

OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION

MINUTES OF A MEETING HELD MAY 22, 2008

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**Agenda**

**VILLAGE FORM BASED CODE TEXT- PUBLIC HEARING**

**VILLAGE FORM BASED CODE OVERLAY DISTRICT - PUBLIC HEARING -  
PLACEMENT OF 223 DDA PARCELS INTO THE DISTRICT**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, May 22, 2008, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairman (7:08 p.m.)  
Lee Larson  
Fred Gould  
Bob Anderson  
Carl Benson  
Kitty Gelling

MEMBER ABSENT: Deborah Everett

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner; **Brian VanDenBrand, Associate Planner; Greg Milliken of McKenna & Associates, Inc.**; James Porter, Township Attorney, and approximately 25 other interested persons.

**Call to Order**

Mr. Larson, noting that Chairman Schley had called and said he would be a few minutes late, called the meeting to order at approximately 7:02 p.m. Mr. Larson said that the first item was the "Pledge of Allegiance." He asked all those in attendance to stand and recite the "Pledge."

**Agenda**

Mr. Larson stated that the next item was the approval of the Agenda. Ms. Gelling made a motion to approve the Agenda as submitted. The motion was seconded by Mr. Anderson. Mr. Larson called for a vote on the motion, and the motion passed unanimously.

### **Minutes**

Mr. Larson said that the approval of the minutes of May 8, 2008, was next on the Agenda. Mr. Larson asked if there were any corrections. Hearing none, he called for a motion. Mr. Anderson made a motion to approve the Minutes as submitted. Mr. Benson seconded the motion. Mr. Larson called for a vote on the motion, and the motion passed unanimously.

### **VILLAGE FORM BASED CODE TEXT - PUBLIC HEARING**

Mr. Larson stated that the next item on the Agenda was consideration of the public hearing regarding the Village Form Based Code. He asked for a report from the Planning Department. Ms. Bugge then introduced consultant Greg Milliken, the representative of McKenna & Associates, Inc.

Mr. Milliken presented the history behind the formation of the Downtown Development Authority within the Village Area, and the progress toward developing the Form Based Code. He explained the differences between the Form Based Code ordinance and a traditional zoning ordinance. Mr. Milliken then took the public, step by step, through the process of how to properly use the Form Based Code.

Chairman Schley arrived at the meeting at approximately 7:08 p.m.

At the conclusion of Mr. Milliken's presentation, the Chairman apologized to the Commission and the public for being a few minutes late. At that point, the Chairman said they would open the hearing for public comment on the proposed Form Based Code.

Mr. Brian Hettinghouse, on behalf of Hardings, introduced himself to the Planning Commission. He said he thought the Code was a bit confusing to a grocer. He explained that Hardings was considering remodeling or replacing the building they are currently leasing at the corner of 9<sup>th</sup> Street and Stadium Drive. He noted, given that prospect, he wanted to know who, within the Township, they could meet with in order to determine how the new Code would affect any plans which they might have.

The Chairman said that the Township was blessed with three terrific planners, and he said any of them would be happy to meet and review any proposal which Hardings had with regard to the redevelopment of its property. He said the planners could explain how the Form Based Code would apply to their specific situation. The

Chairman said that offer was extended to anyone at the meeting or anyone with property within the DDA Area.

Mr. Dave Dutler introduced himself to the Planning Commission. He said he owned the property on which Hardings is currently located. He said the matter he was concerned about was that it appeared a road ran through the property which he owned. The Chairman said any of the roads or future roads shown on the Regulating Plan were non-specific representations of circulation routes. He said those roads could be streets; they could be driveways; they could be other access drives. He stated that the Regulating Plan was trying to provide a vision of what might take place in the future.

Mr. Dutler said that he wanted to indicate his support for Hardings and his concern that the Village Form Based Code not hamper their future development. He said he hoped that they could work together with the Township in the future. The Chairman said that he welcomed the suggestion of a partnership and thought that is what it would take to see the Form Based Code come to fruition.

The Chairman asked if there were any further comments.

Ms. Bugge said that they had received a couple of letters in support of the recommendation to adopt the Village Form Based Code. She reviewed a letter from Mr. Bruce Betzler, noting the Downtown Development Authority's support for the Village Form Based Code Overlay District text and the District itself. She also noted they had received a personal letter from Mr. Betzler, as the owner of Betzler Life Story Funeral Homes, in support of a recommendation of the Form Based Code to the Township Board.

The Chairman noted the number of DDA members who were in attendance and thanked them for their support. He also noted that this process had been a long one, supported by public comment and input. He asked if there was any further public comment, and hearing none, closed the public portion of the comment period on the Village Form Based Code. The Chairman again thanked all of those persons who had spent so much time meeting on this issue, particularly the Planning Commission members. He noted that the Form Based Code was quite flexible and would create a vibrant community. He said he did not think anyone should be threatened by the Form Based Code, since it would provide even greater opportunities for those with property within the "Village Area."

The Chairman asked if the Commission wanted to move this matter forward to the Township Board at this time. Numerous Planning Commission members voiced their support for the proposed text. Mr. Larson then made a motion to recommend adoption of the Village Form Based Code to the Township Board. The motion was seconded by Ms. Gelling. The Chairman called for discussion, and hearing no further discussion, called for a vote on the motion. The motion passed unanimously.

## **VILLAGE FORM BASED CODE OVERLAY DISTRICT - PUBLIC HEARING - PLACEMENT OF 223 DDA PARCELS INTO THE DISTRICT**

The Chairman announced that the next item on the Agenda was consideration of the Form Based Code Overlay Zone. The Chairman asked for comments from the Planning Department. Ms. Bugge said the District encompassed the exact area of the Downtown Development Authority without deviation. The Chairman asked if all the property owners in the DDA were notified. Ms. Stefforia indicated that they received a Notice and a map indicating all of the properties which were to be included within the Overlay Zone.

The Chairman asked for public comment. Hearing none, he called for discussion by the Planning Commissioners. After a very brief discussion, Mr. Larson made a motion to recommend the Village Form Based Code Overlay Zone for adoption by the Township Board. The motion was seconded by Ms. Gelling. The Chairman called for a vote on the motion, and the motion passed unanimously.

The Chairman asked when this matter might move forward to the Township Board. Ms. Stefforia said this recommendation would either move forward to the Township Board on June 10 or June 24.

### **Any Other Business**

The Chairman asked if there was any other business. Hearing none, the Chairman said he would move on to the next Agenda item.

### **Public Comment on Non-Agenda Items**

The Chairman asked if there was any public comment on Non-Agenda items. Hearing none, the Chairman called for Planning Commissioner comments.

### **Planning Commissioner Comments**

Mr. Anderson noted that a lot of work was done to reach a conclusion on the Village Form Based Code, and it felt quite rewarding. The Chairman said he thought it would take awhile to see visible signs of the effects of the Form Based Code, but thought that the community would be much better off in the long run for its adoption.

Ms. Stefforia noted that the Planning Commission meetings were now being recorded and would be put on public television.

Mr. Milliken, on behalf of himself and McKenna & Associates, Inc., thanked the Planning Commission members and all those who had provided public comment on the Form Based Code. He said he was pleased to be able to assist the Township with the project.

## **Adjournment**

The Chairman said there being no further items of business to come before the Commission, and he adjourned the meeting at approximately 7:45 p.m.

Minutes Prepared:  
May 29, 2008

Minutes Approved:  
June 12, 2008