charter township
oshtemo
est. 1839

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NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

Thursday,
July 23, 2015

7:00 p.m.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Public Comment on Non-Agenda Items
5. Approve Minutes
   a. June 25, 2015 Regular Meeting
6. **PUBLIC HEARING: Special Exception Use (Lyndon Cronen)**
   Planning Commission to conduct special exception use amendment and site plan review of the application of Lyndon Cronen for a new accessory building located at 5071 West H Avenue in the R-3 Residential District (parcel #3905-12-230-033).
7. Old Business
8. Any Other Business
9. Planning Commissioner Comments
10. 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 JUNE 25, 2015

Agenda

PUBLIC HEARING: SPECIAL EXCEPTION USE REQUEST AND SITE PLAN REVIEW OF THE APPLICATION FROM WD PARTNERS ON BEHALF OF MEIJER TO INSTALL THREE DRIVE-THRU LANES FOR CURBSIDE PICK-UP AT AN EXISTING RETAIL STORE LOCATED AT 6660 WEST MAIN STREET IN THE C-LOCAL BUSINESS DISTRICT. (PARCEL #3905-14-185-022).

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, June 25, 2015, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

ALL MEMBERS WERE PRESENT: Terry Schley, Chairperson
Fred Antosz
Wiley Boulding, Sr.
Dusty Farmer
Pam Jackson
Millard Loy
Mary Smith

Also present were Greg Milliken, Planning Director; James Porter, Attorney; and Martha Coash, Meeting Transcriptionist. Three other persons were 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. Boulding, Sr. seconded the motion. The motion passed unanimously.

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 JUNE 11, 2015

The Chairperson asked if there were any additions, deletions or corrections to the minutes of the meeting of June 11, 2015. Hearing none, he asked for a motion to approve the minutes as presented.

Mr. Antosz made a motion to approve the minutes of the June 11, 2015 meeting. Ms. Farmer seconded the motion. The motion was approved unanimously.

PUBLIC HEARING: SPECIAL EXCEPTION USE REQUEST AND SITE PLAN REVIEW OF THE APPLICATION FROM WD PARTNERS ON BEHALF OF MEIJER TO INSTALL THREE DRIVE-THRU LANES FOR CURBSIDE PICK-UP AT AN EXISTING RETAIL STORE LOCATED AT 6660 WEST MAIN STREET IN THE C-LOCAL BUSINESS DISTRICT (PARCEL #3905-14-185-022).

Chairperson Schley moved to the next item on the agenda, a special exception use application from WD Partners on behalf of Meijer, and asked Mr. Milliken to review the request.

Mr. Milliken said the applicant desires to install a drive-up facility in the parking lot of the existing Meijer store on West Main Store in order to implement its curbside pick-up program. The store is located at the northeast corner of 9th Street and West Main Street in the C-Commercial zoning district.

He explained Meijer has initiated a new curbside pick-up program. It has been installed at one store in Grand Rapids and is being implemented at several other stores as the company begins to roll out this new technology. The system allows customers to submit an order online and then pick up the order in a dedicated drive-through area. Customers approach the pick-up area, speak or enter a name or code to announce their presence, and then pull forward to await an employee to bring the items to the vehicle.

He indicated the proposed pick-up area is located in the northeast portion of the existing parking area. It would occupy the space currently occupied by ten parking spaces at the north end of an existing parking bay. The proposed area is at the east end of the parking lot, which is near the entry to the grocery area. Due to the proximity

of the proposed area to the grocery entry, it is in a highly congested area and will occupy popular parking spaces.

Mr. Milliken said it is anticipated that the curbside program will be available from 7am to 9pm. The facility has a capacity for 100 orders a day. It is currently in operation at the Knapp's Corner store in Grand Rapids (1997 East Beltline Road). The applicant has indicated that they are receiving approximately 25 orders per day at that facility.

He said the retail building is 209,161 square feet with a parking lot containing 1,303 parking spaces. The proposed development removes 10 of those spaces reducing the total to 1,293 spaces, which would still be in compliance.

Mr. Milliken explained for drive-up and drive-through uses, section 68.300.G requires that "stacking space for vehicles awaiting service shall be on-site and designed and located so as not to block or impede pedestrian and/or vehicle circulation on the site or on any adjacent sidewalk or street." There is not a specific number of stacking spaces required, but there is a requirement that the stacked vehicles not create safety or circulation issues.

