

7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
269-375-4260 FAX 375-7180 TDD 375-7198
www.oshtemo.org

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Thursday,
January 8, 2015**

7:00 p.m.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Election of Officers and ZBA Liaison
5. Public Comment on Non-Agenda Items
6. Approve Minutes – December 11, 2014 Regular Meeting
7. **PUBLIC HEARING: Special Exception Use (First Agency)**
Planning Commission to consider special exception use request of the application from AVB Construction on behalf of Lyndon Cronen for the expansion of an existing special exception use to construct a 4,000 square foot storage building for the existing office on the subject property located at 5071 West H Avenue in the R-3 Residence District. (Parcel #3905-12-230-033).
8. Old Business
9. Any Other Business
10. Planning Commissioner Comments
11. Adjournment

Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be board discussion prior to call for a motion.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment or Citizen Comment on Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 5/9/2000)
(revised 5/14/2013)

Policy for Public Comment
6:00 p.m. "Public Comment"/Portion of Township Board Meetings

At the commencement of the meeting, the Supervisor shall poll the members of the public who are present to determine how many persons wish to make comments. The Supervisor shall allocate maximum comment time among persons so identified based upon the total number of persons indicating their wish to make public comments, but no longer than ten (10) minutes per person. Special permission to extend the maximum comment time may be granted in advance by the Supervisor based upon the topic of discussion.

While this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 2/27/2001)
(revised 5/14/2013)

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A MEETING HELD DECEMBER 11, 2014

Agenda

PUBLIC HEARING: PLANNING COMMISSION TO REVIEW APPLICATION OF BRONCO DEVELOPMENT, LLC, FOR TENTATIVE APPROVAL OF A PRELIMINARY PLAT FOR A 25-UNIT RESIDENTIAL SUBDIVISION (TUSCANY EAST) LOCATED ON WEST L AVENUE JUST EAST OF THE EXISTING TUSCANY SUBDIVISION WITHIN THE RR RURAL RESIDENTIAL DISTRICT (PARCEL # 3905-30-205-026).

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, December 11, 2014, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairperson
Fred Antosz
Wiley Boulding, Sr.
Millard Loy
Richard Skalski

MEMBERS ABSENT: Dusty Farmer
Pam Jackson

Also present were Greg Milliken, Planning Director; James Porter, Attorney; and Martha Coash, Meeting Transcriptionist. There were approximately eight other people in attendance.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairperson Schley at approximately 7:00 p.m. and the "Pledge of Allegiance" was recited.

AGENDA

The Chairperson asked for a motion to approve the agenda.

Mr. Loy made a motion to accept the agenda as presented. Mr. Skalski seconded the motion. The motion passed unanimously.

Chairperson Schley noted there would be brief items under "Other Business" and a special presentation under "Commissioner Comments."

PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairperson Schley asked if anyone in attendance wished to comment on non-agenda items.

There were no public comments on non-agenda items. Chairperson Schley moved to the next item on the agenda.

APPROVAL OF THE MINUTES OF OCTOBER 23, 2014

The Chairperson asked if there were any additions, deletions or corrections to the minutes of the Meeting of October 23, 2014. Hearing none, he asked for a motion to approve the minutes.

Mr. Skalski made a motion to approve the minutes of the October 23, 2014 meeting. Mr. Loy seconded the motion. The motion was approved unanimously.

Chairperson Schley moved to the next item on the agenda.

PUBLIC HEARING: PLANNING COMMISSION TO REVIEW APPLICATION OF BRONCO DEVELOPMENT, LLC, FOR A PRELIMINARY PLAT FOR A 25-UNIT RESIDENTIAL SUBDIVISION (TUSCANY EAST) LOCATED ON WEST L AVENUE JUST EAST OF THE EXISTING TUSCANY SUBDIVISION WITHIN THE RR RURAL RESIDENTIAL DISTRICT (PARCEL # 3905-30-205-026).

Chairperson Schley said the next item on the agenda was the public hearing to review the application from Bronco Development, LLC, for a preliminary plat for a 25-unit residential subdivision. He asked Mr. Milliken to provide the staff report on the request.

Mr. Milliken said the request before the Board was for Tentative Approval of the Tuscany East Preliminary Plat (Step One of Subdivision Review)

He explained the proposed development is a 25 lot residential subdivision located on the south side of L Avenue. It is located on approximately 30 acres of land between Van Kal Street and 2nd Street immediately east of the existing Tuscany Subdivision. The applicant owns the property and proposes to develop the subdivision as an extension of the adjacent subdivision, which they have also taken over for development. The existing road network will be extended and continue back to 2nd Street.

Mr. Milliken noted this is the first subdivision plat that has been reviewed in the Township in many years (and first residential development to be submitted in nearly two years) and provided a quick review of the process.

Subdivision plat review is a strictly regimented process with the procedures dictated by State statute. The Township Ordinance (Section 290.004 of the General Ordinances) does a good job of mirroring those requirements. There are strict timelines on Township reviews, requirements for the applicant to obtain other agency approvals, and timelines for the applicant to complete subsequent steps following approval.

In total, the process involves three steps before the Township. Tentative approval of the Preliminary Plat is the first step. It is a fairly conceptual review. The purpose is to evaluate the proposal for compliance with zoning requirements and general consistency with the overall requirements of the Ordinance. This allows the applicant to gain a broad understanding of where the project stands and any changes that may need to be made before undertaking the time and expense of the detailed engineering required in step two. Step one approval requires a public hearing at the Planning Commission and then Township Board approval.

Step two then provides the detailed engineering that accompanies the road plans, grading, stormwater drainage and detention, and utilities. It also includes more specific approvals from a variety of other agencies. Step two only requires Township Board approval. Following this approval, construction of the infrastructure can begin.

Step three is the final step and occurs once infrastructure is completed. Step three allows for review and approval of legal documents, agency approvals, and as-built plans. It is the Township's chance to confirm everything was done according to the approved plan and in compliance with the appropriate standard.

Mr. Milliken said the proposed 25 lot subdivision will occupy 26 acres of the 30 acre parcel. Four acres are being divided along the L Avenue frontage for an existing home and barn. The proposed lots vary between 24,243 square feet (0.56 acres) and 1.34 acres. There is no minimum lot size in the RR district; the density is limited to one unit per acre. The minimum lot width is 100 feet measured at the building setback line. The proposed lots satisfy both of these requirements.

He said building envelopes have been drawn on each of the proposed lots showing the required setback distances. The western lots have been arranged to align with the existing lots in the Tuscany subdivision. Ample room has been provided on each lot for construction.

He noted the development will be served by private well and septic systems as public water and sewer are not available in this area.

Mr. Milliken explained the existing public road network that currently ends in the Tuscany subdivision at the terminus of Mirabella Avenue is proposed to continue into

the south end of the proposed subdivision and connect to a new, parallel public road named Sienna Street providing access to the new lots. Consistent with Township requirements, Sienna Street has been extended to the north property line to allow for future connections, and a stub street has been provided to the east as well. These roads are shown as public roads and will be built to County Road standards. Per Ordinance requirements, sidewalks and street lights will also be included.

