutes Prepared:
May 2, 2008

Minutes Approved:
May 8, 2008