



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
269-216-5220 Fax 375-7180 TDD 375-7198
www.oshtemo.org

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Regular Meeting
Thursday, April 12, 2018
7:00 p.m.
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: March 22, 2018
6. PUBLIC HEARING: Kalamazoo Christian Middle School
Consideration of an application from AVB Construction, on behalf of Kalamazoo Christian School Association, for a special exception use and site plan review of the addition of two classrooms to the existing Middle School, pursuant to Section 20.403 of the Township Zoning Ordinance. The subject property address is 3800 South 12th Street in the RR Rural Residential District. Parcel No. 3905-36-280-010.
7. Old Business
 - a. Drive Aisle Widths
8. Any Other Business
 - a. Schedule of Regulations
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 WORK SESSION**

MINUTES OF A PLANNING COMMITTEE WORK SESSION HELD MARCH 22, 2018

Agenda

DISCUSSION OF ZONING ORDINANCE RE-ORGANIZATION

- a. Agriculture and Residential Districts**
 - b. Conditional Land Uses**
-

A work session of the Oshtemo Charter Township Planning Commission was held on Thursday, March 22, 2018, commencing at approximately 6:00 p.m. at the Oshtemo Charter Township Hall.

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

Also present were Julie Johnston, Planning Director, James Porter, Attorney, and three interested persons.

Discussion of Zoning Ordinance Re-Organization

Ms. Johnston stated she thought the best approach to working through the changes was to begin with the Districts and discuss the uses that would be permitted, permitted with conditions, or permitted as a special land use. She referenced the documents provided that included the recommended changes to the Agricultural and Residential Districts of the Zoning Ordinance. The first two documents were the districts themselves, providing the district information as it is currently found in the Township's Zoning Ordinance and the new Ordinance format. The existing ordinance document has strike-through language, with some new red language. However, because there was so much recommended new language, staff thought the review would be easier to manage under the new ordinance format, so the second document shows only new language.

The Planning Commission began with the Agricultural and Rural Residential Districts. A handful of new uses were discussed, including camp grounds, retreat centers, co-ops for artists, geo-thermal energy, and auxiliary dwelling units. Much of the

discussion was centered around Agri-businesses and Agri-tainment type uses; where they could be located, what types of uses would be allowed, etc.

A recommendation was made that definitions of new uses be provided to help the Planning Commission understand the nature of the use and to facilitate discussions about which districts the use would be allowed.

The Planning Commission work session ended at approximately 6:56 p.m.

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION MEETING**

MINUTES OF A PLANNING COMMISSION MEETING HELD MARCH 22, 2018

Agenda

**PUBLIC HEARING: ZONING ORDINANCE AMENDMENTS
CONSIDERATION OF DRAFT ZONING ORDINANCE AMENDMENT TO INCLUDE
NEW SECTION 61.000 RESIDENTIAL CONDOMINIUM DEVELOPMENT
STANDARDS.**

ANY OTHER BUSINESS

a. Continuation of Work Session Discussion – Residential Districts

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, March 22, 2018, commencing at approximately 7:05 p.m. at the Oshtemo Charter Township Hall.

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

MEMBER ABSENT: Bruce VanderWeele

Also present were Julie Johnston, Planning Director, James Porter, Attorney, Martha Coash, Meeting Transcriptionist, and approximately ten interested persons.

Call to Order

The meeting was called to order by Chairperson Bell at approximately 7:05 p.m.

Pledge of Allegiance

Chairperson Bell led those in attendance in reciting the Pledge of Allegiance.

Approval of the Agenda

Chairperson Bell asked if there were any additions or deletions to the agenda.

Ms. Johnston requested the agenda be revised to include an opportunity for Staff comments after the agenda was approved.

Mr. Antosz made a motion to add a "Staff Comments" item to the agenda as requested. Ms. Farmer seconded the motion. The motion was approved unanimously.

Staff Comments

Ms. Johnston said she wanted to clarify information provided in a post card sent to residents of the LaSalle plat area and explained the Planning Commission was not reviewing any new site development in their area, but rather new ordinance language to help regulate 2, 3 and 4 unit attached projects in zones R-2, R-3 and R-4. Currently, the only site requirements for these types of developments is that they must be connected to public water and sewer.

The current ordinance does not address things like providing sidewalks, roads, open space, buildings limited to a certain height, etc. for individual projects and the goal is to see that will occur in the future. She explained density of zoning will not change.

Ms. Johnston noted the Commission has been working on this Ordinance since November of 2017.

She stressed the Planning Commission would not be reviewing any new developments at this meeting. No new site plans or building permits were requested or approved in this area.

Ms. Johnston pointed out that there is a site plan for the Emberly Acres development that was approved in 1998. Two of the eight buildings were constructed but the project was never completed. A new property owner has approached the Township about completing the project, but to date no building permits have been issued. This project has a total of 23 units, approximately 3.8 dwelling units per acre, within the density requirements of the draft Ordinance being proposed.

Ms. Johnston said the Commission would welcome comments from those in attendance but wanted to assure them no new development would be discussed at the meeting.

Ms. Farmer added the Township did not send the postcard to residents and does not know who did. The result had been frustrating to both office staff who fielded

questions and to those residents who were alarmed. She said she appreciated so many people attending the meeting to have their concerns and questions answered.

Public Comment on Non-Agenda Items

There were no public comments on non-agenda items.

Approval of the Minutes of March 8, 2018

Chairperson Bell asked if there were additions, deletions or corrections to the Minutes of March 8, 2018. Hearing none, she asked for motion for approval.

