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**NOTICE
OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

REGULAR MEETING - VIRTUAL

Participate through this Zoom link:

<https://zoom.us/j/91912452199>

Or by calling: 1-929-205-6099

Meeting ID: 919 1245 2199

(Refer to the www.oshtemo.org Home Page or page 3 of this packet for additional Virtual Meeting Information)

**TUESDAY, APRIL 27, 2021
3:00 P.M.**

AGENDA

1. Call to Order
2. Roll Call and Remote Location Identification
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes: February 23rd, 2021
6. **Public Hearing: Variance for Huntington Run Mobile Home Park Expansion**
The Four Leaf Companies, on behalf of Huntington Run Partners LLC, is requesting relief from Section 49.150(C) of the Zoning Ordinance which requires that all mobile home parks have a minimum of two access streets connecting the park to Oshtemo's street network. The request is to allow the Huntington Run Mobile Home Park and the proposed expansion area to have one point of full ingress/egress.
7. Public Comment
8. Other Updates and Business
9. 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 or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

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. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

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, but it is not required.

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 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 does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5221	cbuszka@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Kizzy Bradford	375-4260	kbradford@oshtemo.org

Township Department Information			
<u>Assessor:</u>			
Kristine Biddle	216-5225	assessor@oshtemo.org	
<u>Fire Chief:</u>			
Mark Barnes	375-0487	mbarnes@oshtemo.org	
<u>Ordinance Enf:</u>			
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org	
<u>Parks Director:</u>			
Karen High	216-5233	khigh@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
<u>Planning Director:</u>			
Iris Lubbert	216-5223	ilubbert@oshtemo.org	
<u>Public Works:</u>			
Marc Elliott	216-5236	melliott@oshtemo.org	

Zoom Instructions for Participants

Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this **Meeting ID: 919 1245 2199**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet or smartphone then you can join via conference call by following instructions below.

To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **919 1245 2199#**

Participant controls in the lower-left corner of the Zoom screen:



Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press *9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

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**OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

DRAFT MINUTES OF A VIRTUAL MEETING HELD FEBRUARY 23, 2021

Agenda

**SITE PLAN – ADVANCE POURED WALLS BUILDING ADDITION
ADVANCE POURED WALLS REQUESTED SITE PLAN APPROVAL TO
CONSTRUCT A 6,860 SQUARE FOOT ADDITION TO THEIR EXISTING 7,514
SQUARE FOOT BUILDING LOCATED AT 3425 SOUTH 6TH STREET.**

**SITE PLAN – FETZER INSTITUTE FITNESS AND STORAGE FACILITY
VIRIDIS DESIGN GROUP, ON BEHALF OF JOHN FETZER INSTITUTE, INC.
REQUESTED SITE PLAN APPROVAL TO CONSTRUCT A 4,800 SQUARE FOOT
FITNESS AND STORAGE FACILITY AS AN ACCESSORY USE TO THEIR MAIN
CAMPUS AT 9292 W. KL AVENUE.**

A virtual meeting of the Oshtemo Charter Township Zoning Board was held Tuesday, February 23, 2021, beginning at approximately 3:00 p.m.

MEMBERS PRESENT: Neil Sikora, Chair
Micki Maxwell, Vice Chair
Dusty Farmer
Fred Gould
Anita Smith
(All attending within Oshtemo Township)

MEMBERS ABSENT: Ollie Chambers

Also present were Iris Lubbert, Planning Director, James Porter, Township Attorney, Karen High, Zoning Administrator, and Martha Coash, Meeting Transcriptionist.

Guests present included Adam Barker, Advanced Poured Walls and Tim Britain, VIRIDIS Design Group

Call to Order and Pledge of Allegiance

Chairperson Sikora called the meeting to order and invited those present to join in reciting the “Pledge of Allegiance.”

APPROVAL OF AGENDA

After determining no changes were needed, Chairperson Sikora requested a motion.

Mr. Gould made a motion to approve the agenda as presented. Ms. Farmer seconded the motion. The motion was approved unanimously.

Chairperson Sikora moved to the next agenda item.

APPROVAL OF THE MINUTES OF JANUARY 28, 2021

The Chair asked if there were any additions, deletions or corrections to the minutes of January 28, 2021.

Ms. Smith noted five minor corrections/typos to be addressed.

Ms. Farmer made a motion to approve the Minutes of January 28, 2021 with the corrections as noted. Maxwell seconded the motion. The motion was approved unanimously.

Chairperson Sikora moved to the next agenda item and asked Ms. High for her presentation.

SITE PLAN – ADVANCE POURED WALLS BUILDING ADDITION ADVANCE POURED WALLS REQUESTED SITE PLAN APPROVAL TO CONSTRUCT A 6,860 SQUARE FOOT ADDITION TO THEIR EXISTING 7,514 SQUARE FOOT BUILDING LOCATED AT 3425 SOUTH 6TH STREET.

Ms. High indicated Advance Poured Walls (APW) was requesting Site Plan approval from the Zoning Board of Appeals to construct a 6,860 square foot addition to their existing 7,514 square foot building located at 3425 South 6th Street. Additional outdoor storage was also proposed. The property is located north of Stadium Drive, on the east side of 6th Street. APW is a concrete construction and excavating business. The Zoning Board of Appeals approved their site plan on Feb 6, 1989 and a site plan amendment on August 7, 1989. No hazardous materials are scheduled to be stored, loaded, recycled, or disposed of on this site.

The existing 7,514 square foot building has approximately 1,170 square feet of office space and 6,344 square feet of storage area. The entire proposed 6,860 square foot addition will be used for storage. The site currently has 2,624 square feet of outdoor storage area. An additional 4,500 square feet of outdoor storage was proposed. If approved, the total of outdoor storage would be 7,124 square feet in area.

The entirety of the property in question is zoned I-1, Industrial District. Uses permitted in the I-1 zoning district are outlined in Article 27 of the Township's Zoning

Code. Contractor's services related to the building trades such as electrical, mechanical, plumbing, general building, excavating and landscaping are identified as a Permitted Use within this section. Outdoor storage in connection with Permitted Uses is allowed in the side and rear yard areas except within the area required for setback from side and rear lot lines. Such storage may not exceed 100 percent of the square foot area of the principal building upon the premises, and no outdoor storage of damaged or inoperable vehicles or equipment is allowed. Due to the scale of the addition, over 2,000 square feet, review and approval of the proposal is required by the ZBA (Section 64.20). A proposal for a site plan expansion of a permitted use needs to be reviewed against the criteria outlined in Section 64.60 - Application Procedure, C - Site Plan. She provided the following summary of the requirements and analysis of the proposal.

General Zoning Compliance

Zoning:

3425 South 6th Street is located within the I-1, Industrial District. The property south of the site, owned by the applicant, is in the I-1, Industrial District. Property to the west, also owned by the applicant, is in the I-3, Industrial District. The proposed warehouse addition and the outdoor storage area are permitted uses within the I-1 district. Land to the north is in the I-1, Industrial District. Residentially zoned areas are located west of the property in question, across 6th Street.

The building addition is proposed to the south and east of the existing structure. If approved, the total building area will be 14,374 square feet. Outdoor storage is proposed to the east of the building addition. If approved, the total outdoor storage area will increase from 2,624 square feet to 7,124 square feet. The total area of existing and proposed outdoor storage does not exceed the building area and thus meets the size limit in the zoning ordinance.

Setbacks:

The proposed addition would expand the building 25 feet south toward the side property line and 50 feet east toward the rear property line. The minimum side and rear yard setback is 20 feet or the height of the abutting side of the building at its highest point as measured from the grade of the property line, whichever is greater (Section 50.60 (c)). The abutting side of the addition will be 18 feet in height. There is roughly a 3-foot elevation drop from the foundation of the building to the south property line. Therefore, the required side yard setback is 21 feet. A 21-foot setback was proposed for the building addition and the outdoor storage area. To meet this setback requirement, the applicant proposed to shift the south property line 5.4 feet to the south. Both properties are owned by the applicant. A Land Re-description Application has been submitted to achieve this property line shift. Staff reviewed the application and considered it ready for approval. Both the proposed addition and storage area are shown with a 100-foot or more rear yard setback.

Access and Circulation

Access:

Vehicle access to the site will remain unchanged. The existing curb cut and drive to 6th Street will continue to be utilized. In addition, a new 24-foot-wide gravel drive extending to the east property line is shown on the plan. This new drive was included on the site plan for the applicant's I-3, Industrial District property approved by the Zoning Board of Appeals on December 15, 2020. It is a secondary access point for the concrete materials recycling yard located at the northeast corner of Parcel Number 05-34-155-018. The site plan was approved with a condition that if Parcel Number 05-34-155-018 or 3425 S 6th Street should be sold, and the recycling use continue, a cross access agreement be entered into between the properties. **Staff recommended the same condition be placed on this approval for consistency.**

Parking:

Per Section 52.100, Minimum Required Parking Spaces, industrial warehouse and distribution facilities are required to have one parking space for each 1,500 square feet of net floor area plus the required parking devoted to other uses OR one parking space per employee whichever is greater. The applicant indicated there are 23 employees. In this instance, the spaces required per employee are greater than the spaces required per net floor area. Therefore, 23 parking spaces are required, one of which must meet ADA requirements for accessibility. The site currently has 24 parking spaces, including one ADA spot. **No additional parking is proposed or required.**

Sidewalk:

Per Section 57.90 sidewalks indicated on the Township's Non-motorized Plan shall be installed by the developer when properties adjacent to planned nonmotorized facilities receive site plan approval from the municipality. The Township's Non-motorized Plan shows a paved shoulder / bike lane in front of this property, but no sidewalk or path. **Therefore, no sidewalk or path is required.**

Building Design

The proposed addition will utilize metal siding similar to the existing building in color and profile. The proposed metal roofing for the addition will match as well.

Landscaping

Landscaping is required along 6th Street per Section 53.60 Street Rights-of-Way Greenbelts. A 20-foot-wide greenbelt is required with a minimum of one canopy tree and two understory trees for every 100 linear feet of frontage abutting a street right-of-way. Shrubs are required where parking lots are adjacent to street rights-of-way. The property has 200 feet of frontage, requiring two canopy trees, four understory trees, and six shrubs. The landscape plan includes a 49 foot wide greenbelt with nine existing trees, several existing boulders and mulched beds. Proposed landscaping includes four evergreen trees, 21 flowering shrubs, daylilies and ornamental grasses. The proposed evergreen trees are native to Michigan. More information is required to ensure that at least three of the required shrubs are native to Michigan. In addition, minimum size at planting of the evergreen trees and shrubs should be added to the plan. No other additional landscaping is required. Since minor changes are needed, **Staff recommended a revised landscape plan be listed as a condition of approval.**

Site Lighting

Three new cut-off LED wall mounted lights are proposed. Two are on the north and one is on the east side of the building. All are located above or near a proposed overhead door. Requirements for mounting height, lumens, minimum color rendering index, and Kelvin ratings are met. The photometric plan is required to show 0.1 foot candles at the property line or that 0.1 foot candles is accomplished before reaching the property line.

This requirement has been met.

Engineering

Prein & Newhof, the Township's civil engineering agent, has reviewed the project site plan. Because some storm water is being directed to the applicant's property to the south (Parcel Number 05-34-155-018), a storm water easement agreement is required. This agreement has been submitted and approved. **Recording of the storm water easement agreement was recommended as a condition of approval.**

Fire Department

Oshtemo's Fire Department reviewed the site plan. They indicated all requirements have been met, including minimum gallons per minute of fire hydrant capacity. However, they recommend that the applicant consider adding an additional hydrant in the future.

RECOMMENDATION:

Ms. High recommended the Zoning Board of Appeals approve the proposed Site Plan for Advance Poured Walls Building Addition with the following conditions:

1. Should 3425 S 6th Street or Parcel Number 05-34-155-018 be sold, and the recycling use continue, a cross access agreement will need to be entered into between the properties.
2. A revised landscape plan shall be required prior to issuance of a building permit to ensure that requirements for native species and minimum size at time of planting are met.
3. Land Re-description Application shall be approved and recorded to meet the south side setback requirement prior to issuance of a building permit.
4. A Storm water Easement Agreement shall be recorded prior to issuance of a building permit.
5. If the existing concrete ADA parking spot does not meet requirements for slope, it will be replaced or brought into compliance prior to issuance of a certificate of occupancy.

Chairperson Sikora asked whether board members had questions for Ms. High. Hearing none, he asked if the applicant wished to speak.

Adam Barker, owner of APW, explained the cross-access agreement can stand alone as it has nothing to do with the APW site plan. It creates a large circle to provide

access for the Fire Department to the concrete recycling facility. He also indicated exercise building portion would be used for both employees and guests.

Ms. High appreciated the clarification but noted if in the future if one or the other of the businesses is sold, the Fire Department would still need access.

Mr. Barker agreed such an eventuality would require cross-access or other means of ingress/egress would be needed. He also asked who is responsible for recording the storm water easement.

Ms. High said staff will record the easement: the condition ensures it is on the staff's to-do list.

Hearing no further comments or questions, Chairperson Sikora moved to Public Comment. Hearing none, he closed the meeting and moved to Board Discussion.

Ms. Maxwell and Mr. Gould each indicated no concerns with the request.

The Chair requested a motion.

Ms. Maxwell made a motion to approve the requested site plan approval from Advanced Poured walls to construct a 6,860 square foot addition to their existing 7,514 square foot building located at 3425 south 6th street, including the five conditions recommended by staff, with the amendment as suggested to condition number one:

1. Should 3425 S 6th Street or Parcel Number 05-34-155-018 be sold, and the recycling use continue, a cross access agreement *or other means of ingress or egress* will need to be entered into between the properties.
2. A revised landscape plan shall be required prior to issuance of a building permit to ensure that requirements for native species and minimum size at time of planting are met.
3. Land Re-description Application shall be approved and recorded to meet the south side setback requirement prior to issuance of a building permit.
4. A Storm water Easement Agreement shall be recorded prior to issuance of a building permit.
5. If the existing concrete ADA parking spot does not meet requirements for slope, it will be replaced or brought into compliance prior to issuance of a certificate of occupancy.

Ms. Farmer seconded the motion. The motion was approved unanimously by roll call vote.

Chairperson VanderWeele moved to the next agenda item and asked Ms. Lubbert for her presentation.

SITE PLAN – FETZER INSTITUTE FITNESS AND STORAGE FACILITY
VIRIDIS DESIGN GROUP, ON BEHALF OF JOHN FETZER INSTITUTE, INC.
REQUESTED SITE PLAN APPROVAL TO CONSTRUCT A 4,800 SQUARE FOOT
FITNESS AND STORAGE FACILITY AS AN ACCESSORY USE TO THEIR MAIN
CAMPUS AT 9292 W. KL AVENUE.

Ms. Lubbert said VIRIDIS Design Group, on behalf of John Fetzer Institute Inc., was requesting Site Plan approval from the Zoning Board of Appeals to construct a 4,800 square foot fitness and storage facility as an accessory use to their main campus at 9292 W KL Avenue. The property is located west of S 4th Street, on the north side of W KL Avenue.

She indicated John Fetzer Institute Inc. is a private foundation whose mission is to help build the spiritual foundation for a loving world. The foundation has a couple of retreat centers in Michigan, one of which is the Seasons: A Center for Renewal, located at 9292 W Kl Avenue. This retreat center currently straddles two parcels, 05-20-255-020 and 05-20-255-010. The proposal would relocate the exercise facility from the existing main building to the proposed fitness and storage facility. The exercise facility will be for employee use only. As part of this project the two parcels will be combined. A land combination application has been received and approved.

She noted the entirety of the property in question is zoned RR, Rural Residential. Uses permitted in the RR zoning district are outlined in Article 5 of the Township's Zoning Code. Nonprofit educational, noncommercial recreational and noncommercial business centers are identified as a Permitted Uses with Conditions within this section. New construction of a nonresidential building for a use that does not fall under the Special Use category, review and approval is required by the Zoning Board of Appeals (Section 64.20). A proposal for a site plan needs to be reviewed against the criteria outlined in Section 64.60 - Application Procedure, C - Site Plan. In addition, the conditions tied to the proposed use of a Nonprofit educational, noncommercial recreational and noncommercial business center outlined in Section 48.110 of the ordinance also needed to be considered. She provided a summary of the requirements and analysis of the proposal against these two sections as provided below.

Section 64: Site Plan Review

General Zoning Compliance

Zoning:

9132 W KL Avenue is located within the RR, Rural Residential District. All properties surrounding this site are also zoned RR. The proposed fitness and storage facility will be part of the Fetzer Institute's retreat center which is a permitted use within the RR district.

Lot Dimensions:

Parcels within the RR, Zoning District require a minimum area of 1.5 acres and frontage of 200 feet (Section 50.10 (A)). The Fetzer Institute site has over 1,900 feet of

frontage along W KL Avenue and a combined area of 56 acres (parcels 05-20-255-020 and 05-20-255-010). The proposed property exceeds code dimensional requirements.

Open Area:

The total area of the property under consideration is about 56 acres (parcels 05-20-255-020 and 05-20-255-010). If approved the new building, parking area and drive will add approximately 0.6 acres (0.01%) of impervious surface to the site. A majority of the property will remain open wooded area.

Setbacks:

Setbacks required are outlined under Section 50.60 of the ordinance, which indicates a 70-foot setback from KL Avenue. For side and rear yard setbacks, the ordinance states that the minimum setback distance is 20 feet or the height of the abutting side of the building at its highest point as measured from the grade of the property line, whichever is greater. The proposed structure will be just under 20 feet tall and is located approximately 280 feet from W KL Avenue and over 300 feet from the sides and rear of the property.

Access and Circulation

Access:

The existing gravel drive onto W KL Avenue will be removed and a new asphalt drive installed further west to service the proposed fitness and storage building. The applicant has worked with the Road Commission to determine the new curb cut location to provide better site distance to the west. A 24 foot-wide drive will be installed to allow access and parking on the west side of the proposed building. Adequate turn around space has been provided. The Township Fire Marshal is satisfied with the site design.

Parking:

The proposed facility is 4,800 square feet, 2,818 square feet of which will serve as the fitness center and the remainder will be utilized for storage. Per Section 52.100 of the ordinance, health and fitness centers require one parking space for every 200 square feet of net floor area plus one parking space for each employee. No employees are proposed for this facility. No parking is required for storage space. Per this section this site plan is required to have 14 parking spaces with one being ADA. The site plan proposed provides 13, 10 foot by 20 foot parking spaces and one ADA spot with an access aisle.

A theme throughout the Township's off-street parking ordinance is to minimize excessive areas of pavement which detract from the aesthetics of an area and contribute to high rates of storm water runoff. As a result, no parking lot shall have parking spaces totaling more than 110% of the minimum parking space requirements. As such, the proposed site could have up to 16 parking spaces. On the proposed plan provided to the Board, there are two areas of undesignated pavement that could be used informally for parking. At the time the enclosure was distributed to board members it was unclear if these two areas were intended for trucks or fire apparatus turn around.

Since then the applicant clarified these areas are for parking, increasing the parking provided onsite from 14 to 16 spaces, so condition number three in the

printed recommendation has been completed, the site plan updated to reflect the change and the condition was no longer applicable for approval.

Sidewalk

Per Section 57.90 sidewalks indicated on the Township's Non-motorized Plan shall be installed by the developer when properties adjacent to planned nonmotorized facilities receive site plan approval from the municipality. No nonmotorized facilities are shown on the Township's Non-motorized Plan in front of this property.

Building Design

The proposed 4,800 square foot fitness and storage facility will be a pole building with horizontal metal siding. She noted color selections were made after the information was sent to board members, so **condition number four was no longer necessary regarding color selection.**

Signage

No signage is proposed on the building. The applicant has noted a freestanding sign for addressing and wayfinding purposes will be installed between the structure and road. This sign will only have the address of the building and make no reference to building owner or use. The proposed freestanding sign will be reviewed in detail if the request is approved by the Zoning Board of Appeals when the sign permit application is submitted.

Trash Receptacle

Trash generated by this facility will be collected as part of campus operations and taken to the main campus. This criterion is not applicable.

Landscaping

The applicant has provided a landscaping plan that meets the landscaping standards outlined in Article 53 of the zoning ordinance. The proposed plan shows three new deciduous trees around the parking lot and several shrubs and perennials by the building entrance. The plan utilizes existing foliage on site.

Photometric Plan

The applicant provided a photometric plan proposing five pole mounted lights and two wall mounted lights. The photometric plan is required to show 0.1 foot candles at the property line or that 0.1 foot candles is accomplished before reaching the property line. Article 54 of the Township Ordinance also requires that all lights are cut-off fixtures. Requirements for mounting height, lumens, minimum color rendering index, and Kelvin ratings have been met. The proposed photometric plan meets the standards outlined in Article 54.

Engineering

Prein & Newhof, the Township's civil engineering agent, has reviewed the project site plan. The applicant has addressed all preliminary concerns and no further corrections to the plan are needed.

Fire Department

The Township Fire Marshal has reviewed the project site plan and is satisfied with the design.

Section 48.110: Permitted Use with Conditions for Nonprofit educational, noncommercial recreational and noncommercial business centers

Ms. Lubbert said overall, the application meets the requirements under 48.110, but indicated the following item needed to be addressed:

Any entrance to the facility must be developed with a traffic deceleration lane. The Zoning Board of Appeals shall have authority to grant a variance from this requirement where in its opinion the deceleration lane would not substantially improve the traffic safety because of the particular characteristics of the facility, the road upon which the entrance is located, or the volume of traffic upon the road. A permit will be needed for the driveway from the Road Commission of Kalamazoo County.

She noted the main campus of the Fetzer Institute and its entrance already exist. Staff, including the Fire and Engineering department, had no concerns with the newly proposed entrance to access the fitness and storage facility. A permit from the Road Commission of Kalamazoo County (RCKC) is required prior to building permit issuance. The RCKC reviewed and provided initial comments on the proposed plan and did not convey the need for a deceleration lane. **The Zoning Board of Appeals was asked to waive this requirement.**

Ms. Lubbert explained a secondary entrance to the primary campus was not proposed as part of this project. An existing gravel curb cut exists to the site under consideration. As a result of visibility concerns from both staff and the Road Commission of Kalamazoo County, the applicant agreed to close the existing curb cut and move the entrance to the proposed fitness and storage facility in relation to the Fetzer Institute's primary campus, an individual entrance to service this facility is reasonable. The Township Fire Marshal was satisfied with the site design.