Mr. Milliken reported the applicant has submitted the preliminary plat to a variety of different offices and agencies for preliminary review. The Oshtemo Township Fire Department has reviewed the plans and indicated they have no concerns. The Kalamazoo County Road Commission has also conducted a review of the development and its road network, but a response from them has not yet been received and would need to be a condition of approval.

The Township Engineer has submitted a review memo, which is included in the packet. He raises some concerns regarding the feasibility or logistics of the development of the site due to the required grading, clearing, and filling in order to achieve the desired layout with the existing topography and proposed layout. The southern portion of the site is characterized by large, rolling hills and dense woodlands. The details of development within these constraints will be addressed during step 2 of the approval process. However, the concerns are raised at this time to ensure the development is feasible and that the applicant is aware of the constraints.

He concluded by saying the topography and natural features provide some challenges for development of this property. Besides just the protection of the natural features, the grading and final layout will need to ensure storm water is maintained on site and does not flow onto adjacent properties. Those issues will be addressed during the Step 2 review. The preliminary plat appears to satisfy the requirements of the Subdivision Ordinance and presents a reasonable plan for continuation of the existing development to the west.

Mr. Milliken told the Planning Commission he recommended approval of the preliminary plat to the Township Board with the condition that the applicant shall submit correspondence from the Kalamazoo County Road Commission with the agency's recommendation regarding the proposed layout.

Mr. Schley thanked Mr. Milliken for the report and asked whether there were questions for staff from Commissioners.

Mr. Antosz asked for a definition of a "block."

Mr. Milliken said he would have to look up the definition provided in the Ordinance.

Mr. Antosz wondered if the 1000 feet cited in the Ordinance referred to both sides of the street and what 1000 feet constitutes in terms of a block.

Attorney Porter said only one side of the street was measured for a single distance.

Chairperson Schley explained that in the past the Planning Commission has considered a single street that dead-ends, and that applying the 1000 feet dimension was an issue of safety in order to provide safe turnaround for fire and other emergency vehicles in case the main entrance was plugged.

Mr. Milliken noted connectivity is also a concern. He said this case is challenging because not a lot can be done in the traditional grid-style development. He said he didn't have the historic context regarding how a block has been interpreted in the past.

Mr. Skalski said the south end of the street is certainly a dead-end providing no opportunity for a safe, complete turnaround; there should be consideration to provide for that maneuver.

Mr. Milliken indicated that the plans do call for a cul-de-sac easement for a turnaround; that would be the type of thing that would be considered in more detail in step two in an engineering plan.

Hearing no further questions for Mr. Milliken from the Board, Chairperson Schley asked if the applicant wished to speak.

Mr. Tom Stephenson, Stephenson Land Surveying, 27873 White Street, Cassopolis, MI, said he would be the face of this project from start to finish and would see the project through to the state level. He explained the block length is attached to the existing Tuscany development to utilize those lots. Their block length was longer because of the retention area. A temporary easement of 60 feet at the cul-de-sac to be approved by the Road Commission is included in the plan. He noted he has met with the Road Commission on some minor issues and performed backhoe cuts for soils and is working with the health department on test wells.

There were no questions for Mr. Stephenson. Chairperson Schley asked if there were any public comments.

Mr. Steven Budzynski, 9324 West "O" Avenue, asked if the project would include a gas line coming down West "L" Avenue.

Mr. Eric Lampart, 10199 West L Avenue, said he was curious to know how close houses would be built to his property and if lots would be run all the way down the line.

Ms. Darcy Assink, 1750 Toscana Street, wondered if buildings in the new subdivision would have similar restrictions and size requirements to the existing subdivision.

Chairperson Schley asked Mr. Milliken about property setbacks.

Mr. Milliken said that the minimum rear yard setback requirement is 15 feet and the front yard setback is a minimum of 30 feet. Most of the lots are about 200 feet deep.

Chairperson Schley said there were no guarantees as to what one might see regarding where buildings might be on the lot other than the setback requirements, but that generally homes are built closer to the front setback.

Mr. Stephenson said he did not have an answer for the gas line question. He said he expects the building restrictions to be the same as those for the original Tuscany subdivision.

Chairperson Schley noted this is conceptual level review and that engineering related questions would be addressed in step two, if the plan goes forward. He said Mr. Milliken pointed out that, as presented, the subdivision design meets the ordinance description. The Chairperson said he was on the Planning Commission when the original Tuscany development was approved and that from a concerns standard for safety and access the plan for Tuscany East will substantively enhance what was approved for the original Tuscany development. It allows access for emergency vehicles from the other direction and is not a problem with the standard. It has also been laid out for stub streets to provide continuity.

Mr. Milliken said he had the chance to review the ordinance and that the dead-end roads are limited to 660 feet - to go beyond that, approvals are required. Block length is limited to 1000 feet, so there is clear distinction between a dead-end and a block. In this case, looking at this one two-sided road, you look at both sides of the road, which is where he gains comfort with the layout. If all of the "U-shaped" loop were coming in, it might require a closer look at an east to west connection road, but he is comfortable with compliance in this case.

The Chairperson noted Assistant Fire Chief Wiley did not have any concerns, but that Engineer Marc Elliott cited concerns regarding the water spill from neighbor to neighbor and will look at grading issues if the project is approved.

Chairperson Schley determined there were no further concerns from Commissioners and asked if there was a motion to recommend approval.

Mr. Loy made a motion to recommend tentative approval to the Township Board of the Tuscany East Preliminary Plat (step one of Subdivision review) with the condition that the applicant submit correspondence from the Kalamazoo County Road Commission detailing the agency's recommendation regarding the proposed layout. Mr. Skalski supported the motion. The motion carried unanimously.

OLD BUSINESS/ANY OTHER BUSINESS

Chairperson Schley asked if there was old business or any other business to come before the Commission.

Mr. Milliken distributed to the Board a proposed schedule of meetings, generally the second and fourth Thursdays at 7:00 p.m., and he indicated it would be published unless they had suggested changes. He noted the first meeting in January will include election of officers for 2015.

He informed the Board the zoning ordinance amendments were adopted at the last Township Board meeting and that the Planning Commission received kudos from the Board for its work on that issue.

Mr. Milliken also said a resolution on complete streets was adopted by the Township Board, which is a big step toward implementing the Township's non-motorized plans and goals.

PLANNING COMMISSIONER COMMENTS

Chairperson Schley presented a certificate of appreciation to retiring Board Member Richard Skalski, signed by Commissioners, and thanked him for his good work, noting the Board would miss him and his particular expertise.

Mr. Skalski thanked Planning Commissioners for their insight and support, noting the team effort involved, said he had enjoyed his time on the Board and intended to remain connected to the area.

Mr. Boulding, Sr. thanked Mr. Skalski for befriending him when he joined the Board, and expressed his gratitude for his guidance.

Chairperson Schley expressed his appreciation for Mr. Skalski's service and wished everyone blessings throughout the holiday season.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Schley asked for a motion to adjourn.

Mr. Boulding, Sr. made a motion to adjourn. Mr. Loy seconded the motion. The motion carried unanimously.