Mr. Chambers made a motion to approve the minutes of March 8, 2018 as presented. Mr. Antosz seconded the motion. The motion was approved unanimously.

PUBLIC HEARING: ZONING ORDINANCE AMENDMENTS **CONSIDERATION OF DRAFT ZONING ORDINANCE AMENDMENT TO INCLUDE** **NEW SECTION 61.000 RESIDENTIAL CONDOMINIUM DEVELOPMENT** **STANDARDS.**

Chairperson Bell asked Ms. Johnston for her presentation.

Ms. Johnston said from the Planning Commission's last review, staff included specific language related to density requirements within the permitted Zoning Districts. This is the only new language since the previous review by the Planning Commission on February 22nd.

Currently, there are no standards for the development of an attached condominium product outside of a planned unit development in the Township's Zoning Ordinance. Staff does not believe it was the intent of the Zoning Ordinance to preclude this type of development outside of a PUD or platted subdivision or site condominium. This is especially true since the R-2 District allows two-family dwellings by right and the R-3 District allows three and four-family as a special exception use. In addition, the Condominium Act, Public Act 59 of 1978 establishes this type of development as a legitimate option for both developers and homeowners.

Utilizing language from the existing development standards for apartments and site condominiums, this new ordinance requires any attached condominium development to request approval through the special exception use process so a public hearing with the Planning Commission would be required.

She noted since the draft language was distributed, Staff believed the following addition should be included as 61.000, #8:

61.000 8: Master Deeds and Bylaws. Language shall be included in the master deed and bylaws indicating that common elements are to be properly and adequately maintained and that failure to do so will permit the Township to intervene, make the

necessary improvements and ensure adequate maintenance, through an assessment to the property owners.

She recommended the Planning Commission forward a recommendation of approval for the proposed Residential Condominium Development Standards ordinance to the Township Board.

Chairperson Bell thanked Ms. Johnston for her report and asked whether there were comments from anyone in attendance.

Mr. Douglas Post, representing Emberly Acres Home Owner's Association, read a statement into the record, which is attached. He provided copies of his statement to Commissioners.

Hearing no further comments, Chairperson Bell moved to Board Deliberations.

Ms. Farmer said although the Commission does not provide an opportunity for dialog, she felt it would be helpful to respond to some of the points made in Mr. Post's statement.

Attorney Porter noted attached condominiums can be developed in R-2 currently.

Ms. Farmer referred to the word "erroneously" in Mr. Porter's comments referring to development density. Ms. Johnston noted Mr. Post had based his calculations on density using the number of buildings rather than the number of units.

Attorney Porter explained there was a hole in the ordinance and these changes were intended to fix it. The problem actually came to light in another location in the Township, rather than in Emberly Acres.

Ms. Farmer noted building setbacks are not missing from the proposed language; they are listed separately in the ordinance.

In response to comments about circumventing the public process for a private road instead of a public road, Ms. Farmer said that does not apply here because the new ordinance also requires a public hearing for special exception use and site plan approval.

Ms. Johnston agreed and said that a private drive could be requested as part of a site plan, but that the Planning Commission can say no to such a request under the special exception use regulations if it does not make sense.

Ms. Farmer said there has been no circumvention and that she was glad they had the opportunity to go through Mr. Post's concerns and explain what they are doing.

Ms. Johnston said the proposed changes were presented in November, posted at a public meeting, tabled until January, discussed in January and February and set for this public hearing in March.

She clarified the 10% open space requirement is dedicated open space upon which nothing could ever be developed and that the language states at least 10% must be retained for this purpose.

Chairperson Bell indicated her support for this well thought out and developed amendment in conjunction with the timing for doing the Zoning update.

Ms. Farmer noted the Planning Commission will be working on zoning ordinance reorganization each month at their second meeting of the month at 6:00, and that people are welcome to attend.

Ms. Farmer made a motion to recommend approval of the draft Zoning Ordinance Amendment to include new section 61.000 Residential Condominium Development Standards as presented with the addition of the language proposed for 61.000 #8 to the Township Board. Mr. Antosz seconded the motion. The motion was approved unanimously.

Old Business

None.

Any Other Business

a. Continuation of Work Session Discussion- Residential Districts

It was the group's consensus to postpone this discussion.

PLANNING COMMISSIONER COMMENTS

Ms. Johnston informed the Board the Township Board approved the Master Plan update, which will be incorporated in the main Master Plan to become one document. Everyone was pleased their hard work resulted in this outcome.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Bell adjourned the meeting at approximately 8:08 p.m.

Minutes prepared: March 24, 2018

Minutes approved: _____, 2018

PROPOSED CONDOMINIUM ZONING ORDINANCE AMENDMENTS

DISCUSSION POINTS

I represent Emberly Acres Home Owner's Association, which is a small condominium development located off 3th Street at Glendora Lane. The LaSalle Plat, as well as, Emberly Acres is negatively affected by this proposed change.

In our opinion, the proposed Amendment is proceeding recklessly without enough time for public input or for the Planning Commission's full consideration of the negative impacts it could produce to surrounding land uses. The reason this is being pushed forward is for the benefit of one entity at the expense of the community.

