June 7, 2018



Mtg Date: June 14, 2018

To: Planning Commission

From: Julie Johnston, AICP

Planning Director

Applicant/Owner: Two Squared Development, LLC

Property: Approximately 2 acres of an 86.55-acre PUD

Zoning: C: Local Business District / Commercial Planned Unit Development

Request: Special Exception and Site Plan Approval

Section(s): Section 60.420 – Commercial Planned Unit Development

Project Name: Westgate PUD Access Drive

PROJECT OVERVIEW

The applicant requests the approval of an access drive within the Westgate Planned Unit Development (PUD). Per the requirements of Section 60.450: Approval Process that were a part of the PUD ordinance when Westgate was approved in 2016, each individual site plan requires special exception use and site plan approval by the Planning Commission.

The request access drive will begin at West Main Street and move north along the western boundary of the PUD, connecting with the existing east/west drive which connects to Maple Hill Drive. This east/west drive is just south of the Holiday Inn and Holiday Inn Express hotels currently under construction.

GENERAL ZONING AND CONCEPT PLAN COMPLIANCE

In general, the proposed access drive complies with the concept plan approved by the Planning Commission in 2016. One item noted by staff is that the site plan indicates the sidewalk planned along the east side of the road right-of-way is intended to be built when the individual building sites are constructed. Staff would recommend that the sidewalk, in its entirety, be developed as part of the first building site to be constructed in this area. At that point, this section of the PUD will be activated and connectivity to both the existing hotels and to Maple Hill Drive will be important.

The site plan meets all other requirements of the Site Plan Review Ordinance.

ENGINEERING

The Public Works Department has had an opportunity to review the most recent site plan for the access drive provided by the applicant. There are still a handful of engineering concerns that must be addressed, for example soil borings, hydrologic sub-basins illustrated, a stage volume table for storm water, etc. Many of these items can be handled administratively between the Township's engineer and the applicant.

Outside of conditioning any construction on resolving these issues to the satisfaction of the Township Engineer, there are concerns of note that require specific attention, as follows:

Asphalt Placement – the applicant intends to place the asphalt for the drive to the far west of the 66-foot right-of-way easement. This locates the paved portion of the drive very close to the western property line of the PUD. The applicant will need a grading easement from Consumers Energy who owns the utility corridor west of the project. In addition, the Township has concerns regarding maintenance and snow removal in this area. With the paved portion of the road so close to the property line, future snow removal and possibly maintenance of the road will occur on the adjacent property, not owned by the applicant. Staff sees two possible alternatives to this concern – either enter into some type of cross access agreement or maintenance easement with Consumers Energy or move the paved portion of the road 15 feet from the western boundary of the 66-foot easement.

Storm Water Management Basins – the Township has been working towards requiring all storm water management basins to be free-form, and organic in shape and appearance. The storm water basins shown on the site plan are intended to be temporary in nature. As can be seen on the PUD concept plan, restaurants are planned to the east of the proposed road. When those buildings develop, storm water will likely be managed with underground facilities. In the interim, the applicant will need to manage runoff from the new access drive. Staff recommends the Planning Commission place a time restriction on these temporary basins for a period not to exceed 10-years. If restaurants or other uses are not constructed in this area within this time period, then the basins will be required to come in to compliance with Ordinance standards related to shape and appearance.

FIRE DEPARTMENT

No concerns at this time.

SPECIAL EXCEPTION USE CONSIDERATIONS

Section 60.100 of the Zoning Ordinance provides additional review criteria for consideration when deliberating a Special Exception Use request.

A. Is the proposed use compatible with the other uses expressly permitted within the C: Local Business zoning district?

Special exception use permission is required to include this project within the Westgate PUD. Since the request is specifically for a segment of the road network of the PUD and not a use expressly permitted with the District, the question of compatibility with other uses is moot.

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

The largest concern with this access drive is the curb cut onto West Main Street. As the major commercial corridor in the Township, access management and public safety are critical issues. According to the Kalamazoo Area Transportation Study (KATS), the annual average daily traffic counts in this area exceed 35,000 vehicles. In addition, the Michigan Department of Transportation (MDOT) reports 35 crashes between Maple Hill Drive and the Kohls area in the last three years.

The applicant has provided a traffic study to MDOT for the PUD and this access point on West Main Street. That study is still under review by MDOT. Therefore, any approvals will need to be conditioned on MDOT's final decision regarding the configuration of this curb cut.

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

With a satisfactory outcome regarding the curb cut onto West Main Street by MDOT, concerns for the public's health, safety, and welfare should be adequately managed.

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

Intended to be incorporated and integrated into the larger vision of the Westgate PUD, the proposed access drive is in accordance with its character and adaptability.

RECOMMENDATION

Staff recommends the Planning Commission grant Special Exception Use and site plan approval for the proposed access drive within the Westgate PUD, with the following suggested conditions:

- 1. Construction of the access drive will not begin until all approvals have been received by MDOT.
- Relocate the paved portion of the access road 15 feet from the western easement boundary or provide the Township with agreements from Consumers Energy to allow maintenance of the road on their property.
- 3. Provide the Township documentation of a grading easement from Consumers Energy.
- 4. Limit the temporary storm water management basins to a 10-year period. If the basins are still in use at the end of the 10-year period, they will come into compliance will all Zoning Ordinance requirements.
- 5. Provide a revised site plan that satisfies the requirements of the Township Engineer, which will also include clear dimensions of the 66-foot easement.