He noted the arrangement and layout of the proposed curbside facility represents the biggest concern or question regarding this application. The plan does not provide for any stacking. Three lanes are established for vehicles, and each lane has two stops: one for customers to call in their orders and one for customers waiting for delivery of goods.

Based on the estimates and projections provided by the applicant, he said it would be reasonable to project between three and ten vehicles utilizing the curbside facility per hour. These are not large numbers and therefore, a substantial amount of stacking spaces should not be required. That being said, even one vehicle waiting to enter the facility will create significant circulation issues waiting in the parking lot aisle. Sitting here, a vehicle awaiting entry to the curbside facility will block access to the adjacent parking spaces, will block the flow of traffic in this busy circulation aisle, and could create backups into the very congested (both vehicles and pedestrians) east-west drive that runs adjacent to the main building. Considering all of this and the safety problems that result, some amount of stacking should be provided to avoid the conflicts stated above from occurring.

Mr. Milliken proposed two alternatives. First, instead of having the facility in the parking bay running parallel to the face of the building, it could be rotated 90 degrees and run perpendicular to the face of the building. The curbside pick-up facility would have to be reduced to two lanes and would likely occupy a greater number of parking spaces.

The second alternative would be to relocate the facility to the east where there are sixteen parking spaces in a small lot immediately east of the building just north of

the main east-west drive. This is not a well-used parking facility, at least not by customers, and would provide a better location for the proposed facility.

He said there certainly may be other arrangements that work. However, it was desired to stay reasonably close to the location, size, etc. of the original proposal. He also noted Meijer has indicated they are willing to go with the first option, a perpendicular arrangement to the proposal.

Mr. Milliken referred to the standards of approval and said the proposed curbside facility is compatible with other uses permitted within the zoning district. Meijer already has a drive-up window for the pharmacy in the store located on the west side of the south façade of the store. There is also a car wash, gas station, fast food restaurant with drive-thru window, and a bank with drive-thru windows and ATM on or around the subject property.

He explained the biggest concern with the proposed development is the potential impact on circulation and safety on the site for users of the curbside program as well as customers of the store.

He pointed out the proposed use is consistent with the commercial character and use of the area and if the site should need to be adapted or redeveloped at some point in the future, the proposed curbside facility could be modified as necessary and/or relocated to fit into the proposed plans.

Mr. Milliken said, based on the criteria for special exception uses, the curbside facility appears clearly consistent with Zoning Ordinance standards.

However, the site plan that has been submitted raises significant concerns due to the potential impact on traffic circulation and the safety of the users of both the curbside facility and the surrounding parking facility.

Mr. Milliken said the Board will need to make two motions regarding this proposal. The first will be regarding the special exception use. The second will be regarding the site plan.

Mr. Milliken said he understood Meijer was willing to accept the alternatives suggested by staff to turn the plan 90 degrees and that the Board would need to decide whether they are comfortable with that concept and leave further review and approval to Staff or ask the applicant to return with a revised plan.

Chairperson Schley asked if the applicant wished to speak.

Mr. Ben Dariano, WD Partners, Columbus OH, explained the pick-up process. Customers submit an order online and pick up their order by approaching the pick-up area, enter a name or code, pull forward to await an employee to bring the items to the vehicle.

He said Meijer was willing to turn the plan 90 degrees as suggested by Staff. He presented the Planning Commission with a concept sketch showing how such an arrangement could be laid out on the site. He said the lighting under the canopy would be on only during open hours, from 7:00 a.m. to 9:00 p.m. in consideration of neighbors. He said all signage is conceptual and that WD would work with Oshtemo Township Staff to achieve approved signage.

In answer to questions from Commissioners, Mr. Dariano said Meijer feels the area chosen is most conducive to the operation by being placed near the order storage area inside the store which is currently an underutilized area; the set-up is radically different from the Grand Rapids site which is a cul-de-sac; lighting would not exceed current lighting; there would be three or six pick-up stations; call boxes would be on the drivers' side of vehicles; stations would be covered with cantilevered canopies and no outside posts so cars can leave as soon as loaded, and there is ample space if a driver might need to get out of the car to open the trunk.

There were no further questions for the applicant from the Board. Hearing no comments from the public, Chairperson Schley moved to Board Deliberations.

Commissioners were supportive of the concept, but were concerned there was not a specific commitment proposed, and wondered if the operation could be located at the east end of the building rather than losing 16 prime parking places for in store customers. There was concern about traffic flow crossing lanes into opposing traffic.

