

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD MARCH 8, 2018

Agenda

PUBLIC HEARING: D & R SPORTS CENTER – SPRING OPEN HOUSE
CONSIDERATION OF AN APPLICATION FROM D & R SPORTS CENTER FOR A SPECIAL EXCEPTION USE TO ALLOW AN OUTDOOR EVENT PER SECTIONS 30.400 AND 60.000 OF THE TOWNSHIP ZONING ORDINANCE, TO COMMENCE MARCH 29 AND END APRIL 1, 2018, WITH THE SPRING OPEN HOUSE BEING HELD MARCH 30 AND 31, 2018, LOCATED AT 8178 WEST MAIN STREET, WITHIN THE C: LOCAL BUSINESS DISTRICT. PARCEL NO. 3905-16-280-012.

PUBLIC HEARING: OSHTEMO ROTARY CLUB – OSHTEMO ROTARY FAMILY FESTIVAL
CONSIDERATION OF AN APPLICATION FROM THE OSHTEMO ROTARY CLUB FOR A SPECIAL EXCEPTION USE TO ALLOW AN OUTDOOR EVENT PER SECTIONS 30.400 AND 60.000 OF THE TOWNSHIP ZONING ORDINANCE, TO COMMENCE MAY 21 AND END MAY 30, 2018, WITH THE FAMILY FESTIVAL BEING HELD MAY 24 THROUGH MAY 28, 2018, LOCATED AT 5030 WEST MAIN STREET, WITHIN C: LOCAL BUSINESS DISTRICT. PARCEL NO. 3905-13-280-051.

ANY OTHER BUSINESS

a. DRIVE AISLE WIDTHS

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, March 8, 2018, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

ALL MEMBERS PRESENT: Cheri Bell, Chairperson
 Fred Antosz
 Ollie Chambers
 Dusty Farmer, Secretary
 Micki Maxwell
 Mary Smith
 Bruce VanderWeele, Vice Chairperson

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney and Martha Coash, Meeting Transcriptionist. Two others were in attendance.

Call to Order and Pledge of Allegiance

Chairperson Bell called the meeting to order at approximately 7:00 p.m. The “Pledge of Allegiance” was recited.

Agenda

Chairperson Bell noted two items to be added to the agenda under “Old Business,” Village Theme Development Plan Update and Master Plan Update. She asked for a motion to approve the agenda with these additions.

Ms. Farmer made a motion to approve the agenda as amended. Mr. VanderWeele supported the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

Chairperson Bell asked whether anyone in the audience cared to comment regarding non-agenda items. Hearing none, she moved to the next agenda item.

APPROVAL OF THE MINUTES OF THE MEETINGS OF FEBRUARY 22, 2018 (WORK SESSION) AND FEBRUARY 22, 2018 (REGULAR SESSION.)

Chairperson Bell asked if there were any additions, deletions or corrections to either the Minutes of the Work Session of February 22, 2018 or the Regular Meeting of February 22, 2018. Hearing none, she asked for a motion.

Ms. Maxwell made a motion to approve the minutes of the Work Session of February 22 and the Regular Meeting of February 22, 2018 as presented. Ms. Farmer supported the motion. The motion was approved unanimously.

PUBLIC HEARING: D & R SPORTS CENTER – SPRING OPEN HOUSE CONSIDERATION OF AN APPLICATION FROM D & R SPORTS CENTER FOR A SPECIAL EXCEPTION USE TO ALLOW AN OUTDOOR EVENT PER SECTIONS 30.400 AND 60.000 OF THE TOWNSHIP ZONING ORDINANCE, TO COMMENCE MARCH 29 AND END APRIL 1, 2018, WITH THE SPRING OPEN HOUSE BEING HELD MARCH 30 AND 31, 2018, LOCATED AT 8178 WEST MAIN STREET, WITHIN THE C: LOCAL BUSINESS DISTRICT. PARCEL NO. 3905-16-280-012.

Chairperson Bell asked Ms. Johnston to present the Staff report regarding the application from D & R.