RECOMMENDATION:

Staff recommended the Zoning Board of Appeals approve the proposed Site Plan for the John Fetzer Institute's 4,800 square foot fitness and storage facility located at 9132 W KL Avenue with the following conditions:

1. The Zoning Board of Appeals, per section 48.110 (D), waives the requirement for a deceleration lane to be installed to service the proposed fitness and storage facility.
2. Use of the exercise facility shall be for employee use only.
3. Parcels 05-20-255-020 and 05-20-255-010 shall be combined.

4. Clarification is provided to staff on the two areas of undesignated pavement within the proposed parking lot and an updated site plan is submitted accordingly prior to building permit issuance.
5. The color selection of the proposed building shall be submitted prior to building permit issuance.
6. A copy of the final site plan with the seal of the architect, engineer, surveyor or landscape architect for those sections of the plan set in which they are responsible shall be submitted prior to building permit issuance.
7. A permit from the Road Commission of Kalamazoo County (RCKC) shall be required for the driveway.

NOTE: These conditions were modified in the subsequent approval motion to reflect new information from the applicant and board discussion, including removal of conditions 4 and 5.

Chairperson Sikora thanked Ms. Lubbert for her review and asked whether the board had questions for her.

Mr. Gould asked what the speed limit is along the road where the deceleration lane would be waived if granted, and if that had been taken into consideration.

Ms. Lubbert indicated the speed limit there is 55 mph and that it had been a consideration. She added there are a number of other drives and connectors in that area that do not have deceleration lanes. Neither Fire nor Engineering staff nor the RCKC have concerns about eliminating the deceleration lane.

Attorney Porter added that deceleration lanes have fallen out of favor with road commissions and traffic engineers in recent years.

Chairperson Sikora asked whether the landscaping plan meets the Township's ordinance with regard to required native plants.

Ms. Lubbert said Ms. High reviewed the plan and believes it is in compliance, but if the Board has concerns about the plan a condition of approval could be added to review the landscaping plan again to be sure it is in compliance. Ms. High was no longer in attendance and so was unable to comment.

Ms. Maxwell asked if there would be a connection between the two buildings.

Ms. Lubbert indicated they are 700 feet apart; and no connection is proposed.

Ms. Maxwell wondered if Fetzer will provide residential retreats.

Hearing no further questions, Chairperson Sikora asked the applicant to speak.

Mr. Tim Britain, Operations with Fetzer Center, said that there is an existing pedestrian path between the two buildings and that that path would be improved for staff and residential guests who stay. He also noted the construction plan calls for vertical siding rather than horizontal siding as was listed in the enclosure. He said Fetzer would have no problem with the conditions suggested by staff and indicated the requirement for native species will be met. He indicated residential retreats will be provided.

Ms. Lubbert requested the path used for guests be added to the site plan as a condition for approval for general routing information.

Chairperson Sikora asked if the drive was still appropriate now that there was a pedestrian connection and whether the existing storage building onsite would remain.

Ms. Lubbert noted that as storage space has been incorporated into the proposed building and there is no vehicular connection between the two buildings, a drive was still appropriate.

Mr. Britain indicated the current storage building will remain. The new storage building will house heating/cooling and furniture storage. Yard equipment is housed in the storage building across the street.

Chairperson Sikora expressed his concern that extensive invasive/non-native plants, including garlic mustard on Fetzer property along KL Avenue will be disturbed during construction, allowing even more opportunistic spread. He did not expect Fetzer to eliminate their “no spray” area, but encouraged them to consider development of a more extensive landscaping plan to address invasive species.

Mr. Britain said they would consider that and will investigate removing the invasive species along KL Avenue.

The Chair thanked him and offered his assistance as a contact.

Hearing nothing further, Chairperson Sikora moved to public hearing. As there was no one present wishing to comment, he moved to board deliberations.

Ms. Smith asked what would happen with the existing gravel driveway.

Ms. Lubbert indicated it would be closed and permanently removed.

There being no further discussion, Chairperson Sikora made a motion to approve the Site Plan application from John Fetzer Institute for a proposed 4,800 square foot fitness and storage facility located at 9132 W KL Avenue, to include the following staff conditions revised per updated information from the applicant and board discussion:

1. The Zoning Board of Appeals, per section 48.110 (D), waives the requirement for a deceleration lane to be installed to service the proposed fitness and storage facility.
2. Use of the exercise facility shall be for the employees *and guests of the John Fetzer Institute only*.
3. Parcels 05-20-255-020 and 05-20-255-010 shall be combined.
4. A copy of the final site plan with the seal of the architect, engineer, surveyor or landscape architect for those sections of the plan set in which they are responsible shall be submitted prior to building permit issuance.
5. A permit from the Road Commission of Kalamazoo County (RCKC) shall be required for the driveway.
6. *The site plan shall be updated to include the pedestrian path connecting the John Fetzer Institute to the fitness and storage facility prior to building permit issuance.*
7. *The landscaping plan shall meet the ordinance requirements of the Township.*

Ms. Smith seconded the motion. The motion was approved unanimously by roll call vote.

Public Comment

There were no comments from the public.

Other Updates and Business

Chairperson Sikora told the Board Mr. Fred Antosz, after a number of years of service, has resigned from the Zoning Board Authority. He expressed appreciation for Mr. Antosz' dedication and work for the Township and wished him well in the future.

Ms. Lubbert said there will likely be a meeting next month.

Ms. Smith wondered why she had received a notice for the next Planning Commission meeting. Ms. Lubbert said notices sent for other Township meetings were for informational purposes. The Township has a email list they update with interested parties that want to be notified. She said she would be happy to add anyone who is interested to the list.

Adjournment

Chairperson Sikora noted the Zoning Board of Appeals had exhausted its Agenda. There being no other business, he adjourned the meeting at approximately 4:04 p.m.

Minutes prepared: February 24, 2021

Minutes approved: _____, 2021

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April 21, 2021



Mtg Date: April 27, 2021

To: Oshtemo Township Zoning Board of Appeals

From: Colten Hutson, Zoning Administrator

Applicant: Michael Callaghan, The Four Leaf Companies

Owner: Huntington Run Partners LLC

Property: Unaddressed, Parcel Number 05-35-255-010 & 6255 Cranbrook Lane, Parcel numbers 05-35-230-012, 05-35-280-011, and 05-35-280-019.

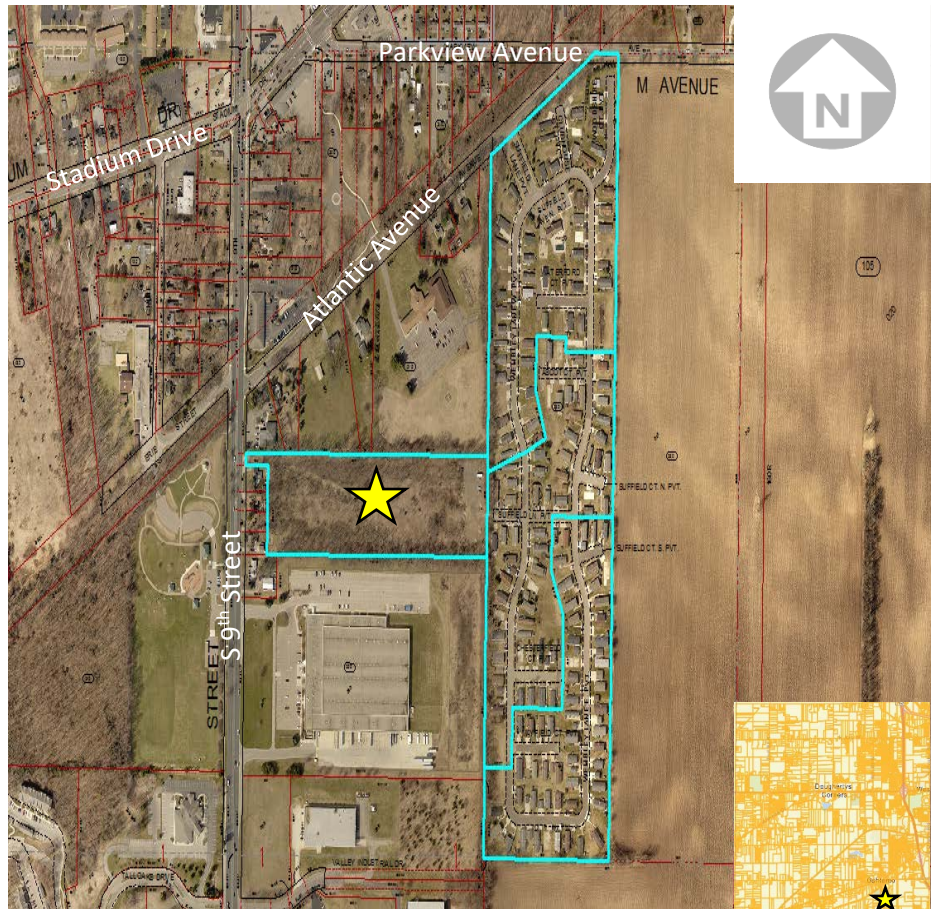
Zoning: R-5: Residence District

Request: Variance Request for Secondary Point of Ingress/Egress

Section(s): Section 49.150(C): Mobile Home Parks and Accessory Buildings and Uses

PROPOSAL:

The Four Leaf Companies, on behalf of Huntington Run Partners LLC, is requesting relief from Section 49.150(C) of the Zoning Ordinance which requires that all mobile home parks have a minimum of two access streets connecting the park to Oshtemo's street network. The request is to allow the Huntington Run Mobile Home Park and the proposed expansion area to have one point of ingress/egress. An emergency access drive is proposed to replace the required second access street. If approved, the parcel encompassing the expansion area would be required to be combined with the parcel(s) currently comprising the existing portion of the mobile home park. Huntington Run Mobile Home Park is shown in light blue in the image to the right, with the proposed expansion area marked with a yellow star.



OVERVIEW:

Huntington Run Mobile Home Park spans over 38 acres and has 202 mobile home units. The applicant is proposing to construct 31 new units by expanding the park onto the neighboring 8-acre parcel. If the expansion is approved, the mobile home park will have 233 mobile home units on an area of approximately 46 acres. The existing portion of the mobile home park is located at 6255 Cranbrook Lane along Atlantic Avenue, with the expansion area adjacent to its immediate west. The expansion area has approximately 40.5' of road frontage adjacent to S 9th Street.

Section 49.150(C) of the Zoning Ordinance requires that all mobile home parks have a minimum of two access streets connecting said park to public roadway. Currently, access to the park is limited to one entrance on Atlantic Avenue. By developing the neighboring parcel, the mobile home park would gain frontage to S 9th Street. The applicant is proposing to install a 20' wide gated emergency access drive to S 9th Street. The additional drive into the expansion area would facilitate as an access point for emergency vehicles only. Although the applicant is proposing to maintain its existing access on Atlantic Avenue in addition to the proposed emergency access adjacent to S 9th Street, a 20' wide access drive does not meet code requirements. The purpose of Section 49.150(C) is for there to be at least two streets providing full ingress/egress for a mobile home park site. There are many accepted advantages for a neighborhood to have more than one full access point to a site, including:

- Improved response time and accessibility for emergency vehicles.
- Shorter trips whether by car, bike, or foot.
- More efficient extension of public utilities and infrastructure.
- Reduced traffic congestion on streets abutting and streets within the neighborhood.
- Decreased cost in providing public services such as waste collection, school bus routing, snow removal, and mail service.
- Provision for alternate evacuation routes in the event of an emergency.

Section 49.150(F) of the Zoning Ordinance requires that when an interior drive serves as a connecting link between different land ownerships or different public roads, the interior drive is to be constructed in accordance with the public road specifications of the Kalamazoo County Road Commission and be located upon a reserved right-of-way of not less than 66' in width. Due to only having a frontage width of 40.5', a designated road right-of-way of 66' in width would not be feasible at this location. Section 49.150(F) also states that the driving surfaces for all interior two-way drives would need to be a minimum of 21' wide. The proposal only allows for one-way traffic and is limited to emergency responders.

The area in question is zoned R-5: Residence District. Mobile home parks are listed as special uses within this district. Site plans for special exception uses of this nature generally go through a formal review process that begins at an administrative level and then ultimately goes before the Township Board following a recommendation from the Planning Commission. However, as the proposal is in direct conflict with Section 149.50(C) of the Zoning Ordinance, staff could not move the item forward to the Planning Commission. However, Section 49.150(C) also states that the Zoning Board of Appeals has the authority to grant a variance from the requirement for additional access streets where, in the opinion of said Board, the additional access or accesses would not improve traffic safety because of the peculiar characteristics of the proposed development. The applicant has requested that the Zoning Board of Appeals consider a variance for their proposal from Section 49.150(C): Mobile Home Parks and Accessory Buildings and Uses. If the requested variance is approved, a complete site plan will still be required to go through the formal planning process and be reviewed by the Planning Commission and Township Board for site plan and special use approval.

SECTION 49.150(C): Mobile Home Parks and Accessory Buildings and Uses

The applicant has provided the following rationale for this variance request from Section 49.150(C):

- Atlantic Avenue is a public street that runs NE/SW connecting both of the major roads running E/W-Parkview Avenue and N/S-South 9th Street. Atlantic Avenue is a connector road to these two streets and does not continue NE past Parkview Avenue and there is not a purpose to continue west past S. 9th Street. As a connector road, the need for a second access point is diminished because it serves the purpose of the ordinance.
- The existing access point is not a small entrance. The Cranbrook Lane entrance off Atlantic Avenue is a boulevard entrance with 24' wide ingress lane, 24' wide island, and 24' wide egress lane. Two-way traffic could travel on the ingress or egress lanes alone, if ever needed. The Oshtemo Zoning Ordinance for a private two-way road width is 24'. There is the ability to stack 20 cars turning left in the egress lane without impeding right turning traffic. We have never seen this many cars stacked to turn left.
- The proposed Huntington Run Expansion is a plan that was approved by the Oshtemo Township without the second access in 2005.

STANDARDS OF REVIEW - STAFF ANALYSIS

The Michigan courts have applied the following principles for a dimensional variance, which collectively amount to demonstrating a practical difficulty, as follows:

- Special or unique physical conditions and circumstances exist which are peculiar to the property involved and which are not generally applicable to other properties in the same district.
- Strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use; or would render conformity to the ordinance unnecessarily burdensome.
- The variance is the minimum necessary to provide substantial justice to the landowner and neighbors.
- The problem is not self-created.
- Public safety and welfare.

Huntington Run Mobile Home Park, formerly known as Pheasant Ridge Mobile Home Park, was originally approved in 1991 by the Township for 202 mobile home units. In relationship with such approval, a variance was granted to allow Huntington Run Mobile Home Park to function with only one point of ingress/egress rather than the two points of ingress/egress required per Zoning Ordinance at the time. More details on the 1991 approval can be found under item 1 in the *Minimum Necessary for Substantial Justice* standard of review.

Approximately 30 years to-date, said mobile home park is requesting to expand such land use. By expanding the scope from what the variance was previously approved for, the original variance is no longer applicable as the granted variance did not incorporate the subject 8-acre parcel. The original variance was only approved for the existing portion of the mobile home park as the current expansion area was purchased at a later date, being rezoned from I-R: Industrial District to R-5: Residence District in 2002.

Governmental entities have a right to amend ordinances and implement new ordinances to protect public members and enhance their community. Even though the ordinance language outlined in Section 49.150(C) has been in place since Huntington Run's original variance approval in 1991, the desire to

expand the use has created new challenges. Due to the applicant requesting to enlarge or increase such mobile home park to occupy a greater area of land, all current provisions within the Zoning Ordinance shall apply.

Staff has analyzed the request against the principles for a dimensional variance and offer the following information to the Zoning Board of Appeals.

STANDARDS OF APPROVAL OF A NONUSE VARIANCE (PRACTICAL DIFFICULTY):

Standard: Unique Physical Circumstances
Are there unique physical limitations or conditions which prevent compliance?

Comment: The 8-acre expansion area is located to the west of the existing portion of the mobile home park. Residential property surrounds the vacant parcel to its north, east, and west, with industrial property being situated to the south. The developed portion of the mobile home park possesses roughly 750' of road frontage adjacent to Atlantic Avenue and Parkview Avenue, whereas the expansion area itself has approximately 40.5' of road frontage adjacent to S 9th Street. Although the developed area of the mobile home park has sufficient road frontage to the north to install a secondary point of ingress/egress, approving such would defeat the purpose of requiring a secondary access drive due to its proximity to the mobile home park's existing access drive. The approximate 40.5' of road frontage on S 9th Street is not wide enough to facilitate a 66' wide right-of-way width required per Section 49.150(F). Without acquiring easements or additional land from neighboring properties to gain an alternative access point to the parcel, creating a secondary point of ingress/egress is not likely. It should be noted that even if the mobile home park acquired sufficient road frontage on S 9th Street through an easement or additional land that the Road Commission of Kalamazoo County has expressed to Township staff that they would not grant said access due to the number of existing curb cuts and high traffic volumes on S 9th Street.

Standard: Conformance Unnecessarily Burdensome
Are reasonable options for compliance available?
Does reasonable use of the property exist with denial of the variance?

Comment: Many mobile home parks outside and within Oshtemo Township possess more than one access street connecting said park to a public roadway. Requiring a secondary full access point is not unreasonable given that mobile home parks are one of the most intense land uses within Oshtemo Township. For perspective, subdivisions and site condominiums with an excess of 50 dwelling units require a secondary ingress/egress be installed. The expansion to Huntington Run Mobile Home Park would increase the number of dwelling units to 233 in total. Acquisition of easements or additional land could be explored further to provide a full secondary access point to the site. Requiring a secondary point of ingress/egress is not unreasonable, as language requiring such has been in the Zoning Ordinance for 30+ years.

It should also be noted that other permitted uses, permitted uses with conditions, and special uses within the R-5: Residence District would still be able to develop on this parcel if the reviewing body were to deny the variance request. Section 51.30(A) of the Zoning

Ordinance outlines that a commercial driveway that facilitates two-way traffic shall have a maximum throat width of 36'. With the parcel having approximately 40.5' of frontage along S 9th Street, accommodating a width less than 40.5' would suffice.

*Standard: Minimum Necessary for Substantial Justice
Applied to both applicant as well as to other property owners in district.
Review past decisions of the Zoning Board of Appeals (ZBA) for consistency (precedence).*

Comment: In researching past ZBA decisions regarding reducing the number of access streets for mobile home parks, Planning Department staff identified two comparable cases. These findings are described below.

1. *Pheasant Ridge Mobile Home Park (aka Huntington Run Manufactured Home Community), 6255 Cranbrook Lane, 01/21/1991*: A variance was granted by the Zoning Board of Appeals on January 21, 1991 to allow Pheasant Ridge Mobile Home Park to have one point of ingress/egress rather than the two points of ingress/egress required per Zoning Ordinance. The existing portion of the mobile home park has approximately 574' of road frontage adjacent to Atlantic Avenue and 176' of road frontage adjacent to Parkview Avenue (750' total). Excerpts of the minutes from said public hearing indicate that two points of ingress/egress were initially proposed for the development, one being located on Atlantic Avenue and the second being located along Parkview Avenue.

During the public comment stage of the meeting, a citizen expressed to the Zoning Board of Appeals that they had several safety concerns regarding the Atlantic Avenue and Parkview Avenue intersection, noting that it was already dangerous as it is. The citizen also expressed that the site plans for any proposed development at this location should incorporate having the intersection reconfigured in such a way to accommodate increased traffic. Minutes from the meeting demonstrate Zoning Board of Appeals members' concerns regarding the safety issues of the Atlantic Avenue and Parkview Avenue intersection as well, noting that eliminating the Parkview Avenue access point would help alleviate many potential traffic problems posed by the existence of the Parkview Access.

Staff at the time who presented the report indicated that the Fire Department did not have any opposition to the elimination of the proposed secondary access point for the site. When the applicant offered to install a gated emergency access drive adjacent to Parkview Avenue rather than a normal point of ingress/egress, the Fire Department declined the offer, having no interest in a gated emergency access drive at this location. It should be noted that when the variance was granted in 1991 an Oshtemo Fire Station was located on the corner of Parkview Avenue and Stadium Drive, which is where the Oshtemo Community Center is now located. That said Fire Station has since been removed; the closest Fire Station is located on S 6th Street. The proximity of the Fire Station to the mobile home park in 1991 most likely influenced the Oshtemo Fire Department's reasoning for not requiring a secondary access point or emergency drive. The secondary entrance not being in accordance with the

Township's adopted Access Management Plan influenced board members' decision as well.

Although a variance was granted to reduce the number of access streets from two to one, it should be noted that one of the major reasons for granting approval was that the Zoning Board of Appeals recommended that the secondary access point on Parkview Avenue be eliminated entirely. This is mainly attributed to the safety issues associated with the site and as to where the secondary access point would be located. The shortness in distance between both access points in addition to their proximity to the busy intersection of Parkview Avenue and Atlantic Avenue heavily influenced the Zoning Board of Appeals' decision to grant the variance. The Zoning Board of Appeals strongly considered the safety aspects of the proposal and chose to approve the variance.

2. Wildwood Mobile Home Park (aka Woodland Estates), 4797 S 4th Street, 02/04/1991: A variance was granted by the Zoning Board of Appeals on February 04, 1991 to allow Wildwood Mobile Home Park to have one point of ingress/egress rather than the two points of ingress/egress required per Zoning Ordinance. Excerpts of the minutes from said public hearing indicate that two access points existed when the property originally developed in the 1960s, one adjacent to S 4th Street and the second adjacent to S 5th Street. Although the mobile home park had two access points, the access point on S 5th Street was only a gated access drive. The applicant requested a variance to formally close the once approved S 5th Street access point in its entirety.