- 6. Sidewalk connections along the access drive from West Main Street to the east/west connector to Maple Hill Drive will be installed, in its entirety, with the construction of the first site plan in this area of the Westgate PUD.
- 7. A reciprocal easement agreement or other such device will be recorded to ensure access to and maintenance of all shared facilities planned within the PUD. A copy of this agreement will need to be provided to the Township prior to certificates of occupancy.

Respectfully Submitted,

Julie Johnston, AICP Planning Director

Attachments: Application

Aerial Site Plans

Westgate Concept Plan



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

PLEASE PRINT

PROJECT NAME & ADDRESS

PLANNING & ZONING APPLICA				
Applicant Name: TWO SQUARED	# MAIN ST #MAZOO, MI 49009 Jne : 269-375-4260			
Company DEVELOPMENT, UL	SHTEMOTOWNSHIP.ORG			
Address 4200 W. CENTRE A	Descripted Frank This court per person	2015117		
E-mail Caardena Daubinc.	Date: 04/12/2018 Time: 2 Receipt: 141203	Receipt: 141203		
Telephone 269-323-2022 Fax	ITEM REFERENCE	AMOUN1		
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Administrative Site Plan Review-1086	Rezoning-1091			
Special Exception Use-1085 400	Interpretation-1082			
Zoning Variance-1092	Text Amendment-1081			
Site Condominium-1084 Accessory Building Review-1083	Sign Deviation-1080 Other:			
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Name(s)	Address(es)	
SIGNATURES		
ve) the undersigned certify that the information cont wired documents attached hereto are to the best of n	11	
ve) acknowledge that we have received the Township rastructure. By submitting this Planning & Zoning A	's Disclaimer Regarding Sewer	and Water
htemo Township officials and agents to enter the sub	iect property of the application a	
completing the reviews necessary to process the appl	ication.	
	4/11/18	
Owner's Signature(* If different from Applicant)	Date	
Applicant's Signature	Date	
1 ****		
1	LL REQUIRED DOCUMENT	S
erk –1		

Two Squared Development, LLC

11 April 2018

Julie Johnston, AICP Planning Director Oshtemo Charter Township 7275 W. Main Street Kalamazoo, MI 49009

RE: Westgate Development

Dear Ms. Johnston:

We are excited to continue the development of our Westgate project at US-131 and West Main Street in Oshtemo Township. As you may recall, the project started several years ago with the creation of a Planned Unit Development (PUD) that now encompasses the entire site. The first phase of construction, however, started last year as work commenced on new buildings for Holiday Inn and Holiday Inn Express. Those buildings, along with the associated site improvements, received site plan approval in 2017.

As depicted on the attached drawings, the next phase of the project is the reconstruction of the access drive from West Main Street. This access drive will utilize an existing curb cut on West Main Street, as intended and depicted in the approved PUD Concept Plan. At this time, the road will only connect to the previously approved and under construction hotel buildings. No additional buildings are proposed at the writing of this application.

Our intent is to construct the access drive as the weather improves and our contractor transitions from the site infrastructure near the hotels. Once constructed, this new drive will enhance access to the site and increase the possibility of new development in the township.

Please feel free to contact me with any questions.