Mr. Dariano said Meijer has found this method to be the best alternative to get people in and out quickly to minimize stacking and said 8-12 cars an hour in 15 minute time slots would be served, which would regulate the amount of traffic, and that those numbers are equal to about one car every five minutes. No more than 3-4 cars would be expected at a time.

Board Members were concerned that there might be a backup if most cars come in the a.m. and in the evening. Mr. Dariano agreed most pick-ups would likely occur in those times.

Chairperson Schley said the Board should be asking for a specific response from the applicant as to how the process will work and how many call boxes would be located on each side of the of the aisle – the number would change stacking needs entirely.

Mr. Dariano said the plan is conceptual and difficult to quickly redesign.

Mr. Loy and Mr. Antosz felt the site plan should be tabled to allow the applicant to come back to the Commission with a specific plan.

Mr. Loy made a motion to approve the special exception use as requested to establish a drive-thru facility for a new curb-side pick-up program for the 9th Street Meijer. Mr. Boulding, Sr. seconded the motion. The motion was approved unanimously.

When asked how long it would take to adjust the plan according to the feedback and if a revision would be available for the next meeting, Mr. Dariano said he thought two weeks would be adequate to develop a revised site plan.

Mr. Loy made a motion to table the application for site plan approval for two weeks, until July 9, to allow the applicant to revise the application and provide more details. Ms. Jackson seconded the motion. The motion was approved unanimously.

Chairperson Schley asked Commissioners to share their thoughts with Mr. Dariano regarding what they wished to see in a revised application for the site plan to give them a better chance of approval.

Ms. Jackson said that she loves the idea, but that cross-traffic is an issue and other options are needed.

Mr. Loy said he wants to see one stack in each lane; 4 pick-ups and one stack at a time.

Ms. Smith said the proposed area is high density and directly adjacent to handicap lanes. She would like to see it moved to the east side for health and safety concerns.

Chairperson Schley said he could support the application if it is clearly defined. If the concept submitted in the application is on the east side and allows for stacked cars outside the entry, he would be on board, but if it is in the middle of the 24 foot cross aisle with entry/exit crossing traffic, he would have a problem with it. Normal conventions and safety issues need to be addressed. He also wants lighting photo metrics included in the application for the proposed additional lighting. In addition if handicap parking spaces are lost, they should be addressed with an offset. Signage beyond directional would also need to be included. The revised application would need to be received by Staff to allow time to consider and for the review of the Fire Marshall.

Mr. Antosz felt alternative locations should be considered, loss of parking spaces addressed, and additional traffic expectations included in the revised proposal.

Mr. Loy favored utilizing the east side of the building and suggested a sidewalk to the end of the building.

Mr. Boulding, Sr. wondered if the applicant felt more interest would be generated in a new, innovative venture if it is in a more visible location.

Chairperson Schley said whatever location is proposed needs to have sound aspect of traditional design and address safety hazards for traffic. The Meijer Pharmacy pullout into traffic lanes was approved years ago and was not a good design. There is too much ambiguity in the plan as proposed; more details are needed. He said he hoped the comments of Commissioners would be helpful in revising the proposal.

DISCUSSION OF POTENTIAL ZONING ORDINANCE AMENDMENTS RELATED TO AREA OF CHANGEABLE COPY ON SIGNS

Chairperson Schley moved to the next item on the agenda and asked Mr. Milliken to introduce the subject for discussion.

Mr. Milliken said at the last PC meeting there was an initial discussion of a variety of Zoning Ordinance amendments and issues. One of those issues involved the percentage of sign area that could be dedicated to changeable copy. As discussed at the meeting, Staff had been presented with information regarding advances in sign technology particularly related to electronic signs. This new technology has certain dimensional requirements, and the current limit of a maximum 25% sign area dedicated to changeable copy does not always fit well with those requirements.

He noted the result of discussion was that the Commission was willing to entertain further discussion on the topic but would require additional information before totally embracing the proposed amendments. In order to provide the requested information and respond to the questions of the Commission, Staff invited Steve VanderSloot of SignArt, who presented the request to Staff, to attend the meeting to present the information and any required clarification. How to proceed can be decided following discussion.

Mr. Milliken introduced Mr. Steve VanderSloot, SignArt, and Chairperson Schley noted Mr. VanderSloot has been a good friend to the Township, that he provided fundamental advice and guidance when the Township has development and advanced its ordinance.