Minutes from the public hearing identified the following reasons to support the elimination of the S 5th Street access point: 1) the Township's Access Management Plan indicated that only mobile home parks with over 600 units warrant consideration for a secondary access drive, 2) low traffic volumes recorded for 4th Street by the Road Commission of Kalamazoo County, 3) the Fire Department did not oppose the elimination of the secondary access drive, 4) Pheasant Ridge Mobile Home Park on January 21, 1991 was granted a variance to reduce the number of access drives from two to one, and 5) a second access point would not improve traffic and safety. It should be noted that some Board Members were worried whether one access point would be sufficient for a mobile home park of this size. One Board Member conveyed that since the Fire Department was not in opposition to closing the secondary access point, and given the reasons mentioned earlier, that they should grant the variance.

The Zoning Board of Appeals decided to grant the variance request to eliminate the established secondary access point adjacent to S 5th Street. The existing portion of the park had approximately 200 units at the time of the variance request. However, it should be noted that when this project expanded to the north in 1996 to construct an additional 116 mobile home units, a second point of ingress/egress was installed.

Standard: Self-Created Hardship
Are the conditions or circumstances which resulted in the variance request created by actions of the applicant?

Comment: It is the applicant's desire to construct an additional 31 mobile home units that has triggered this variance request. When Huntington Run Mobile Home Park was originally constructed in the early 1990s a variance was granted that allowed for one point of ingress/egress rather than the two points of ingress/egress required by the code. As previously noted in this report, an expansion of this special use was approved 16 years ago on March 24, 2005. At that time, it was determined that a variance was not required. Per Section 65.50: Duration of Approval, special use permits terminate if such special use did not commence within one year from its date of approval. As the previous owner never capitalized on the opportunity to proceed with the development and an extension was not requested, the 2005 approval is no longer valid. This submission is considered a new project and this request needs to be considered under current policies and best practices. The previous approval of the project cannot be considered. Expanding the mobile home park is not required nor necessary. The request is a self-created hardship.

Standard: *Public Safety and Welfare*

Will the variance request negatively impact the health, safety, and welfare of others?

Comment: S 9th Street is a five-lane road which serves as an arterial traveled way for commuters. This public roadway does experience high volumes of traffic with its proximity to Interstate-94 and Kalamazoo Valley Community College. Adding a full access point to facilitate two-way traffic at this location has raised concerns for the Road Commission of Kalamazoo County (RCKC), noting that S 9th Street is a heavily used traveled way for motorists and that the proposed location is too close to Atlantic Avenue. However, if the variance is denied and a different allowable use within the R-5: Residence District is proposed at the site, RCKC would likely have to grant them access since it would be for a commercial drive where a 66' right-of-way is not warranted.

Mobile home parks are one of the most intense uses the Township possesses in terms of density. With the expansion, the site would cover over 46 acres in area and has approximately 233 dwelling units in the community. Having more than one normal access point in which allows for two-way traffic provides many benefits to the future residents of the mobile home park, outlined in the Overview section of this report. From a life and safety perspective it should be noted that the Oshtemo Fire Department highly prefers regularly used entrances and does not favor limited access roads.

However, the National Fire Protection Association's Fire Code (NFPA-1 as adopted by Oshtemo on 3/9/2021) does allow for a gated limited access road to address the Fire Department's needed access to the site. If a variance is indeed granted, Huntington Run would be required to install an emergency access drive adjacent to S 9th Street. Although not preferred by the Oshtemo Fire Department, they would need to have 24/7 access to the control gate. The limited access drive would also need to meet all safety standards and specifications imposed by the Oshtemo Fire Department, including the installation of a Knox box with a key and padlock, 20' in width for the interior drive must be maintained with no obstructions, designed for one-way travel, and road surface is appropriately designed to facilitate width and weight of fire engines. A letter from the Fire department regarding this item is attached to this report.

The Access Management Plan adopted by Oshtemo Township does give mention for the number of driveways a land use should have. Therein, the Access Management Plan identifies that mobile home parks with over 600 units warrant consideration for additional access points. With the mobile home park proposing 233 mobile home units, one access point technically follows such guidelines. Having said that, the specific requirements for special uses for mobile home parks still requires that every mobile home park shall have two access streets connecting said park to a public roadway and a variance should only be considered if in the opinion of said Board, the additional access or accesses would not improve traffic safety because of the peculiar characteristics of the proposed development.

Oshtemo Township's engineering consultant, Prein and Newhof, did evaluate the existing and future development of Huntington Run and the driveway connected to Atlantic Avenue from a traffic engineering standpoint. Data from traffic counts collected by the Kalamazoo Area Transportation Study (KATS) from 2017 found there to be an Average Daily Traffic (AADT) of 1,812 vehicles. This indicates that the traffic on Atlantic Avenue is moderately low. Using Land Use Code 240 'Mobile Home Park' for the calculation from the ITE trip generation book for the future addition to the park and comparing it to existing conditions, Prein and Newhof believes that the additional traffic generated by the proposed development expansion alone is not enough to trigger the need for a secondary full point of ingress/egress.

POSSIBLE ACTIONS

The Zoning Board of Appeals may take the following possible actions:

- Motion to approve as requested (conditions may be attached)
- Motion to approve with an alternate variance relief (conditions may be attached)
- Motion to deny

The motion should include the findings of fact relevant to the requested variance. Based on the staff analysis, the following findings of fact are presented:

- Support of variance approval
 - The unique physical characteristics of the property's frontage creates challenges and limits the opportunity of developing a mobile home park at the site. A full access point at this property's frontage on S 9th Street is not feasible.
 - There are two previous cases in which mobile home parks were granted a variance to allow for one point of ingress/egress rather than two.
 - Per the Access Management Plan, mobile home parks with over 600 units warrant consideration for additional full access points. Huntington Run Mobile Home Park, including the expansion, would have 233 units. The variance request, if approved, would not be creating a life and safety issue.

- Support of variance denial
 - The variance request is a hardship that is self-created, as the applicant is not required to expand the development.
 - Other reasonable options for compliance are available. Other uses permitted in the R-5: Residence District could build here without a variance. In addition, easements or land acquisition from neighboring properties could be explored further.

Possible motions for the Zoning Board of Appeals to consider include:

1. Variance Approval.

The Zoning Board of Appeals approves the variance request due to unique physical circumstances of the property in question, minimum necessary for substantial justice, and approval will not impact the health, safety, and welfare of others.

2. Variance Denial

The Zoning Board of Appeals denies the variance request as the need for the variance is a self-created hardship and conformance with code requirements is not unnecessarily burdensome.

Attachments: Application, Letter of Intent, Site Plan, Oshtemo Fire Department Recommendation Letter, and Excerpts from Meeting Minutes and Staff Reports from Previous Cases for Substantial Justice.

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

PLEASE PRINT

PROJECT NAME & ADDRESS HUNTINGTON RUN EXPANSION

PLANNING & ZONING APPLICATION

Applicant Name : MICHAEL CALLAGHAN

Company THE FOUR LEAF COMPANIES

Address 600 W. 22ND STREET
SUITE 101

OAK BROOK, IL 60523

E-mail MCALLAGHAN@FOURLEAFPROP.COM

Telephone (773) 230-5611 Fax _____

Interest in Property OWNER

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name HUNTINGTON RUN PARTNERS, LLC
THE FOUR LEAF COMPANIES

Address 600 W. 22ND STREET, SUITE 101
OAK BROOK, IL 60523

Email MCALLAGHAN@FOURLEAFPROP.COM

Phone & Fax (773) 230-5611

Fee Amount _____

Escrow Amount _____

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

- | | |
|---|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input type="checkbox"/> Rezoning-1091 |
| <input type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082 |
| <input checked="" 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):

SECTION 49.150(C)
STATES THE ZONING BOARD OF APPEALS HAS THE ABILITY TO GRANT A
VARIANCE FROM THE REQUIREMENT OF THE ADDITIONAL ACCESS
BECAUSE IT WOULD NOT IMPROVE TRAFFIC SAFETY BECAUSE OF
REGULAR CHARACTERISTICS OF THE PROPOSED DEVELOPMENT.

PLEASE SEE THE ATTACHED NARRATIVE FOR MORE DETAILS.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

SEE ATTACHED.

PARCEL NUMBER: 3905- 35-255-010

ADDRESS OF PROPERTY: S. 9TH STREET, KALAMAZOO, MI 49009

PRESENT USE OF THE PROPERTY: VACANT

PRESENT ZONING R5-VILLAGE FRINGE **SIZE OF PROPERTY** 8.9 ACRES

**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)

3/8/21
Date


Applicant's Signature

3/8/21
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS

Legal Description:

Commencing at the North 1/4 post of Section 35, T. 2 S., R. 12 W.; thence along the North and South 1/4 line of said Section 35 South 00°-32'-09" West a distance of 1351.50 feet to a point called for in Liber 1057 Page 1368, Kalamazoo County Records; thence North 89°-57'-00" East a distance of 50.00 feet to the Easterly line of 9th Street and the place of beginning of this description; thence along said Easterly line of 9th Street, North 00°-32'-09" East a distance of 40.49 feet to the North 1/8 line of said Section 35; thence along said North 1/8 line, North 89°-57'-00" East a distance of 1267.21 feet to the East 1/8 line of said Section 35; thence along said East 1/8 line, South 00°-31'-12" West a distance of 328.74 feet to the South line of the North 1/2 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 35; thence along said South line, South 89°-59'-34" West a distance of 1152.30 feet to a point 165 feet Easterly of said North and South 1/4 line; thence parallel with said North and South 1/4 line, North 00°-32'-09" East a distance of 287.39 feet; thence South 89°-57'-00" West a distance of 115.00 feet to said Easterly line of 9th Street and the place of beginning of this description.

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Zoning Variance for Section 49.150(C)

- C. Mobile home parks shall have no less than 200 feet of frontage on a dedicated public road. Every mobile home park must have a minimum of two access streets connecting said park to a public highway or highways unless the Zoning Board of Appeals grants a variance from such requirements where, in the opinion of said Board, the additional access or accesses would not improve traffic safety because of the peculiar characteristics of the proposed development.

The Variance Request is to reduce the number of access streets to one existing boulevard entrance because additional access points would not improve traffic safety because of the peculiar characteristics of the proposed development.

Background

The Huntington Run Expansion received Oshtemo Township approval in March 2005. The approval has subsequently expired. The ordinance has also been amended since 2005 requiring two access points as noted in Section 49.150(C). Four Leaf Companies has purchased the property and would like to obtain Township approval for the expansion as it was designed and approved in 2005. A submittal was made in December 2020 to the Township. Staff review noted this zoning ordinance requirement in their review. Subsequently, Four Leaf has submitted an application to the Road Commission of Kalamazoo County (RCKC) to review options for access drives and what would be safe access points. Five access points were noted and the following action and results are noted.

S. 9th Street

A fire access point is proposed in emergency situations. RCKC is not at all in favor of full access onto S. 9th Street. Full access would involve purchasing additional properties. The five lanes of traffic is not a safer access point than the Atlantic Avenue and S. 9th Street intersection that is only 250' to the north. The RCKC would like to have fewer access points on S. 9th Street.

Parkview Avenue and Woodshire Court

Woodshire Court is located within the existing phase of Huntington Run at the NE corner of the property. Physically a connection could be made to Parkview Avenue. The RCKC in our zoom meeting noted that an access point here is too close to the public road intersection of Parkview Avenue and Atlantic Avenue. The Township staff's opinion is that this access point does not meet the ordinance requirement for a second access because it is too near the primary access point on Atlantic Avenue at Cranbrook Lane.

Voyage Church and Atlantic Avenue

An access drive at this point would require an easement from the church. The property is controlled by the denomination and not the local church. The denomination has larger issues and is not willing to pick up the matter. See the enclosed email.

Other Access Points on Atlantic Avenue and S. 9th Street

Prospective Land Acquisition letters were sent to owners of properties along Atlantic Avenue:

6463 Atlantic Avenue, Helen S Davilis Trust

3667 S 9th Street, Casey Douglas Moore

8385 Atlantic Avenue, Daniel E. Pylar

3351 and 3659 S 9th Street, Pamela Sue Wilkinson, Carl and Joyce Besteman

6293 and 6307 Atlantic Avenue, Wales Brunhilde/Wales Isaacs

No one was interested in selling the properties.

Valley Industrial Drive

Access at this point was discussed by the Township staff. This would require owners of properties at 6450 and 6389 Valley Industrial Drive to provide an easement and resident's homes on 6222 and 6216 E. Cranbrook Lane would need to be removed. Access at this point would direct residential traffic through an industrial zone and directly to S. 9th Street where the RCKC does not want to direct traffic due to safety issues.

Peculiar Characteristics of the Proposed Development

- ★ Atlantic Avenue is a public street that runs NE/SW connecting both of the major roads running E/W-Parkview Avenue and N/S-South 9th Street. Atlantic Avenue is a connector road to these two streets and does not continue NE past Parkview Avenue and there is not a purpose to continue west past S. 9th Street. As a connector road, the need for a second access point is diminished because it serves the purpose of the ordinance.
- ★ The existing access point is not a small entrance. The Cranbrook Lane entrance off Atlantic Avenue is a boulevard entrance with 24' wide ingress lane, 24' wide island, and 24' wide egress lane. Two-way traffic could travel on the ingress or egress lanes alone, if ever needed. The Oshtemo Zoning Ordinance for a private two-way road width is 24'. There is the ability to stack 20 cars turning left in the egress lane without impeding right turning traffic. We have never seen this many cars stacked to turn left.
- ★ The proposed Huntington Run Expansion is a plan that was approved by the Oshtemo Township without the second access in 2005.

Exxel Engineering respectfully would address the *Zoning Board of Appeals - Variance Request Review Form* with the following answers:

ZONING BOARD OF APPEALS - VARIANCE REQUEST REVIEW FORM

The Board is required by law to consider the following, and only the following, criteria when deciding on an application for a nonuse variance. When making a motion on a variance, each of the following criteria must be clearly addressed in order to document how the Board's decision

was made. Please fill in the lines below and verbally state how these criteria are, or are not, met.

Case: Huntington Run

Date: March 4, 2021

Criteria 1: Conformance Unnecessarily Burdensome

Are reasonable options for compliance available? Please note that economic hardship cannot be considered.

No:

Efforts have been made to obtain access from within property that is owned and controlled by the client and efforts have been made to obtain easements through neighboring parcels. An application has been made with the Kalamazoo County Road Commission and a meeting was held between the road commission, Township and Exxel Engineering representing the owner. We prioritized access locations, visited the site and contacted property owners. All access locations are not workable. Access to S 9th Street is unsafe and not desired by the road commission. No neighbors are willing to provide easements. The possible connection to the north at Parkview Avenue and Woodshire Court is not far enough apart to meet the ordinance intent according to Township staff and is not a safe connection according to the road commission.

Criteria 2: Substantial Justice

Is the decision consistent with past decisions of the ZBA (precedence)?

Yes:

The addition was previously approved by the Township prior to this ordinance without a second access point, except for a second fire lane off S 9th Street. I do not believe that there is past history for a variance.

Criteria 3: Unique Physical Circumstances

Are there unique physical limitations or conditions which prevent compliance?

Yes:

The property has frontage on S 9th Street and 9th Street is a major five lane road. An access point here would be unsafe based on the position according to the road commission. The intersection of Parkview Avenue and Atlantic Avenue is for the most part in the center of the property's north frontage. The connection to Parkview Avenue is too close to the left turn for westbound traffic. If this intersection were not there, then this access point would be possible. Interestingly, Atlantic Avenue provides access to both the north-south main road of 9th Street and the east-west main road of Parkside Avenue. The Parkview and Atlantic intersection prevents the ability to provide the second access, but the angled Atlantic Avenue provides the intended access to major roads in all four directions.

Criteria 4: Self-Created Hardship

Are the conditions or circumstances which resulted in the variance request created by actions of the applicant?

No:

The proposed phase of the MHP was approved by the Township prior to the "second access" part of the ordinance being written or approved. The Township approval of the proposed phase expired, so approval needs to be obtained again. The owner did not request the ordinance revision and clearly was not the cause of the variance request.

Criteria 5: Public Safety and Welfare

If granted, will the spirit of the ordinance be observed, and public safety and welfare secured?

Yes:

Health and safety is the main concern of all involved. Accidents on unsafe drives are not acceptable. The existing entry to the development is a wide boulevard. The ingress lane is 24' wide, the island is 24' wide, and the egress lane is 24' wide. Two-way traffic is able to travel on a 24' wide road. The Oshtemo ordinance for private streets (49.200 D.2.) states, "All private two-way interior streets shall have a paved driving surface with a minimum width of 24 feet". The ingress 24' wide entrance and the egress 24' wide exit could both be used as two-way traffic in an emergency situation. The Atlantic Avenue boulevard entrance is located on the safest road and gives access to both of the main roads.

Based on the review of the criteria listed above the Zoning Board of Appeals rules to Approve / Deny the variance request.

HUNTINGTON RUN

EXPANSION

MFG. HOUSING COMMUNITY CONSTRUCTION PLANS

6255 CRANBROOK LANE, OSHTEMO TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN 49009

DEVELOPER:

FOUR LEAF COMPANIES
(773) 230-5611
600 W. 22ND STREET, SUITE 101
OAK BROOK, IL 60523

ENGINEER:

EXXEL ENGINEERING, INC
(616) 531-3660
5252 CLYDE PARK AVE SW
WYOMING, MI 49509

2005 CONTACTS:

DEVELOPER:
HUNTINGTON RUN L.L.C.
(269) 381-5566
555 WEST CROSSTOWN PARKWAY - STE 202
KALAMAZOO, MI 49008

ENGINEER:
RIPSTRA & SCHEPPELMAN INC.
(517) 789-9898
2535 SPRING ARBOR ROAD, JACKSON, MI 49203

LANDSCAPE ARCHITECT:
DONALD C. WESTPHAL ASSOCIATES, L.L.C.
LANDSCAPE ARCHITECTURE AND SITE PLANNING
(248) 651-5518
71 N. LIVERNOIS, SUITE A, ROCHESTER HILLS, MI 48307

SHEET INDEX:

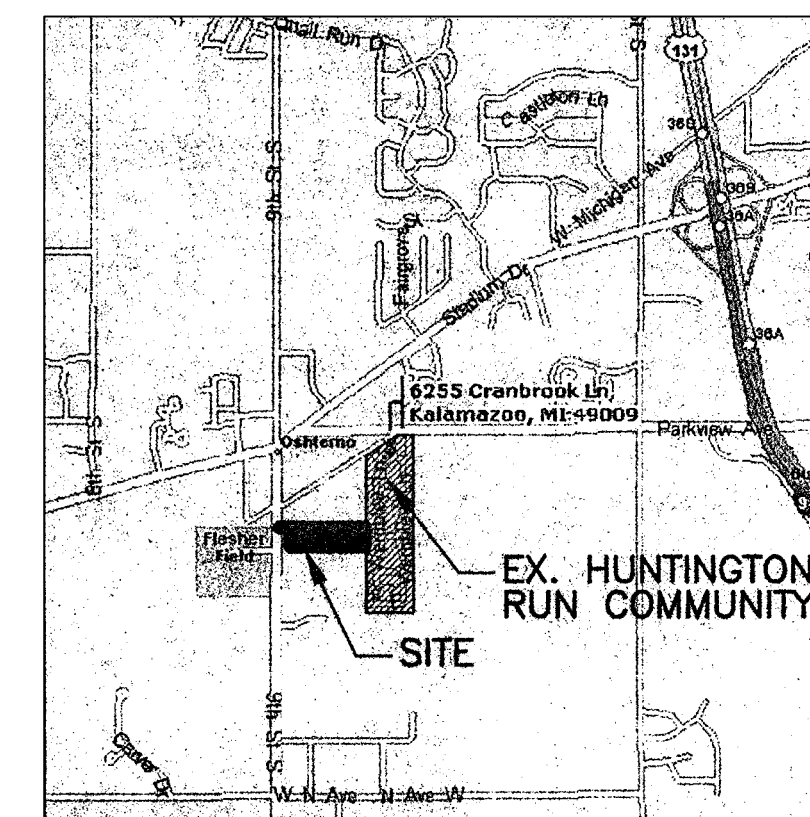
- 1 OF 8 COVER SHEET
- 2 OF 8 OVERALL SITE PLAN
- 3 OF 8 GRADING, PAVING, & TOPOGRAPHY
- 4 OF 8 STORM SEWER PLAN
- 5 OF 8 SANITARY SEWER & WATER MAIN
PLAN & PROFILES
- 6 OF 8 UTILITIES DETAILS SHEET
- 7 OF 8 STANDARD DETAILS & NOTES
- 8 OF 8 PROPOSED 8" WATER SERVICE

LEGAL DESCRIPTION:

Commencing at the North 1/4 post of Section 35, T. 2 S., R. 12 W.; thence along the North and South 1/4 line of said Section 35 South 00°-32'-09" West a distance of 1351.50 feet to a point called for in Liber 1057 Page 1368, Kalamazoo County Records; thence North 89°-57'-00" East a distance of 50.00 feet to the Easterly line of 9th Street and the place of beginning of this description; thence along said Easterly line of 9th Street, North 00°-32'-09" East a distance of 40.49 feet to the North 1/8 line of said Section 35; thence along said North 1/8 line, North 89°-57'-00" East a distance of 1267.21 feet to the East 1/8 line of said Section 35; thence along said East 1/8 line, South 00°-31'-12" West a distance of 328.74 feet to the South line of the North 1/2 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 35; thence along said South line, South 89°-59'-34" West a distance of 1152.30 feet to a point 165 feet Easterly of said North and South 1/4 line; thence parallel with said North and South 1/4 line, North 00°-32'-09" East a distance of 287.39 feet; thence South 89°-57'-00" West a distance of 115.00 feet to said Easterly line of 9th Street and the place of beginning of this description.