The issues we take with the proposed Amendment apply only to the R-2 District as follows:

- The R-2 District represents the single largest land mass outside of Rural Residential and Agricultural;
- The R-2 Districts abuts multiple R-1 Districts which will be negatively impacted with increased density immediately adjacent to their single family residences;
- There is no pressing need for this Amendment to be singled out and rushed thru the approval process., especially as there is currently a zoning ordinance re-organization already under way;
- This is disguised Spot Zoning. The normal process to increase density or number of units would be to provide direct mail notification to affected property owners abutting a R-2 District. This Amendment skirts that requirement and single family home owners could end up with a massive multi unit condominium development next door to them without notice;
- **ZONING DISTRICTS**
 - **SECTION 22.400** - Contrary to the proposed Amendment, nowhere does it say attached condominiums are permitted in the R-2 District. **(EXHIBIT 1)**
- **DEVELOPMENT REQUIREMENTS**
 - **DENSITY**
 - The proposed Amendment identifies that the R-2 District shall have the same dwelling units per acre as the R-3 District. This is contrary to how zoning works. Moving up thru Zoning Districts, like moving from an R-3 to an R-2, one would always find more restriction not the same hence the reason for different zoning Districts;
 - **SECTION 22.202** - The R-2 District permits private two-family dwellings defined as "a detached building containing two separate dwelling units" **SECTION 11.270**;
 - **SECTION 66.201** - defines density for each District. For a property serviced by Public Water and Sewer, density is 10,560SF for Single Family and 13,200SF for Two Family.
 - The Planning Department proposes that density shall be 4 dwelling units per acre which is erroneous as it was based on Single Family not Two Family ($43,560\text{SF}/10,560=4.125$ Units/Acre) or 4 Dwelling Units/Acre;
 - The correct calculation for this District would be to utilize Two Family density ($43,560/13,200=3.3$ Units/Acre) or 3 Dwelling Units/Acre;
- **BUILDING SETBACKS**
 - No language is included as to building setbacks or distance from one another.
- **INTERIOR TRANSPORTATION NETWORK**
 - The proposed Amendment seeks to circumvent the requirement of a Public Road in favor of a Private street or drive. Currently to put in a Private street one would need to go to the ZBA for a Special Exception Use which would require notice to adjacent landowners.

- o The problem with how the Amendment is constructed is it would permit a private road without notice to an adjacent landowner. If this interior drive is a connecting link between different land ownerships and not public then it would be possible for the Township to unintentionally create situations where easements to the private roads go unrecorded as is the case with Emberly Acres.
- o All roads should be Public to ensure they are maintained.
- o **SECTION 60.840(H)** Second Access/Emergency Access requires any private street serving 10 or more building sites shall have two means of ingress/egress, The proposed Amendment circumvents this established requirement
- OPEN SPACE
 - o The proposed Amendment sets a meager 10% as common open space. This might be OK for a site condo development, but for a traditional condo development it needs to be much higher. **SECTION 66.400** states no two-family dwelling shall occupy more than 30% of the ground area. A traditional condo development only owns part to part

In summary, it would be reckless to approve this Amendment without further vetting by the Public and the Planning Commission. It feels like this Amendment was just thrown together instead of surveying other communities that have an ordinance such as this already in place.

I respectfully request the Planning Commission table this to the current re-organization of the Zoning Ordinance rather than rush it forward to allow more time for Public Input and thoughtful consideration.

April 3, 2018



Mtg Date: April 12, 2018

To: Planning Commission

From: Julie Johnston, AICP
Planning Director

Applicant: Daryl Rynd, AVB Construction

Owner: Kalamazoo Christian School Association

Property: 3800 South 12th Street
Parcel number 3905-36-280-010

Zoning: RR: Rural Residential District

Request: Expansion of a Special Exception Use for new classrooms

Section(s): Section 20.403: Public and private schools
Section 60.000: Special Exception Use

Project Name: KCSA Middle School Classroom Addition

PROJECT SUMMARY

Kalamazoo Christian School Association (KCSA) would like to add two new classrooms to their existing facility located at 3800 12th Street. The subject property is the current site for both the elementary and middle school located on over 77 acres of property. KCSA also owns an adjacent 17-acre parcel, for a total of 95 contiguous acres at this location.

Section 20.403 of the RR: Rural Residential District indicates that private schools are a Special Exception Use. Section 60.207: Special Exception Uses indicates that any expansion, alteration, or change of a Special Exception Use must receive Planning Commission approval.

The request is to add two classrooms, totaling 2,428 square feet, to an existing wing of the middle school. The exterior of the addition will match the height, roofline and building materials of the current middle school wing. It is intended that the addition would blend seamlessly into the existing building.

SPECIAL EXCEPTION USE CONSIDERATIONS

Section 60.100 of the Zoning Ordinance provides additional review criteria for consideration when reviewing a Special Exception Use request. These criteria are as follows:

A. Is the proposed use compatible with the other uses expressly permitted within the Rural Residential District zoning classification?

The proposed use of a private school has already been determined by the Township to be compatible with other uses expressly permitted within the Rural Residential District. The addition of two new classrooms expands the use but does not change its compatibility with other uses allowed in the District.

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

The current elementary and middle school totals approximately 93,000 square feet. The increase of 2,428 square feet is a 2.6 percent increase in building area. This minor increase in square footage should meld seamlessly with the existing structure, having very little impact on neighboring properties. In addition, the size of the property owned by KCSA, 94 acres in total, allows for fairly substantial setbacks from adjoining property lines.

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

The proposed use should not be a hindrance to public health, safety, and welfare. The additional classrooms will likely allow for an increase in children, which may slightly intensify traffic in the area during times of drop-off and pick-up. However, this small change should not significantly impact level of service for 12th Street.