Mr. VanderSloot provided a history of the development of changeable sign technology. He explained that with today's state of the art electronic signage, the benefit is that words are not needed for people to read and understand the advertising message. Graphic representations are more effective and actually can use less space and emit less light when an opaque, dark background is employed. He explained the standardized size of the modules dictates that signs are of a particular size with fixed proportions. A result is that the 25% active area allowed by Oshtemo Township standards limits the effectiveness of the new signs. A 35% active area would mean the full capability of the signs could be employed. Changing the Township Ordinance to allow 35% of the sign to be changeable would provide a proactive stance for the Township. He noted that rather than being driven by size, the new technology is driven by use and aesthetics.

In response to a question from Mr. Loy regarding whether sign manufacturers might make smaller modules in the near future, Mr. VanderSloot said he did not believe that would occur.

Commissioners discussed whether a change to the sign ordinance to address increasing the active area should be Township wide or be allowed in specific zones. They were mindful of not wanting "sign blight" in the Township, but having a good fit for the community and enabling merchants to take advantage of the available technology.

Mr. VanderSloot said he would provide Commissioners with a list of signs they could drive around to take a look at to get an idea of what the changeable area looks like when fully utilized in the popular 3 x 7 size.

Chairperson Schley said Commissioners would receive the list and take it from there. They will consider looking at the technical changes to support the industry. If there will be more of these signs, at some point there may be concern about whether the Ordinance should address location as a consequence and other restrictions that may be necessary.

OLD BUSINESS/OTHER BUSINESS

Chairperson Schley asked if there was old business or other business to come before the Commission. There was none, so the Chairperson moved to the next item.

Mr. Milliken noted as a result of the tabling of the Meijer site review, there will be a Planning Commission meeting on July 9.

PLANNING COMMISSIONER COMMENTS

There were no comments from Commissioners.

ADJOURNMENT

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

Ms. Farmer made a motion to adjourn. Mr. Loy seconded the motion. The motion carried unanimously.

Chairperson Schley adjourned the Planning Commission meeting at approximately 8:39 p.m.

Minutes prepared:
June 29, 2015

Minutes approved:
_____, 2015

July 9th, 2015

Mtg Date: July 23rd, 2015

To: Planning Commission

From: Ben Clark, Zoning Administrator

Applicant: Lyndon Cronen, First Agency, Inc.

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 a 1,080 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, at the southwest corner of H Avenue and Drake Road. It is a 3.57-acre parcel with approximately 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 in 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.

A similar request presented by AVB on behalf of the applicant was heard and ultimately denied by the Planning Commission at its February 26th, 2015 meeting. The previous proposal included a larger 4,000 square foot, six bay building. During deliberations, members of the Planning Commission as well as Township staff expressed concern over not only the size of the proposed structure and the effects it would have on the surrounding area, but also whether or not the Zoning Ordinance allows accessory buildings for commercial uses located in R-3 districts. The matter of accessory buildings for commercial uses in this district has yet to be definitively settled; therefore members of the Planning Commission may wish to revisit the issue when deciding whether or not to approve this Special Exception Use amendment.

PROPOSED DEVELOPMENT

The applicant is proposing to build a 1,080 square foot accessory building associated with the preexisting business on the subject property. The building would be 30 feet wide, 36 feet deep, and have side walls of 12 feet in height. It would be a steel sided building with metal roofing. The proposed structure includes three overhead doors on the west side, facing the primary building on the property.

The proposed building is to be located to the east of the existing primary structure, approximately three feet from of the edge of the parking lot. A cement apron is planned to be poured between the existing parking lot and the western side of the building in order to facilitate the unloading of bulk pamphlets for storage, compiling, and eventual redistribution. The applicant asserts that with this arrangement, semi-trucks will be able to easily unload the materials to be stored in the proposed structure.

The structure will be connected to electricity but is not intended to be connected to water or sanitary sewer utilities. It will not be an occupied structure, nor will it employ any exterior lighting.

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 substantial minimum required setbacks 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 minimum required setback from H Avenue is 70 feet from the right of way. The minimum required 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 minimum required setback is 100 feet because of the historic overlay district (Section 64.700). The proposed structure satisfies all stated setback requirements, with planned setbacks of 74' from the H Avenue right of way, 230' from the Drake Road centerline, and 175' from the historic district to the south.

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 is comfortable with the plan as presented.