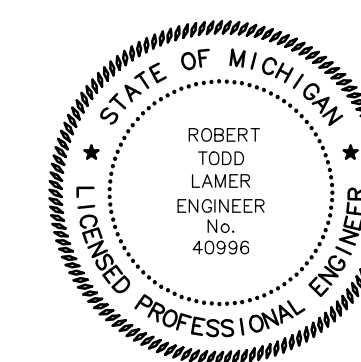
LEGEND

- PROP. SANITARY SEWER
- PROP. SANITARY SEWER LEAD
- PROP. WATER MAIN
- PROP. WATER LEAD
- PROP. STORM SEWER
- CATCH BASIN
- MANHOLE
- FIRE HYDRANT
- EX. CONTOUR LINE
- PROP. CONTOUR LINE
- EX. SPOT ELEVATION
- PROP. SPOT ELEVATION
- VALVE & BOX
- STREET LIGHT
- STREET & STOP SIGN
- EX. VEGETATION



LOCATION MAP

NOT TO SCALE



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COVER SHEET

HUNTINGTON RUN MHP

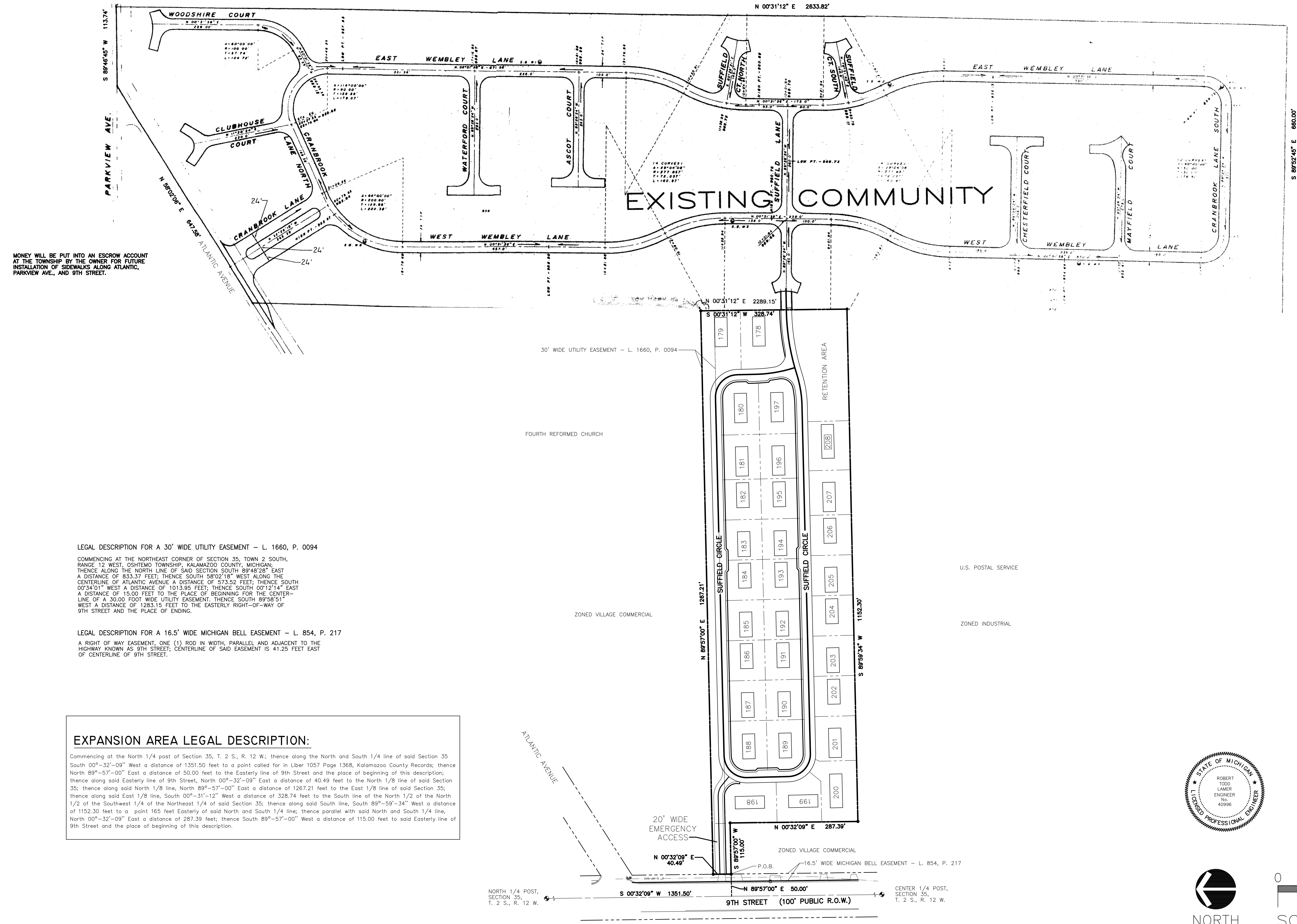
FOR: FOUR LEAF COMPANIES
ATTN: MICHAEL CALLAGHAN
600 W. 22ND STREET, SUITE 101
OAK BROOK, IL 60523

PART OF THE NW 1/4, SECTION 35, T2S, R12W, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN

DATE		REVISION		BY		FILE NO.:	
						201923E	
DRAWN BY:		APPROVED BY:		PROJ. ENG.:		SHEET	
JUB		RTL		RTL		1 of 8	
PROJ. SURV.:		DATE:		11/09/2020			



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MONEY WILL BE PUT INTO AN ESCROW ACCOUNT AT THE TOWNSHIP BY THE OWNER FOR FUTURE INSTALLATION OF SIDEWALKS ALONG ATLANTIC, PARKVIEW AVE., AND 9TH STREET.

LEGAL DESCRIPTION FOR A 30' WIDE UTILITY EASEMENT - L. 1660, P. 0094

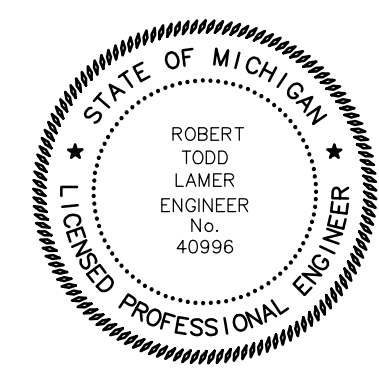
COMMENCING AT THE NORTHEAST CORNER OF SECTION 35, TOWN 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN; THENCE ALONG THE NORTH LINE OF SAID SECTION SOUTH 89°48'28" EAST A DISTANCE OF 833.37 FEET; THENCE SOUTH 58°02'18" WEST ALONG THE CENTERLINE OF ATLANTIC AVENUE A DISTANCE OF 573.52 FEET; THENCE SOUTH 00°34'01" WEST A DISTANCE OF 1013.95 FEET; THENCE SOUTH 00°12'14" EAST A DISTANCE OF 15.00 FEET TO THE PLACE OF BEGINNING FOR THE CENTERLINE OF A 30.00 FOOT WIDE UTILITY EASEMENT. THENCE SOUTH 89°58'51" WEST A DISTANCE OF 1283.15 FEET TO THE EASTERLY RIGHT-OF-WAY OF 9TH STREET AND THE PLACE OF ENDING.

LEGAL DESCRIPTION FOR A 16.5' WIDE MICHIGAN BELL EASEMENT - L. 854, P. 217

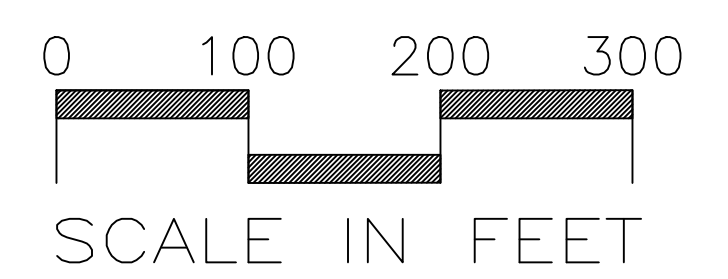
A RIGHT OF WAY EASEMENT, ONE (1) ROD IN WIDTH, PARALLEL AND ADJACENT TO THE HIGHWAY KNOWN AS 9TH STREET; CENTERLINE OF SAID EASEMENT IS 41.25 FEET EAST OF CENTERLINE OF 9TH STREET.

EXPANSION AREA LEGAL DESCRIPTION:

Commencing at the North 1/4 post of Section 35, T. 2 S., R. 12 W.; thence along the North and South 1/4 line of said Section 35 South 00°-32'-09" West a distance of 1351.50 feet to a point called for in Liber 1057 Page 1368, Kalamazoo County Records; thence North 89°-57'-00" East a distance of 50.00 feet to the Easterly line of 9th Street and the place of beginning of this description; thence along said Easterly line of 9th Street, North 00°-32'-09" East a distance of 40.49 feet to the North 1/8 line of said Section 35; thence along said North 1/8 line, North 89°-57'-00" East a distance of 1267.21 feet to the East 1/8 line of said Section 35; thence along said East 1/8 line, South 00°-31'-12" West a distance of 328.74 feet to the South line of the North 1/2 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 35; thence along said South line, South 89°-59'-34" West a distance of 1152.30 feet to a point 165 feet Easterly of said North and South 1/4 line; thence parallel with said North and South 1/4 line, North 00°-32'-09" East a distance of 287.39 feet; thence South 89°-57'-00" West a distance of 115.00 feet to said Easterly line of 9th Street and the place of beginning of this description.



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NORTH

SCALE IN FEET

NORTH 1/4 POST, SECTION 35, T. 2 S., R. 12 W.

CENTER 1/4 POST, SECTION 35, T. 2 S., R. 12 W.

20' WIDE EMERGENCY ACCESS

N 00°32'09" E 40.49'

S 00°32'09" W 1351.50'

S 89°57'00" W 115.00'

N 89°57'00" E 50.00'

9TH STREET (100' PUBLIC R.O.W.)

ZONED VILLAGE COMMERCIAL

P.O.B.

N 00°32'09" E 287.39'

N 89°57'00" E 50.00'

9TH STREET (100' PUBLIC R.O.W.)

ZONED VILLAGE COMMERCIAL

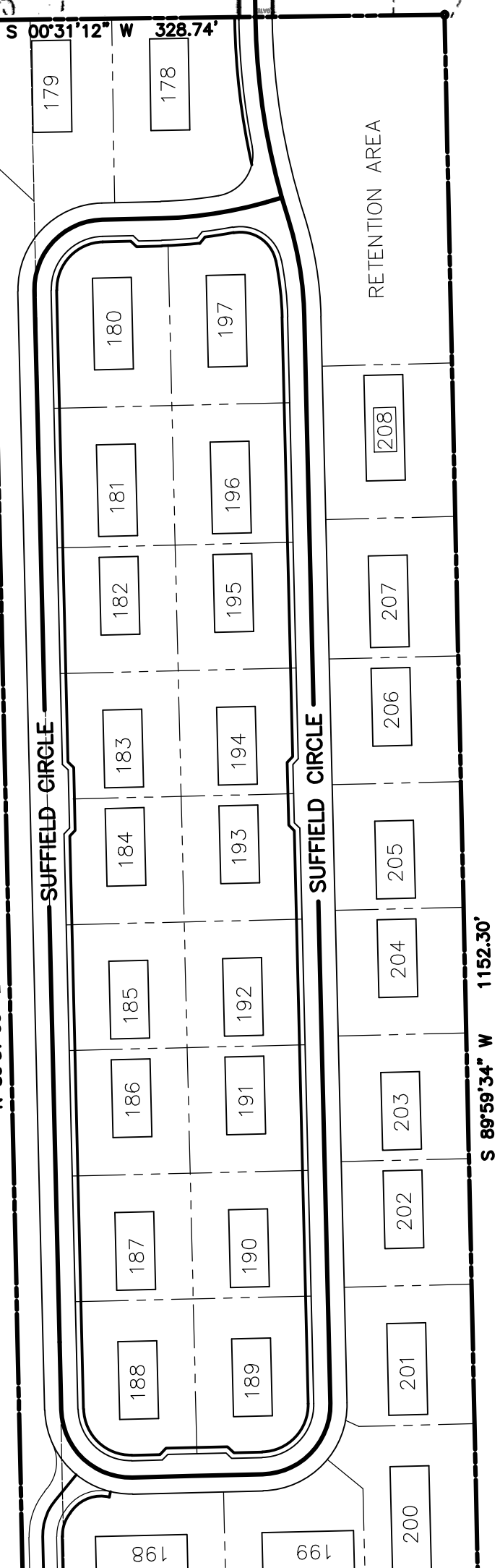
U.S. POSTAL SERVICE

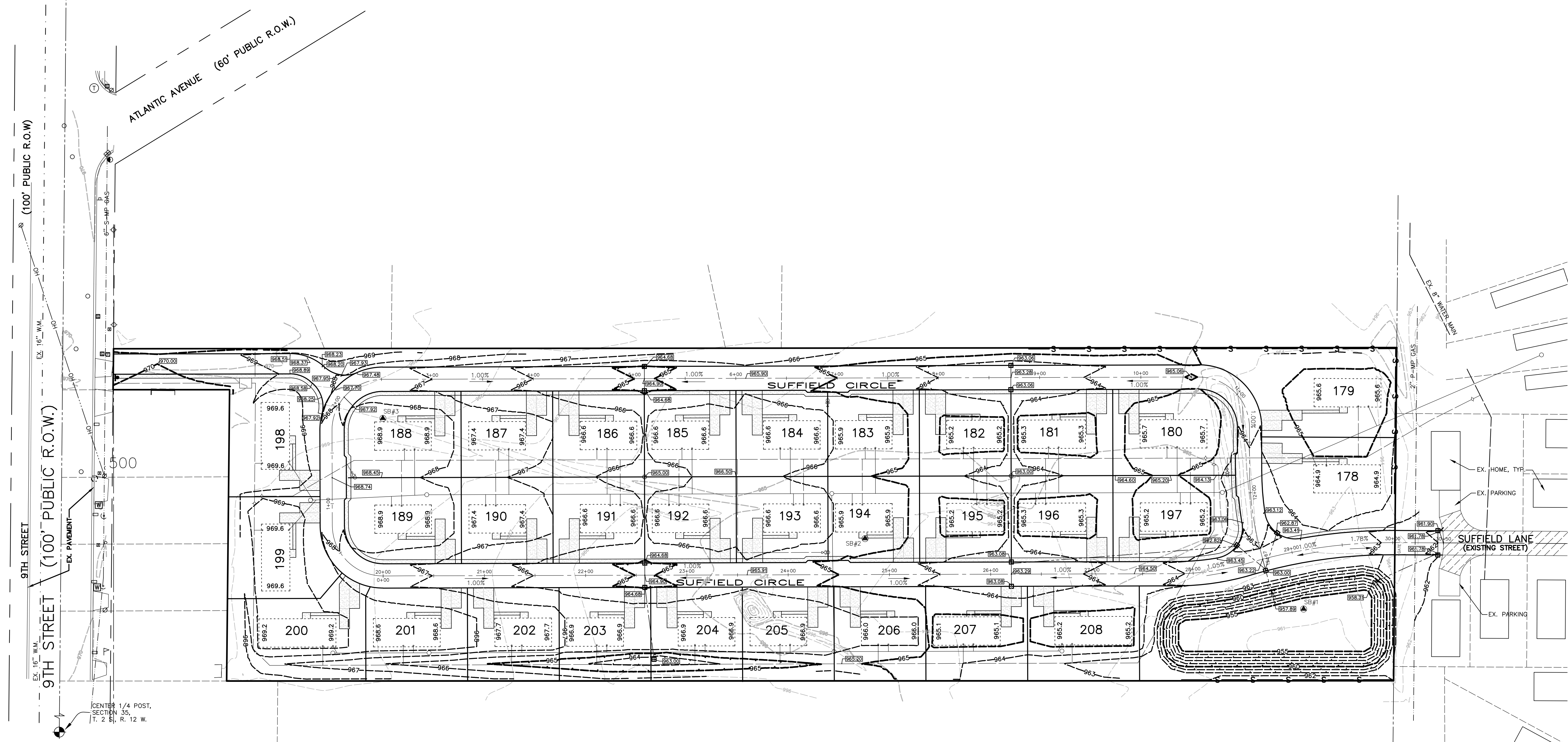
ZONED INDUSTRIAL

FOURTH REFORMED CHURCH

30' WIDE UTILITY EASEMENT - L. 1660, P. 0094

RETENTION AREA



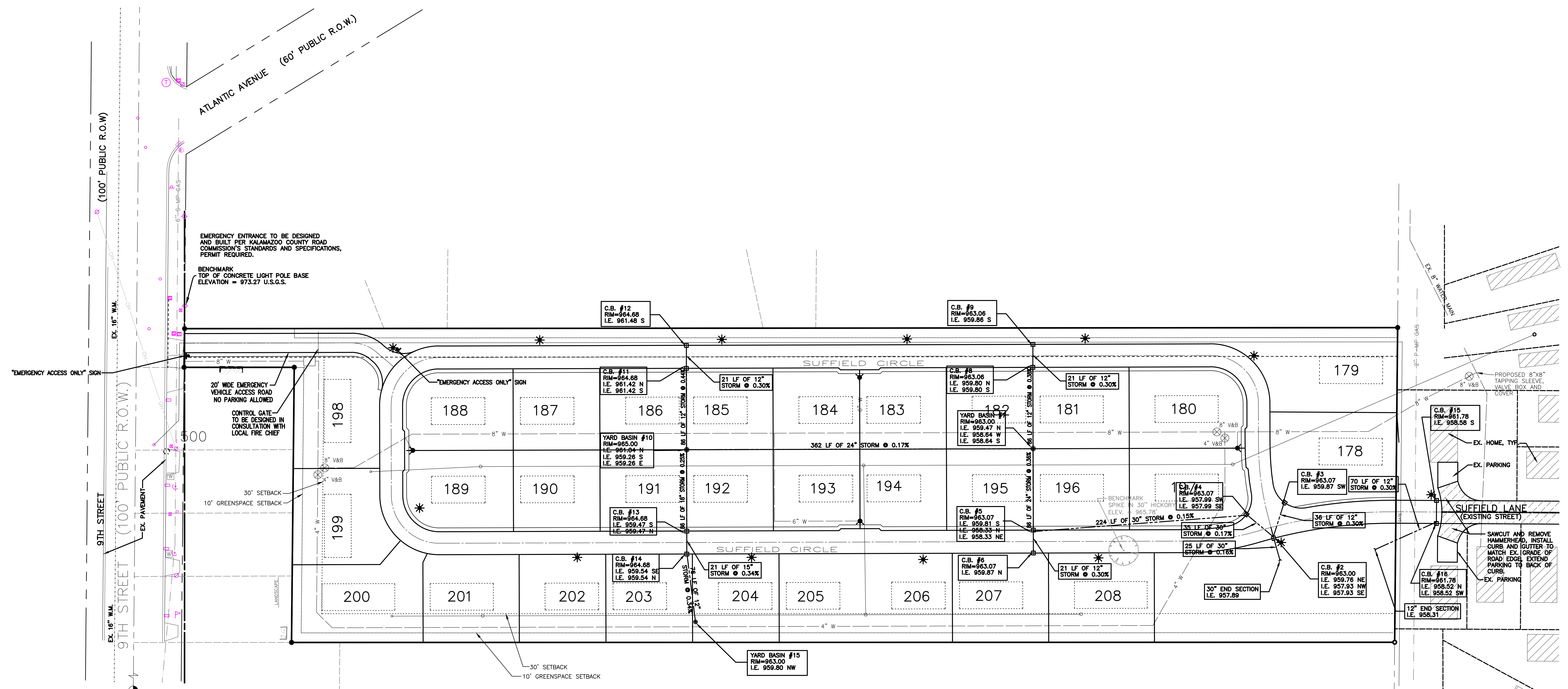


DRAWN BY: JJB
 APPROVED BY: RFL
 PROJ. ENG.: RFL
 PROJ. SURV.:
 DATE: 11/09/2020

exelengineering, inc.
 planners - engineers - surveyors
 Phone: (616) 531-3860 www.exelengineering.com

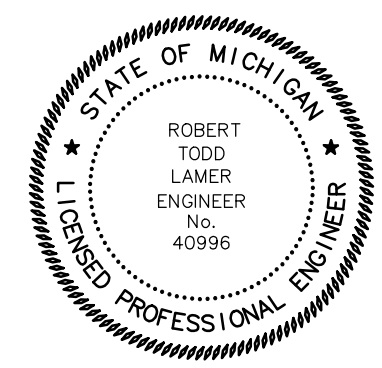
STORM SEWER PLAN

HUNTINGTON RUN
 EXPLANATION
 6255 Cranbrook Lane, Kalamazoo, Michigan 49009

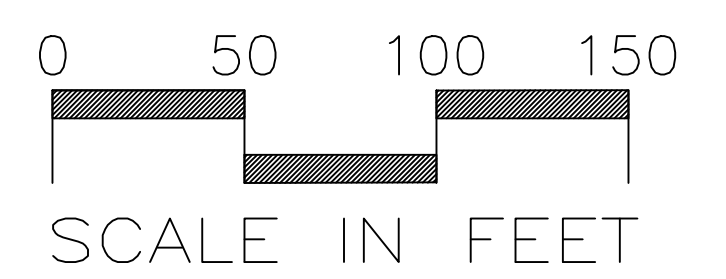


LEGEND

PROP. SANITARY SEWER	
PROP. SANITARY SEWER LEAD	
PROP. WATER MAIN	
PROP. WATER LEAD	
PROP. STORM SEWER	
CATCH BASIN	
MANHOLE	
FIRE HYDRANT	
EX. CONTOUR LINE	
PROP. CONTOUR LINE	
EX. SPOT ELEVATION	
PROP. SPOT ELEVATION	
VALVE & BOX	
STREET LIGHT	
STREET & STOP SIGN	
GUEST PARKING SPACE	
BARRIER FREE PARKING SPACE	
SWALE	
EX. VEGETATION	