Ms. Johnston reported the applicant, owner of D & R Sports, was requesting a special exception use and general site layout approval for an outdoor event, which occurs annually in the spring. The applicant has been holding this event for a number of years with no concerns from the Fire Marshal, however Planning Staff noted the event was never approved by the Planning Commission. The application provided this

year was to ensure that all outdoor events are treated consistently. The property is zoned C: Local Business District, which requires Planning Commission approval for outdoor events lasting longer than one day in duration.

The Spring Open House will include vendors, educational seminars, and concessions and will be held on Friday, March 30th and Saturday, March 31st. To allow time for set-up and tear-down, Staff recommended considering extending the requested time period to March 29th through April 1st.

The applicant provided a general layout plan which shows the locations of the vendors, concessions, overflow parking, and temporary restroom facilities. Per the site plan, all drive aisles will remain clear for emergency vehicles to internally access the site. The Fire Marshal reviewed the site plan and was satisfied with emergency access. All other ordinance requirements have been met.

Staff recommended the Planning Commission condition the event on signage directing participants to overflow parking located to the north of the main buildings on site. For concerns of safety, it is important to keep participants from parking along West Main Street if it is unclear where additional parking can be found onsite.

Ms. Johnston noted Planning Department Staff is satisfied the project meets all Special Exception Use requirements and recommended the Planning Commission grant approval subject to the following conditions:

1. The final layout of the site be inspected and approved by the Fire Marshal prior to the commencement of the event.
2. Signage be placed on the property directing traffic to the overflow parking found to the north of the existing retail buildings and as shown on the site plan.

In addition, if approved, she requested that subsequent D & R Sports Spring Open House events held by the applicant at this address be administratively approved, provided the proposed layout for any future event does not deviate significantly from the request being presented at this time. She noted this is consistent with how other outdoor events have been handled.

Chairperson Bell thanked Ms. Johnston for her report and asked whether Commissioners had questions.

In response to a question from Ms. Smith regarding parking along M-43 during this event, Ms. Johnston said D & R personnel would direct attendees to onsite overflow parking and noted overflow parking signage could be required.

Ms. Bell asked for clarification regarding the history of the event and what changes would bring a request back before the Board if administrative approval is given as suggested for future events.

Ms. Johnston said the event was approved by the Planning Commission years ago but was “lost in the shuffle” at some point although the Fire Marshal did an inspection every year. In future years, the request would come back to the Board if the event were substantially larger in consideration of public safety. She said there have been no problems in the past, the event has effectively remained the same for many years and she anticipated no issues in the future.

Chairperson Bell asked the applicant if he wished to speak.

Mr. Randy VanDam, owner of D & R Sports Center, 8178 West Main Street, said the event has been held consecutively for 25 years, that he could not remember the official initial application and that he called the Fire Marshal to come for an inspection every year. He noted expansion at the back of the building will significantly increase the parking capacity this year and that there will be parking assistance from employees during the event. He added it is not unusual for people to park along M-43, that there have not been any issues in 25 years, but that D & R does not condone parking there. Attendants will be discouraged from parking on the shoulder, but that staff does not tell them they have to move.

He confirmed for Commissioners that the dates requested include set up and tear down time; one small tent and portable toilets will be picked up on the Monday after the event. The actual event will take place for two days only, on March 30 and 31.

Chairperson Bell determined there were no public comments and moved to Board Deliberations.

Ms. Johnston suggested extending the date to April 3 to allow time for the tent and portable facilities to be picked up within the approved dates.

There was further discussion of public safety regarding extensive parking along M-43, but acknowledgment that the Township does not have authority over a state highway. It was agreed a condition regarding provision of signage out front to alert attendees of additional parking at the rear of the building should be included in the motion for approval.

Mr. VanderWeele made a motion to approve the application from D & R Sports Center as requested, including the two conditions from Staff, with prominent signage directing attendees to overflow parking, extension of the approved dates from March 29 through April 3rd, and allowing administrative approval for future Spring Open Houses as long as they remain essentially the same. Mr. Chambers supported the motion. The motion was approved unanimously.

