

**OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS**

**MINUTES OF A MEETING HELD OCTOBER 6, 2014**

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**Agenda**

**PUBLIC HEARING: SIGN DEVIATION – MULTIPLE GROUND SIGNS (OMNI COMMUNITY CREDIT UNION), TABLED FROM PREVIOUS MEETING  
APPLICANT REQUESTS SIGN DEVIATION FROM THE OSHTEMO TOWNSHIP ZONING ORDINANCE TO ALLOW TWO GROUND SIGNS, ONE MORE THAN PERMITTED FOR A FINANCIAL INSTITUTION PER SECTION 76.170 OF THE TOWNSHIP ZONING ORDINANCE. THE SUBJECT PROPERTY IS LOCATED AT 6622 WEST MAIN STREET IN THE C-LOCAL BUSINESS DISTRICT (PARCEL #3905-14-185-031).**

**PUBLIC HEARING: SIGN DEVIATION – GROUND SIGN AREA (CORNER@DRAKE)  
APPLICANT REQUESTS SIGN DEVIATION FROM THE OSHTEMO TOWNSHIP ZONING ORDINANCE TO ALLOW A GROUND SIGN WITH AN AREA OF 126 SQUARE FEET, 46 SQUARE FEET LARGER THAN THE MAXIMUM PERMITTED IN SECTION 76.170 OF THE TOWNSHIP ZONING ORDINANCE. THE SUBJECT PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DRAKE ROAD AND STADIUM DRIVE IN THE C-LOCAL BUSINESS DISTRICT (PARCEL #3905-25-240-101).**

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A meeting of the Oshtemo Charter Township Zoning Board was held on Monday, October 6, 2014, at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

**ALL MEMBERS**

**WERE PRESENT:**

Bob Anderson, Second Alternate  
Cheri Bell, Chairperson  
Lee Larson  
Millard Loy  
Neil Sikora, First Alternate  
L. Michael Smith  
James Sterenberg

Also present were Greg Milliken, Planning Director, James Porter, Attorney, Martha Coash, Meeting Transcriptionist, and two interested persons.

**Call to Order and Pledge of Allegiance**

Chairperson Bell called the meeting to order and the "Pledge of Allegiance" was recited.

The Chairperson invited members of the public to review the written policy regarding addressing the Board, including time limit, provision of name and address, and direction of comments to the Board only.

### **Approval of the Agenda**

Mr. Loy made a motion to approve the agenda as presented. Mr. Larson seconded the motion. The motion was approved unanimously.

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

Chairperson Bell called for public comment on non-agenda items. Hearing none, she noted the representatives from Omni Community Credit Union who requested sign deviation were not present for consideration of their request, and said the Board would consider the request for sign deviation from Corner@Drake first, to give the Omni representatives time to arrive.

### **Approval of the Minutes of September 23, 2014**

The Chairperson asked if there were any additions, deletions or corrections to the minutes of September 23, 2014. No changes were noted.

Mr. Larson made a motion to approve the minutes of September 23, 2014 as presented. Mr. Smith seconded the motion. The motion was approved unanimously.

### **PUBLIC HEARING: SIGN DEVIATION – GROUND SIGN AREA (CORNER @DRAKE) APPLICANT REQUESTS SIGN DEVIATION FROM THE OSHTEMO TOWNSHIP ZONING ORDINANCE TO ALLOW A GROUND SIGN WITH AN AREA OF 126 SQUARE FEET, 46 SQUARE FEET LARGER THAN THE MAXIMUM PERMITTED IN SECTION 76.170 OF THE TOWNSHIP ZONING ORDINANCE. THE SUBJECT PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DRAKE ROAD AND STADIUM DRIVE IN THE C-LOCAL BUSINESS DISTRICT (PARCEL #3905-25-240-101).**

Chairperson Bell said the next item on the agenda was a request a request for sign deviation from Corner @ Drake in the C-Local Business District and asked Mr. Milliken to review the request.