LANDSCAPING

The applicant is proposing to maintain a wide buffer of existing landscaping along both street frontages, which includes a variety of materials such as canopy trees and understory growth, thereby providing a decent amount of screening along both street frontages. There is also a four to five foot natural berm along these boundaries. Along with the existing vegetation and berms, the applicant also intends to plant nine evergreen trees in total, more if deemed necessary, around the north, east, and south walls of the proposed structure. The greenspace requirements along these frontages are as follows: Along H Avenue, a C greenspace is required. This is to be a minimum of 20 feet wide and include at least 4 canopy trees, 6 understory trees, and 8 shrubs. Along Drake Road, a C greenspace is also required. This must be at least 20 feet wide and include a total of 6 canopy trees, 9 understory trees, and 12 shrubs. It is believed that the existing landscaping at the site satisfies these requirements, although confirmation should be required prior to the issuance of a certificate of occupancy due to the fact that some vegetation will be removed from the site as a part of the construction process.

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 to be 30 feet wide and include 10 canopy trees, 15 understory trees, 30 shrubs, and 5 evergreen trees. This is also the lowest and most exposed portion of the site in terms of the existing landscaping; the existing berm on Drake Road phases out before the south end of the property. While there is existing vegetation on this part of the property that will be preserved, and the applicant has indicated that he intends to plant evergreen trees immediately adjacent to the proposed structure, additional plantings may be required if construction of the building removes more screening along the southern exposure than is acceptable. As with the greenspace buffers along Drake Road and H Avenue, confirmation that existing and proposed landscaping in this area satisfies the Ordinance should be required before a certificate of occupancy is issued.

OTHER IMPROVEMENTS

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 submitted site plan, due to the fact that the applicant is using the original document from 1985 before such improvements were required. It is recommended that the applicant sign a commitment to not protest a special assessment district should such a facility be proposed along the H Avenue or Drake Road frontages.

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 the proposed project shows that it is consistent with these standards and that the overall use of the property will remain in compliance with the criteria listed in the Zoning Ordinance.

Section 60.100 of the Zoning Ordinance provides a list of factors to be considered 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 restrictions 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 issue 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 size of the proposed storage building has been substantially reduced since the last submission, shrinking by almost 75%. Aesthetically, both the building walls and the doors will be earth toned, with roof shingles of a complementary color, and the applicant is willing to install upgraded, residential-styled overhead doors if the Planning Commission so wishes. The existing berms and landscaping will screen substantial portions of the building from adjacent roadways and properties. It will also not result in any increased traffic or noise impacts unlike other uses that could be developed at that location.

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?

The proposed design and the existing screening will help to mitigate any impacts created by the metal pole building. The design fits with the residential character of the surrounding area and the maintenance of the existing landscaping and land along the perimeter of the site further preserves this character and minimizes the impact of the proposed structure.

CONCLUSION

We appreciate the challenges the applicant has faced in trying to develop the site, especially when considering the constraints imposed by 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 efforts to address previously identified concerns regarding design and screening are recognized and welcomed. The building's reduced size is in better accordance with the residential character of the surrounding H Avenue/Drake Road area when compared to the previous proposal. The applicant's

willingness to plant additional landscaping as needed also helps to ensure that the building will not be as prominent a presence on the site as previous iterations.

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

1. A detailed landscape plan is to be submitted to Staff, prior to the issuing of a certificate of occupancy, confirming that existing and proposed landscape materials along Drake Road, H Avenue, and the area facing the historical district satisfy the greenspace requirements of the Zoning Ordinance.

2. The applicant must sign a commitment—in a form approved by the Township Attorney—to not protest a special assessment district should such a non-motorized facilities be proposed along the H Avenue and/or Drake Road frontages.

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,

Ben Clark,
Zoning Administrator

Attachments: Application
Aerial
Site Plan
Review letters from Fire Marshall and Engineer

charter township
oshtemo

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

PLEASE PRINT

PROJECT NAME & ADDRESS _____

PLANNING & ZONING APPLICATION

Applicant Name : LYNDON CRONEN

Company FIRST AGENCY, INC.