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

As the elementary and middle school already exist on the site, the increase in classroom space will not change the parcels current character.

SITE PLAN

Township staff have had an opportunity to review and comment on the revised site plan. Both the Public Works and Fire Departments are satisfied with the plan. However, while doing research into the approval of the middle school, which occurred in 2012, Planning staff found that a condition of approval was the submittal of a Landscape Plan. At the time of approval, the Township had just amended the Landscape Ordinance so additional time was allotted to the applicant to complete a Landscape Plan. The condition approved by the Planning Commission on November 29, 2012 stated:

An escrow shall be established for the landscape requirements that have yet to be illustrated on a Landscape Plan, and a Landscape Plan shall be submitted and approved administratively. The escrow funds will be released upon installation of the required landscape materials.

Based on our research, neither an escrow account nor a complete Landscape Plan was provided to the Township. In order to ensure the proper landscaping is included on the site, staff would recommend conditions be placed on this application as well.

RECOMMENDATION

Planning Department staff is satisfied that the project meets all Special Exception Use requirements and recommends that the Planning Commission grant Special Exception Use and site plan approval for the addition to the Kalamazoo Christian Middle School, subject to the following conditions:

1. A Landscape Plan be submitted to the Township by April 30, 2018 to be reviewed and approved administratively.
2. All required landscaping to be planted on site prior to the Certificate of Occupancy for the middle school addition.

Respectfully Submitted,



Julie Johnston, AICP
Planning Director

Attachments: Application
Site Plan
Nov. 29, 2012 PC Minutes



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

PLEASE PRINT

PROJECT NAME & ADDRESS KCSA MIDDLE SCHOOL Classroom Addition

PLANNING & ZONING APPLICATION

Applicant Name : DARYL RYND
Company ARB CONSTRUCTION
Address 4200 W. CENTRE AVE.
PORTAGE MI. 49024
E-mail drynd@arbine.com
Telephone 269-217-5581 Fax 269-323-2484
Interest in Property CONSTRUCTION MANAGER

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

Fee Amount _____
Escrow Amount _____

OWNER*:

Name KALAMAZOO CHRISTIAN SCHOOL ASSOC.
Address 2121 STADIUM DR.
KALAMAZOO MI. 49008
Email mverkaik@kcsa.org
Phone & Fax 269-544-2332
269-381-2408 FAX
(*If different from the Applicant)

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Planning Escrow-1042 \$1,000 | <input type="checkbox"/> Land Division-1090 |
| <input checked="" type="checkbox"/> Site Plan Review-1088 \$350 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input type="checkbox"/> Rezoning-1091 |
| <input checked="" type="checkbox"/> Special Exception Use-1085 \$400 | <input type="checkbox"/> Interpretation-1082 |
| <input type="checkbox"/> Zoning Variance-1092 | <input type="checkbox"/> Text Amendment-1081 |
| <input type="checkbox"/> Site Condominium-1084 | <input type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input type="checkbox"/> Other: _____ |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): REQUEST

APPROVAL FOR THE ADDITION OF TWO CLASSROOMS TO A
MIDDLE SCHOOL WITH MATCHING THE EXISTING EXTERIOR
ELEVATION. NO ADDITIONAL SITE OR SITE UTILITY WORK.

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

PARCEL NUMBER: 3905-

05-36-280-010

ADDRESS OF PROPERTY:

3800 SOUTH 12TH ST.
KALAMAZOO MI. 49009

PRESENT USE OF THE PROPERTY:

ELEMENTARY & MIDDLE SCHOOL

PRESENT ZONING

AG - AGRICULTURAL
RURAL DISTRICT

SIZE OF PROPERTY

77.04 AC

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

Name(s)

Address(es)

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

Mark Verbaik

3-8-18

Applicant's Signature

Date

[Signature] ****

3/8/18

PLEASE ATTACH ALL REQUIRED DOCUMENTS

Copies to:

Planning Dir.-1
Applicant -1
Clerk -1
Deputy Clerk, (only if Escrow)
Attorney-1
Assessor -1
Planning Secretary - Original