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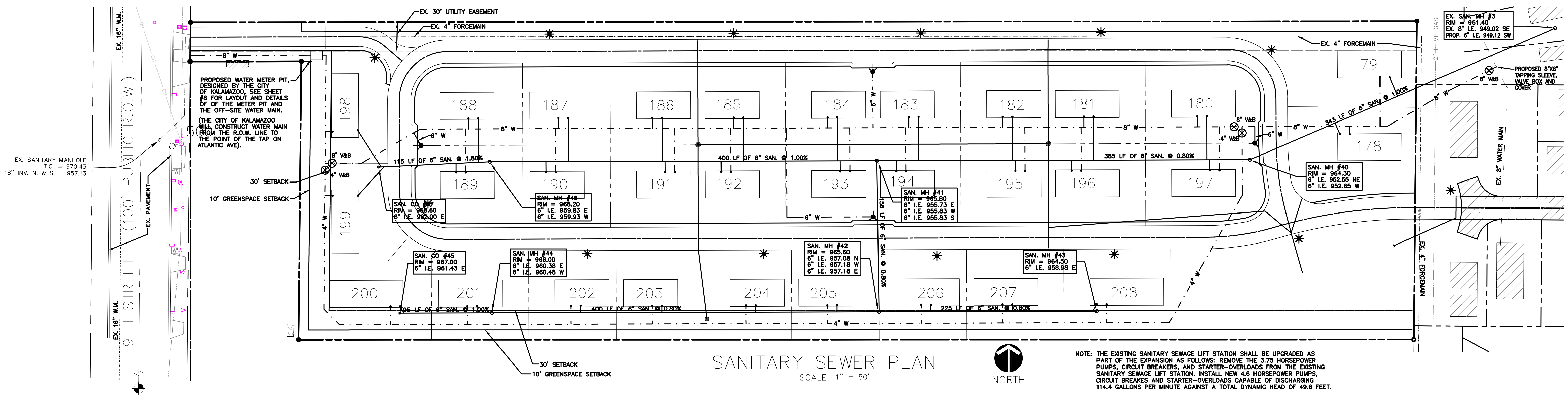
DATE	REVISION	BY

DRAWN BY: JJB
 APPROVED BY: RFL
 PROJECT: 2019-03-02
 PROJECT: ENG. - RFL
 DATE: 11/09/2020

excelengineering, inc.
 planners - engineers - surveyors
 Phone: (616) 831-3860 www.excelengineering.com

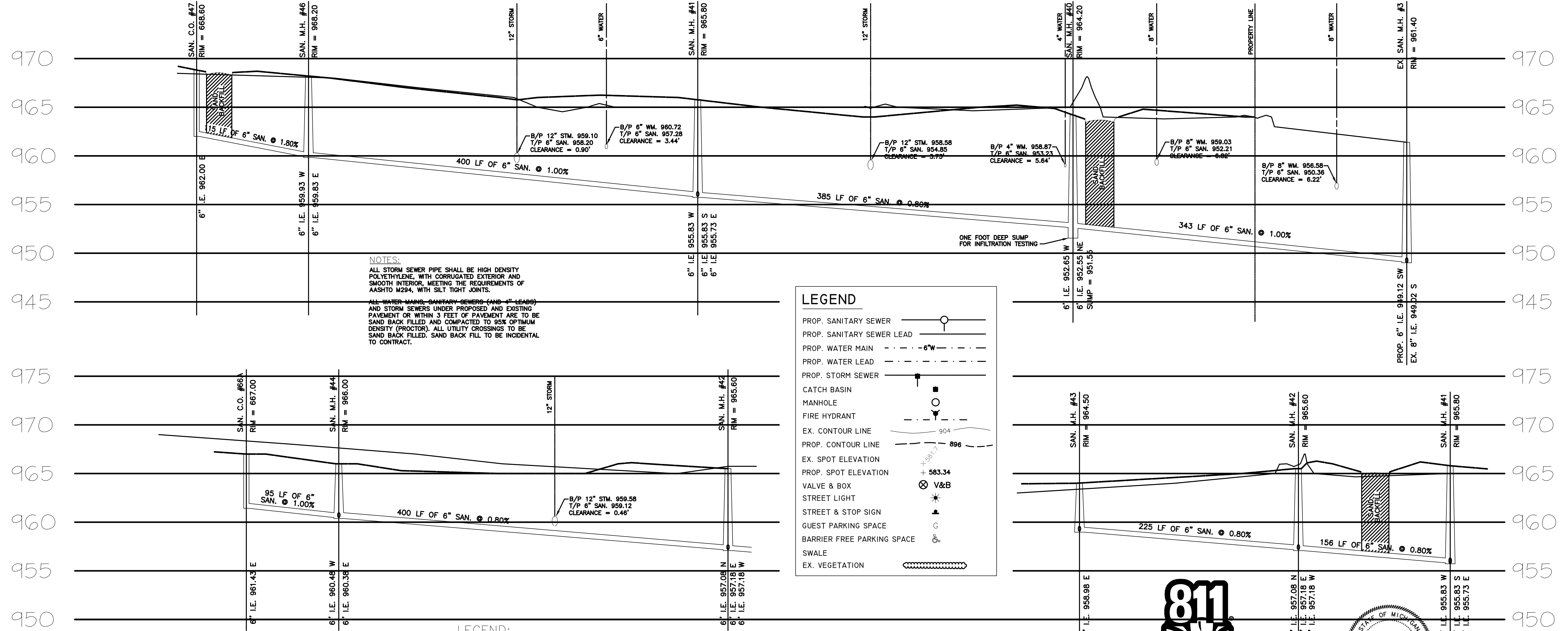
SANITARY SEWER & WATER MAIN PLAN & PROFILES

HUNTINGTON RUN ENGINEERING
 49009
 6255 Cranbrook Lane, Kalamazoo, Michigan



SANITARY SEWER PLAN
 SCALE: 1" = 50'

NOTE: THE EXISTING SANITARY SEWAGE LIFT STATION SHALL BE UPGRADED AS PART OF THE EXPANSION AS FOLLOWS: REMOVE THE 3.75 HORSEPOWER PUMPS, CIRCUIT BREAKERS, AND STARTER-OVERLOADS FROM THE EXISTING SANITARY SEWAGE LIFT STATION. INSTALL NEW 4.6 HORSEPOWER PUMPS, CIRCUIT BREAKERS AND STARTER-OVERLOADS CAPABLE OF DISCHARGING 114.4 GALLONS PER MINUTE AGAINST A TOTAL DYNAMIC HEAD OF 49.8 FEET.



NOTES:
 ALL STORM SEWER PIPE SHALL BE HIGH DENSITY POLYETHYLENE, WITH CORRUGATED EXTERIOR AND SMOOTH INTERIOR, MEETING THE REQUIREMENTS OF AASHTO M294, WITH SILT TIGHT JOINTS.
 ALL WATER MAINS, SANITARY SEWERS (AND 4" LEADS) AND STORM SEWERS UNDER PROPOSED AND EXISTING PAVEMENT OR WITHIN 3 FEET OF PAVEMENT ARE TO BE SAND BACK FILLED AND COMPACTED TO 95% OPTIMUM DENSITY (PROCTOR). ALL UTILITY CROSSINGS TO BE SAND BACK FILLED. SAND BACK FILL TO BE INCIDENTAL TO CONTRACT.

LEGEND

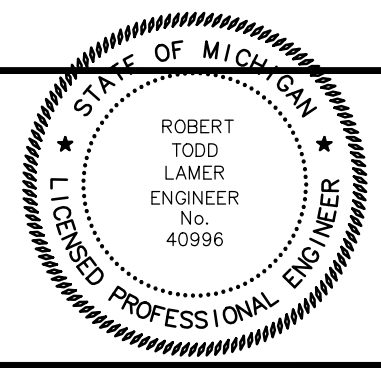
- PROP. SANITARY SEWER
- PROP. SANITARY SEWER LEAD
- PROP. WATER MAIN
- PROP. WATER LEAD
- PROP. STORM SEWER
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- GUEST PARKING SPACE
- BARRIER FREE PARKING SPACE
- SWALE
- EX. VEGETATION

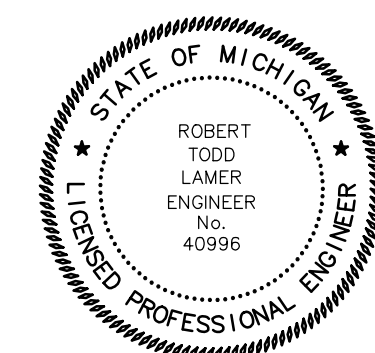
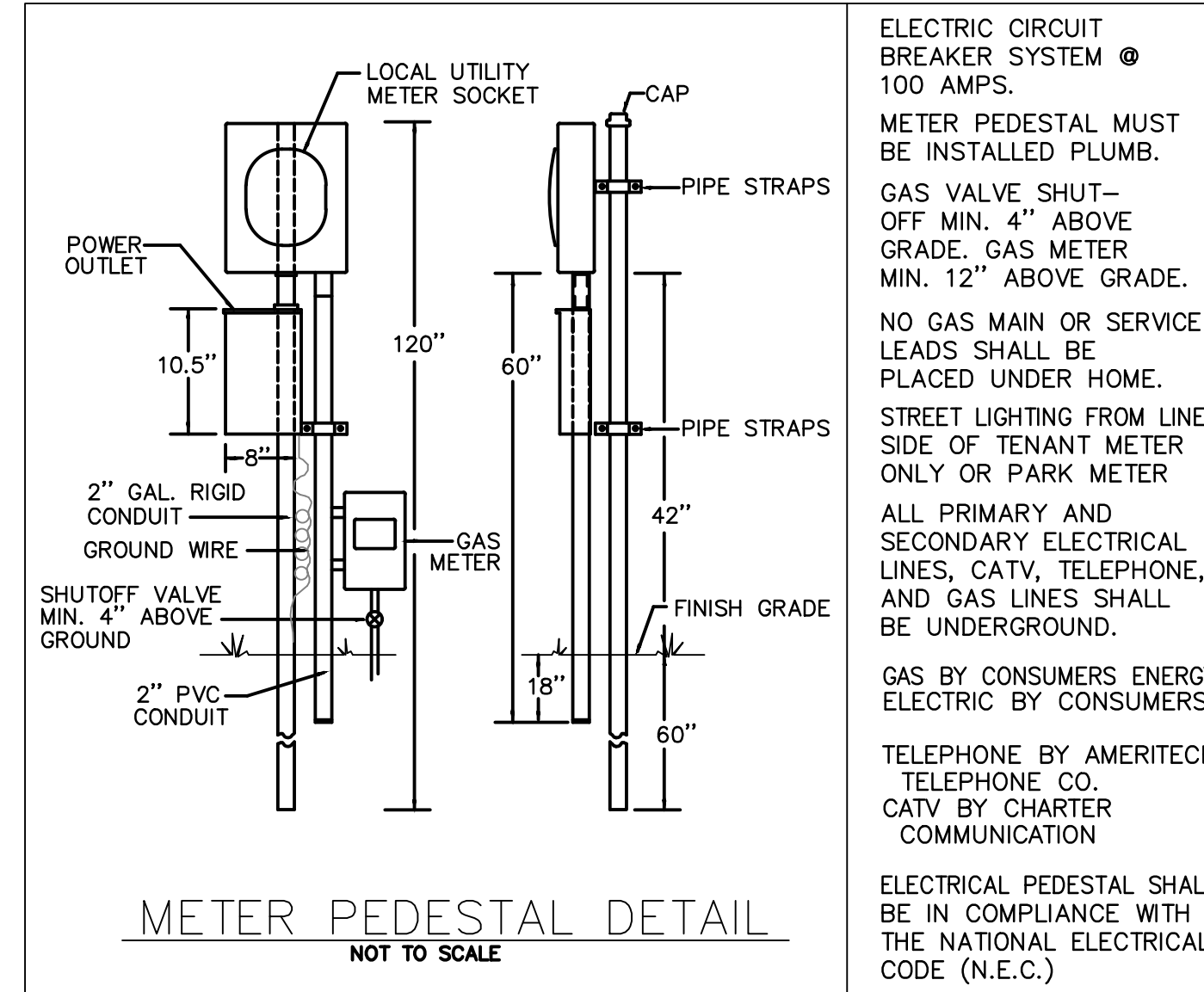
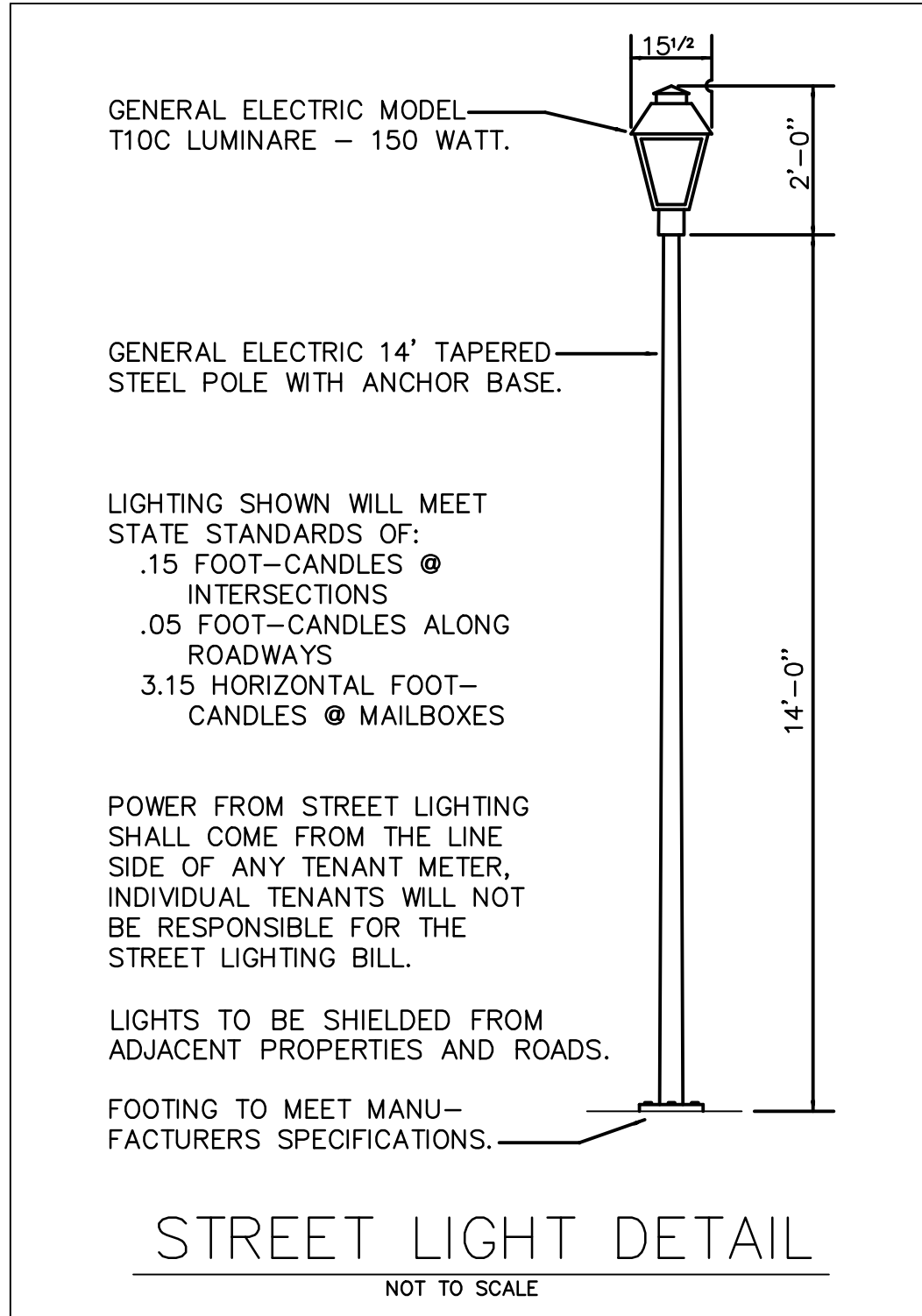
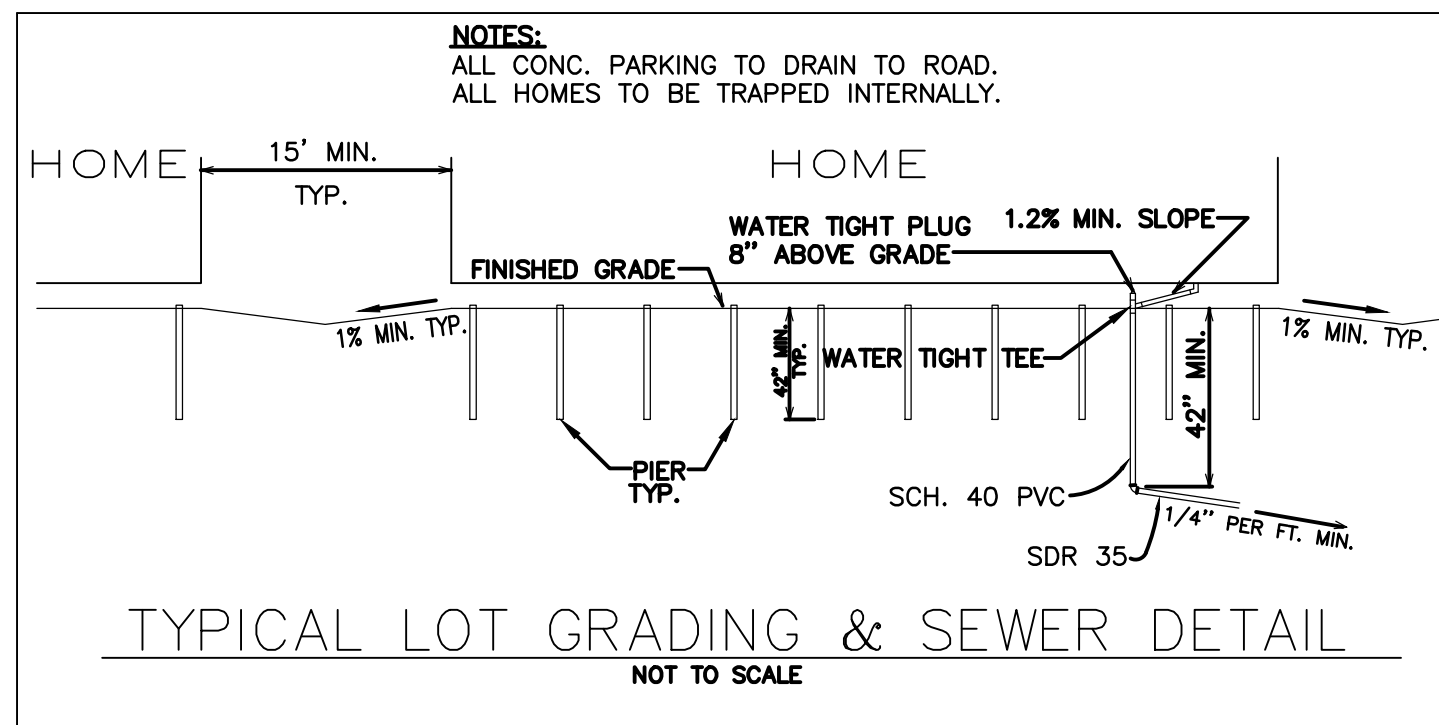
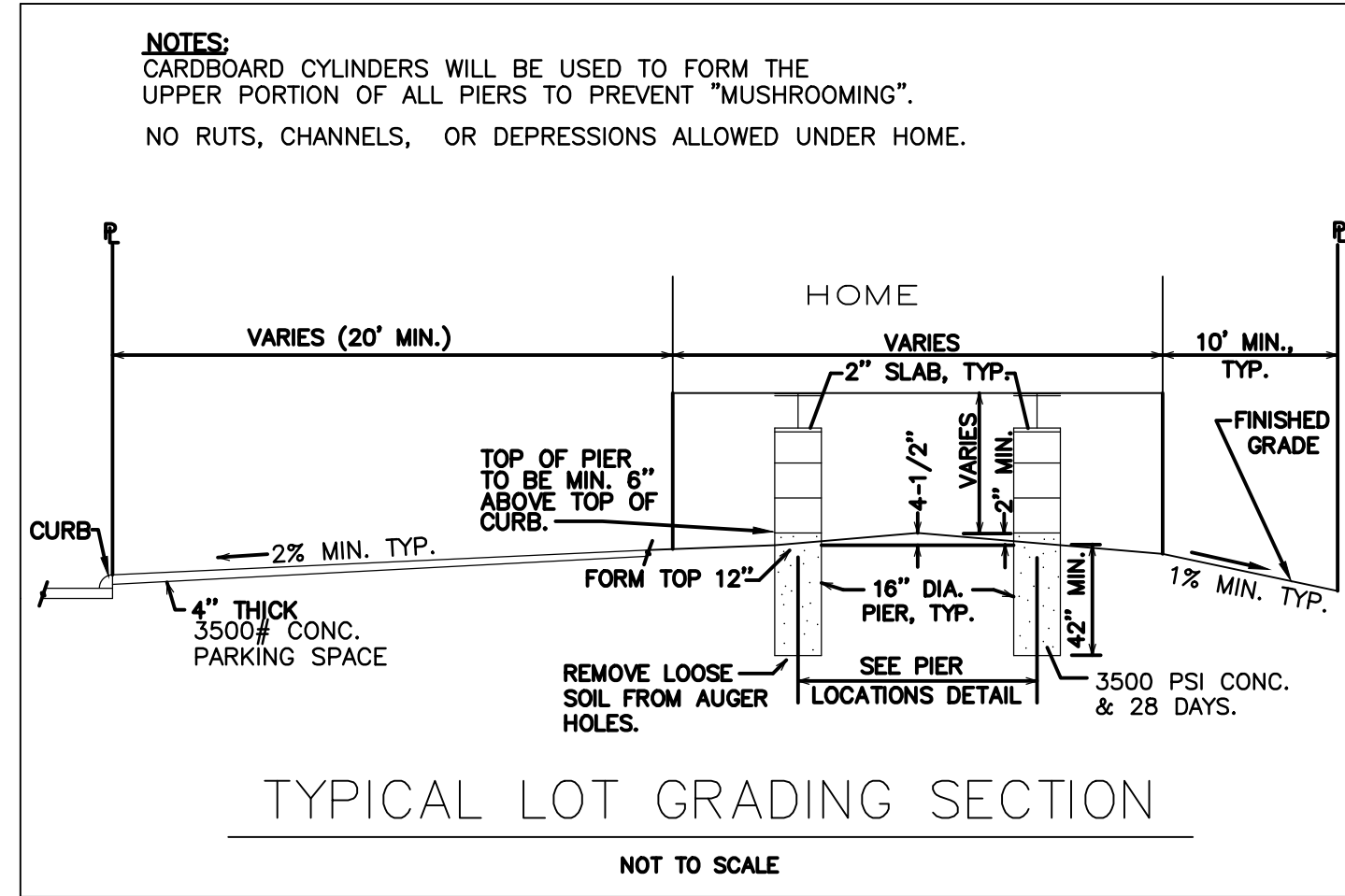
LEGEND:
 ——— PROPOSED GRADE
 - - - - - EXISTING GRADE

