

OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION

MINUTES OF A MEETING HELD MAY 8, 2008

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**Agenda**

**BORGFJORD REZONING - PUBLIC HEARING - 8688 WEST MAIN STREET -  
(PARCEL NO. 3905-16-180-059)**

**VILLAGE PLACE - SITE PLAN AMENDMENT - 6860 STADIUM DRIVE - (PARCEL  
NO. 3905-35-102-001)**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, May 8, 2008, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairman  
Deborah Everett  
Lee Larson  
Fred Gould  
Bob Anderson  
Kitty Gelling

MEMBER ABSENT: Carl Benson

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner; Brian VanDenBrand, Associate Planner; James Porter, Township Attorney, and approximately three other interested persons.

**Call to Order**

The meeting was called to order at about 7:00 p.m. The "Pledge of Allegiance" was recited.

**Agenda**

The Chairman indicated, if the Agenda was satisfactory as submitted, a motion was needed. Ms. Gelling made a motion to approve the Agenda as submitted. The motion was seconded by Mr. Larson. The Chairman called for a vote on the motion, and the motion passed unanimously.

### **Minutes**

The Chairman stated approval of the minutes of April 24, 2008, was next on the Agenda. Mr. Anderson made a motion to approve the Minutes as submitted. Ms. Everett seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

### **BORGFJORD REZONING - PUBLIC HEARING - 8688 WEST MAIN STREET - (PARCEL NO. 3905-16-180-059)**

The Chairman said the next item on the Agenda was a public hearing on a rezoning request of the rear 1.9 acres of the subject property located at 8688 West Main Street, Parcel No. 3905-16-180-059, from "RR" Rural Residential to "C" Local Business District. The Chairman asked to hearing from the Planning Department. Ms. Stefforia submitted her report to the Planning Commission dated May 8, 2008, and the same is incorporated hereby by reference.

Ms. Stefforia reviewed the surrounding zoning, as well as the history of the subject property itself. Ms. Stefforia then proceeded to take the Commission through the factors for consideration of a rezoning request as more fully set forth in her report.

At the conclusion of Ms. Stefforia's presentation, the Chairman asked if there were any questions. Hearing none, he asked to hear from the applicant.

Ms. Grace Borgfjord introduced herself to the Planning Commission. She told the Commission that she had met with her neighbors, and they were in support of the additional security which would be added as a result of the rezoning which was desired to construct a building addition. She said her neighbor was a business owner and understood the need for additional security. Ms. Borgfjord said they were proposing to add indoor storage to help reduce theft from the vehicles parked on site.

The Chairman asked if the main focus was, in fact, the issue of theft. Ms. Borgfjord said that it was. She said that a catalytic converter for certain cars could cost anywhere from \$3,000 to \$4,000 to replace, and it was becoming a serious concern. She said that the biggest risk they ran as a business, if security was not improved, was the possible loss of their insurance.

Mr. Gould asked if they would be placing all of the cars on site inside at night. Ms. Borgfjord said that they would do their best to secure as many vehicles as possible.

The Chairman asked if there were any comments from the public, and hearing none, he called for Planning Commission deliberations. The Chairman reminded all those in attendance that it was, in fact, a rezoning, not a site plan review.

Ms. Everett said that she agreed with the rezoning and thought it was consistent with the land uses established in the area. Mr. Gould said that he agreed with Ms. Everett. The Chairman said the motion would be a motion to recommend to the Township Board the rezoning of that part of the subject parcel zoned "RR" to "C" Commercial.

There being no further discussion, Ms. Gelling made a motion to recommend the rezoning of the subject property for the reasons set forth in the Staff report. The motion was seconded by Mr. Gould. The Chairman asked if there was any discussion on the motion.

Mr. Larson asked a question as to whether the rezoning should be extended to the boundaries of the property or whether it should cover less than the entire parcel. Mr. VanDenBrand pointed out that leaving a buffer might reduce the overall setbacks since the commercially-zoned property would not be abutting Rural Residential. It was the consensus of the Commission to apply the proposed rezoning to the entire remainder of the parcel at issue.

The Chairman called for a vote on the motion, and the motion passed unanimously.

**VILLAGE PLACE - SITE PLAN AMENDMENT - 6860 STADIUM DRIVE - (PARCEL NO. 3905-35-102-001)**

The Chairman announced that the next item was a proposal to change a previously-approved site plan for Building No. 1 on the subject property which was located at the 6860 Stadium Drive, known as Village Place, Parcel No. 3905-35-102-001. The Chairman asked to hear from the Planning Department. Ms. Stefforia submitted her report from the Planning Department dated May 8, 2008, and the same is incorporated herein by reference.

The Chairman asked if there were any questions for Ms. Stefforia. Hearing none, he asked to hear from the applicant.

Mr. Roche said he was proposing to update his development and wanted to explain to the Planning Commission why he felt that parking in front was necessary. He

said, while business was doing well at the first building at the site, the speed on Stadium Drive continued to be a problem. He also said, given the huge hole to the east, he thought if they filled that in, it would take away from the quality of the overall site design. He said it would also have a negative impact on the residential development to the north.

The Chairman pointed out that the Commission was just looking at the southeast building at the present time. The Chairman said it appeared that the applicant had filled the property for the first building on site. Mr. Roche said that was true, and he said it certainly was possible for them to fill this area, but he did not believe it would look as good, and he thought it would not be as conducive to a quality design. He said it would be better if the building was set back from the road for several reasons. First, it would help with the speed of the traffic going by not only to see this building, but the other building which has already been constructed. He said he also thought it would be more conducive to establishing pedestrian traffic in the area.