Address 5071 WEST H AVE.
KALAMAZOO, MI, 49009

E-mail lyndon_cronene hotmail.com

Telephone 269-377-9663 Fax _____

Interest in Property OWNER

OWNER*:

Name SAME

Address _____

Email _____

Phone & Fax _____ _____

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

Received From: CRONEN
Date: 06/25/2015 Time: 4:25:49 PM
Receipt: 114768
Cashier: LINDAI

ITEM REFERENCE	AMOUNT
1085 SPECIAL EXCEPTION USE	
SPECIAL EXCEPTION USE	$300.00
TOTAL	$300.00
CHECK 232	$300.00
Total Tendered:	$300.00
Change:	$0.00

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

___Planning Escrow-1042
___Site Plan Review-1088
___Administrative Site Plan Review-1086
AMENDMENT TO 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): _____

Add a 3 stall garage space on the east end of the parking lot. Total building to be 30 ft. deep and 36 ft. wide. Total building to be less than 1,100 sq. ft. Will have 3 garage doors facing west. Two garage doors at 8 ft. wide and 8 ft. high, one garage door at 10 ft. wide and 8 ft. high.

LEGAL DESCRIPTION OF PROPERTY *(Use Attachments if Necessary)*:

TOWNSHIP HAS FROM PREVIOUS APPLICATION

PARCEL NUMBER: 3905- 12-230-033

ADDRESS OF PROPERTY: 5071 WEST H AVE., KALAMAZOO, MI, 49009

PRESENT USE OF THE PROPERTY: INSURANCE AGENCY

PRESENT ZONING TWP. HAS THIS FROM PREVIOUS APP. **SIZE OF PROPERTY** TWP. HAS FROM PREVIOUS APP.

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

Name(s)	Address(es)
LYNDON L CRONIN	5180 GRAND ARBRE TRAIL PORTAGE, MI, 49024

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 Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

Owner's Signature(* *If different from Applicant*) — **Date**

Lyndon L Cronin — 6/14/15

Applicant's Signature — **Date**

Copies to:
Planning –1
Applicant -1
Clerk –1
Attorney-1
Assessor –1
Planning Secretary - Original