Chairperson Schley adjourned the Planning Commission meeting at approximately 7:34 p.m.

Minutes prepared:
December 12, 2014

Minutes approved:
_____, 2014

December 30, 2014



Mtg Date: January 8, 2015

To: Planning Commission

From: Gregory Milliken, AICP

Applicant: AVB Construction on behalf of First Agency

Owner: Lyndon Cronen

Property: Parcel #3905-12-230-033 (5071 West H Avenue)

Zoning: R-3 – Residence District

Request: Amendment of Special Exception Use to Construct 4,000 Square Foot Storage Building for Existing Office

Section(s): Section 23.000 – R-3 – Residence District
Section 60.000 – Special Exception Uses
Section 82.000 – Site Plan Review

Project Name: First Agency Storage Building

OVERVIEW

The subject property is located at 5071 West H Avenue, which is on the south side of H Avenue at the southwest corner of H Avenue and Drake Road. It is a 3.57-acre property with about 450 feet of frontage on H Avenue and 300 feet of frontage on Drake Road. The existing office building was approved in 1985 with a parking addition approved in 1994.

The property is located in the R-3 zoning district. It is a residential district that allows limited commercial uses with certain restrictions. An office building is a special exception use in the R-3 district, and any expansion of such use must also be approved through the special exception process. Therefore, the proposed storage building to be associated with the business requires special exception approval.

The properties to the north and west are developed with single family homes and are located in the R-2 district. To the east across Drake Road is Kalamazoo Township where there are homes and a high school. To the south are properties in the R-3 and R-4 districts. This includes a senior center and a historic home. The historic home is also within the historic overlay district, which will be discussed later in the report.

PROPOSED DEVELOPMENT

The applicant is proposing to build a 4,000 square foot accessory building associated with his business use on the subject property. The building would be 100 feet wide, 40 feet deep and have side walls of 12 feet in height. It would be a steel sided building with metal roofing. The proposed structure has eight overhead doors on the north side facing H Avenue, six of which would be eight feet tall and two of which would be ten feet tall.

The proposed building is located to the east of the existing building closer to the corner of Drake Road and H Avenue. It would be approximately 90 feet from the Drake Road property line and 105 feet from the H Avenue property line. A driveway extension would curl east and south from the existing driveway to service the new building and would allow for the addition of four new parking spaces to serve the existing office building. In front of the storage building a 20 foot by 100 foot concrete pad would be located for access to the building and storage.

Included in the packet is some email correspondence between the applicant and Township Staff regarding this project. Within this, the applicant describes some of the uses for the building and reasons why he desires such a facility. These include storage of a business vehicle, a business trailer, excess office furniture, off season items, seasonal business packaging, personal storage, and other storage needs.

It is presumed there will be electricity run to the new structure, but it is not known whether other utilities or services will be available. The applicant has indicated that there will be no office or bathroom facilities.

When asked about the number of overhead doors, the applicant indicated this was primarily for convenience in accessing the various items that will be stored inside.

(Note that although Section 78.800 provides specific standards for accessory structures, these are specifically for residential buildings only. There are no specific standards for accessory commercial uses.)

SETBACKS

Although the property is large and there is a sizeable amount of vacant land available for development to the east of the existing building, the site is restricted by large setback distances to the north, east, and south.

The Drake Road and H Avenue frontages are subject to enhanced setbacks by Section 64.100 of the Ordinance. The setback from H Avenue is 70 feet from the right of way. The setback from Drake Road is 120 feet from the centerline of the road, which equals 87 feet from the right of way line. To the south, the setback is 100 feet because of the historic overlay district (Section 64.700).

OTHER REVIEWS

The Township Fire Marshal has reviewed the proposed plans and has indicated he has no problems with the site plan as presented.

The Township Engineer has also reviewed the proposed plans. No specific drainage plans or calculations are provided with the site plan request. The Engineer has indicated however that he believes adequate green space is available on site to accommodate the anticipated volume of stormwater to be generated from the proposed improvements. Therefore, he was comfortable with the plan as presented.

LANDSCAPING

No new landscaping has been indicated on the site plan for the proposed new storage building. However, landscaping is required by the Ordinance for the site and should be installed on the portions of the site adjacent to the area to be improved. This impacts about 200 feet of frontage on H Avenue and 300 feet of frontage on Drake Road.

Along H Avenue, a C greenspace is required. This is 20 feet wide with a total of 4 canopy trees, 6 understory trees, and 8 shrubs required.

Along Drake Road, a C greenspace is required. This is 20 feet wide with a total of 6 canopy trees, 9 understory trees, and 12 shrubs required.

Along the south property line adjacent to the Historic Overlay Zone, an E greenspace is required to be installed. There is about 250 feet of shared property line between the historic property and the portion of the subject property impacted by development. The required greenspace is 30 feet wide and includes 10 canopy trees, 15 understory trees, 30 shrubs, and 5 evergreen trees.

Unfortunately, the property used to be covered with trees and brush that may have counted toward these requirements. These were cleared a couple of years ago in order to make the property more attractive and easier for development. While some brush has reestablished itself on the site, it is unknown whether it would count toward these requirements. An up to date plan or inventory would be required to know for sure.

OTHER IMPROVEMENTS

No indication is provided on the plans that any outdoor lighting or trash enclosure is included with the proposed development.

Section 78.650 requires all uses undergoing site plan review provide a sidewalk consistent with the Township's Non-motorized Plan. No sidewalk is provided on the plan, due to the fact that the applicant is using the original site plan from 1985 before such improvements were required. A sidewalk, escrow, or commitment to agree to a special assessment for sidewalk installation at some point in the future should be required.

No variances are required or requested for this development.

STANDARDS FOR APPROVAL

Section 23.404 provides specific requirements for office buildings in the R-3 district. This is not an office building, but it serves as an expansion of the office building use in that district. Therefore, it should be

consistent with the requirements for such use. A review of these requirements shows that the proposed improvement is consistent with these standards and that the overall use of the property will remain in compliance with the stated requirements.

Section 60.100 of the Zoning Ordinance provides the criteria for consideration when reviewing a special exception use.

A. Is the proposed use compatible with the other uses expressly permitted within the Residential District?

The proposed use is consistent with the other uses permitted in the R-3 district. The development is an expansion of the existing office use and does not exceed the requirements for an office in the R-3 district.

B. Will the proposed use be detrimental or injurious to the use or development of adjacent properties or to the general public?

This is an important one for the Planning Commission to consider. The existing office building fits in nicely with adjacent properties and is certainly consistent with the transitional intent of the R-3 district. The proposed storage building stands in contrast to that with the metal siding, metal roof, and eight overhead doors facing H Avenue. Although not proposed – or permitted – to be used for commercial storage (i.e. mini-warehouses), the structure does have that appearance, at least on paper.

Additional information regarding landscaping and screening is clearly critical in order to better gauge this issue.

C. Will the proposed use promote the public health, safety, and welfare of the community?

It is not anticipated that the proposed improvements will have substantial impacts on the public use, safety, and welfare.