The Chairman asked Mr. Roche if he recalled the Planning Commission's discussion regarding the westerly building. He said, at that time, the Planning Commission was willing to go along with allowing some front parking because the property was further to the west and more transitional than the east end. He pointed out that Mr. Roche had ultimately chosen to build in compliance with the overall design provisions for the Village Commercial. The Chairman said now he was asking for just the opposite of what was originally proposed and approved by the Planning Commission. He said the intent was to get buildings closer to the street to slow traffic down, and he did not understand Mr. Roche's request.

Mr. Roche said he understood the Chairman's concerns. He said he, too, is in support of a more pedestrian-friendly environment, and he thought that having some parking out front would actually help, not hinder, that overall development. He explained that he had put a lot into the community up to this point, and having operated in that area, he thought he had a clear understanding of what would help further the overall development in the Village Commercial area.

The Chairman said he understood Mr. Roche's commitment to the area, and that he had actually championed parking in the front of the building to the west. However, he said now that the Village Commercial concept was coming even closer to implementation, he was a bit bothered by Mr. Roche's lack of support.

Ms. Gelling said she thought what the applicant was proposing was the opposite of the intent for the Village Commercial zoning and the Overlay Zone. Mr. Larson said his reaction was similar, and he did not think this was the type of appearance they wanted in the Village Commercial area. Mr. Larson added that he did not see any justification in the proposal for changing the overall development scheme for the Village Commercial area. Mr. Anderson said he had to agree with Ms. Gelling and Mr. Larson.

He said he did not see any reason to deviate from the proposed plans for Village development, though he did compliment the developer on the proposed building design.

Mr. Roche asked where else the Planning Commission was trying to implement this design plan. The Chairman said it was for the entire Village Commercial area. He invited Mr. Roche to review the Village Form Based Code which is being considered later in the month for final adoption. Mr. Roche said he did not feel he could do that until such time as the speeds were lowered in the area. The Chairman pointed out that setting the speed limit was not within the control of the Township Board, and it was the intent of the overall Village design plans to assist with slowing vehicles down. The Chairman said he could not state when or how soon the speeds would begin to drop in the area, but he did not think deviating from the proposed pedestrian community, as outlined in the Village Commercial and the Focus Area, would promote lower speed limits. Mr. Larson said he agreed with the Chairman and thought the approved site plan was much closer to achieving the goals and intent of the new text changes than what was being presently submitted.

Ms. Stefforia pointed out that they were seeking a traffic study at the corner of Stadium Drive and 8<sup>th</sup> Street, hoping to have a light installed, thereby slowing traffic in the area. The Chairman said he supported that as well.

Mr. Roche said it was not his intent to offend the Planning Commissioners, but he had to be honest with them and tell them, until the speeds slowed in the area, he would have to wait to commence construction of an additional building in the area. He said perhaps if a new light were installed, that would change the circumstances.

Mr. Anderson said he understood Mr. Roche's position but did not understand how having parking out front would help in developing this site. Mr. Roche said he could not have two levels of store fronts without having parking along the street and that traffic was not slow enough to promote any kind of pedestrian traffic in the area.

The Chairman said he understood the concerns which Mr. Roche had expressed, but he felt, on behalf of the Planning Commission, that they could not abandon a larger community plan. Mr. Roche said he needed help slowing the traffic in the area. The Chairman again suggested that he contact the Kalamazoo County Road Commission.

Mr. Larson said, if it would help, he would like to make a recommendation that the Road Commission look at a traffic light at 8<sup>th</sup> Street and Stadium Drive in hopes that the light could be installed and assist Mr. Roche in his development plans. There was strong support among the Planning Commission to make that recommendation. Ms. Stefforia said she would follow up on the matter.

The Chairman noted to Mr. Roche that he was not alone in wanting to see the speeds reduced in this area, and he thought that the Planning Commission would try to

do what it could, along with the Township, to bring that about. He also reminded Mr. Roche to take a look at the Form Based Code, since there were several areas in which the proposed development fell short, and he thought if he looked at the Form Based Code more closely before returning to the Planning Commission, it would assist in a smoother approval process.

Mr. Gould told Mr. Roche that he was encouraged by what was happening on site and that he liked what he was doing very much, but hoped that he would also see the vision for the Township as proposed by the Village Theme Development Plan and Form Based Code. He asked for Mr. Roche's patience as the process moved forward.

At the point, the Chairman made a motion to deny the request to modify the site plan because it was not in compliance with the parking and the building setback provisions of the Township Zoning Ordinance. Ms. Gelling seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

### **Public Comment on Non-Agenda Items**

None.

### **Any Other Business**

None.

### **Planning Commissioner Comments**

Mr. Gould asked about the meeting involving the proposed change to the Truck Route Ordinance. Attorney Porter provided a brief overview of the meeting of May 1, 2008.

The Chairman reminded the Commission that the Form Based Code hearing was coming up and asked that they stay committed to that vision for the Village Area.

### **Adjournment**

There being nothing further to come before the Commission, the meeting was adjourned at approximately 8:15 p.m.

Minutes Prepared:  
May 13, 2008

Minutes Approved:  
May 22, 2008