SANITARY SEWER PROFILES
 SCALE: VERT. 1" = 5'
 HOR. 1" = 50'

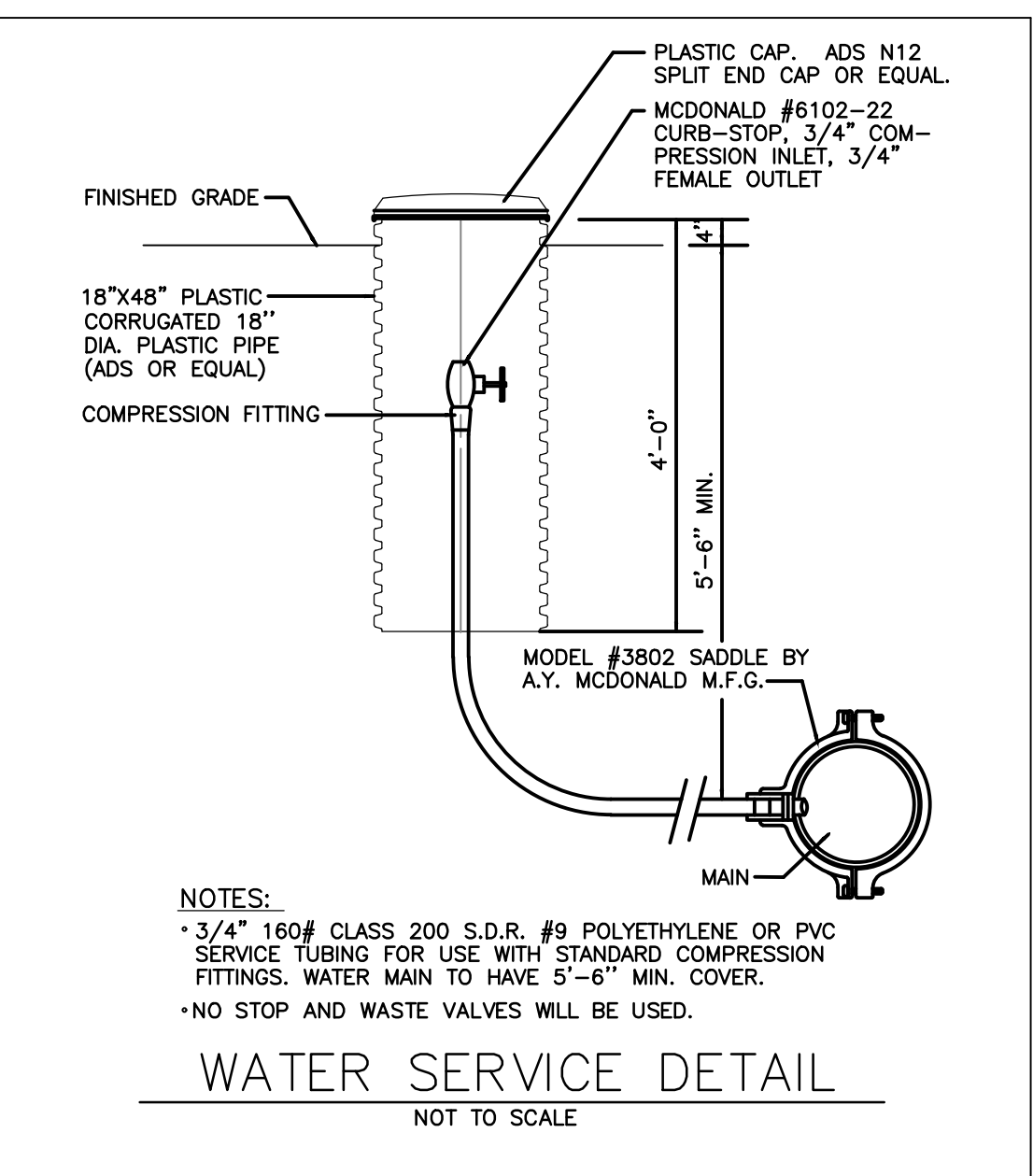
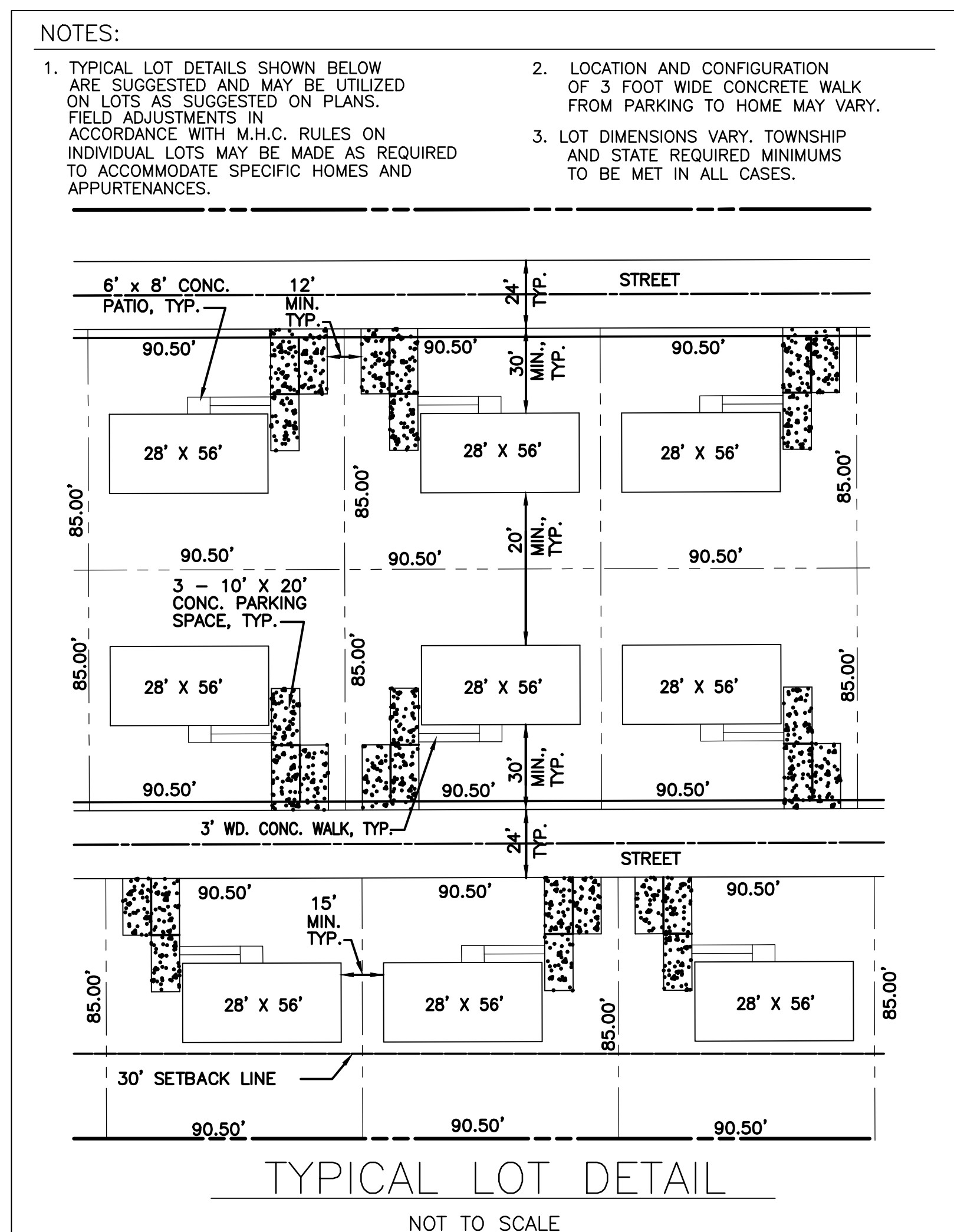
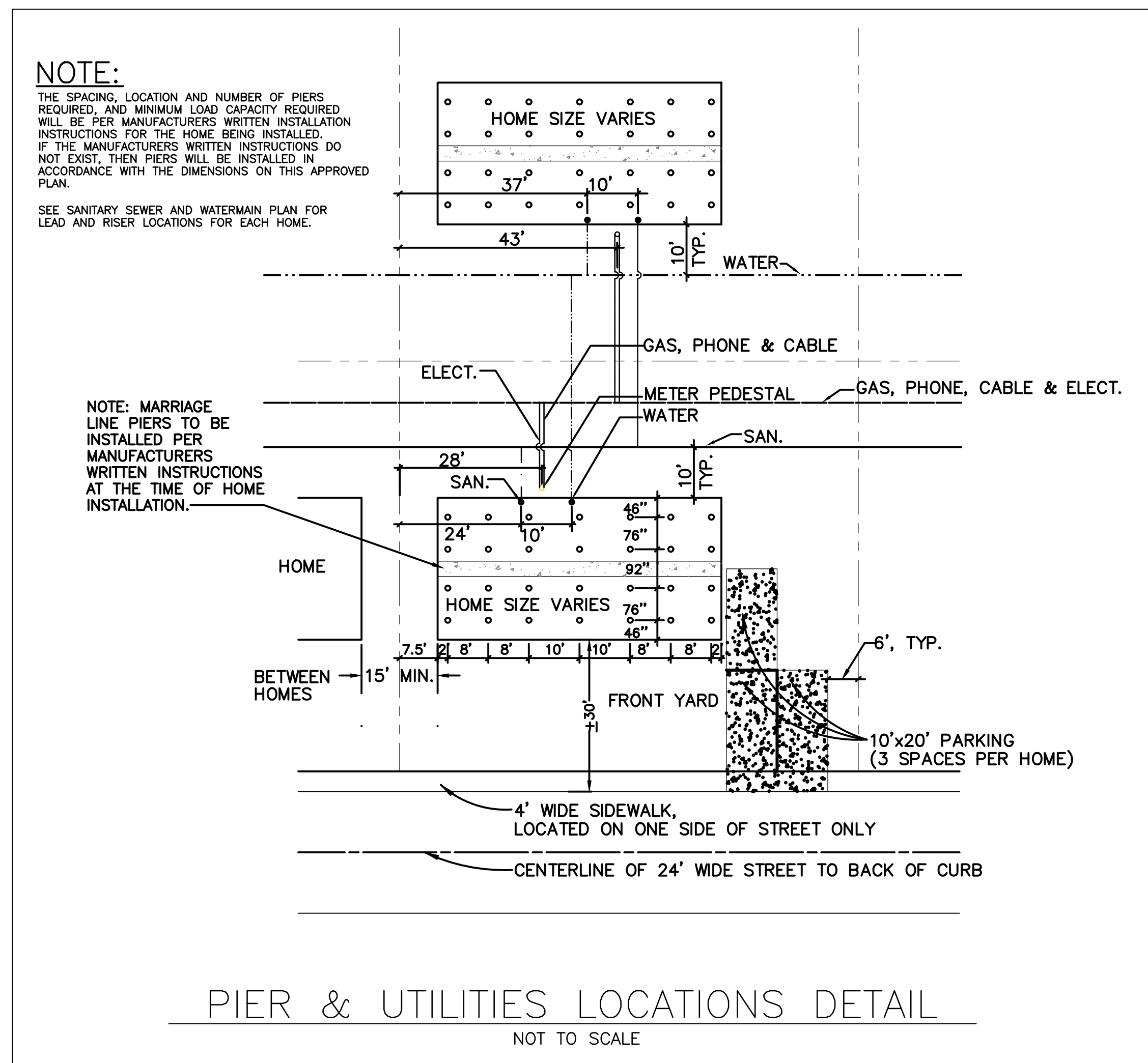
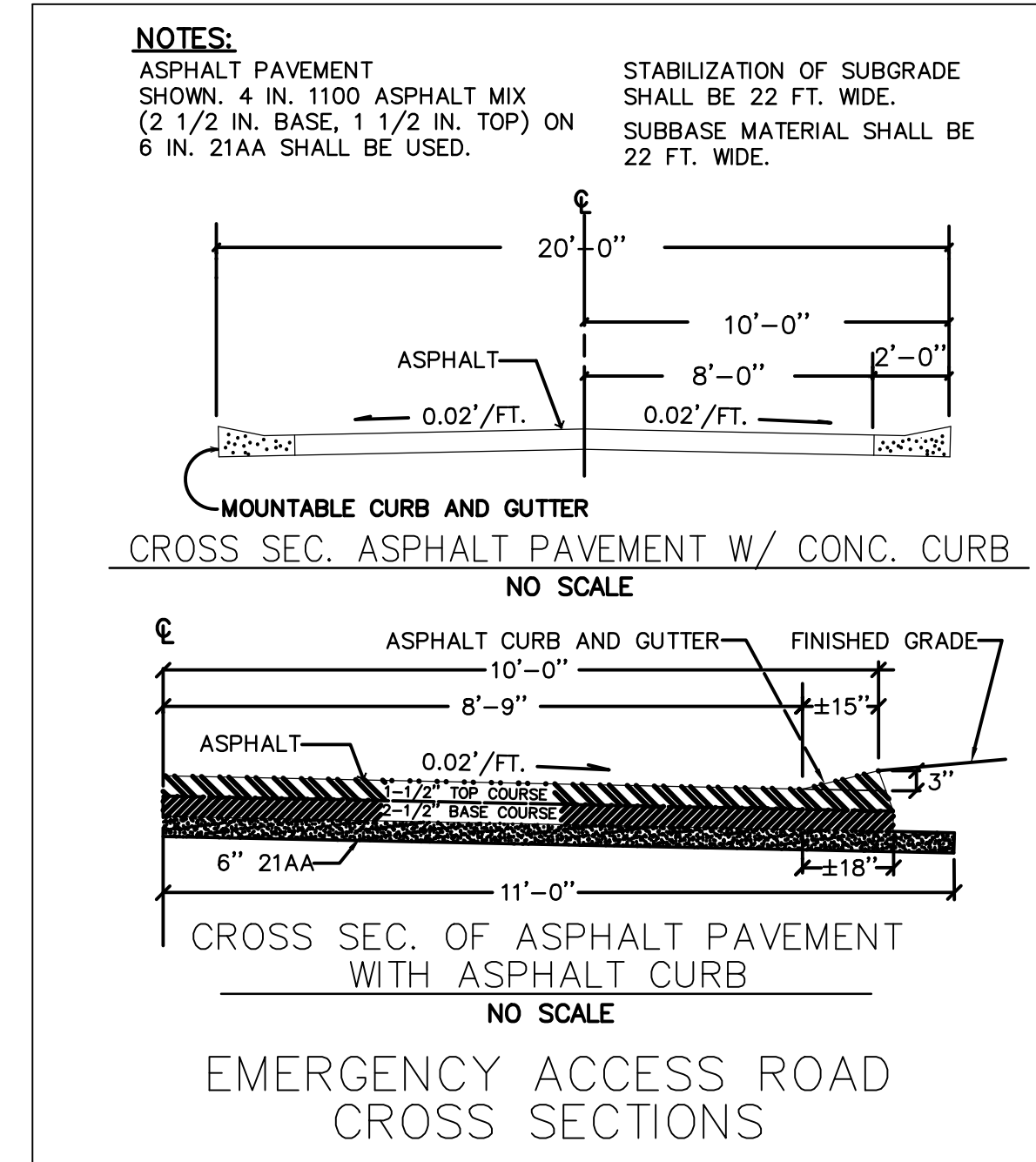
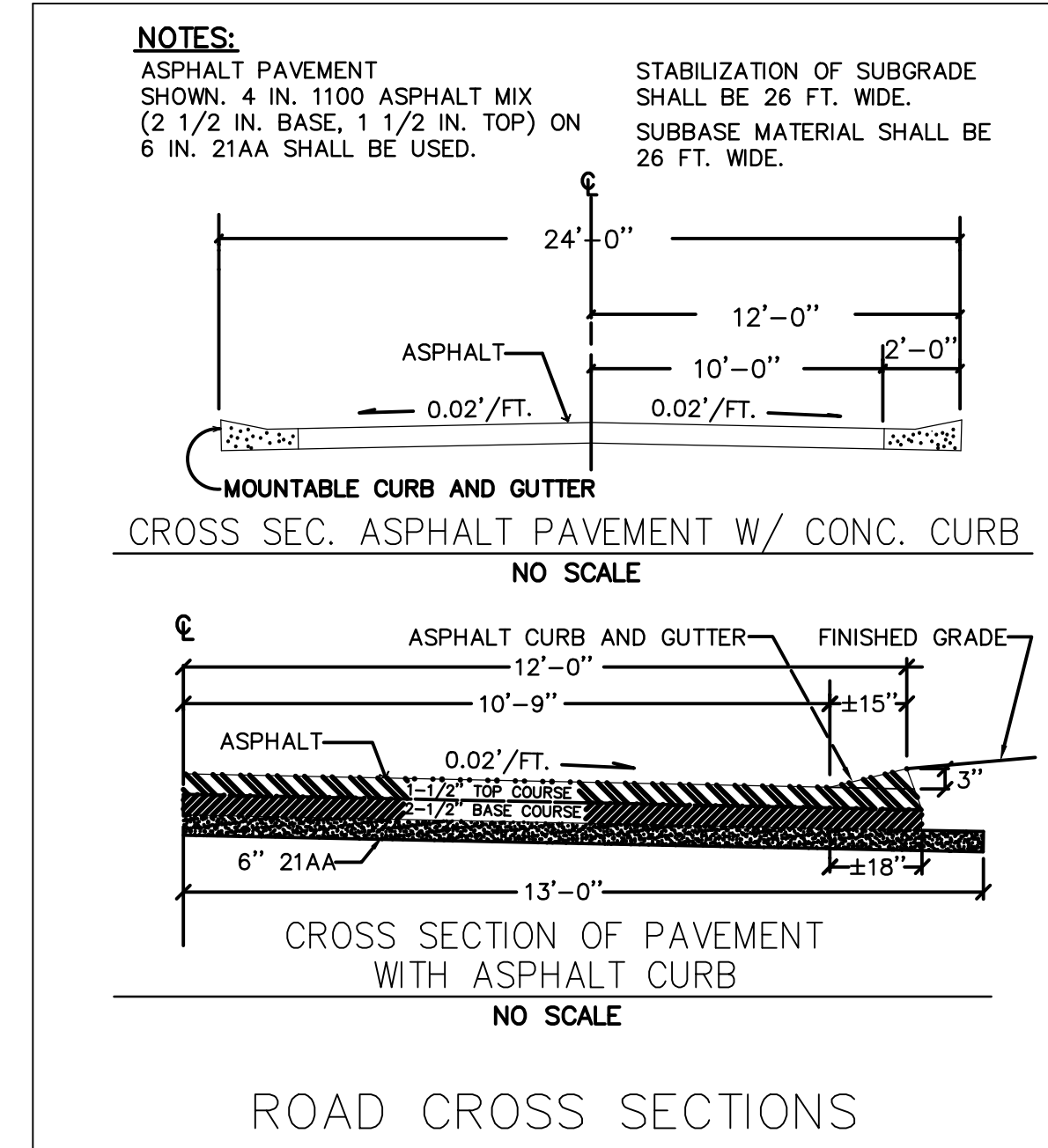


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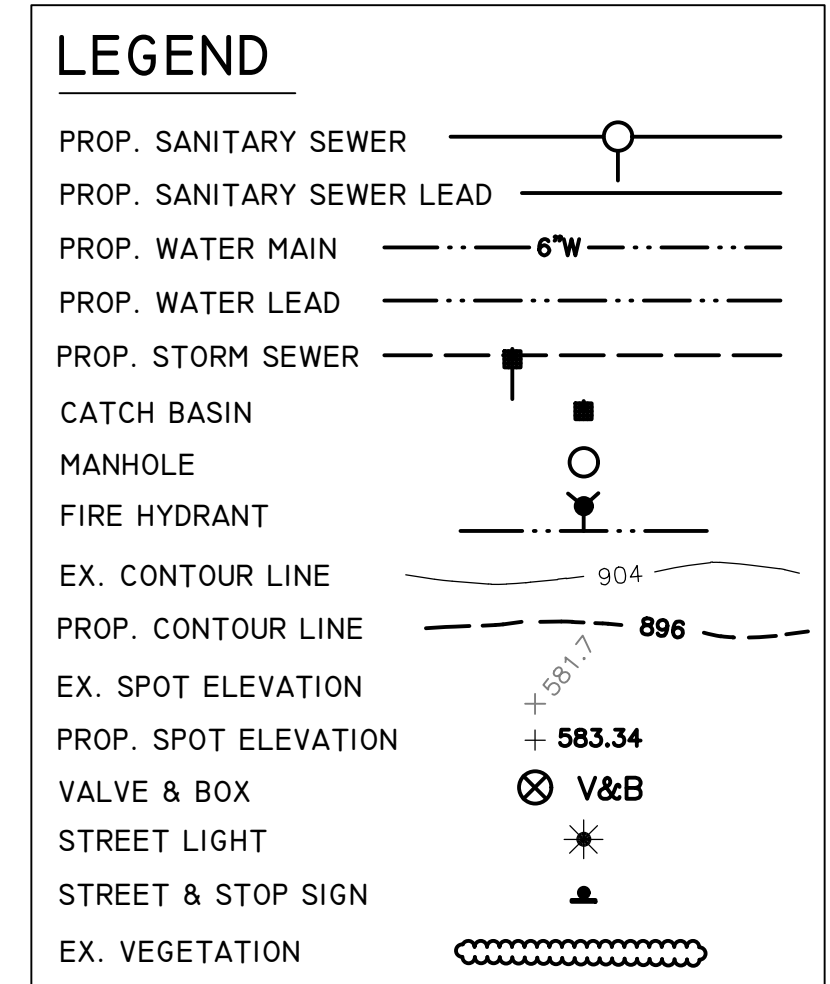