D. Will the proposed use encourage the use of the land in accordance with this character and adaptability?

Similar to paragraph B above, the proposed improvements are not consistent with the character of the existing development on the subject property or on adjacent properties. Additional information regarding the appearance of the proposed structure as well as screening from the road is needed.

CONCLUSION

We appreciate the challenges the applicant has had trying to develop the site considering the constraints of the setbacks and access limitations. We also appreciate the applicant's desire for additional storage; as stated previously, there is not a concern with the office use or the reasonable expansion of the office use at this site.

The concern is with the significant presence of the proposed building at an important intersection in the community, and with the harsh character of this building considering its prominence at the corner. The metal siding, metal roof, and overhead doors of unknown color and appearance combine to give an industrial character to a building in a residential zoning district. Therefore Staff would not recommend proceeding with the improvements as proposed.

If the Commission is inclined to approve the request, we would suggest the following conditions be included:

1. A landscape plan be submitted to Staff illustrating compliance with the requirements of the Zoning Ordinance for screening along Drake Road, H Avenue, and the south boundary line.
2. A commitment – in a form approved by the Township Attorney – is made for the installation of sidewalk along Drake Road and H Avenue in the future when the broader sidewalk is constructed along the corridor.
3. Site plan approval is subject to the approval of the Fire Department, pursuant to adopted codes.
4. Site plan approval is subject to the review and acceptance of the Township Engineer as adequate.

Respectfully Submitted,



Gregory E. Milliken, AICP
Planning Director

Attachments: Application
Aerial
Plans
Review letter from Fire Marshall and Engineer



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS FIRST AGENCY STORAGE BLDG.
5071 WEST "H" AVE. KAL. 49009
PLANNING & ZONING APPLICATION

Applicant Name: DARYL RYND

Company ARB CONSTRUCTION

Address 4200 W. CENTRE AVE.

PORTAGE, MI 49024

E-mail drynd@arvinc.com

Telephone (269) 217-5581 Fax _____

Interest in Property OWNER REPRESENTATIVE

Oshtemo Charter Township
7275 W MAIN ST
KALAMAZOO, MI 49009
Phone : 269-375-4260
OSHTEMOTOWNSHIP.ORG

Received From: 1ST AGENCY
Date: 11/24/2014 Time: 1:03:27 PM
Receipt: 110283
Cashier: LINDAI

ITEM REFERENCE	AMOUNT
1042 PLANNING ESCROW	
PLANNING ESCROW	\$250.00
1085 SPECIAL EXCEPTION USE	
SPECIAL EXCEPTION USE	\$300.00
TOTAL	\$550.00
CHECK 66506	\$550.00
Total Tendered:	\$550.00
Change:	\$0.00

OWNER*:

Name LYNDON CRONEN

Address 5071 WEST "H" AVE.

KALAMAZOO, MI. 49009

Email lyndon_cronen@hotmail.com

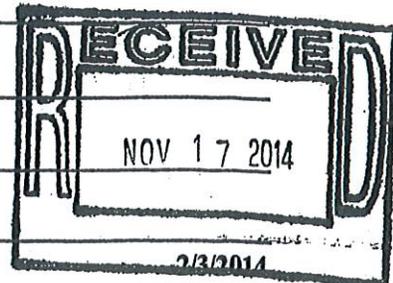
Phone & Fax (269) 381-6630 (269) 377-9663

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- \$250.00 Planning Escrow-1042
- Site Plan Review-1088
- \$250.00 Administrative Site Plan Review-1086
- \$300.00 Special Exception Use-1085
- Zoning Variance-1092
- Site Condominium-1084
- Accessory Building Review-1083
- Land Division-1090
- Subdivision Plat Review-1089
- Rezoning-1091
- Interpretation-1082
- Text Amendment-1081
- Sign Deviation-1080
- Other: _____

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary):

STORAGE BUILDING



LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

ATTACHED

PARCEL NUMBER: 3905- 05-12-230-033

ADDRESS OF PROPERTY: 5071 WEST "H" AVE.

PRESENT USE OF THE PROPERTY: _____

PRESENT ZONING R-3 OVERLAY **SIZE OF PROPERTY** 3.48 ACRES

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)

Address(es)

NONE

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

Lyndon L. Crane

Owner's Signature(* If different from Applicant)

11/18/14

Date

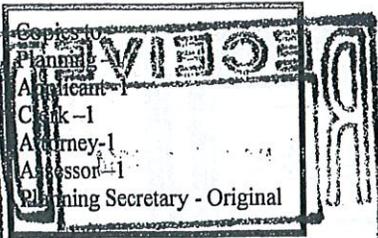
[Signature]

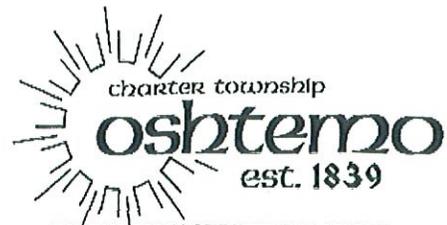
Applicant's Signature

11/17/14

Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS





7275 W. MAIN STREET, KALAMAZOO, MI 49009
269-216-5220 Fax 269-375-7180 www.oshkosh.org

Memorandum

Date: November 24, 2014

To: Greg Milliken

From: Marc Elliott *ME*

Subject: First Agency Storage Building, 5071 W H Ave., Site Plan Review

I have reviewed the proposed site plan for the addition of a storage building at the reference location. I note that the parcel has considerable green space and that the proposed location of structural improvements will generally drain to a large flat area that should adequately absorb the increased runoff generated. That is, in lieu of requesting a detailed drainage plan, I am willing to accept the implied assumption that the runoff will be sufficiently managed on site. Corrective action, if discovered in the future to be necessary, should be relatively trivial to address.

I have also observed from the aerial photograph that an old swimming pool may still be physically present. I therefore recommend that this structure be investigated to determine whether it may be a safety or nuisance issue if there is a fall hazard or stagnate water is allowed to collect. If removal is warranted, then I would suggest that the final grading incorporate a shallow depression in this general area to further assure excess runoff from overall site's impermeable land cover is better intercepted and infiltrated.

Karen High

From: Jim Wiley
Sent: Wednesday, December 03, 2014 6:02 PM
To: Greg Milliken
Cc: Karen High
Subject: First Agency

Greg and Karen,

At this time we do not have any issues with site plan for First Agency storage building.

