

**OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS**

**MINUTES OF A MEETING HELD AUGUST 25, 2015**

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**Agenda**

**SITE PLAN REVIEW (PRIME CONSTRUCTION ON BEHALF OF BRONSON HEALTHCARE GROUP) TO ESTABLISH A 1,584 SQUARE FOOT MEDICAL OFFICE BUILDING ON 4.08 ACRES OF VACANT LAND LOCATED AT 6220 WEST MAIN STREET IN THE R-3 RESIDENCE DISTRICT AND THE WEST MAIN STREET OVERLAY DISTRICT (PARCEL NO. 3905-14-011).**

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A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, August 25, 2015, at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Cheri Bell, Chairperson  
Bob Anderson, Second Alternate  
Nancy Carr **Culp**  
Millard Loy  
Neil Sikora, First Alternate  
L. Michael Smith  
James Sterenberg

ABSENT: None

Also present were Greg Milliken, Planning Director; James Porter, Attorney; Ben Clark, Zoning Administrator; Martha Coash, Meeting Transcriptionist; and three interested persons.

**Call to Order and Pledge of Allegiance**

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

**Public Comment on Non-Agenda Items**

There were no comments on non-agenda items.

## **Approval of the Minutes of June 23, 2015**

The Chairperson asked if there were any additions, deletions or corrections to the minutes of June 23, 2015. No changes were noted.

Mr. Loy made a motion to approve the minutes of June 23, 2015 as presented. Mr. Sterenberg seconded the motion. The motion was approved unanimously.

### **SITE PLAN REVIEW (PRIME CONSTRUCTION AND DEVELOPMENT ON BEHALF OF BRONSON HEALTHCARE GROUP) TO ESTABLISH A 1,584 SQUARE FOOT MEDICAL OFFICE BUILDING ON 4.08 ACRES OF VACANT LAND LOCATED AT 6220 WEST MAIN STREET IN THE R-3 RESIDENCE DISTRICT AND THE WEST MAIN STREET OVERLAY DISTRICT (PARCEL NO. 3905-14-011).**

Chairperson Bell moved to the next item on the agenda and asked Mr. Clark for his review.

Mr. Clark told the Board the subject property is located at 6220 West Main Street on the north side of the road, approximately half way between Meijer and US-131. Around one acre in size, the project site is situated in the southwest corner of a currently vacant four acre parcel and will have 212' of frontage on West Main Street (but no direct vehicle access) and around 200' of frontage on the private access street that extends north into the subject property. Although this parcel is zoned as R-3: Residence, which would typically require that a medical office receive Special Exception Use approval from the Planning Commission, its location in the 9<sup>th</sup> Street and West Main Overlay Zone grants it the status of Permitted Use.

It was noted properties to the west and north of the subject parcel are zoned as R-2: Residence, with the former being a large, vacant parcel, and the latter being a handful of single-family lots within the West Port subdivision. To the south, across West Main Street, are two properties; one zoned as C: Commercial, and the other R-2, with both currently being used for commercial purposes. To the east of the subject property are Lake Michigan Credit Union and Lawrence Video Productions, both also zoned as R-3. This is the first development that has been proposed in the overlay district.

Mr. Clark said the applicant is proposing to build a 1,584 square foot urgent care facility as the first of potentially three developments on this piece of land. The subject parcel benefits from a preexisting private access street—also used by Lake Michigan Credit Union on an adjacent property—that extends north from West Main Street approximately 200 feet into the subject parcel. The proposed building would be approximately 34 feet wide, 50 feet deep, and have a height of approximately 27 feet at its highest point.

Also proposed are 26 parking spaces for this project. Section 68.400 of the Zoning Ordinance requires one parking space per 150' square feet of net floor space for medical offices, with a maximum of 110% of the minimum number of spaces. Without having access to a floor plan at this time, it is estimated that the proposed facility will

have a net floor area of approximately 1,100 square feet, which means that a facility such as this would typically be allowed 8 or 9 spaces. The applicant is aware that a variance from the ZBA is required in order to achieve the desired parking, and one has been applied for, to be heard at the September 22<sup>nd</sup> meeting. Aside from the number of parking spaces requested, the rest of the parking and circulation layout is in compliance with the Zoning Ordinance.

He indicated the project meets setback requirements for the optional 9th Street and West Main Overlay Zone. He also noted 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 and is satisfied with the stormwater runoff calculations as well as the general layout of the retention area.

Mr. Clark explained the project will incorporate three landscaped buffers, to the west, east, and south of the building, and also one landscaped island within the parking area. A few trees will need to be added in buffers to meet the Zoning Ordinance. The proposed project exceeds the 60% native plantings required in landscape plans.

He said a sidewalk is proposed along the west side of the existing private street easement, connecting to the non-motorized path that runs along West Main Street to the south and terminating to the north with a connection to the private street—in anticipation of a future pedestrian crossing there—and the project's parking area, all in compliance with the pedestrian access guidelines of the overlay district. Proposed lighting is also in compliance with section 78.720 of the Zoning Ordinance.