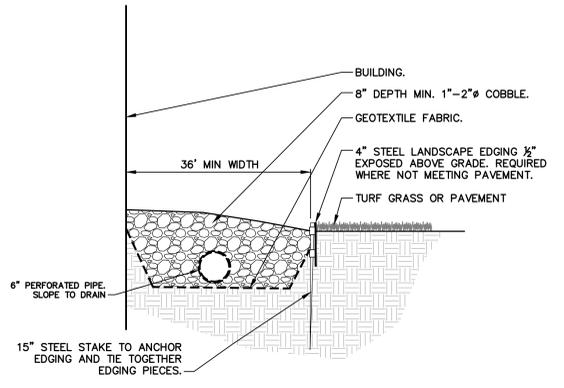
2

UTILITY NOTES

1. PLACE SANITARY CLEANOUT EVERY 100' AND/OR AT BENDS ON ALL 6" SANITARY SEWER LEADS.
2. ALL STRUCTURE CASTINGS TO BE EAST JORDAN IRON WORKS OR APPROVED EQUAL. SEE STRUCTURE TABLE FOR SPECIFIC CASTING AT EACH STRUCTURE.
3. STORM SEWERS SHALL BE CONCRETE C76-III, SOLID WALL ADS N-12 RIGID PIPE MEETING AASHTO M-294, TYPE S, OR APPROVED EQUAL INSTALLED PER THE REQUIREMENTS OF MDT AND CITY OF KALAMAZOO. MANDREL TESTING SHALL BE PERFORMED PRIOR TO PAVING. USE CONCRETE PIPE WHERE INDICATED.
4. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
5. CONTRACTOR SHALL REFER TO THE GEOTECHNICAL REPORT FOR GROUNDWATER AND SOILS INFORMATION. ANY UTILITIES REQUIRING DEWATERING SHALL BE INSTALLED TO THE CITY OF KALAMAZOO STANDARDS AND INCLUDED IN THE INSTALLATION COSTS. CONTRACTOR IS RESPONSIBLE FOR ALL DEWATERING NECESSARY TO CONSTRUCT UTILITIES IN THE DRY.
6. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
7. CONTRACTOR RESPONSIBLE FOR INSTALLING ALL CONDUITS AS SHOWN. IRRIGATION, IT, & ELECTRICAL CONTRACTORS WILL INSTALL THEIR OWN INFRASTRUCTURE.
8. ALL METER LOCATIONS ARE SHOWN FOR INFORMATION ONLY. REFER TO CONSUMERS ENERGY PLANS FOR MORE DETAIL.

UTILITY NOTES (CONT)

9. DEWATERING MAY BE REQUIRED TO INSTALL OR REMOVE SOME UTILITIES. REFER TO SPECIFICATIONS FOR SPECIFIC REQUIREMENTS. REFER TO GEOTECHNICAL REPORT FOR MORE INFORMATION.
10. COORDINATE ALL UTILITY LOCATIONS AND ELEVATIONS WITH MECHANICAL DRAWINGS AND BUILDING CONTRACTOR PRIOR TO INSTALLATION. THE MECHANICAL PLANS WERE NOT COMPLETE AT TIME OF PLAN PREPARATION AND COULD REQUIRE MODIFICATIONS TO THIS PLAN.
11. REMOVE SEDIMENT FROM ALL STRUCTURES ONCE PAVING IS COMPLETE AND REMOVE SILT SACKS
12. VERIFY NUMBER OF FITTINGS PRIOR TO ORDERING. TOTALS DO NOT INCLUDE VERTICAL DEFLECTIONS THAT MAY BE NEEDED.
13. PROVIDE 18" WATER MAIN SEPARATION WHEN CROSSING OTHER UTILITIES. DEFLECT UNDER OTHER UTILITIES W/O USING FITTINGS WHENEVER POSSIBLE.
14. SITE CONTRACTOR RESPONSIBLE FOR INSTALLATION OF ALL UTILITIES TO 5' FROM BUILDING WALL.
15. WATER MAIN AND SANITARY SEWER MATERIALS AND INSTALLATION SHALL COMPLY WITH CITY OF KALAMAZOO REQUIREMENTS.
16. VERIFY LOCATION AND ELEVATION OF EXISTING SANITARY LEAD PRIOR TO ORDERING STRUCTURES AND CONSTRUCTION.
17. SEE SITE ELECTRICAL PLAN FOR LOCATION OF ALL ELECTRICAL SLEEVES AND CONDUIT.
18. WATER METER FOR PROPOSED BUILDING SHALL BE LOCATED INSIDE THE MECHANICAL ROOM.



BUILDING MAINTENANCE STRIP DETAIL
NOT TO SCALE

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

811 Know what's below.
Call before you dig.

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.
FIELD WORK PERFORMED BY:
LANDTECH PROFESSIONAL SURVEYING

OSHTEMO CHARTER TOWNSHIP

PLANNING COMMISSION

MINUTES OF A MEETING HELD NOVEMBER 29, 2012

Agenda

KALAMAZOO CHRISTIAN MIDDLE SCHOOL - SPECIAL EXCEPTION USE - REGARDING THE EXPANSION OF AN EXISTING PRIVATE SCHOOL LOCATED AT 3800 S. 12TH STREET IN RR-RURAL RESIDENTIAL DISTRICT (PARCEL# 3905-36-280-010)

ZONING ORDINANCE AMENDMENTS - PLANNING COMMISSION TO REVIEW PROPOSED AMENDMENTS TO OSHTEMO TOWNSHIP ZONING ORDINANCE SECTION 76 REGARDING ELECTRONIC SIGNS AND BILLBOARDS.

ZONING ORDINANCE AMENDMENTS - PLANNING COMMISSION TO REVIEW PROPOSED AMENDMENTS TO OSTHEMO TOWNSHIP ZONING ORDINANCE REGARDING MICROBREWERS AND OTHER SIMILAR USES.

NON-MOTORIZED PLAN - DISCUSSION OF UPDATES TO TOWNSHIP NON-MOTORIZED PLAN

REVIEW OF AMENDMENTS TO CITY OF PORTAGE MASTER PLAN

SCHEDULE OF MEETINGS FOR 2013

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, November 29, 2012, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Kitty Gelling, Chairperson
Carl Benson
Bob Anderson
Millard Loy
Wiley Boulding, Sr
Richard Skalski

MEMBERS ABSENT: None

A representative of the Board of Trustees has yet to be appointed resulting in the empty seat.

Also present were Greg Milliken, Planning Director, Attorney James Porter, Laylah Fahwana, Minute Transcriptionist, and two other interested persons.

Call to Order and Pledge of Allegiance

The meeting was called to order by the Chairperson at approximately 7:00 p.m., and the "Pledge of Allegiance" was recited.