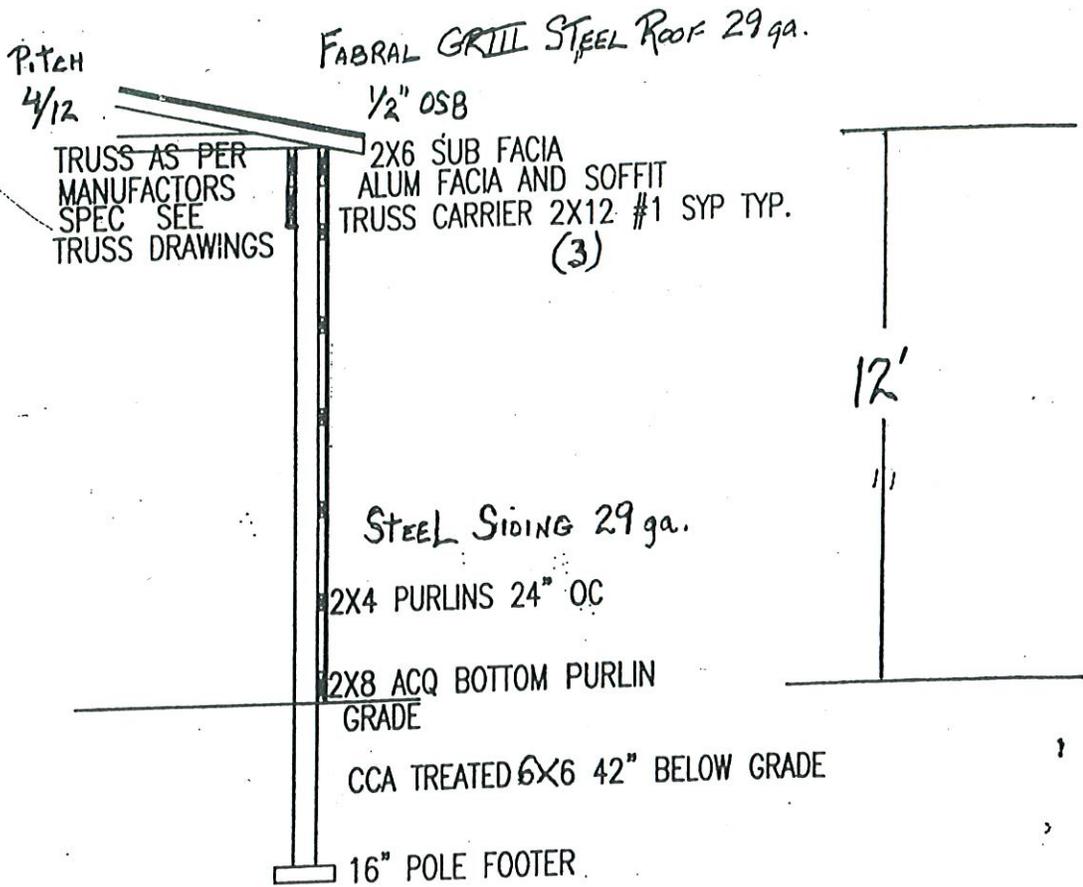
Thank you,

Jim Wiley
Assistant Fire Chief
Oshtemo Township Fire Department
7275 W.Main
Kalamazoo, MI 49009
P. 269.544.2081 Ext. 203
F. 269.544.2082



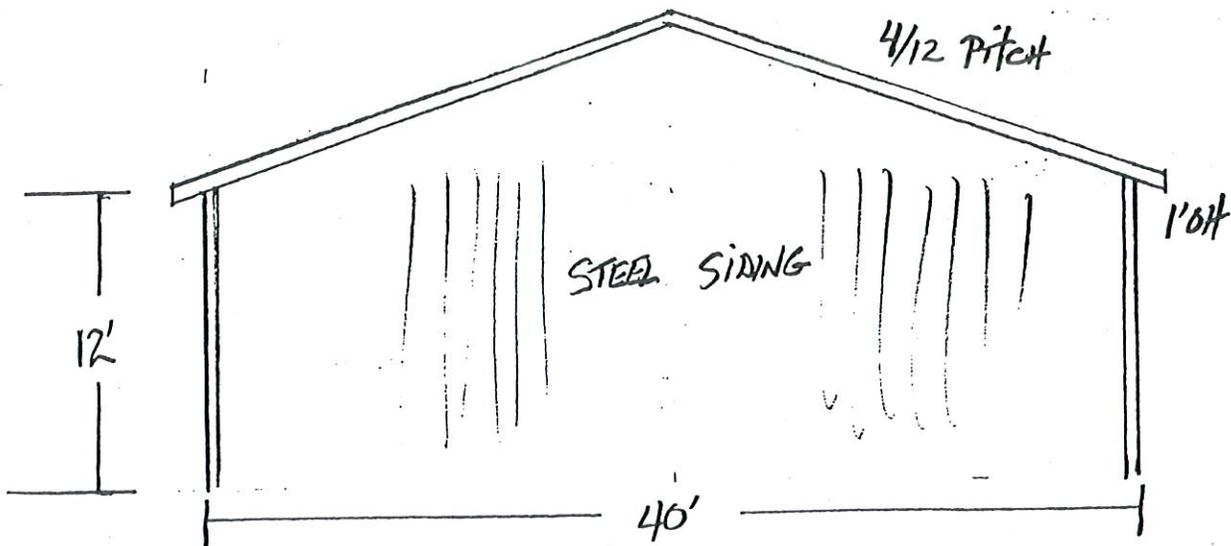
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TOM SEBRIGHT CONSTRUCTION

40'x100'x12' BARN

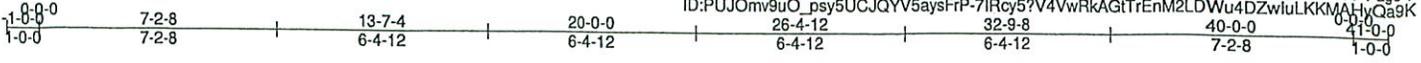


JOB B0814008	Truss A	Truss Type COMMON	Qty 19	Ply 1	Job Reference (optional)
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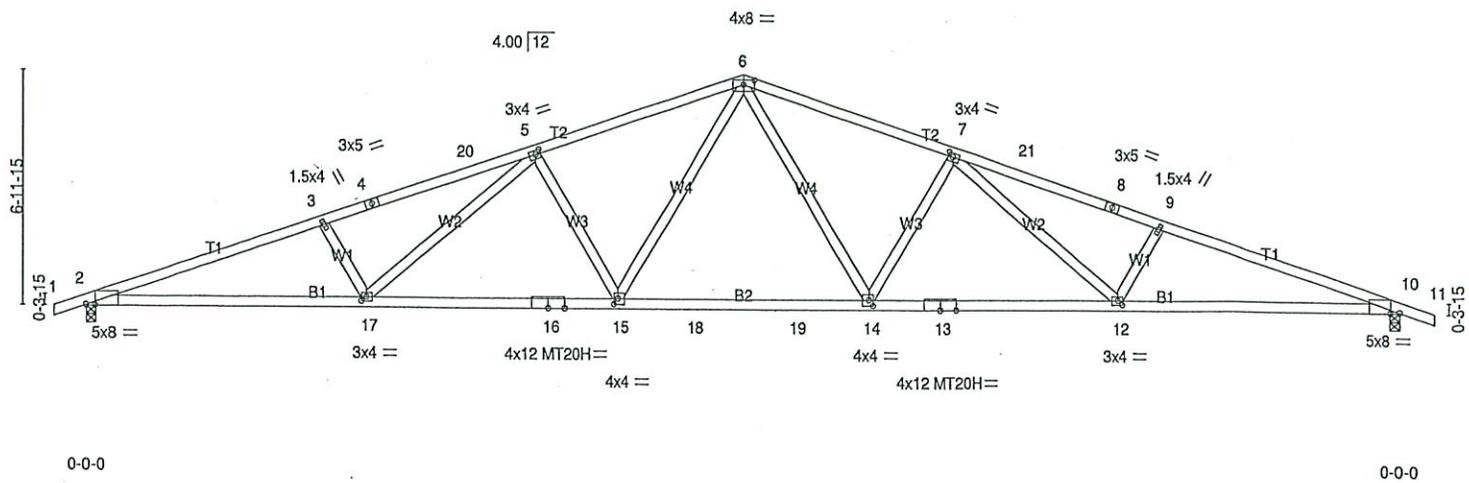
Marshall Bldg Comp. Corp., Marshall, MI - 49068,