PUBLIC HEARING: OSHTEMO ROTARY CLUB – OSHTEMO ROTARY FAMILY FESTIVAL
CONSIDERATION OF AN APPLICATION FROM THE OSHTEMO ROTARY CLUB FOR A SPECIAL EXCEPTION USE TO ALLOW AN OUTDOOR EVENT PER SECTIONS 30.400 AND 60.000 OF THE TOWNSHIP ZONING ORDINANCE, TO COMMENCE MAY 21 AND END MAY 30, 2018, WITH THE FAMILY FESTIVAL BEING HELD MAY 24 THROUGH MAY 28, 2018, LOCATED AT 5030 WEST MAIN STREET, WITHIN C: LOCAL BUSINESS DISTRICT. PARCEL NO. 3905-13-280-051.

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston to present the Staff report.

Ms. Johnston said the applicant, Rotary Club of Oshtemo, was requesting a special exception use and general site layout approval for an outdoor carnival event called Oshtemo Rotary Family Festival. This is the second year for this event, first approved by the Planning Commission in April of 2017. The community festival fundraiser will be a midway of rides, concessions, and games that will last from Thursday, May 24th through Monday, May 28th, essentially the Memorial Day weekend. The full requested time period, May 21 through May 30, allows for set up and tear down.

Due to the overwhelming success of the Family Festival in 2017, she said the Rotary Club would like to expand the size of the event, allowing Skerbeck Entertainment Group to set up more rides and midway attractions. The location of the festival would be in the generally unused parking lot north of the Maple Hill Mall complex. The Rotary Club received permission from the property owner to hold the Family Festival at this location. The property is zoned C: Local Business District, which requires Planning Commission approval for outdoor events lasting longer than one day in duration.

Ms. Johnston said the applicant provided a general layout plan showing the locations of the rides, games, and concessions. Staff requested a revised layout map showing where the Skerbeck employees would be housed during the duration of the event and the location of fire hydrants in the vicinity.

The midway lanes will be a minimum of 25 feet in width per Skerbeck Entertainment Group to allow for set-up and tear down as well as emergency vehicles to internally access the site. The Fire Marshal was satisfied with lane width and indicated that vehicle drives lanes surround the parking lot allowing for emergency access. All other ordinance requirements have been met.

Planning Department staff was satisfied the project meets Special Exception Use requirements and recommended the Planning Commission grant approval for the Oshtemo Rotary Family Festival, subject to the following conditions:

1. A revised layout plan indicating where the Skerbeck employees will be housed during the duration of the event, to be submitted by March 30, 2018.

2. A revised layout plan showing the location of fire hydrants and restroom facilities, to be submitted by March 30, 2018.
3. The site and carnival ride final layout are to be inspected and approved by the Fire Marshal prior to the commencement of the event.
4. Applications shall be required for all appropriate trade permits and inspections will be required from the Southwest Michigan Building Authority, as applicable, prior to the commencement of the event.

Ms. Johnston suggested subsequent Oshtemo Rotary Family Festivals held by the applicant at this address be administratively approved, provided the proposed layout for any future event does not deviate significantly from the request being presented at this time. This is consistent with how other outdoor events have been handled.

Chairperson Bell asked if there were questions from Commissioners.

Mr. VanderWeele wondered if safety review is done for the amusement rides.

Attorney Porter explained the Fire Marshal checks to be sure the equipment has been certified by the state but said a condition could be added to the motion that the Fire Marshal will verify proof the equipment has been certified by the state.

The Chair asked whether the applicant wished to speak.

Mr. Geoff Moffat, President Elect of the Rotary Club of Oshtemo, residing at 26401 27 ½ Street, Gobles MI, explained Rotary events raise funds that are given back to the community. He noted they plan to donate \$10,000 per year for five years to Drake Farmstead Park. He indicated both Skerbeck and the mall owners were very pleased with last year's event. There were no operational issues and both traffic flow and parking worked well. He stated the Staff conditions were acceptable and will be taken care of by the end of the month. Hours of operation will be the same as last year. Rotary has a three-year contract with Skerbeck that will be reviewed each year.