Agenda

The Chairperson asked if there were any additions, deletions or changes to the Agenda. Hearing none, she called for a motion to approve the Agenda, as submitted. Mr. Skalski made a motion to accept the Agenda as submitted. Mr. Benson seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Public Comment on Non-Agenda Items

The Chairperson called for public comment on non-agenda items. There being none, she proceeded to the next item on the agenda.

Minutes

The Chairperson asked if there were any additions, deletions or corrections to the minutes of October 25th, 2012. The Chairperson noted some corrections on pages 2, 3, and 4 which were read and stated for the record. With those corrections, the Chairperson called for a motion. Mr. Benson made a motion to approve the minutes, as amended. The motion was seconded by Mr. Boulding, Sr. The Chairperson called for a vote on the motion, and the motion passed unanimously.

KALAMAZOO CHRISTIAN MIDDLE SCHOOL - SPECIAL EXCEPTION USE - REGARDING THE EXPANSION OF AN EXISTING PRIVATE SCHOOL LOCATED AT 3800 S. 12TH STREET IN RR-RURAL RESIDENTIAL DISTRICT- (PARCEL# 3905-36-280-010)

The Chairperson said the next item for consideration was a special exception use and site plan review for Kalamazoo Christian Middle School, located on 3800 S. 12th St. in the RR rural district (parcel #3905-36-280-010). She said the Planning Commission was being asked to conduct a special exception use and site plan review for the application submitted by Hurley & Stewart Engineering to expand the current elementary school building located on 12th Street. The Chairperson called for a report from Planning Director, Greg Milliken.

Mr. Milliken proceeded to take the Planning Commission through his report, outlining the applicant's request for expansion which includes 12 new classrooms, a second auditorium/gymnasium (currently not planned for construction but is shown for approval as something that is desired in the future), a new circulation drive, a southern expansion to the current parking lot, a new western parking lot primarily for bus parking, and a new access point onto 11th Street.

Mr. Milliken indicated that there were a few items indicated in the Staff Report that were not yet provided or addressed. These included a Landscape Plan, lighting details, and dumpster enclosure. The applicant presented the Commission with information regarding the lighting and dumpster at the meeting.

At the conclusion of Mr. Milliken's report, the chairperson asked if there were any questions of the Planning Director.

Mr. Anderson asked about a comment in the Engineer's review letter regarding the drainage pond and problems with drainage that may result from development. The letter indicates that sediment was to be removed, and he wondered if the pond needed to be increased in size. Mr. Milliken replied that the engineer mentioned there were a lot of sediments in the pond and they should be cleared out to improve the functionality of the pond.

Mr. Loy asked about the bean field next door and rather or not grass can be put around the pond to stop sediment from the field from running off into the drainage pond. Mr. Hurley indicated that the plans will show grass around the retention pond.

Mr. Skalski had a question concerning sidewalks along 12th street, and whether or not this would become the school's responsibility in the future if the Township decided sidewalks would be necessary. Mr. Porter indicated similar situations and arrangements have been broached in the past and dealt with in a timely manner.

The Chairperson then invited the applicant to come forward. Todd Hurley, 2800 S. 11th St, of Hurley & Stewart Engineering, represented the applicant.

Mr. Hurley approached the Commission to discuss some key topics, his first being the parking aisle width. He indicated that they were requesting the reduction to 20 feet in order to be consistent with the existing parking lot aisles to the north of the proposed parking lot. Mr. Hurley continued to discuss the drainage pond and indicated that in fact it was proposed to be increased in size. Mr. Skalski brought forth a question concerning the life of the pond and whether or not a proper filtration system can be installed. Mr. Hurley responded that a sediment trap can be placed to better filter the pond once it has been cleaned out. However, he felt the issues with the sediments were likely a result of improper construction or not cleaning the pond after development.

The next topic Mr. Hurley began to discuss was the proposed access point on 11th Street, and stated that after working with the Road Commission, moving the driveway to 11th Street for buses was determined to be most beneficial, because it would be a way to better distribute the traffic. Mr. Loy stated that safety is the number one issue in this decision and the only way moving this driveway to 11th street would make sense would be if there was an added bypass lane. Mr. Anderson then stated that a request should be made to have the Road Commission consider a different option that may be safer.

The Chairperson asked how many parking spots are provided and, if they exceeded the minimum required, by how many. Mr. Milliken stated that with the new

parking lot there would be just enough spaces to accommodate the two auditorium spaces along with the indicated number of faculty. The Chairperson then raised a concern about the relocation/replacement of three fire hydrants with relocation/replacement of only two. Mr. Hurley confirmed that there would be three connections provided: two hydrants and a fire department hook-up. This had been improperly noted by the Township Engineer.

Mr. Boulding, Sr. asked a question concerning the driveway and whether or not it would become a one-way during peak hours. Mr. Hurley responded stating that it would not be a one-way but instead the driveway would be gated off during peak hours to block thru traffic and also for security purposes.

The Chairperson noted that the Planning Commission had not been properly supplied with all of the information and materials required in a timely fashion to fully expound on what was being asked of the Commission to review, and asked how long this project had been in the works. Mr. Mike DeLoof, 6432 Bayfield Dr., a representative of the Kalamazoo Christian School Board and the "Committee to Establish the New School" responded. Mr. DeLoof indicated that this project began about six (6) or seven (7) months ago. The Chairperson asked how long this project would take to complete, and Mr. DeLoof stated that they had hopes of completing the project by fall of 2013.

Mr. Boulding Sr. asked Mr. DeLoof if Kalamazoo Public Schools had purchased the current property, considering the buyer was announced four (4) to six (6) weeks ago. Mr. DeLoof responded that they had an agreement but there were still a few issues being worked out before the sale can be completed.