Mr. Milliken told the Board the applicant was requesting a sign deviation in order to install a subdivision entry sign along the entry feature for the Corner@ Drake commercial development. The maximum size for a ground sign in a commercial development is 80 square feet, and the proposed sign is 126 square feet.

He said the subject property is located at the northwest corner of Stadium Drive and Drake Road. It is a 40 +/- acre development that is home to Costco, which will

occupy 16 acres, and 24 acres of additional future commercial development. The site has frontage on Stadium, Drake, West Michigan Avenue, and US-131.

He noted throughout the past year, as the Costco project and the overall development has gone through the approval process, a key feature of the development was the signature stacked stone retaining wall at the immediate corner of Stadium and Drake. In all of the renderings and illustrations showing the wall, the name of the development – “Corner@Drake” – was shown on the face of the wall. The wall is complete, and landscaping installation is underway.

Mr. Milliken explained the applicant desires to have the sign installed prior to the opening of the Costco store in mid-November to ensure the development is properly branded by its real name and is not referred to as “the Costco development”. The applicant has provided a concept drawing illustrating the proposed sign and its size. The letters in the sign will be made out of dark metal with a rust patina and will be attached directly to the rock. The final design has not been developed so it is possible the sign may be smaller, but it will not be any bigger than proposed.

He pointed out that as currently proposed, the 126 square foot sign is about three feet in height and 42 feet in width. The wall upon which it is mounted is roughly 400 feet long with a height of about 10 feet at its tallest point where the sign would be located. The wall area does not count toward the area of the sign. However, considering the immense size of the large wall, the size of the sign that is placed on it should be proportional to the wall. Otherwise, the impact of the entry feature and the aesthetic benefits it provides would be reduced.

Mr. Milliken said earlier in the process the proposed sign was identified as a Subdivision Entry Sign for a commercial development. This is based on the definition for a Subdivision Entry Sign in the Zoning Ordinance. Despite this definition, there are no specific standards for Subdivision Entry Signs related to commercial developments in Section 76.170.

He explained the closest applicable standard is a ground sign for a multi-tenant commercial development. In this type of development, the maximum size of the ground sign is 80 square feet with a maximum of one per street frontage. It is likely there will be a multi-tenant ground sign for the development at the entry road intersection on Drake Road and on West Michigan Avenue. Regardless, the site is still entitled to a ground sign on Stadium Drive.

Because no specific standard is provided in the Ordinance for Commercial Subdivision Entry Signs, he said the standard for ground signs was applied. This is an important distinction as the two types of signs do not always serve the same function. A Subdivision Entry Sign typically serves to identify the development as a whole. It certainly provides the name of the development, but in many cases the sign also makes a statement that sets the theme for the development as a whole. The primary purpose for the multi-tenant commercial ground sign is typically the identification of the tenants

within the development; the identification of the development or establishment of character or theme is secondary to the goal of tenant identification.

Mr. Milliken provided the following comments for the ZBA to consider as they reviewed standards of approval in considering the request for deviation:

The granting of the requested deviation would not be materially detrimental to the adjacent property owners or tenants. The wall serves as both a gateway to the development as well as the City, Township, and University properties. While the deviation would allow a larger sign than would otherwise be permitted, the larger sign would look proportionally better than the sign would otherwise appear under the Ordinance standards, which provides for an improved aesthetic appearance and impact on surrounding property owners.

There are several unique elements that set this site and request apart from other potentially similar requests or properties in the Township. There are only a limited number of development areas of this size – 40 acres+ - that equal or surpass the size of the subject property. Similar commercial developments in the Township that are of similar size or larger – Maple Hill Pavilion, West Century Center, West Main Shopping Center (Kohl's/Lowe's/Harding's) – have all received deviations for their multi-tenant entry signs.

Further, the proposed sign is not located at an entry drive to the development but at an intersection. Considering its enhanced design, this furthers the argument that the feature serves as a gateway to the Township as well as the development.