No members of the public were in attendance; the Chair moved to Board Deliberations.

Ms. Smith said although she was hesitant about approving this event last year, it turned out wonderfully – it was clean, safe and the property was left as it was found. She was wholeheartedly in favor of approving the application again this year.

Chairperson Bell asked that the motion include the requirement for the hours of operation to be the same as last year.

Mr. VanderWeele made a motion to approve the application from the Oshtemo Rotary as requested, including the four conditions from staff and two additional

conditions: 5) the Fire Marshal will review the state certificate for equipment safety and 6) the open hours will be the same as in 2017. In addition, future events will be approved through a Staff review process as long as the event remains essentially the same. Ms. Farmer supported the motion. The motion was approved unanimously.

OLD BUSINESS

a. VILLAGE THEME

Ms. Johnston reported the sub-committee reviewed the draft plan and decided to move the plan forward with a joint meeting of the Township Board, Planning Commission and Downtown Development Authority. The joint meeting is scheduled for 7:00 p.m. on March 27; it is hoped as many will attend as possible. The plan will be presented, direction sought on moving forward, and any concerns or changes to the ordinance solicited. An updated plan will be distributed within the week.

b. MASTER PLAN UPDATE

Ms. Johnston said the Master Plan Update public hearing will be on the agenda of the March 13 Township Board meeting with the hope that it will receive final approval.

She said a request had been made to look at what land in the Township has zoned and future land use planned as commercial and mixed use. Based on the 21,749 acres of developable land in the Township, commercially zoned property is approximately 4.2 percent. She looked for standards for comparison, but development percentage depends on the type of community being considered. Some examples found showed commercial percentages between 4 and 6 percent in other communities.

ANY OTHER BUSINESS

a. DRIVE AISLE WIDTHS

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston for her presentation.

Ms. Johnston said based on the Planning Commission discussion of circulation aisles at the February 22, 2018 meeting, Staff developed the below recommendation. Staff would also endorse a minor change to *Pavement* within the Ordinance to ensure that the required paved surface of both parking lots and circulation aisles are addressed. The suggested wording:

- C. *Circulation Aisle Width.* Aisles for the general vehicular circulation of the public shall be 24 feet wide for two-way traffic and 20 feet wide for one-way traffic. The reviewing body may grant reduced widths for circulation aisles not intended for general public use. For example, drives dedicated to accessing loading bays or refuse containers. The reviewing body will consider the overall circulation of the site, access to public rights-of-way, public safety, and other site consideration which may impact general circulation.**

- D. *Pavement.* All off-street parking facilities **and site circulation**, including private drives thereto, shall be constructed of materials which will have a paved surface resistant to erosion. Use of permeable materials, similar to a paved surface, is encouraged.

There was discussion of further possible aisle width changes to ensure safety, access and location for what fire department vehicles really need, clear wording for future Planning Commission interpretation and discretion.

The consensus was C. Circulation Aisle Width wording be changed as follows:

- C. *Circulation Aisle Width.* Aisles for the general vehicular circulation of the public shall be **24 feet wide for two-way traffic and 20 feet wide for one-way traffic. The reviewing body may, upon request, grant reduced widths for circulation aisles. For example, drives dedicated to accessing loading bays or refuse containers. The reviewing body will consider the overall circulation of the site, access to public rights-of-way, public safety, and other site consideration which may impact general circulation.**

It was also agreed that Ms. Johnston would address fire lane language in the Site Plan Review section to make language clearer and to address the Commission's desire to reduce pavement as prudent in the Ordinance.

The changes to these two items will be made and brought back to the Commission at the same time for public hearing and approval.

PLANNING COMMISSIONER COMMENTS

Chairperson Bell reminded Commissioners of the 6:00 p.m. work session prior to the regular meeting of March 22 and to bring a brown bag dinner if desired.

ADJOURNMENT

Hearing no further comments, Chairperson Bell adjourned Planning Commission meeting at approximately 8:32 p.m.

Minutes prepared:
March 10, 2018

Minutes approved:
March 22, 2018