The Chairperson proceeded to ask Mr. Hurley what would be used for landscaping the property. Mr. Hurley stated that they will use similar plants and trees to what is currently used at the site. They have also had input about a learning garden for the students that may be implemented. She noted that Oshtemo Township was most passionate about trees/landscaping, and hoped they would leave as many trees as possible, but more is always appreciated.

The Chairperson stated that nothing can be approved without more information from the Road Commission, because they have jurisdiction over the roads. Mr. Loy commented that changing the Road Commissions' mind after they've made a decision is very difficult, but the Chairperson suggested on trying again with more force and persuasion. It would be better to have at least tried, than to not have tried at all. The possibility of tabling this agenda item until further information was received was an option for consideration.

Mr. Porter stated that he did not think the item should be tabled strictly due to the access issue as this is out of the Township's jurisdiction. The Commission should request a bypass lane and make it a condition that it should be installed, especially since the school is agreeable to the addition. He indicated that it is worth the effort and having another conversation with the Road Commission. He suggested the Planning

Commission make this a condition of approval (the installation of a bypass lane) subject to Road Commission approval. The Chairperson stated safety was of the utmost concern and requested representatives of the school (principal, superintendent), Hurley & Stewart, Road Commission, and the Township Planning Director meet in the near future and advise of the outcome. With there being no further discussion amongst the Planning Commission members, the Chairperson opened this up for public comment. Hearing none, Mr. Anderson made a motion to approve the special exception use for the expansion of the private school. Mr. Skalski seconded the motion. The motion was approved unanimously.

Mr. Skalski made a motion to approve the site plan with the noted conditions as stated in the staff report, and the additional condition that a bypass lane be added on 11th Street subject to Road Commission approval. Mr. Loy seconded the motion. The motion was approved unanimously.

ZONING ORDINANCE AMENDMENTS - PLANNING COMMISSION TO REVIEW PROPOSED AMENDMENTS TO OSHTEMO TOWNSHIP ZONING ORDINANCE SECTION 76 REGARDING ELECTRONIC SIGNS AND BILLBOARDS.

Mr. Milliken indicated that the proposed amendments would change Section 76, dealing with electronic signs and billboards and stated that there were no changes from the draft reviewed a month ago. The Chairperson asked if anyone had questions of Mr. Milliken, and hearing none, she opened it up for public comment. There being none, she called for discussion amongst the Planning Commissioners.

The Chairperson stated she would entertain a motion. Mr. Benson made a motion to recommend approval of the proposed amendments to Section 76 of the Zoning Ordinance to the Township Board. Mr. Boulding, Sr. seconded the motion. The motion was approved unanimously.

ZONING ORDINANCE AMENDMENTS - PLANNING COMMISSION TO REVIEW PROPOSED AMENDMENTS TO OSTHEMO TOWNSHIP ZONING ORDINANCE REGARDING MICROBREWERIES AND OTHER SIMILAR USES.

Mr. Milliken indicated that there are no changes to the proposed amendments regarding microbreweries and similar uses. However, he indicated that Mr. Owen, the individual who first brought this topic before Oshtemo Township, will not be continuing on with his business plan at this point in time. Mr. Milliken stated that he and the Supervisor met with representatives from Southwest Michigan First to discuss potential economic development opportunities and assistance that could be provided to the Township.

The Chairperson noted that it was advantageous to have had the microbrewery concept brought before the commission, as it provided the impetus for getting the language drafted in preparation of making Oshtemo Township competitive for future business.

April 2, 2018



Mtg Date: April 12, 2018
To: Planning Commission
From: Julie Johnston, AICP
Subject: Circulation Aisle Widths

Based on the Planning Commission discussion of circulation aisles at the March 8, 2018 meeting, staff updated the below recommendation. The new language added since the March 8th meeting is shown in **red**. The full Ordinance section is attached.

The revised language provides more specific criteria for future Planning Commissions to base their decision on whether circulation aisles may be reduced from the required width.

- 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, upon request, reduced widths for circulation aisles. The reviewing body will consider the **following before making a determination if drive aisles may be reduced:**
1. overall circulation of the site,
 2. access to public rights-of-way,
 3. public safety,
 - 4. volume of traffic,**
 - 5. visibility,**
 - 6. location of nonmotorized traffic,**
 - 7. grade or slope of the drive,**
 8. other site considerations which may impact general circulation.

If the Planning Commission is comfortable with the proposed language, a public hearing could be scheduled for the May 10th meeting.

For comparison, the previous recommended language was as follows:

“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.”

68.300 - Off-Street Parking and Site Circulation Requirements

Requirements for all parking spaces, parking lots, and circulation aisles (except those for single- and two-family dwellings, for mobile homes or single- or two-family dwellings in a mobile home subdivision, or for farms) shall be as follows:

- A. *Space size.* Each automobile parking space shall not be less than 200 square feet nor less than ten feet wide exclusive of driveway and aisle space. For parking lots with over 100 spaces, minor adjustments of the dimensions prescribed in this Section may be authorized by the reviewing body for up to 25 percent of the required spaces, provided the design remains consistent with generally recognized design standards for off-street parking facilities.
- B. ~~Circulation and~~ *Parking Aisle Width.* Aisles shall be 24 feet wide for two-way traffic and 20 feet wide for one-way traffic. Consideration will be given to alternate widths for one-way aisles in conjunction with angled parking other than 75 to 90 degrees.
- 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, upon request, reduced widths for circulation aisles. The reviewing body will consider the following before making a determination if drive aisles may be reduced:**
 - 1. **overall circulation of the site,**
 - 2. **access to public rights-of-way,**
 - 3. **public safety,**
 - 4. **volume of traffic,**
 - 5. **visibility,**
 - 6. **location of nonmotorized traffic,**
 - 7. **grade or slope of the drive,**
 - 8. **other site considerations which may impact general circulation.**
- ~~E.~~ **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.
- ~~D.~~ **E. *Accessible accommodations.*** Any barrier free parking spaces or accessible loading aisles between said spaces shall be designed and constructed in accordance with the Americans with Disabilities Act of 1990, using the 2010 or most recent design standards. Barrier free parking spaces, accessible loading aisles between said spaces, and ramps shall be constructed of aggregate cement concrete or a similar, pre-approved hard-surface alternate, subject to Township Staff approval. Flexible paving is not allowed.
- ~~E.~~ **F. *Backing into or from a street is prohibited.*** All trucks and vehicles shall enter and exit the lot, parcel, or site using forward movement from and to the abutting street.
- ~~F.~~ **G. *Bicycle parking.*** Provision of parking facilities for bicycles is strongly encouraged and may be required as part of Special Exception Use approval.
- ~~G.~~ **H. *Maximum number of spaces.*** To minimize excessive areas of pavement which detract from the aesthetics of an area and contribute to high rates of storm water runoff, no parking lot shall have parking spaces totaling more than 110% of the minimum parking space requirements except as may be approved by the reviewing body

~~H.~~ **I.** *Additional Parking Allowance.* In granting any additional space, the reviewing body shall determine that the parking is necessary, based upon documented evidence of actual use and demand provided by the applicant. The reviewing body shall also consider impacts on the property and surrounding properties including any natural features thereon. Use of pervious pavement is encouraged. This allowance shall apply only to those parcels, lots or building sites with a minimum of 50 parking spaces as required by Sections 68.302 and 68.400.

April 3, 2018



Mtg Date: April 12, 2018
To: Planning Commission
From: Julie Johnston, AICP
Subject: Schedule of Regulations

On March 22, 2018, the Planning Commission forwarded a recommendation of approval to the Township Board for the Residential Condominium Development Standards. In reviewing associated ordinances related to residential development, staff would like to recommend changes to the Schedule of Area, Frontage, and/or Width Requirements (Section 66.200).

Currently, Section 66.200 outlines different area requirements for one and two-family dwellings. For example, if a project has public water and sewer, a single-family dwelling requires 10,560 square feet where a two-family dwelling requires 13,200 square feet. In a platted subdivision or site condominium, this ordinance actually incentivizes two-family dwellings. The density for single-family would equate to 4.12 dwelling units per acre while the density for two-family increases to 6.60 dwelling units per acre.

Density is determined by dividing the total required square footage per lot into an acre (43,560 square feet). The increase seen for two-family is that on every 13,200 square foot lot or building site, two dwelling units are permitted.

Staff is recommending changing the table from Area Requirements to Area Requirements per Dwelling Unit. This would stipulate that each individual unit have the same amount of area, regardless of the number planned for the parcel or lot. A two-unit with public water and sewer would be required to have a lot that is 21,120 square feet. This recommended change aligns with the densities allowed in the Residential Condominium Development Standards Ordinance and ensures a level playing field for density regardless of the number of attached or detached units planned.

Minimum Required Area per Dwelling Unit	R-1, R-2, R-3, R-4, and R-C	R-5
Parcels (unplatted)	50,000 sq. ft	Refer to Section 25.401(C)
Lots (platted) / Building sites:		
None	22,000 sq. ft. (Single Family) and 30,000 sq. ft. (Two-Family)	
Sewer or Water	15,000 sq. ft. (Single Family) and 18,000 sq. ft. (Two-Family)	
Sewer and Water	10,560 sq. ft. (Single Family) and 13,200 sq. ft. (Two-Family)	

In addition to area requirements, Section 66.200 also has a separate standard for frontage depending on whether a single-family or two-family home is planned. Staff is recommending removing the separate standard for two-family. Section 66.200 has an additional regulation that parcels, lots, or building sites cannot exceed a 4:1 depth to width ratio. This requirement would allow the current minimum frontages to remain without causing unusually long and narrow lots as area requirements increase for two and more units per parcel, lot, or building site.

Staff is recommending the following changes:

Minimum Required Frontage or Width Required	R-1, R-2, R-3, R-4, and R-C	R-5
Parcels Frontage (unplatted)	200 ft.	Refer to Section 25.401(B)
Lots (platted) / Building Sites (Width at Building Setback)	100 ft. (Single Family) and 160 ft. (Two Family)	

When considering area requirements, the following examples of a lot or building site configuration could occur, where water and sewer are present:

Unit Type	Area Requirement	Frontage Required	Resulting Depth	Depth to Width Ratio
Single-Family	10,560	100	105.6	1.05:1.00
Two-Family	21,120	100	211.2	2.11:1.00
Three-Family	31,680	100	316.8	3.16:1.00
Four-Family	42,240	100	422.4	4.22:1.00

The four-family scenario exceeds the 4:1 depth to width ratio, requiring the frontage to increase to a minimum of 106 feet. This would result in a lot with 106-foot width and 398-foot depth.

If the Planning Commission is comfortable with the proposed language, a public hearing could be scheduled for the May 10th meeting.