7.250 s Mar 23 2011 MTEK Industries, Inc. Thu Oct 23 10:20:25 2014 Page 1

ID:PUJOMv9uO_psy5UCJQYV5aysFrP-71Rcy5?V4VwRkAGtTrEnM2LDWu4DZwiuLKKMAHyQa9K



Scale = 1:65.7



0-0-0	8-5-14	16-1-15	23-10-1	31-6-2	40-0-0
	8-5-14	7-8-2	7-8-2	7-8-2	8-5-14

Plate Offsets (X,Y): [2:0-3-3,Edge], [5:0-1-12,0-1-8], [6:0-4-0,0-1-12], [7:0-1-12,0-1-8], [10:0-3-3,Edge], [12:0-1-12,0-1-8], [14:0-1-8,0-2-0], [15:0-1-8,0-2-0], [17:0-1-12,0-1-8]

LOADING (psf)		SPACING		CSI		DEFL				PLATES		GRIP	
TCLL	34.7	Plates Increase	2-0-0	TC	0.91	in (loc)	l/defl	L/d		MT20	197/144		
(Ground Snow=50.0)		Lumber Increase	1.15	BC	0.85	Vert(LL)	-0.67	14-15	>712	240			
TCDL	7.0	Rep Stress Incr	YES	WB	0.55	Vert(TL)	-1.12	14-15	>425	180	MT20H	148/108	
BCLL	0.0 *	Code IRC2009/TPI2007		(Matrix)		Horz(TL)	0.27	10	n/a	n/a			
BCDL	10.0												Weight: 146 lb FT = 0%

LUMBER		BRACING	
TOP CHORD	2 X 4 SPF 2100F 1.8E *Except* T2: 2 X 4 SPF 1650F 1.5E	TOP CHORD	Structural wood sheathing directly applied or 2-2-0 oc purlins.
BOT CHORD	2 X 4 SPF 2100F 1.8E *Except* B2: 2 X 4 SPF 1650F 1.5E	BOT CHORD	Rigid ceiling directly applied or 10-0-0 oc bracing.
WEBS	2 X 4 SPF No.2		

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 2=2209/0-3-8 (min. 0-2-13), 10=2209/0-3-8 (min. 0-2-13)
 Max Horz 2=74(LC 5)
 Max Uplift 2=-196(LC 7), 10=-196(LC 8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
 TOP CHORD 2-3=-5561/404, 3-4=-5276/375, 4-20=-5188/382, 5-20=-5122/390, 5-6=-4086/306, 6-7=-4086/306, 7-21=-5122/391, 8-21=-5188/382, 8-9=-5276/375, 9-10=-5561/404
 BOT CHORD 2-17=-393/5176, 16-17=-259/4228, 15-16=-259/4228, 15-18=-122/3228, 18-19=-122/3228, 14-19=-122/3228, 13-14=-188/4228, 12-13=-188/4228, 10-12=-322/5176
 WEBS 3-17=-519/164, 5-17=-71/929, 5-15=-1117/192, 6-15=-88/1383, 6-14=-88/1383, 7-14=-1117/192, 7-12=-71/929, 9-12=-519/165

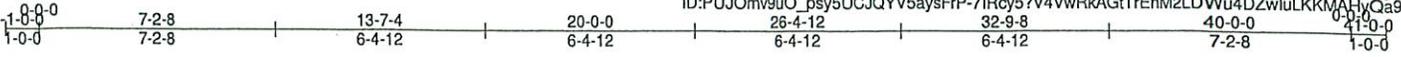
- NOTES**
- 1) Wind: ASCE 7-05; 90mph; TCDL=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; enclosed; MWFRS (low-rise) gable end zone; cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.33 plate grip DOL=1.33
 - 2) TCLL: ASCE 7-05; Pg=50.0 psf (ground snow); Ps=34.7 psf (roof snow); Category II; Exp B; Fully Exp.; Ct=1.1
 - 3) Roof design snow load has been reduced to account for slope.
 - 4) Unbalanced snow loads have been considered for this design.
 - 5) This truss has been designed for greater of min roof live load of 16.0 psf or 2.00 times flat roof load of 34.6 psf on overhangs non-concurrent with other live loads.
 - 6) As requested, plates have not been designed to provide for placement tolerances or rough handling and erection conditions. It is the responsibility of the fabricator to increase plate sizes to account for these factors.
 - 7) All plates are MT20 plates unless otherwise indicated.
 - 8) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
 - 9) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members, with BCDL = 10.0psf.
 - 10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 196 lb uplift at joint 2 and 196 lb uplift at joint 10.
 - 11) This truss is designed in accordance with the 2009 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
 - 12) Warning: Additional permanent and stability bracing for truss system (not part of this component design) is always required.

LOAD CASE(S) Standard

Job B0814008	Truss A	Truss Type COMMON	Qty 19	Ply 1	Job Reference (optional)
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Marshall Bldg Comp. Corp., Marshall, MI - 49068,

7.250 s Mar 23 2011 MiTek Industries, Inc. Thu Oct 23 10:20:25 2014 Page 1
ID:PUJ0mv9uO_psy5UCJQYV5aysFrP-7IRcy5?V4VwRkAGTTrEnM2LDWu4DZwluLKKMAHyQa9K