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NOTES:
 GENERAL
 NO PARKING IS ALLOWED ON THE STREET.
 NO PARKING IS ALLOWED WITHIN 10 FEET OF A FIRE HYDRANT IN A VISITOR BAY OF 3' OR MORE SPACES.
 COMMUNITY TO BE SIGNED "NO PARKING ON ANY STREET."
 NO HOME SHALL BE PLACED OVER A GAS LINE.
 NO HOME SHALL BE PLACED UNDER EXISTING OVERHEAD WIRES.
 ALL WORK SHALL BE PERFORMED IN A WORKMANSHIP LIKE MANNER.
 PROPOSED EASEMENTS ARE FOR PUBLIC UTILITIES AND ARE GENERALLY LOCATED IN REAR OF LOTS. EASEMENTS WILL NOT BE DETERMINED UNTIL UTILITY DESIGN IS COMPLETE AND UTILITIES INSTALLED.
 COMMUNITY OPEN SPACE:
 THE M.H.C. REQUIRES 2% OR 25,000 S.F. MINIMUM. THE EXISTING COMMUNITY IS 38 ACRES WITH 2.41 ACRES OF OPEN SPACE. THE PROPOSED EXPANSION AREA IS 8.79 ACRES. 38 + 8.79 = 46.79 ACRES. 46.79 X .02 = 0.94 ACRES REQUIRED. 2.41 ACRES OF OPEN SPACE IS PROVIDED.
 ONE GUEST PARKING SPACE IS REQUIRED FOR EVERY THREE LOTS. THERE ARE A TOTAL OF 31 LOTS PROPOSED. EACH WILL PROVIDE 3 PARKING SPACES. THEREFORE NO GUEST PARKING IS DESIGNATED.
 SETBACKS
 OFF-DOOR SIDE YARD SETBACK SHALL BE 5' TYPICALLY UNLESS OTHERWISE NOTED ON THE PLAN.
 ALL HOMES SHALL BE 20' MIN. FROM ANY PART OF AN ATTACHED OR DETACHED STRUCTURE OF AN ADJACENT HOME WHICH IS USED FOR LIVING PURPOSES, EXCEPT HOMES PLACED PARALLEL TO THE ROAD SHALL HAVE A MINIMUM 15' SEPARATION FROM EACH OTHER.
 FRONT SETBACK SHALL BE TYPICALLY A MIN. 20' FROM BACK OF WALK UNLESS OTHERWISE NOTED ON THE PLAN.
 NO HOME SHALL BE CLOSER THAN 10' FROM THE PARKING SPACE OF AN ADJACENT HOME.
 ALL ATTACHED OR DETACHED STRUCTURES OR ACCESSORIES WHICH ARE NOT USED FOR LIVING PURPOSES SHALL BE A MIN. OF 10' FROM A HOME ON AN ADJACENT LOT.
 ON-SITE DETACHED STORAGE SHEDS SHALL BE A MINIMUM OF 3 UNOBSTRUCTED FEET FROM THE HOME IT SERVES, UNLESS THE WALL ADJACENT TO THE HOME IS LINED WITH CLASS "A" FIRE-RESISTANT MATERIAL.
 ALL HOMES AND THEIR ACCESSORIES MUST BE 7' MINIMUM FROM AN OFF-SITE PARKING BAY.
 NO HOME SHALL BE LOCATED WITHIN 50' OF A PERMANENT BUILDING, OR WITHIN 100' OF A BASEBALL OR SOFTBALL FIELD.
 NO HOME SHALL BE LOCATED WITHIN 25' OF A FENCE OF A SWIMMING POOL.
 ALL HOMES AND THEIR ACCESSORIES MUST BE 25' MINIMUM FROM A MAN-MADE LAKE, OBJECT OR WATERWAY.
 ALL HOMES AND THEIR ACCESSORIES MUST BE 10' MINIMUM FROM THE EDGE OF AN INTERNAL ROAD.
 ALL HOMES, BUILDINGS, FACILITIES, AND OTHER STRUCTURES MUST BE 10' MINIMUM FROM PROPERTY BOUNDARY LINE, AND 50' MINIMUM FROM PUBLIC R.O.W. LINE.
 CONCRETE
 CONSTRUCTION MATERIALS FOR INTERNAL ROADS SHALL BE IN COMPLIANCE WITH AASHTO AND M.D.O.T. STANDARDS.
 SITE CONCRETE SHALL BE INSTALLED FOLLOWING HOME PLACEMENT.
 ALL CONCRETE WALKS, PATIOS, AND DRIVES SHALL BE PLACED ON VIRGIN OR 95% COMPACTED SOIL.
 ALL PARKING AND DRIVES SHALL BE 3500 P.S.I. CONC. @ 28 DAYS. 4" THICK
 CONC. SIDEWALKS SHALL BE 4" THICK AT 3000PSI @ 28 DAYS.
 ALL PARKING BAYS SHALL HAVE A MINIMUM SLOPE OF 2.00% FROM THE FRONT OF THE HOME DOWN TO THE STREET.
 NO FOUNDATION IS REQUIRED UNDER SHEDS.
 ALL WALKS SHALL MEET MINIMUM BARRIER FREE REQUIREMENTS AND SHALL HAVE A BROOM FINISH OR OTHER APPROVED NON-SLIP SURFACE TREATMENT.
 SURFACES OF ALL WALKS, PATIOS, AND PARKING SHALL FINISH FLUSH WITH EACH OTHER.
 TOP OF ALL PIERS SHALL BE LEVEL. TOP OF PIER TO BE A MINIMUM OF 2" ABOVE GRADE. CONC. PIERS TO BE 3500 PSI @ 28 DAYS.
 DEVELOPER SHALL PROVIDE A MINIMUM OF 66 LINEAL FEET OF FOUNDATION FOOTING FOR A SINGLE SECTION HOME AND A MINIMUM OF 56 LINEAL FEET OF FOUNDATION FOOTING FOR A MULTIPLE SECTION HOME.
 UTILITIES
 COMMUNITY ELECTRICAL SYSTEM SHALL BE IN COMPLIANCE WITH RULE 932 OF THE MOBILE HOME COMMISSION ACT; P.A. 96 OF 1987, AND MANUFACTURED HOUSING COMMISSION GENERAL RULES.
 ELECTRICAL SERVICE SHALL BE PLACED UNDERGROUND.
 COMMUNITY NATURAL GAS SYSTEM SHALL BE IN COMPLIANCE WITH RULE 934 OF THE MOBILE HOME COMMISSION ACT; P.A. 96 OF 1987, AND MANUFACTURED HOUSING COMMISSION GENERAL RULES.



BILL OF MATERIAL

WATERMAIN SPECIFICATIONS

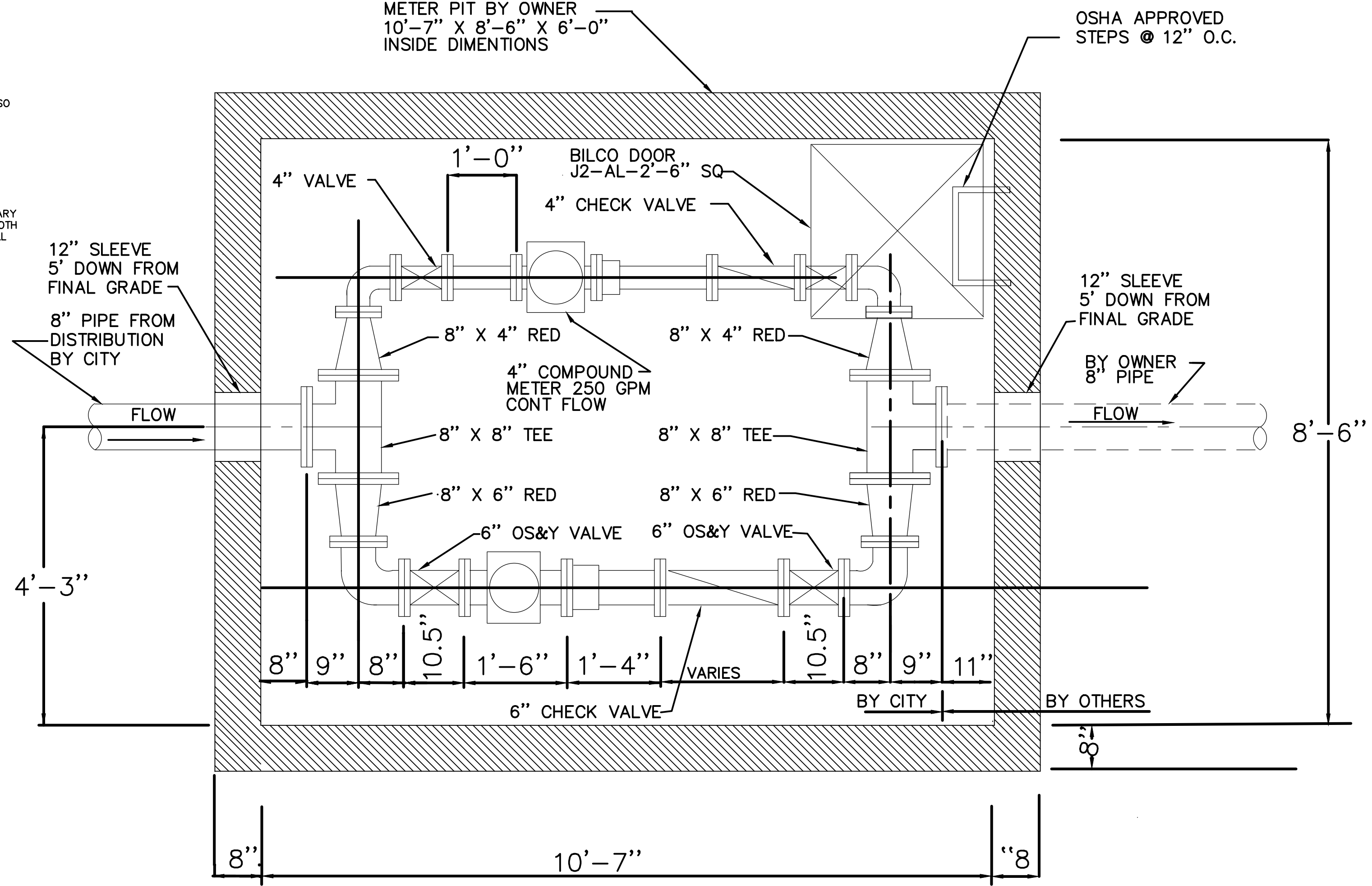
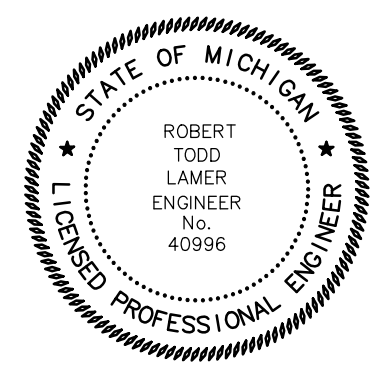
1. WATERMAIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF KALAMAZOO STANDARDS.
2. ALL TEES FOR HYDRANTS SHALL BE MECH. JOINT
3. NO TIE RODS SHALL BE USED FOR FIRE HYDRANTS
4. USE CITY OF KALAMAZOO HYDRANT STANDARD
5. ALL FITTINGS SHALL BE MECH. JT. WITH MEGALUGS
6. PIPE JOINTS NEAR FITTINGS AND LAST JOINTS AT DEAD ENDS SHALL HAVE FIELD-LOK GASKETS
7. ALL TAPS TO EXISTING WATER MAIN MUST BE INSTALLED BY CITY OF KALAMAZOO. ALSO WATER CONNECTION FROM WATER MAIN TO BUILDING TO BE INSTALLED BY CITY OF KALAMAZOO.
8. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 5'-0" COVER ON ALL WATERLINES.
9. CONTRACTOR SHALL NOTIFY THE UTILITY AUTHORITIES INSPECTORS 72 HOURS BEFORE CONNECTING TO ANY EXISTING LINES.
10. ALL UTILITIES SHOULD BE KEPT TEN (10') APART (PARALLEL) OR WHEN CROSSING 18" VERTICAL CLEARANCE (OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE).
11. IN THE EVENT OF A VERTICAL CROSSING LESS THAN 18" BETWEEN WATERLINES, SANITARY LINES, STORM LINES AND GAS LINES (EXISTING AND PROPOSED), THE SANITARY LINE SHALL BE DUCTILE IRON PIPE WITH MECHANICAL JOINTS AT LEAST 10 FEET ON BOTH SIDES OF CROSSING, IN THE CASE OF WATER LINE AND SANITARY THE CROSSING SHALL THEN BE ENCASED IN CONCRETE.
12. FINAL GRADE OR STAKES INDICATING FINAL GRADE SHALL BE INSTALLING BEFORE INSTALLATION CAN BEGIN

NOTES:
SEE SHEET #5 FOR ON-SITE WATERMAIN LAYOUT.
SEE SHEET #6 FOR ON-SITE WATERMAIN DETAILS & SPECIFICATIONS.

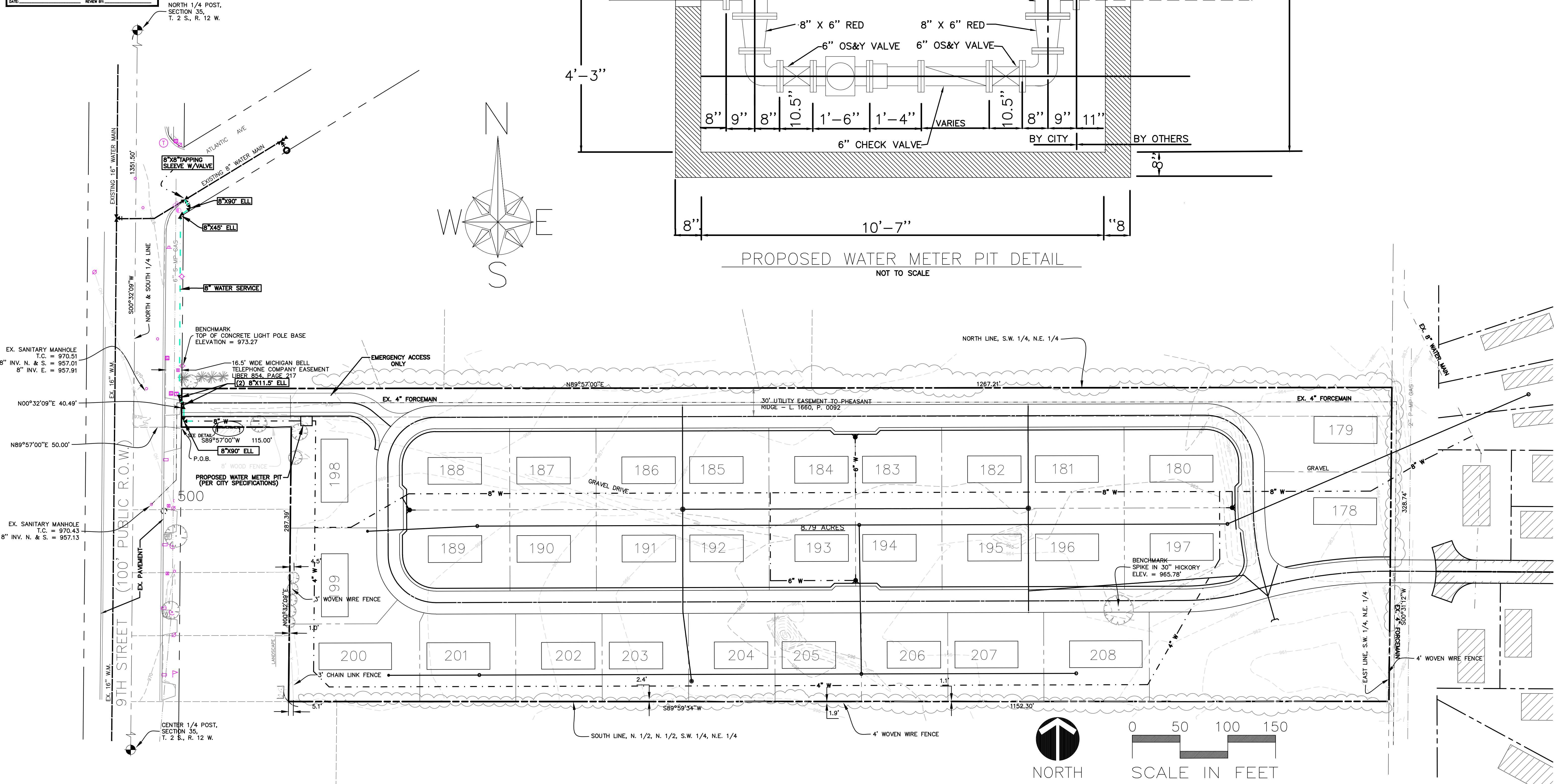
WATER MAIN DRAWING REVIEW FOR CONSTRUCTION

CITY OF KALAMAZOO
DEPARTMENT OF PUBLIC SERVICES
ENGINEERING DIVISION
415 STOCKBRIDGE AVENUE
KALAMAZOO, MICHIGAN

APPROVED AS NOTED
RETURNED FOR CORRECTIONS
USE THESE DRAWINGS FOR CONSTRUCTION



PROPOSED WATER METER PIT DETAIL
NOT TO SCALE



DATE:	11-9-2020
REVISION:	
SCALE:	1" = 50'
DRAWN BY:	JUB
APPROVED BY:	W. O. NO.

PROPOSED 8" WATER SERVICE FOR HUNTINGTON RUN PHASE-2

CITY OF KALAMAZOO
Department of Public Services
Engineering Division
415 STOCKBRIDGE AVENUE
KALAMAZOO, MICHIGAN 49001
Ph # (269)-337-4149
Fax # (269)-337-8533

FILE NAME: SHEET 00 of 00



Memo



To: Iris Lubbert, Planning Director
From: M. Barnes, Fire Chief
Date: April 16, 2021.
Copy: J. Wiley, Fire Marshal
Re: Huntington Run – Requested Variance for Gated Emergency Access.

This memo is in response to a requested variance from Huntington Run to install and maintain a limited access road for emergency response vehicles. The National Fire Protection Association's Fire Code (NFPA-1 as adopted by Oshtemo Township on 3/9/2021) gives the authority having jurisdiction (AHJ) the ability to require that this access road be gated (18.2.2.2) and that it be maintained (18.2.2.3).

However, the following are what the fire service has experienced with limited access roads – our reality:

1. These roads are often not maintained.
 - a. Initially, the novelty of this roadway will ensue maintenance. However, over time these limited pathways can become forgotten.
2. These roads become mentally obscured to emergency responders due to their lack of use.
 - a. Responding crews will undoubtedly continue to use the primary entrance as they have for years which in most cases is the most appropriate.
3. Obscurity is especially true for mutual aid companies who rely on 3rd party mapping systems (Google, Apple, Bing...) to find their way into unfamiliar communities.
 - a. Since this will not be an approved "road", it will predictably not appear in these apps.
4. Gates and locks significantly slow response.
 - a. When seconds count, added minute(s) to navigate the lock(s) & a gate are not helpful.
5. Dismounting a fire engine to open the path (gate) subjects the firefighter to additional risk of slips, trips, and falls – especially in inclement weather.

Given the aforementioned concerns, the following must be included in the approval:

1. OFD must have 24/7 access control (A18.2.2). Details will be evaluated during the design phase, but primary considerations shall include:
 - a. Primary access via a coded keypad on the driver's side of the vehicle. The height shall allow access from the window of a fire engine or staff car.
 - b. Secondary access shall be provided by a Knox key switch or other AHJ approved method.
2. Where parking is permitted along the access road, the unobstructed width is not intended to include the width of this parking. Therefore, twenty-foot (20') width must be maintained. (A.18.2.3.5.1.1).
3. This is intended to be traveled in only one direction at a time (A.18.2.3.5.1.1.1).
4. Road surface must be designed for year-round access (A.18.2.3.5.2) by fire apparatus including mutual aid sufficient for the weight of a tender (e.g., Texas Twp.) (A.18.2.3.5.6.2).

Page 2 of 2

April 16, 2021

Ref: Huntington Run Request for Variance.

5. This roadway shall be kept clear of all obstructions at all times.
 - a. Snow plowed, no parked vehicles or any other obstructions.
 - b. Surface must be maintained (erosion, potholes, vegetation growth...) (A.18.2.4).

Conclusion: These limited access emergency roads and gates are required by the fire code. However, the occupant must meet the AHJ's design and installation requirements as well as maintain the access (18.2.2.2).

However, Oshtemo Fire greatly prefers regularly used entrances and thus do not consider limited access roads to be a favored option yet reluctantly share in NFPA's allowance of them.

Citations: NFPA 1, 2021 (Twp. Adopted 3/9/2021): General 18.2.4.1 and Closure of Accessways 18.2.4.2.

the permitted uses in the Agricultural district in Section 20.200. The Off-street Parking or Storage Provisions of Section 68.400 and the Mobile Home and Recreational Vehicle Provisions of Section 74.000 were also considered.

Since the mobile home was not to be used as a dwelling, either temporary or permanent, and since the mobile home was not a vehicle which could be parked or stored pursuant to 68.400, Board members concurred that the ordinance did not permit the storage of the mobile home at the site in question.

Ms. Branch moved to interpret the zoning ordinance provisions so as not to permit the placement of the mobile home in question at the 7202 West "ML" Avenue site. Sections 11.250, 20.200, 68.400 and 74.000 were cited. Ms. Branch further moved that the Zoning Board consider the issue of mobile home storage and moved for the refund of the applicant's fee in that the interpretation of the ordinance and its application to the matter in question was largely a service to Planning and Zoning Department staff. The motion was seconded by Mr. Vuicich. The motion carried unanimously.

HIGHLAND MANUFACTURED HOME PROPERTIES - PRELIMINARY PLAN REVIEW OF MANUFACTURED HOUSING COMMUNITY AND REQUEST FOR VARIANCE APPROVAL.

The Board next considered the application of Mark Lewis of Highland Manufactured Home Properties for preliminary plan review of a 202 lot manufactured housing community (Pheasant Ridge). The applicant also sought variance approval from the following requirements established by Section 25.401 of the zoning ordinance:

(b) Establishment of a minimum of two access streets connecting said park to public highway(s).

(e) Construction of an interior roadway in accordance with public road specifications of the Kalamazoo County Road Commission and location of such upon a reserved right-of-way of not less than 66 feet in width.

(m) Provision of a minimum 12 foot wide deceleration lane into the proposed Parkview entrance.