Thanks,

Curt Aardema 269-323-2022

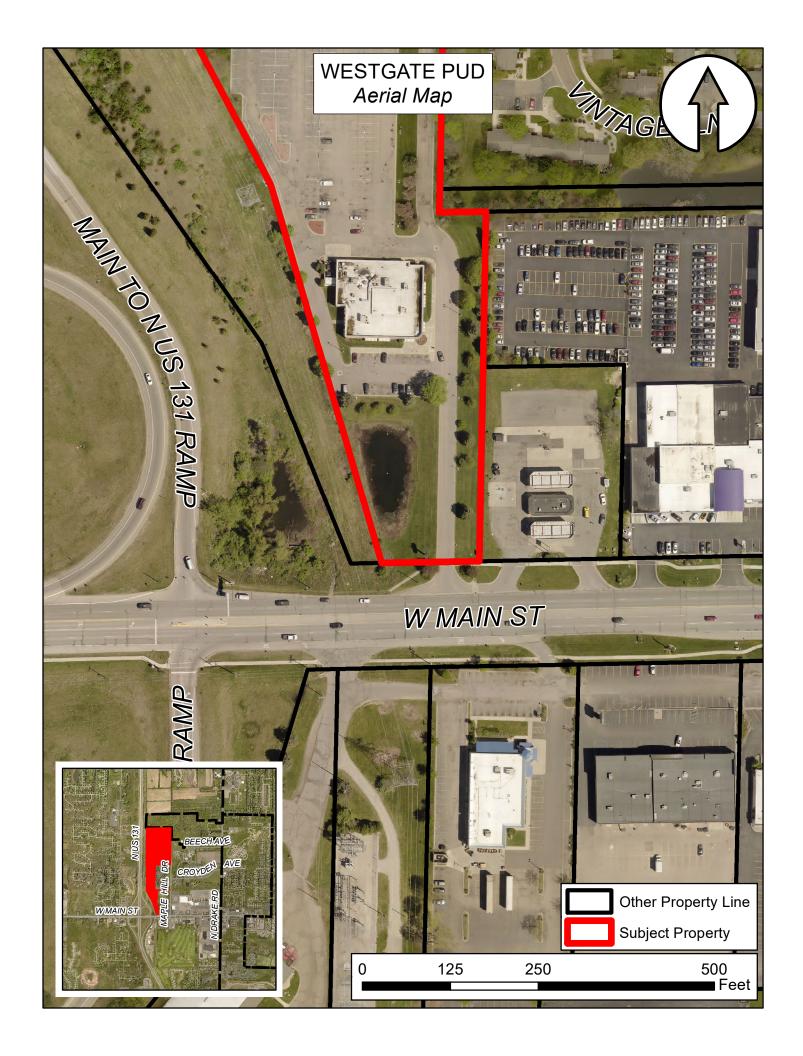
Legal Descriptions

05-13-180-029

SEC 13-2-12 BEG SW COR E1/2 E1/2 NW1/4 TH S 88DEG02MIN39SEC W ALG E & W1/4 LI 49.25FT TH N 17DEG10MIN50SEC W 638.11FT TH N 28DEG38MIN10SEC W 401.94FT TH N 88DEG02MIN39SEC E PAR WITH E & W1/4 LI TO W LI E1/2 E1/2 NW1/4 TH S THEREON 403FT TH N 88DEG00MIN33SEC E 66.04FT TH S 00DEG01MIN55SEC E 572FT TO E & W 1/4 LI TH W 66.04FT TO BEG * **12-97 1997 COMBINATION OF 13-180-025, 13-180-028 & 13-180-034

05-13-130-021

SEC 13-2-12 S 66FT E1/2 NE1/4 NW1/4 ALSO W3/4 NW1/4 LYING E OF FOLL DESCRIBED LI BEG IN E & W1/4 LI 704.17FT WLY OF C1/4 POST TH N 17DEG19SEC50 MIN W 638.11FT TH N 28DEG38MIN10SEC W 819.22FT TH N 00DEG59MIN W 1350FT TO N SEC LI AND PT OF ENDING EXC S 975FT ALSO EXCEPT BEG NE COR W1/2 NE1/4 NW1/4 TH S 00DEG01MIN50SEC E ALG E LI THEREOF 1250.51FT TH S 87DEG56MIN0SEC W PAR N1/8 LI 130.08FT TH N 00DEG01MIN50SEC W 1250.77FT TO N SEC LI TH N 88DEG02MIN50SEC E 130.07FT TO BEG * **12-97 1997 SPLIT FROM 13-180-023 & 13-130-019 Split on 11/14/2017 into 05-13-130-022, 05-13-130-030, 05-13-130-040;



WESTGATE SOUTH ACCESS DRIVEWAY

OSHTEMO TOWNSHIP KALAMAZOO COUNTY, MI 5/31/18

OWNER



4200 W. CENTRE AVENUE PORTAGE, MI 49024 269.323.2022

PLANS PREPARED BY:



hurley & stewart, llc 2800 s 11th street kalamazoo, michigan 49009 269.552.4960 fax 552.4961 hurley & stewart www.hurleystewart.com

UTILITY CONTACTS:

CONSUMERS ENERGY CO. ELECTRIC 2500 E. CORK STREET KALAMAZOO, MI 49001

CONSUMERS ENERGY CO. TERRY FIELDS GAS 2500 E. CORK STREET

KALAMAZOO, MI 49001 269.337.2270

CITY OF KALAMAZOO STEVE SKALSKI/MATT JOHNSON 415 STOCKBRIDGE AVENUE KALAMAZOO, MI 49001 269.337.8002

WATER/SANITARY

TELEPHONE/CABLE

CHARTER JEFF LAKE 2919 MILLCORK ST. KALAMAZOO, MI 49001 269.625.7403

CABLE TV

1(800)391-3000 OSHTEMO TOWNSHIP

GREG MILLIKEN 7275 W. MAIN ST KALAMAZOO, MI 49009

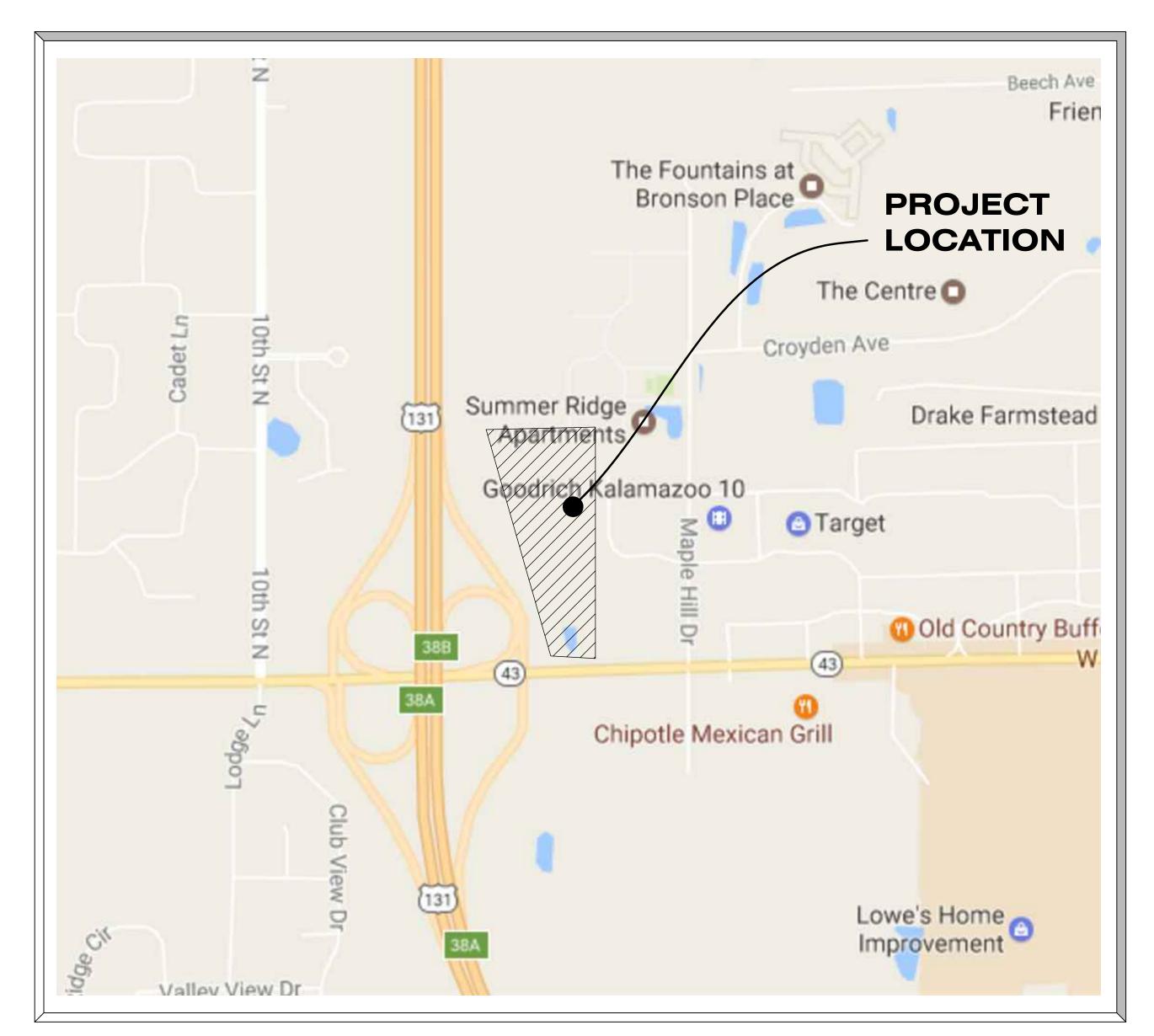
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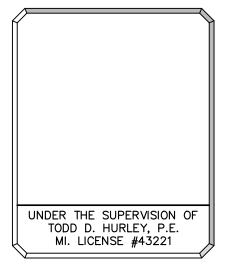
TOWNSHIP

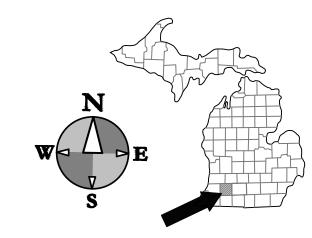
PROJECT DESCRIPTION

THIS PROJECT INVOLVES THE CONSTRUCTION OF A COMMERCIAL ACCESS DRIVE FROM THE NORTH SIDE OF WEST MAIN ST (M-43) TO SERVE THE WESTGATE DEVELOPMENT PROJECT. THIS PROJECT INCLUDES SITE GRADING, INSTALLATION OF UNDERGROUND UTILITIES, AND CONSTRUCTION OF CONCRETE AND ASPHALT PAVEMENT.



SITE LOCATION MAP







DRAWING INDEX SHT # DESCRIPTION

C-0 - TITLE SHEET

C-1 - EXISTING CONDITIONS & DEMO PLAN

C-2 - WATERSHED MAP AND DETAILS

R-1 - DRIVEWAY PLAN & PROFILE

R-2 - MDOT DRIVEWAY LAYOUT

LEGEND

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-UE	PROP ELEC (UNDERGROUND)	_UE— — — —	EXIST ELEC (UNDERGROUND)	
—F————	PROPOSED FIBEROPTIC CABLE	—F— — — —	EXISTING FIBEROPTIC CABLE	
-G	PROPOSED GAS	—G————	EXISTING GAS	
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EXISTING TOPOGRAPHY PROVIDED BY CARR AND ASSOCIATES LAND SURVEYING. ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