Mr. Clark said this is the first development within the recently created Overlay District. The proposed project's layout with regards to considerations such as access management and pedestrian connectivity is consistent with the goals of the district, but while the design of the building is of high quality, the ZBA will need to determine whether its aesthetic qualities complement the rural character of the surrounding area.

Mr. Clark concluded, saying the proposed project, located in an R-3 residential district as well as the 9<sup>th</sup> Street and West Main Overlay Zone, may be viewed as a good fit for the area: it is the type of small, low-intensity office development that these zoning classifications are intended for.

Chairperson Bell moved to Board questions for Mr. Clark who confirmed that the ZBA would need to consider a parking variance for this project at the September meeting.

Mr. Sterenberg asked what would constitute "rural character" since he would not think of this area as particularly rural.

Mr. Clark said that was open for interpretation; the overlay standards require development should complement surroundings. It is likely other parts of the Overlay Zone would be more sensitive to provision of rural character, but since this the first

project in the Overlay Zone, staff does not have much guidance to work from in this area.

In response to a question from Chairperson Bell, Mr. Clark indicated the applicant would need to come back before the ZBA in September for a parking variance since it was not possible to meet the public hearing deadline for this meeting.

The Chairperson also confirmed construction would be held up until the variance is approved. She also confirmed that neither the Fire Marshal nor the Township Engineer had issues with the plan as presented. The Engineer had several recommendations that were addressed and clarified.

Chairperson Bell asked about the ramifications if this first of three possible developments is the only one developed regarding buffer zones.

Mr. Clark indicated if development stops with this project, buffer zones are reasonable as planned; if there are more developments in the future, they would need to be evaluated and addressed at that time.

Ms. Culp confirmed there is an easement agreement on file with the Township regarding sharing the driveway with the existing Credit Union.

Mr. Milliken noted if the ZBA approved the site plan at this meeting, ground preparation and work could begin in advance of approval of a variance for parking at the September meeting. He also commented he believes the character of projects within the 9<sup>th</sup> Street or West Main Overlay Zone should be consistent with the surroundings in the area of the Township being considered for development; the overlay requires the proposed development should fit the site as it exists with what is around it.

There were no further questions from the Board; Chairperson Bell determined there was no public comment and asked the applicant if he wished to speak.

Mr. Dan Lewis, Project Engineer, for Prein & Newhof, 7123 Stadium Drive, noted he was accompanied by the architect for the project and a representative from Bronson. He said Bronson currently has an urgent care facility within Meijer on Westnedge Avenue and first pursued a similar arrangement with Meijer on West Main Street, but when it was determined room was not available there, they undertook this project.

He said he felt the project matches well with other close by businesses; it is the intent to proceed on one parcel at this time; the current shared driveway covers all that is needed now and the easement agreement regarding the drive is on file with the Township; there could be distinct parcels for future development.

Mr. Lewis explained earth movement needs to begin soon in order to be able to lay asphalt before the asphalt plants close November 15. He also said the variance request for 26 parking spaces is based on the volume of traffic generated at the

FastCare Westnedge Meijer location and the fact that this project will include more square footage and one more exam room.

Chairperson Bell asked if there were questions from the Board for Mr. Lewis or Staff.

Mr. Sterenberg asked about left turns onto West Main Street east from the driveway, given anticipated increased traffic from this project.

Mr. Milliken said anytime access points along this corridor are added along West Main Street access management is a consideration. But the drive will be shared so this is not a new access point and the increased traffic is not expected to be heavy. If development does continue past this initial project, further connectivity with shared drives between adjacent developments are anticipated.

He also said neighbors were noticed for this meeting; the only response was from one business across the street who indicated they were in favor of the project. He does not anticipate any objections from neighbors regarding the variance.

Attorney Porter said he would be comfortable allowing preparation work to begin prior to approval of a variance for parking if the site plan is approved at this meeting.

At this point, Chairperson Bell moved to Board Deliberations.

Board members concurred that the proposal is consistent with the area, fills a need, is a good fit, and will be a welcome addition.

Mr. Loy made a motion to approve the site plan as presented contingent on meeting the following conditions:

1. Approval contingent upon the granting of the parking variance to be deliberated by the ZBA on 9/22/2015.
2. The applicant must revise the landscaping plan, satisfying the planting requirements of the Zoning Ordinance.
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.
5. A sign permit is required before any new signs are installed on site, and all signage shall conform to the requirements of the sign chapter of the Zoning Ordinance.

Mr. Smith seconded the motion. The motion was approved unanimously.

**Any Other Business / ZBA Member Comments**

Mr. Milliken reminded the Board of a joint meeting on September 15.

Mr. Clark said prior to the September ZBA meeting he would look at other like uses regarding increased parking over and above zoning requirements.

**Adjournment**

Chairperson Bell noted the Zoning Board of Appeals had exhausted its Agenda, and with there being no other business, adjourned the meeting at 3:37 p.m.

Minutes prepared:  
August 26, 2015

Minutes approved:  
September 22, 2015