It is certainly possible that there will be other developments in the future that may be as large as this or may include similar design features. However, through the proposed amendments to the PUD chapter of the Zoning Ordinance, it is possible they may be able to include elements like the proposed sign into their original site plan and PUD approval without having to seek a deviation.

In conclusion, Mr. Milliken said Standards are designed to limit sign clutter and maintain the consistent character of the community. The Board should consider the unique design and concept of the proposed signage, the proposed size of the sign in proportion to the proposed wall and landscaping, and the previous decisions in similar situations.

Mr. Milliken asked if Board Members had questions for him.

In response to a question from Mr. Smith regarding lighting, Mr. Milliken indicated lights would shine on the sign from below.

Mr. Larson asked how far back the wall is from the intersection; Mr. Milliken said it was at least 40 – 50 feet.

Mr. Sterenberg noted there is no standard in the ordinance for a commercial subdivision entry sign, which is why a variance is required; Mr. Milliken agreed and said the standard used was based on square footage and that it was not considered as a wall sign.

There was discussion of whether there should be a standard defined and included in the ordinance for commercial subdivision entry signs. It was agreed this probably should have been addressed in the past, and could be addressed in the future, since standards for commercial and suburban signs are usually different. However it was also noted this project comprises an unusual size (40 acres) and topography unique in the Township and possibly even in the county. The PUD, when approved, will play a big role in these types of situations.

Chairperson Bell asked the applicant if he wished to speak.

Mr. Joe Gesmundo, AVB Builders, 4200 W. Centre St., Portage, spoke to the Board. He reviewed the history of the project, explaining that AVB worked with MDOT and at AVB's expense and desire for an aesthetically pleasing entry to the Township, the City of Kalamazoo, and WMU, designed and built the stone wall, which he considers as an art piece, as a gift to the community. He noted there would be 10 light fixtures spaced along the base of the wall that will provide a dramatic effect and explained the letters act as part of the artwork of the wall.

Mr. Gesmundo explained that without the prominent lettering establishing the "Corner@Drake" label, the entire development will be known only as "Costco." He also noted that the development has 3,000 feet of road frontage, and if divided into individual properties, there could be 80 foot signs every 200 feet.

In response to Board questions, Mr. Gesmundo said the letters line up with the intersection and that the wall is set back 80 – 90 feet from the intersection.

Mr. Milliken asked Mr. Gesmundo to describe the materials that will be used for the letters.

Mr. Gesmundo said being considered is a rusty colored steel, brushed aluminum or brushed stainless steel.

Hearing no further questions, the Chairperson moved to Board Deliberations.

Comments indicated a consensus of the Board that the sign deviation requested was acceptable. Cited were the unique site, the fact that other businesses have been granted variances in similar situations, that an 80 foot sign would not be proportional or able to be seen by drivers, that the desire to have the site known as "Corner@Drake" rather than "Costco" is reasonable, and the artistic quality of the sign. It was further noted that this issue may be a non-issue in the future with the PUD. All agreed the project will be positive for the Township.

Chairperson Bell asked for a motion to approve the site plan request.

Mr. Smith made a motion to approve the request for sign deviation for the Corner@Drake sign for the reasons listed above regarding the standards of approval as well as precedent as a result of previous approvals for similar requests. Mr. Loy seconded the motion. The motion was approved unanimously.

Chairperson Bell noted the representatives from Omni Community Credit Union had not appeared and suggested tabling the item to the October 28, 2014 meeting to allow them the opportunity to be present when the request is considered.

Mr. Larson made a motion to table the request from Omni Community Credit Union to the next ZBA meeting scheduled for October 28, 2014. Mr. Loy seconded the motion. The motion was approved unanimously.

### **Any Other Business / ZBA Member Comments**

There was no further business or comments from Members.

### **Adjournment**

Chairperson Bell noted the Zoning Board of Appeals had exhausted its Agenda, and with there being no other business, she adjourned the meeting at approximately 3:40 p.m.

Minutes prepared:  
October 7, 2014

Minutes approved:  
October 28, 2014