ELECTRIC METER

SITE PLAN RESUBMITTAL

REMOVAL NOTES

- REVIEW ALL THE REMOVALS AND PROTECTION WITH OWNER PRIOR TO COMMENCING CONSTRUCTION. INSTALL TEMPORARY SNOW FENCE AROUND ALL TREES REQUIRING PROTECTION. SNOW FENCE SHALL BE PLACED AT EDGE OF DRIP LINE.
- 2. ALL DEMOLITION WORK SHALL CONFORM TO ALL LOCAL CODES AND ORDINANCES. ALL DEMOLITION OPERATIONS SHALL COMPLY WITH OSHA REGULATIONS INSOFAR AS THEY APPLY TO THE REQUIRED WORK. SOIL EROSION AND SEDIMENTATION CONTROL ITEMS SHALL BE IN PLACE PRIOR TO DEMOLITION.
- 3. THE CONTRACTOR SHALL REMOVE AND CLEAR ALL TREES, BRUSH, FENCES, CURB, AND ASPHALT AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER.
- 4. ALL DEMOLITION MATERIAL SHALL BE PROPERLY REMOVED FROM THE SITE AND DISPOSED OF IN A LEGALLY DESIGNATED DISPOSAL AREA. PERMITS AND FEES FOR DISPOSAL OF DEMOLITION MATERIAL SHALL BE OBTAINED AND PAID FOR BY THE CONTRACTOR.
- UTILITY LEAD WORK SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY
- 6. BACKFILL EXCAVATED AREAS WITH CLEAN GRANULAR FILL COMPACTED TO 95% OF THE MATERIAL UNIT WEIGHT BY MODIFIED PROCTOR.
- COMPLY WITH ALL ASPECTS OF THE SOIL EROSION CONTROL PERMIT AS ISSUED BY KALAMAZOO COUNTY. ALL TEMPORARY CONTROL MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING CONSTRUCTION.
- 8. ALL REMOVALS SHALL BE TO THE LIMITS INDICATED ABOVE UNLESS OTHERWISE DIRECTED BY THE ENGINEER/OWNER. UNAUTHORIZED REMOVALS AND SUBSEQUENT REPLACEMENT SHALL BE AT THE CONTRACTOR'S COST.
- 9. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT PRIOR TO OR DURING CONSTRUCTION, THEY SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
- 10. ALL WORK REQUIRING PERSONS OR VEHICLES WITHIN MDOT AND CITY OF KALAMAZOO R/W AND TRAFFIC CONTROL DEVICES AND PROCEDURES SHALL BE IN ACCORDANCE WITH THE MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND ITEM 812 (MAINTAINING TRAFFIC) OF THE CONSTRUCTION MATERIALS AND SPECIFICATIONS, CURRENT EDITIONS.
- FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.