The subject site is approximately 38 acres in area and is located at the southeast corner of Atlantic Avenue and Parkview Avenue. The site is located within the "R-5" zoning district classification.

Rebecca Harvey summarized her report concerning the item. That report is incorporated herein by reference. She emphasized that the Fire Department had reviewed the proposed access points and had no opposition to the elimination of the Parkview access drive. Additionally, the Fire Department had "no interest" in an emergency access design for the Parkview access point. Ms. Harvey noted that if the Board granted the variance, so as to allow one (rather than two) access streets connecting the park to a public

highway, the other two variances requested would not be necessary.

Ms. Harvey said that the applicant had been previously requested to provide more detail regarding the community building and recreation areas. Some level of detail had now been provided. Nevertheless, Ms. Harvey still felt that there was a lack of sufficient detail and she suggested that the Board, in any approval, should not include the community and recreational areas. The applicant could then return to the Board, with greater detail, for approval of those areas prior to their construction. However, the applicant could proceed with development of the other areas prior to such approval.

Mr. Lewis indicated that the applicant supported the elimination of the Parkview access point. Mr. Lewis discussed various portions of the proposed development. The development would be established in three phases as shown on the plan.

The Chairman asked for public comment. Ricardo Ochoa, the owner of rental units across the street from the proposed project, indicated his concern. He stated that he "regretted" that the Zoning Board had allowed the development a special exception use permit. He felt the proposed development was already costing him tenants. Mr. Ochoa was concerned with how traffic at the intersection of Parkview and Atlantic would be affected by the development. He felt that the intersection was already dangerous. He opined that any development should include a change to the intersection so as to accommodate increased traffic.

There was no other public comment and the public hearing was closed.

Mr. Vuicich pointed out that the development was proposed for a "R-5" zoning district. Therefore, a special exception use permit for a mobile home park development had to be granted by the Zoning Board if the applicant met those special exception use criteria. The Zoning Board had determined the criteria were met and granted the permit. As to access to the park, Mr. Vuicich indicated that he was in favor of eliminating the Parkview Avenue access point. He believed that the variance would alleviate many potential traffic problems posed by the existence of the Parkview access.

As to the intersection of Atlantic Avenue and Parkview Avenue, Ms. Harvey indicated that the Township could request that the Kalamazoo County Road Commission review the intersection to determine whether a traffic hazard existed and ways in which it could be alleviated.

Mr. Vuicich questioned the applicant regarding the distance of the Atlantic Avenue access point from the property line. The applicant stated that there were approximately 65 feet from the west property line to the first lane of the Atlantic Avenue access/ boulevard.

Mr. Vuicich had questions concerning the water main system proposed. Ms. Branch also had questions concerning the piping which would be used within the proposed water system in that the system proposed was private in nature. It was pointed out that the standards of the Township and the Department of Public Health would have to be met.

The Board next discussed the screening proposed for the east and south lines. There was some discussion as to whether all screening should be in place in phase 1. The Chairman recommended that all screening be by phase.

Mr. Vuicich moved to grant a variance so as to permit one access point (rather than two), connecting the mobile home park in question to a public highway, said variance to allow the elimination of the access point on Parkview Avenue and permitting the Atlantic Avenue boulevard type entrance as shown on the proposed site plan. Mr. Vuicich advanced the following reasons:

- (1) That two access points for the park would be contrary to the policies and standards of the Access Management currently in the process of adoption by the Township;
- (2) That the Fire Department would not need a second access point and was not in favor of an emergency access designed for Parkview Avenue;
- (3) That traffic hazard would be probable if the Parkview Avenue access point were developed;
- (4) That the Zoning Board had recommended that the Parkview access point be eliminated.

The motion was seconded by Mr. Zuiderveen. The motion carried unanimously.

As to the preliminary plan, Ms. Branch agreed with Ms. Harvey that more detail was needed as to the community area(s). Therefore, she felt, the Board should condition its approval. As to the issue of bonding, the Board members agreed that a performance bond should be required, the amount to be determined by staff members after submission by the applicant of cost estimates. Board members were further in agreement that bonding should be by phase. Further, they felt that screening should be by phase.

Ms. Branch moved to approve the preliminary plan with the following conditions, limitations, and notations:

- (1) That the preliminary plan was in compliance with Section 25.401 of the ordinance;
- (2) That the development would occur in three phases as shown on the preliminary plan;

- (3) That the approval excluded any approval for the community areas (i.e., community building area and commons);
- (4) That the developer be required to post a performance bond, bank letter of credit or cash bond sufficient for each phase of the project prior to the beginning of construction on each phase for the construction of streets, lighting, screening, and underground utilities in that phase;
- (5) That all street lighting be of sharp cut-off in type as indicated on the preliminary plan;
- (6) That the Kalamazoo County Road Commission's approval of the proposed access arrangement was noted;
- (7) That the agreement between the Township and the developer for sewer and water was noted;
- (8) That screening be as proposed on the preliminary plan and be constructed by phase;
- (9) That approval be conditioned on the review and approval of the Fire Department and Township engineer.

The motion was seconded by Mr. Vuicich. The motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 5:35 p.m.

Oshtemo Township Zoning Board
of Appeals

Marvin Block
Marvin Block, Chairman

Stanley Rakowski

George Vuicich
George Vuicich

Lois Brown

Ron Zuiderveen
Ron Zuiderveen

Minutes prepared:
January 25, 1991

Minutes approved:
February 25, 1991



7275 W. MAIN STREET, KALAMAZOO, MI 49009
616-375-4260

To: ZBA Members

ZBA Meeting Date: 1-21-91

From: Rebecca Harvey

Agenda Item: D

Property in Question: Approximately 38 acres located in the southeast corner of the intersection of Atlantic Avenue and Parkview - Section 35.

Zoning District: "R-5" Residence District

Request: Preliminary Plan Review - 202 Lot Manufactured Home Development

Variance Approval - Two Access Streets
- KCRC Specifications and 66' ROW for Interior Roadway System
- 12' Wide Deceleration Lane for Parkview Entrance

Ordinance Section(s): Section 25.401 - Mobile Home Parks

Planning/Zoning Department Report:

Background Information

- On May 9, 1990 and June 14, 1990, the Zoning Board considered the applicant's request for a Special Exception Use Permit for the development of a 202 Lot Manufactured Home Development on the subject site.
- On June 14, 1990, the Zoning Board granted Special Exception Use Permit 'based upon a finding that the requirements of Section 25.401 of the Ordinance were met, with the following conditions and limitations:'
 1. Approval was based upon the "Preliminary Plan" submitted to the Board;
 2. The Parkview Avenue access point would comply with the KCRC standards and provide a deceleration lane as required by Section 25.401(m);
 3. Approval was based upon the density, open space, and layout proposed on the "Preliminary Plan";
 4. That public sewer and water be provided to the project;

5. Fire hydrants shall be reviewed and approved by the Township Fire Department;
 6. Approval was based upon adequacy of proposed 'buffer areas';
 7. Though in compliance with AMP Standards, the Board would discourage use of the Parkview Avenue access and urge the ZBA to grant a variance to eliminate the same.
- Reference the May 9, 1990 and June 14, 1990 ZB Minutes. (12-17-90 ZBA Packet)
 - On December 17, 1990, the ZBA conducted Preliminary Plan Review of the proposed project. Action was tabled to allow for the submission of revised plans addressing the following issues:
 - : Landscape detail for park entrance area
 - : Detailed site plan for community/recreational area
 - : Fire Department review of Parkview access

Department Review

(Reference Section 25.401 - Mobile Home Parks)

- a) --
- b) - The subject site has 574' of frontage on Atlantic Avenue and 176' of frontage on Parkview (750' total frontage).
 - Two (2) access points have been proposed as required; one (1) onto Atlantic Avenue (primary) and one (1) onto Parkview (secondary).

The Zoning Board recognized the Ordinance requirement for two (2) access points but recommended ZBA consideration of a variance permitting only one (1) access given access management concerns.

Pursuant to the ZBA's 12-17-90 directive, the FD has reviewed the use of the proposed Parkview access as an emergency access only in lieu of total elimination of the drive.

The FD is not in favor of an emergency access design but will approve elimination of the access point given the proposed design of the Atlantic Avenue entrance.

- Applicant requests Variance Approval from the requirement to provide two access points into the project given the review comments from the ZB, ZBA, and FD.

- c) - The subject site is approximately 38 acres in area.
- d) - The subject site is bounded on the north by Atlantic Avenue/Parkview; on the east by "R-5" zoning; on the south by "I-R" zoning; and on the west by "AG"-Rural zoning.

The Preliminary Plan proposes the establishment of a 20' wide buffer zone along the east and south boundaries and the retention of an existing hedgerow along the west boundary.

A "Typical Buffer Zone Planting Area" is shown on the Plan.

Reference Section 11.540 - Screening Requirement.

- e) - All proposed interior drives are two-way with a 21' wide paved roadway surface. (Reference General Notes-#8)
 - With the addition of the Parkview access, the interior drive system will serve as 'a connecting link between different public roads' (Atlantic Avenue and Parkview). It is required that the proposed system be constructed in accordance with KCRC specifications and be located upon a 66' wide r.o.w.
 - If the requested variance from the access requirement is denied, the applicant requests Variance Approval from the construction specifications and 66' wide r.o.w. requirement for the interior drive system.

Reference 12-21-87 ZBA Minutes (Bronson Place Variance) and 8-10-88 ZBA Minutes (Southfork Variance). (Enclosed)

- f) - Two (2) off-street concrete parking spaces for each mobile home site have been provided. (Reference "Typical Lot Detail")
 - Regional paved off-street parking sufficient to provide 1 space/3 mobile home sites is required.

Sixty-nine (69) 'Guest Spaces' shall be provided.
(Reference General Notes-#12 and Guest Parking Detail)

- g) - The applicant has responded to this requirement in the letter dated 4-13-90.
- h) - All utilities are proposed to be located underground.
(Reference General Notes-#10 and "Typical Lot Detail")
- i) - The proposed fire hydrant layout has been reviewed and approved by the FD. (#3 - 6-7-90 FD Review)
- j) - The Preliminary Plan proposes an average lot size of 5088 square feet - no site is less than 4400 square foot in

area. (Reference General Notes-#11)

- The Plan proposes 202 mobile home sites (approximately 5 units per acre) and approximately 5 acres of Commons Area.
- k) - Township Board agreement with proposed sewer and water connections prior to Preliminary Plan Review is required.
- l) - One (1) single-family mobile home per site is proposed.
- m) - A deceleration lane per the KCRC standards is proposed for the Atlantic Avenue access. If the Parkview access point is required, the applicant requests Variance Approval from the deceleration lane requirements for said access given the proximity of the Atlantic Avenue/Parkview intersection.

n) Preliminary Plan

1. --

2. aa) Name and address of applicant provided.

bb) Location Map and legal description provided.

cc) Total land area indicated - 38 acres.

dd) Present zoning indicated - "R-5" District.

ee) Information Provided

1. Number and size of lots/street locations.

2. Location of utilities.

3. Location of fire hydrants.

4. Location of access points.

5. Proposed method for on-site drainage.

6. A Site Plan for the community/recreation area and related amenities has been provided.

Park lighting has been designated on the Plan. An illustration of the proposed fixtures is attached. (Individual lot lighting by park owners is not proposed)

7. Sign specifications have not been submitted. General Notes-#6 proposes signage in compliance with Township ordinances for the Atlantic Avenue entrance.

8. All buffer areas have been identified and described

on the Plan. Entrance landscaping has also been included. The landscaping and ground cover for the community areas is shown on the clubhouse site plan.

3. --

4. --

5. Project development has been proposed in 3 construction phases, as noted on the Plan. The nature and scope of the proposed project warrants Board consideration of a performance bond requirement. (Reference bonding requirement applied to Southfork - 8-10-88 ZBA Min.)

Recommendation

- The proposed plans have been revised as required and in conformance with Section 25.401, Zoning Ordinance.
- In addition, the following shall be presented at the 1-21-91 ZBA meeting:
 - : Written approval from the KCRC of the proposed access design.
 - : Township Board agreement of proposed sewer and water connections.
- Approval of the proposed Preliminary Plan as revised is appropriate upon submission of the written approvals noted.

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same;

(3) That any and all lighting be sharp cut-off in type and comply with Section 78.700 of the zoning ordinance;

(4) That approval be subject to the Fire Department and Township engineer review and approval;

(5) That, given the nature of the use, the angle at which the entrance driveway (where it meets Stadium Drive), is not of concern; however, if a change in use were to take place the "angle" might not be appropriate.

The motion was seconded by Mr. Zuiderveen. The motion carried unanimously.

WILDWOOD MOBILE HOME COMMUNITY - PRELIMINARY PLAN AMENDMENT - VARIANCE FROM SECTION 25.401 (B).

The Board next considered the application of Germano Mularoni of Germano Management Company for preliminary plan amendment regarding the screening requirement for Wildwood Mobile Home Community. The applicant also requests variance approval from the requirement for a minimum of two (2) access streets connecting said park to a public road, established by Section 25.401 (b) of the zoning ordinance. The subject site is located at 4797 South 4th Street and is in the "R-5" Residence district zoning classification. The applicant was present.

Ms. Harvey summarized the Planning and Zoning Department report. Her report is incorporated herein by reference. She indicated that the applicant proposed to formally close the approved 5th Street access point, remove the gate established at that access point, and extend the chain link fence proposed for the east boundary across that area. The applicant was not proposing to establish a second access point at a new location. Therefore, since the ordinance requires that two access points be provided, a variance was necessary. The applicant further proposed, as to screening, that a six foot chain link fence, with no plantings, be established along the entire east property line. This proposal differed from that contained in the applicant's application form and in the letter supplied by the applicant. However, the applicant had changed his proposal after discussions with neighboring property owners.

The applicant indicated that Germano Management Company had had meetings with the owners of neighboring properties, i.e., Mr. and Mrs. Moyle and Mr. and Mrs. Diamond. The applicant submitted a packet of information concerning his request. The Chairman called for public comment on the item. Mr. Roy Moyle presented a letter from Bernard Diamond. Mr. Moyle indicated that the contents of the letter from Mr. Diamond were in accord with his own feelings on the screening requirement. Both property owners preferred a chain link fence (rather than plantings). The property owners,

however, wanted a completion date of May 1, 1991. Further, the property owners asked that the Board require the applicant to annually inspect and maintain the chain link fence.

Thomas Gordinier had questions for the Board concerning whether the site was in compliance with its approval of July 31, 1972.

There being no further public comment, the public hearing was closed.

There was discussion regarding the status of action to enforce the screening requirement. It was noted that the Township Board had authorized Circuit Court action to enforce the approved screening at the site in question. However, if the screening requirement were amended, as requested by the applicant, the need for Circuit Court action at this time would be nullified.

In response to questioning by Ms. Branch, the applicant indicated that the Mobile Home Community was licensed for 231 sites.

With regard to screening, Ms. Branch opined that she preferred green screening; however, given the problems which had arisen with the property in question and the preference of the neighbors, the chain link fence might be more desirable.

The applicant indicated that the chain link fence would be a standard fence with cemented poles. The applicant requested that a deadline of June 30, 1991, be placed on the installation of the fencing. Mr. Vuicich and Ms. Branch both felt that the fencing would eliminate the problem of blowing trash and would also minimize the possibility of trespassing onto neighboring properties.

The applicant stated that the fencing was proposed for the entire east property line. No change had been proposed for the north line, however, the applicant indicated that he was in favor of the Board considering fencing as an alternative to the currently approved screening for the north line. Mr. Vuicich suggested that a ten foot fence be erected.

Ms. Branch moved to amend the preliminary plan approval with regard to the required screening as follows:

- (1) A six foot standard chain link fence (with cemented posts) to be established along the entire east property line and along the north line in place of the previously approved "evergreen" screening;
- (2) That the fencing be established and maintained in good repair;
- (3) That the fencing be established, and the site be in full

compliance with screening requirements by May 31, 1991;

(4) That a performance bond be posted by the applicant in an amount sufficient to meet the cost of establishing the screening approved herein.

Ms. Branch ^Cited as her reasons:

(1) The neighbors preference for the chain link fence over "evergreen plantings" and

(2) The fact that a chain link fence would be more adequate in preventing the blowing of trash onto neighboring properties and would better minimize the possibility of trespassing.

Ms. Branch further moved that all vegetation be maintained as much as was practicable. The motion was seconded by Mr. Zuiderveen. The motion carried unanimously.

As to the access drive, Mr. Vuicich felt that there were a number of reasons why only one access point was necessary in this case he cited the following which were part of the Planning and Zoning Department report:

(1) The proposed Access Management Plan indicates that mobile home parks with less than 600 units do not have trip generation characteristics warranting consideration of a second access point.

(2) The KCRC reports that the traffic volumes recorded for 4th Street are not at levels such to cause significant delay for motorists using the existing access.

(3) Given the number of sites and the existing street network in Wildwood, and based on the width and design of the 4th Street access, the Fire Department does not oppose the elimination of the 5th Street access and will not require the establishment of a new second access point into the Park.

(4) The Board recently granted variance approval from the access requirement for a mobile home development proposing the establishment of 202 sites and a boulevard main entrance.

(5) It was determined that a second access point would not improve traffic safety given the location options for the second access, the need for the access given trip generation data, and the Fire Department's Review.

However, Mr. Vuicich was a bit disturbed that the second access point on 5th Street was not being used and there was no possibility for the establishment of such access. Therefore, even if a second access point were required it could not physically be established. He felt unsure whether one access point was sufficient.

Ms. Branch felt that since the Fire Department does not oppose the elimination of the 5th Street access and would not require the establishment of a second access point and since, pursuant to the Access Management Plan policies and standards a second access point was unwarranted, and since the Road Commission indicated that the 4th Street access point was adequate given daily trip generations, the variance should be granted. The Chairman concurred.

Mr. Zuiderveen moved to grant the variance from Section 25.401 (b) so as to permit one access street connecting the park to a public road and for the amendment of the preliminary plan to formally close the 5th Street access point, for the following reasons:

- (1) The proposed Access Management Plan indicates that mobile home parks with less than 600 units do not have trip generation characteristics warranting consideration of a second access point.
- (2) The KCRC reports that the traffic volumes recorded for 4th Street are not at levels such to cause significant delay for motorists using the existing access.
- (3) Given the number of sites and the existing street network in Wildwood, and based on the width and design of the 4th Street access, the Fire Department does not oppose the elimination of the 5th Street access and will not require the establishment of a new second access point into the Park.
- (4) The Board recently granted variance approval from the access requirement for a mobile home development proposing the establishment of 202 sites and a boulevard main entrance.
- (5) It was determined that a second access point would not improve traffic safety given the location options for the second access, the need for the access given trip generation data, and the Fire Department's Review.

Ms. Branch seconded the motion. The motion carried with 4 members voting in favor and Mr. Vuicich voting in opposition.

LANDTECH, INC. - SKETCH PLAN REVIEW - OFFICE PARK AT CORNER OF WEST MAIN AND 10TH STREET.

The next item of business was the application of Harry Wierenga of Landtech, Inc, for sketch plan review of a proposed office park. The project is proposed for approximately 40 acres situated at the northeast corner of West Main and 10th Street. The subject site is located in the "R-4" Residence district zoning classification. Ms. Harvey explained the sketch plan review process for the public present. She further summarized the contents of her report on behalf of the Planning and Zoning Department.



7275 W. MAIN STREET, KALAMAZOO, MI 49009
616-375-4260

To: ZBA Members

ZBA Meeting Date: 2-4-91

From: Rebecca Harvey

Agenda Item: B

Property in Question: 4797 South 4th Street
(Wildwood Mobile Home Park)

Zoning District: "R-5" Residence District

Request: Variance Approval - Two (2) Access Streets
Preliminary Plan Amendment - Access Streets
- Screening Requirement

Ordinance Section(s): Section 25.401(b) - Access Requirement
Section 25.401(d) - Screening Requirement
Section 25.401(n)(4) - Preliminary Plan
Amendment

Planning/Zoning Department Report:

Background Information

- On July 31, 1972, the Zoning Board of Appeals granted Preliminary Plan Approval for the eastern segment of Wildwood.
- As a condition of Preliminary Plan Approval, the Board noted a '33' wide right-of-way to a county street lying to the rear of the property', as shown on the Plan, as the second access required by Section 8. 2.(n), 1972 Zoning Ordinance.
- Preliminary Plan Approval was also conditioned upon the following screening requirement:
 - : 'That the applicant plant two rows of evergreen trees 5 feet in height, 10 feet on center within each row and staggered as between the two rows.' (Section 8. 2.(c), 1972 Zoning Ordinance)
- Reference 7-31-72 ZBA Minutes and Section 8. "B-4" Residence District, 1972 Zoning Ordinance.

- The approved Plan reflects the rear access (33' wide r.o.w.) and a 10' wide planting area along the east and north boundaries.

Reference 7-31-72 Preliminary Plan.

Department Review

Access Requirement

- : The applicant proposes to formally close the approved 5th Street access, remove the gate established at that access point, and extend the chain link fence proposed for the east boundary across that area.

The applicant is not proposing to reestablish a second access point at a new location.

- : The Ordinance requires the provision of two (2) access points unless it is determined by the Board that the second access point would not improve traffic safety.

A variance from the access requirement is requested.

- : The proposed Access Management Plan indicates that mobile home parks with less than 600 units do not have trip generation characteristics warranting consideration of a second access point.
- : The KCRC reports that the traffic volumes recorded for 4th Street are not at levels such to cause significant delay for motorists using the existing access.
- : Given the number of sites and the existing street network in Wildwood, and based on the width and design of the 4th Street access, the Fire Department does not oppose the elimination of the 5th Street access and will not require the establishment of a new second access point into the Park.
- : The Board recently granted variance approval from the access requirement for a mobile home development proposing the establishment of 202 sites and a boulevard main entrance.

It was determined that a second access point would not improve traffic safety given the location options for the second access, the need for the access given trip generation data, and the Fire Department's Review.

- : Based on trip generation data set forth in the Township's proposed Access Management Plan, the KCRC traffic volume reports, the Fire Department's Review, and consistent with a past Board decision in a similar situation, staff recommends approval of the variance request.