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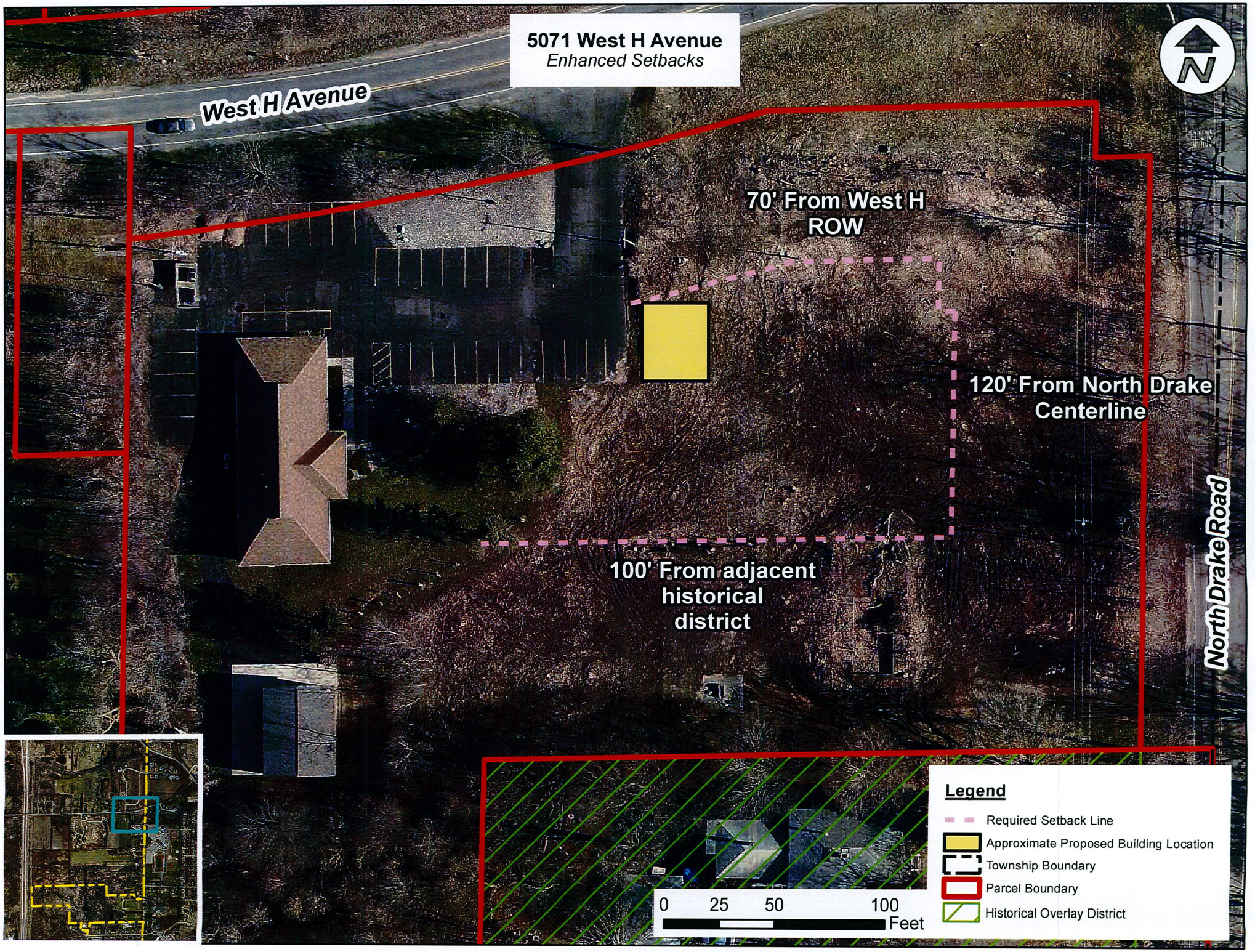
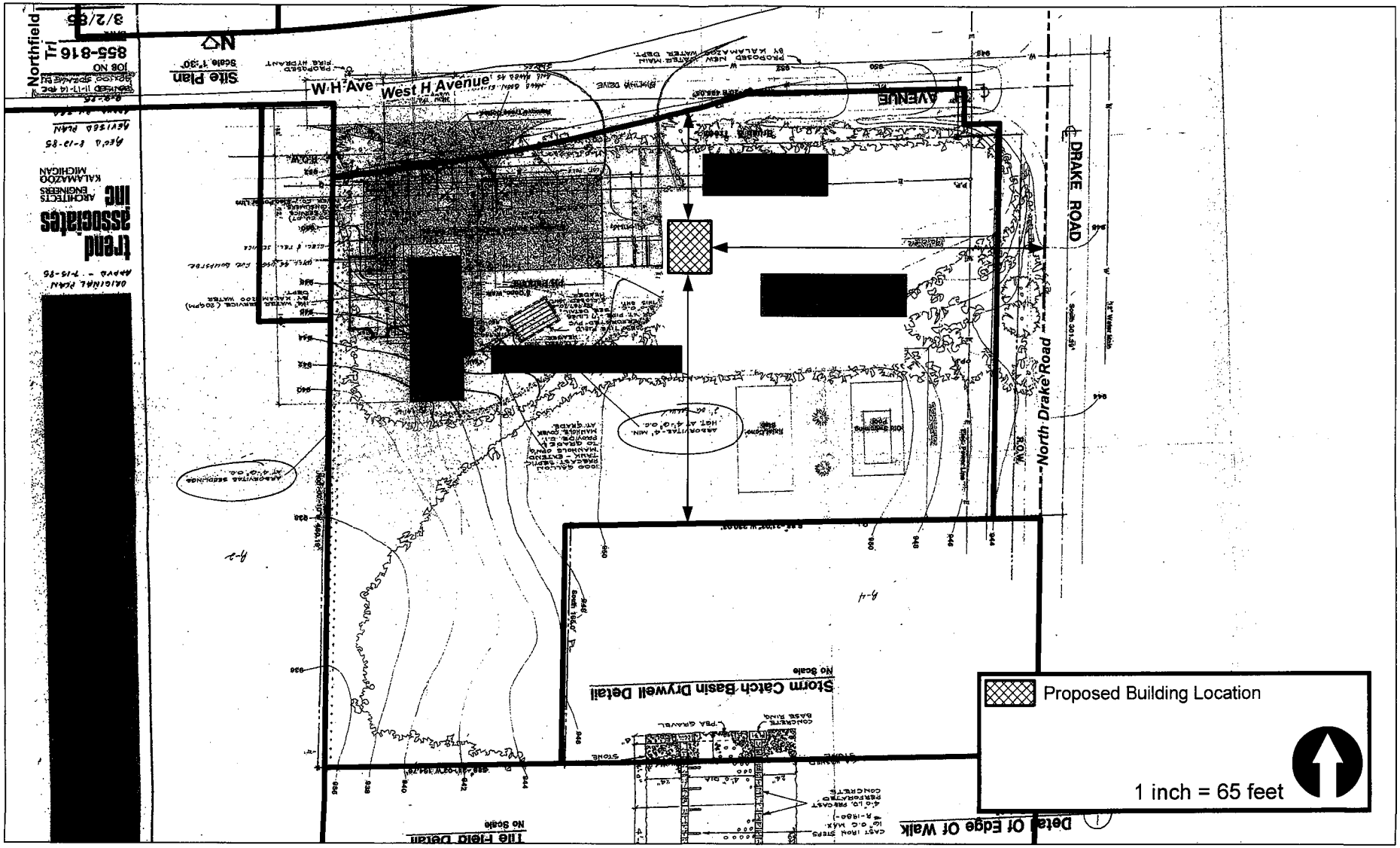
PLEASE ATTACH ALL REQUIRED DOCUMENTS