Scale = 1:65.7

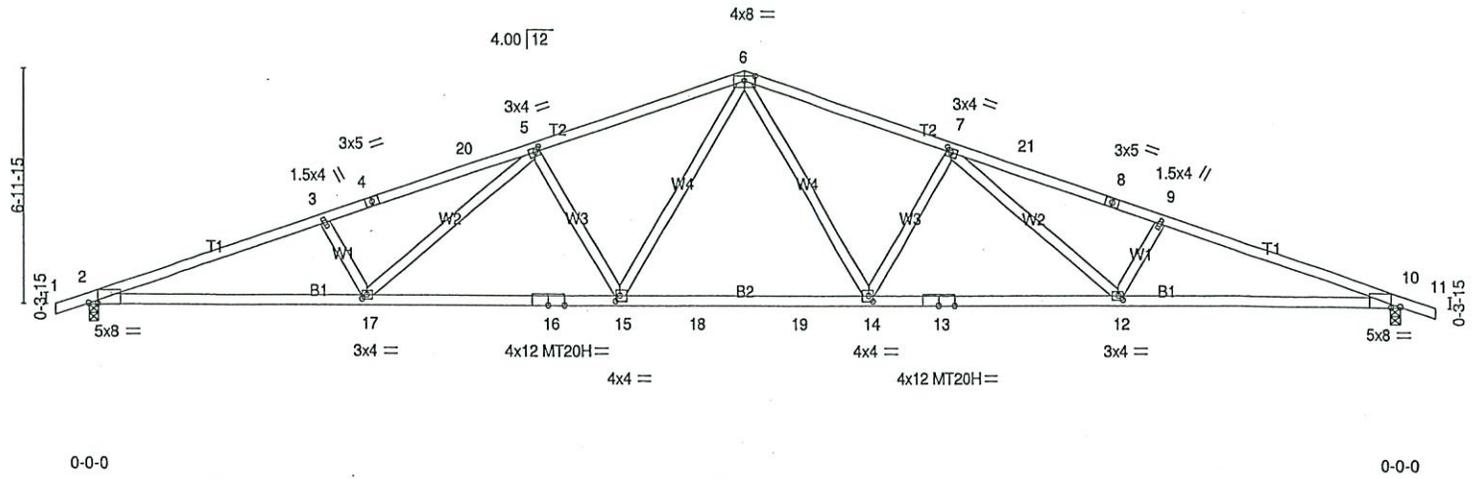


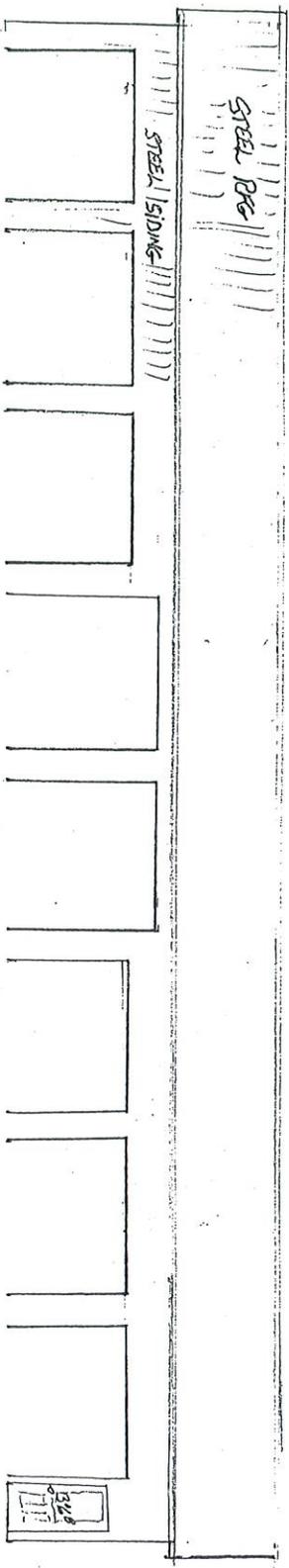
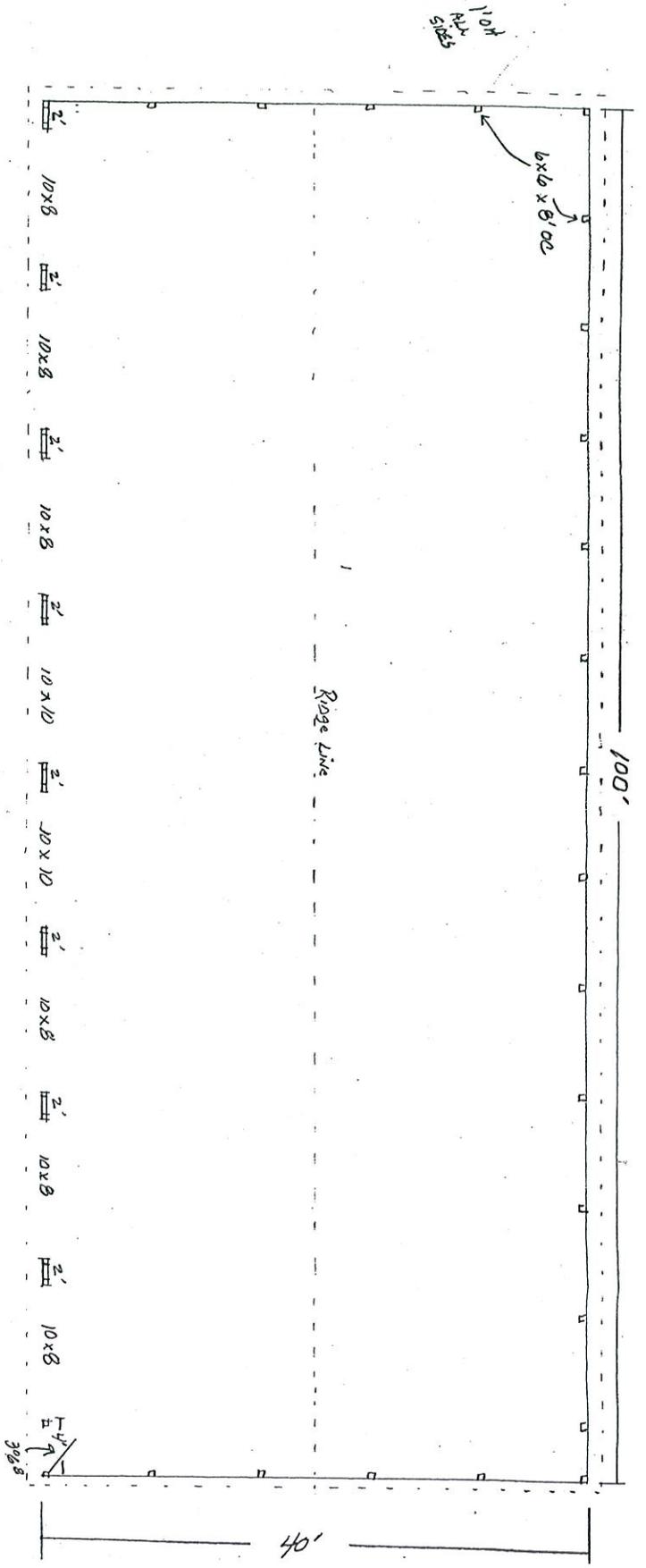
Plate Offsets (X,Y): [2:0-3-3,Edge], [5:0-1-12,0-1-8], [6:0-4-0,0-1-12], [7:0-1-12,0-1-8], [10:0-3-3,Edge], [12:0-1-12,0-1-8], [14:0-1-8,0-2-0], [15:0-1-8,0-2-0], [17:0-1-12,0-1-8]					
LOADING (psf)	SPACING	CSI	DEFL	PLATES	GRIP
TCLL 34.7 (Ground Snow=50.0) TCDL 7.0 BCLL 0.0 * BCDL 10.0	2-0-0 Plates Increase 1.15 Lumber Increase 1.15 Rep Stress Incr YES Code IRC2009/TPI2007	TC 0.91 BC 0.85 WB 0.55 (Matrix)	in (loc) l/defl L/d Vert(LL) -0.67 14-15 >712 240 Vert(TL) -1.12 14-15 >425 180 Horz(TL) 0.27 10 n/a n/a	MT20 197/144 MT20H 148/108	Weight: 146 lb FT = 0%