REMOVALS LEGEND

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PAVEMENT/SIDEWALK REMOVAL

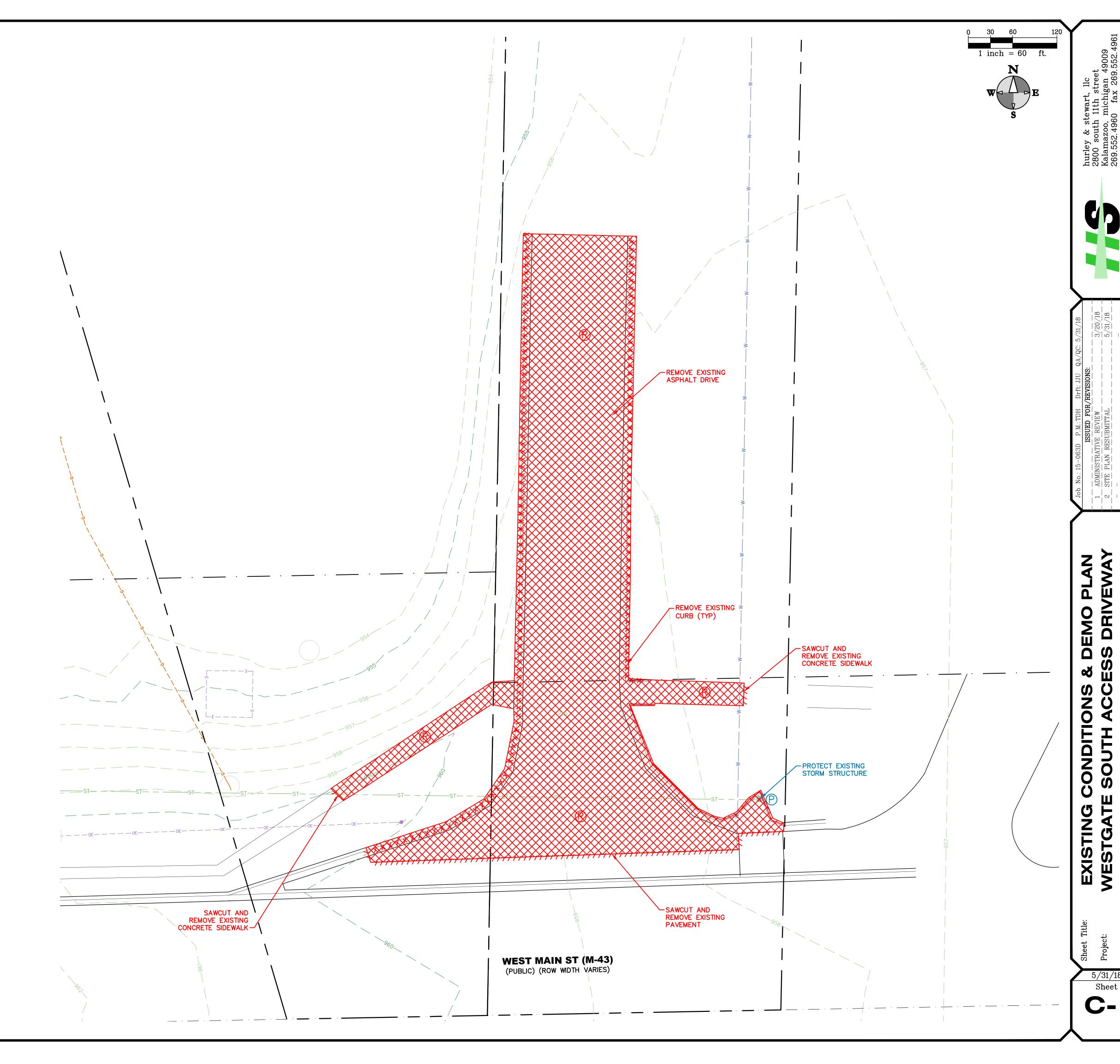


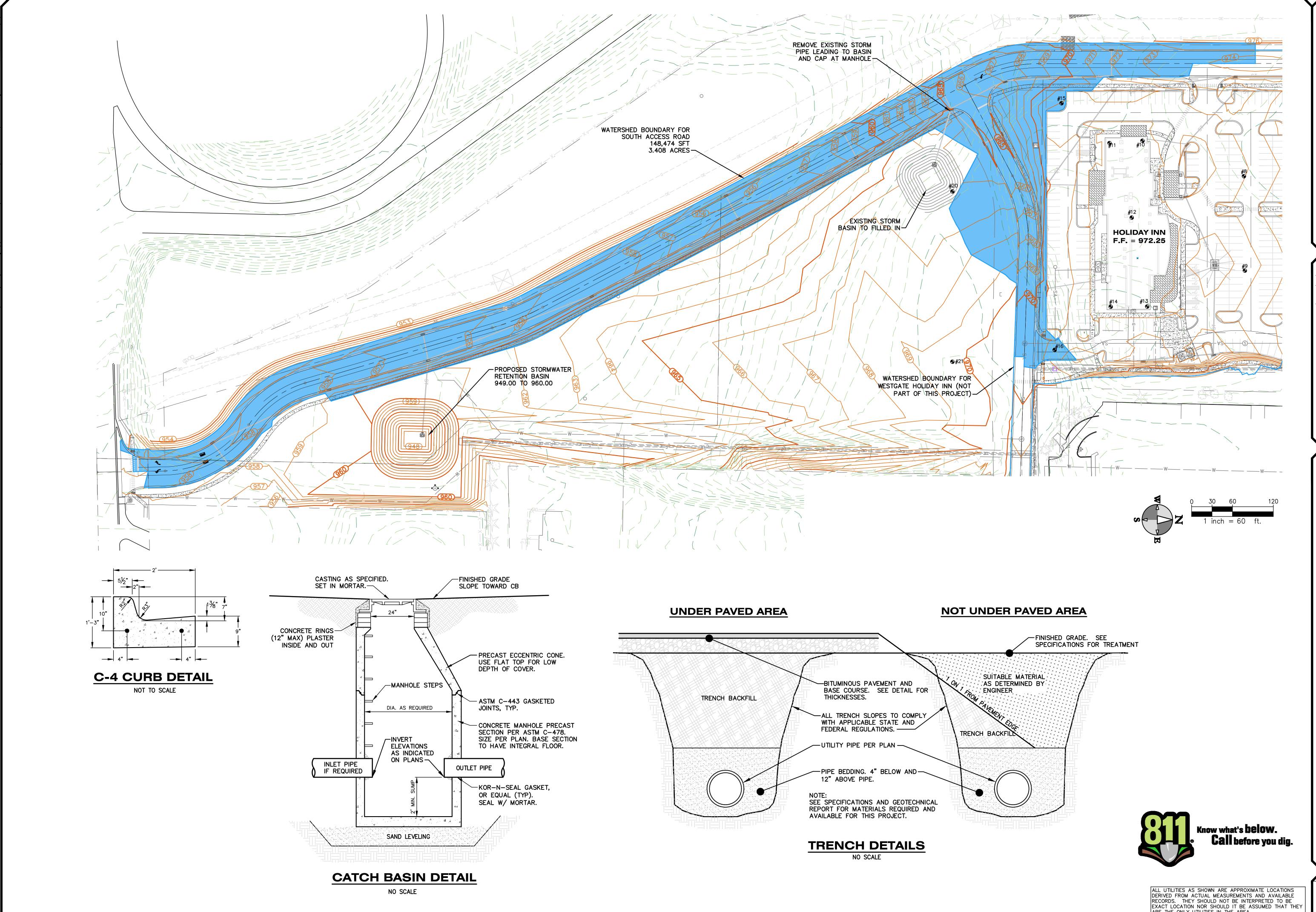
REMOVE