5071 West H Avenue
Enhanced Setbacks
West H Avenue
70' From West H ROW
120' From North Drake Centerline
100' From adjacent historical district
North Drake Road
N
Legend
Required Setback Line
Approximate Proposed Building Location
Township Boundary
Parcel Boundary
Historical Overlay District
0 25 50 100
Feet

5071 West H Avenue Proposed Accessory Structure



FRANKLIN PRESS 5703S.9/13

FRANKLIN PRESS 57035.9/13

301

FRANKLIN PRESS 57035 9/13

FRANKLIN PRESS 5703S.9/13

36'x 30' x12' pole building

Steal siding

Shingled roof

3 overhead doors

1 service door

FRANKLIN PRESS 57035.9/13

OSHTEMO FIRE DEPARTMENT SITE PLAN CONCERNS LIST

Applicant: Lyndon Cronen
Project: First Agency proposed new building.
Location: 5071 West H Ave.
Date: June 30, 2015
Site Plan Date: August 2, 1985

Identified Concerns:

A 15 foot vertical clearance is required throughout the site and shall include all vegetation. This is mentioned at this time for consideration of plant growth in 10 – 15 years.

The access road shall be 24 foot minimum in width and maintained year round and shall support the live load of fire apparatus. This is mentioned at this time for future consideration after the certificate of occupancy has been issued and it becomes the responsibility of the property owner during all weather conditions.

Fire lane signs shall be posted and shall read "FIRE LANE – NO STOPPING, STANDING OR LOADING" and shall be installed prior to any occupancy. Signs shall be of white background with red lettering. Signs shall be installed mounted on a post with sign facing the flow of traffic with the height of 6'- 8" to the bottom of the sign. Signs shall be placed no more than 60' on center. Please contact this office for placement locations, which shall also be shown on the site plan.

Approved access routes shall be required prior to and during construction at this site. Access routes shall be (24) feet in width and shall support the live load of the department apparatus. Access routes shall extend to within one hundred fifty, (150) feet of all portions of the building or any of the exterior of the building.

An address clearly visible both during and after completion of this project is required.

Any egress points from the building shall terminated at a paved surface and be connected by continuous means.

Fire alarms systems shall meet NFPA 72 requirements.

Fire Sprinkler systems shall meet NFPA 13 requirements.

If by any code adopted by Oshtemo Township or by the Owners choice, there is going to be a fire sprinkler system installed, a remote fire department connection away from the building shall be required and shall have a locking five inch Knox StorzGuard kits with locking cap installed. These are available on line at @ www.knoxbox.com.

This building will be required to have a fire department Knox key box installed. This is mentioned at this time so if a recessed style is desired it may be incorporated into the building plans. You may order a Series 3200 Key Box online @ www.knoxbox.com, as it may take 4-6 weeks for delivery of this lock box.

Prior to final occupancy, Fire extinguishers meeting the minimum rating of 2A10BC shall be installed at not more than 75 feet of travel distance from any point in the building.

This list shall not be considered as all inclusive as other requirements may be necessary when more information becomes available.

Should you have any questions regarding this matter, please feel free to contact me.

Jim Wiley
Assistant Fire Chief / Fire Marshal
Oshtemo Township Fire Department
P. 269.375.0487
F. 269.544.2085
jwiley@oshtemo.org

charter township
oshtemo
est. 1839
7275 W. MAIN STREET, KALAMAZOO, MI 49009
269-216-5220 Fax 269-375-7180 www.oshtemo.org

Memorandum

Date: November 24, 2014

To: Greg Milliken

From: Marc Elliott

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

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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.