LUMBER	BRACING
TOP CHORD 2 X 4 SPF 2100F 1.8E *Except* T2: 2 X 4 SPF 1650F 1.5E BOT CHORD 2 X 4 SPF 2100F 1.8E *Except* B2: 2 X 4 SPF 1650F 1.5E WEBS 2 X 4 SPF No.2	TOP CHORD Structural wood sheathing directly applied or 2-2-0 oc purlins. BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.
REACTIONS (lb/size) 2=2209/0-3-8 (min. 0-2-13), 10=2209/0-3-8 (min. 0-2-13) Max Horz 2=74(LC 5) Max Uplift 2=196(LC 7), 10=196(LC 8)	MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-5561/404, 3-4=-5276/375, 4-20=-5188/382, 5-20=-5122/390, 5-6=-4086/306, 6-7=-4086/306, 7-21=-5122/391, 8-21=-5188/382, 8-9=-5276/375, 9-10=-5561/404
BOT CHORD 2-17=-393/5176, 16-17=-259/4228, 15-16=-259/4228, 15-18=-122/3228, 18-19=-122/3228, 14-19=-122/3228, 13-14=-188/4228, 12-13=-188/4228, 10-12=-322/5176
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- NOTES**
- 1) Wind: ASCE 7-05; 90mph; TCDL=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; enclosed; MWFRS (low-rise) gable end zone; cantilever left and right exposed; end vertical left and right exposed; Lumber DOL=1.33 plate grip DOL=1.33
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 - 12) Warning: Additional permanent and stability bracing for truss system (not part of this component design) is always required.

LOAD CASE(S) Standard



Holland 616/396-2319
 South Haven 269/637-8455
 Douglas 269/457-2770

TOM SEBRIGHT CONSTRUCTION
 40' x 100' x 12' BARN
 DRAWN BY (TS)

Greg Milliken

From: Lyndon <lyndon_cronen@hotmail.com>
Sent: Friday, November 21, 2014 12:24 PM
To: Greg Milliken; Karen High; drynd@avbinc.com
Subject: RE: Storage building at 5017 West H Avenue

I am disappointed in the result since I was told verbally that this would not be the case.

I will bring the \$550 First Agency check to your office this pm.

Lyndon

From: GMilliken@oshtemo.org
To: lyndon_cronen@hotmail.com; khoshtwp@oshtemo.org; drynd@avbinc.com
Subject: RE: Storage building at 5017 West H Avenue
Date: Fri, 21 Nov 2014 16:39:26 +0000

Lyndon –

Karen is out of the office today, so I will respond in her absence although she may refute some of my statements.

In the R3 district, a free standing office building is a special exception use. (I don't believe that was the fact when your office was built, so you were grandfathered in.) Any expansion of a special exception use requires going back through the same process. So if you were to add on to your building, you would have to go through the public hearing, planning commission approval process as an expansion of a special exception use.

The proposed accessory structure is accessory to the office...it has to be as there is nothing else there for it to be accessory to. Therefore, it is an expansion of the office use and an expansion of the special exception use. This then requires the public hearing and Planning Commission approval.

We spent a good amount of time yesterday thinking about it but kept coming to that conclusion.

Thank you for the additional information regarding use...that is helpful.

As to fees, the \$250 already paid will be applied toward the \$300, so only an additional \$50 will be needed for the special exception fee, plus the escrow.

Thanks.

Gregory Milliken, AICP
Planning Director
Oshtemo Charter Township
7275 W. Main Street
Kalamazoo, MI 49009
269.216.5223
269.375.7180 (fax)
www.oshtemo.org

From: Lyndon [mailto:lyndon_cronen@hotmail.com]
Sent: Thursday, November 20, 2014 4:13 PM
To: Karen High; drynd@avbinc.com
Cc: Greg Milliken
Subject: RE: Storage building at 5017 West H Avenue

Dear Karen,

I am very surprised that you are requiring a Special Exception Use application based on our earlier conversation as I did the following items per your recommendation so as not to have to go that route:

- a. No bathroom
- b. no office
- c. change size from 60 X 100 to 40 X 100

That being said, your other questions pertained to the following:

- a. Absolutely no rental space, solely for the purpose of the business and minimal personal storage

Uses will include:

- a. Some personal Christmas decoration items, the larger ones
- b. Some personal furniture storage as my stepmother is now in an assisted facility and I am saving some furniture of hers for my daughter when she finds a house she desires.
- c. Place to do business packaging which is seasonal
- d. Store business off season items
- e. Store obsolete or Excess office furniture(going to order new chairs for 2015 yr.)
- f. The business pickup vehicle
- g. The business two wheeled trailer
- h. Other miscellaneous storage

If we have to go the route of Special Exception Use, please clarify the fees, is it \$50 additional to the administrative review fee of \$250 and then the \$500 escrow fee or is it a new \$300 fee and the \$500 fee? We have already submitted the \$250 administrative review fee.

I would like to ask you and Greg to reconsider the Administrative Review method of approval since you have the above mentioned information. And note please, if it makes a difference I could cut the garage doors by two if it is necessary. It just means carrying some items from time to time a little further than I planned.

In addition, you will note that our present office building has many new young pines that I have brought from our cabin property up north and I plan to do the same for around this storage building.

Thanks for your further consideration,

Lyndon

From: khoshtwp@oshtemo.org
To: drynd@avbinc.com; lyndon_cronen@hotmail.com
CC: GMilliken@oshtemo.org
Subject: Storage building at 5017 West H Avenue
Date: Thu, 20 Nov 2014 18:58:28 +0000
Hi Daryl and Lyndon,

Thanks for submitting the application for an Administrative Site Plan Review for the storage building at 5071 West H Avenue. Greg Milliken and I discussed the application and agreed that because of the size of the building, its prominent position, and its location in the R-3 District, a Special Exception Use is needed. Special Exception Use applications are reviewed by the Planning Commission in a public hearing. I would be happy to answer any questions you might have about the process.

The same application and information that was submitted for Site Plan Review can be used for the Special Exception Use application. An additional fee is required, however. The Special Exception Use fee is \$300, plus a \$500 escrow. Attorney and Engineering fees are taken out of the escrow. Anything remaining in the escrow is returned to you after the review process is completed.

I forwarded the application and site plan to our Township Engineer and Fire Department for their review and will let you know if they have any questions or concerns. In the meantime, I have a couple of questions:

- what will be stored in the building? We will need to confirm that the items are incidental to the office building. Some amount of personal storage is also acceptable. However, leasing of storage space would not be allowed in the R-3 Zoning District.
- Is an office or restroom planned within the storage building? As I recall, this was a possibility when we discussed the property a few months ago.

That's all for now. Again, please feel free to contact Greg or I if you have any questions.

Regards,
Karen High
Zoning Administrator
Oshtemo Township
(269) 216-5223

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