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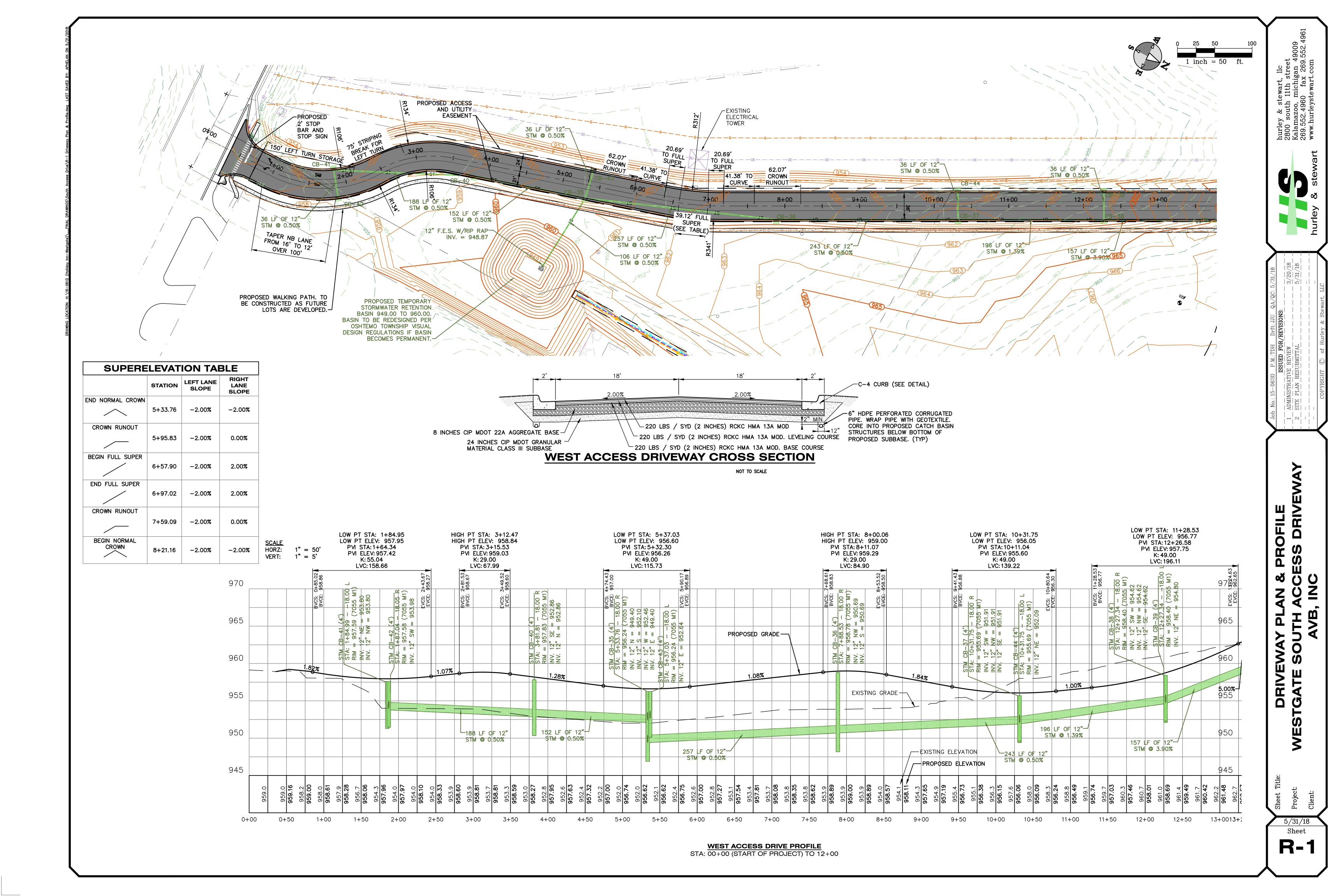
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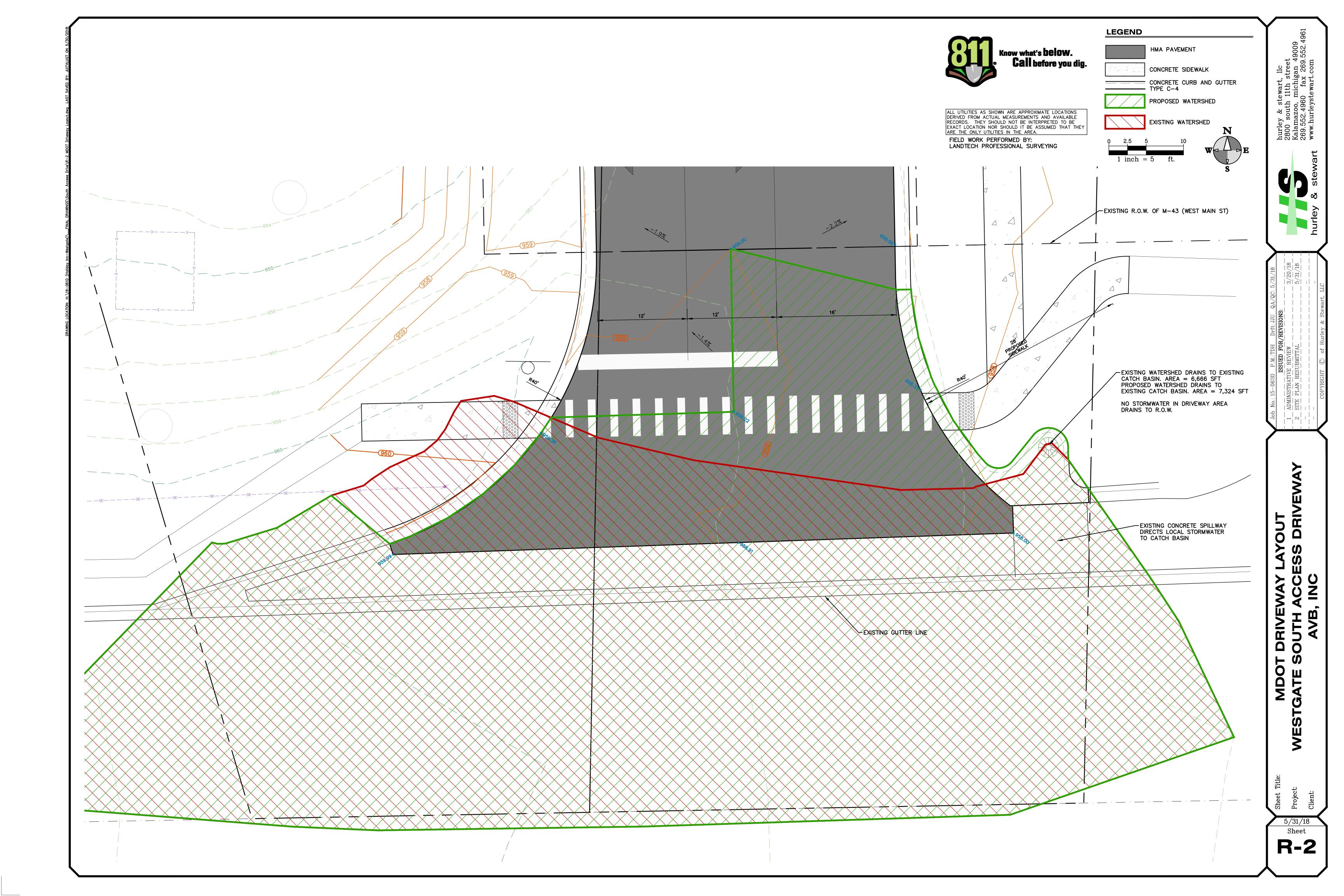




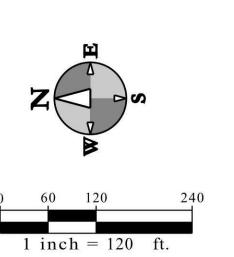
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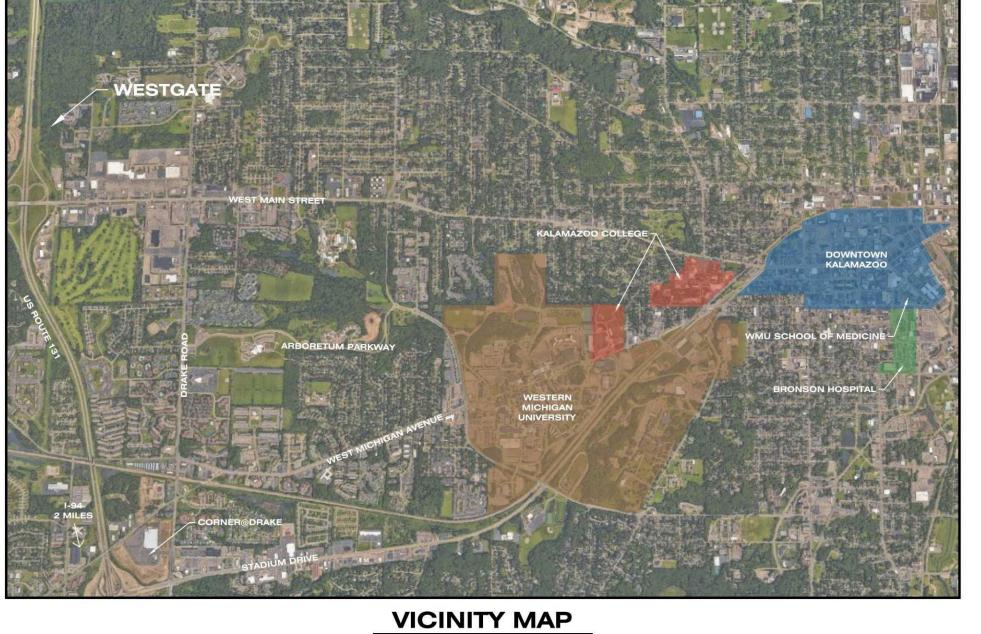












OPEN SPACE REQUIRED 5% OF SITE = 4.3 ACRES
OPEN SPACE PROVIDED ON CURRENT PLAN = 12.0 ACRES
(OPEN SPACE SHOWN IN BLUE)



PEDESTRIAN CIRCULATION AND OPEN SPACE PLAN

WESTGATE