

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A MEETING HELD SEPTEMBER 27, 2012

Agenda

FLAGSTAR BANK ATM – PUBLIC HEARING CONTINUED - APPLICATION OF BOGGIO ARCHITECTS FOR SPECIAL EXCEPTION USE REVIEW TO ALLOW FOR THE INSTALLATION OF A DRIVE-THRU ATM IN THE PARKING LOT IN FRONT OF EXISTING SHOPPING CENTER NEAR THE SOUTHWEST CORNER OF DRAKE ROAD AND WEST MAIN STREET IN THE “C” LOCAL BUSINESS DISTRICT – PARCEL NO. 3905-13-430-038

ZONING ORDINANCE AMENDMENTS – DISCUSSION OF PROPOSED AMENDMENTS TO OSHTEMO TOWNSHIP ZONING ORDINANCE SECTION 76 REGARDING ELECTRONIC SIGNS AND BILLBOARDS

JOINT MEETING FOLLOW-UP – FOLLOW-UP DISCUSSION FROM THE JOINT MEETING HELD ON TUESDAY, SEPTEMBER 18, WITH PARTICULAR FOCUS ON NEXT STEPS TO BE TAKEN BY PLANNING COMMISSION

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, September 27, 2012, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Kitty Gelling, Chairperson
Bob Anderson
Millard Loy
Dave Bushouse
Richard Skalski
Wiley Boulding, Sr.

MEMBER ABSENT: Carl Benson

Also present were Greg Milliken, Planning Director; Attorney James Porter, and one other interested person.

Call to Order and Pledge of Allegiance

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

Agenda

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

Public Comment on Non-Agenda Items

The Chairperson asked if there was any public comment on Non-Agenda items. There being no public comment, the Chairperson dispensed with the public comment portion of the Agenda and proceeded to the next Agenda item.

Approve Minutes

The Chairperson stated the next item on the Agenda was approval of the minutes of September 13, 2012. She asked if there were any additions, deletions or corrections to the minutes. Hearing none, she called for a motion. Mr. Anderson made a motion to approve the minutes, as submitted. Mr. Skalski seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

FLAGSTAR BANK ATM – PUBLIC HEARING CONTINUED - APPLICATION OF BOGGIO ARCHITECTS FOR SPECIAL EXCEPTION USE REVIEW TO ALLOW FOR THE INSTALLATION OF A DRIVE-THRU ATM IN THE PARKING LOT IN FRONT OF EXISTING SHOPPING CENTER NEAR THE SOUTHWEST CORNER OF DRAKE ROAD AND WEST MAIN STREET IN THE “C” LOCAL BUSINESS DISTRICT – PARCEL NO. 3905-13-430-038

The Chairperson said the next item on the Agenda was consideration of an application from Boggio Architects for a special exception use and site plan review for the installation of a Flagstar Bank drive-thru ATM in the parking lot in the front of the existing shopping center near the southwest corner of Drake Road and West Main Street in the “C” Local Business District, Parcel No. 3905-13-430-038. The Chairperson asked to hear from Township Planning Director, Greg Milliken. Mr. Milliken submitted

his report to the Planning Commission dated September 27, 2012, and the same is incorporated herein by reference.

Mr. Milliken reminded the Commission that this matter had been tabled from the August 23, 2012 meeting over concerns raised regarding the proposed location of the ATM. Mr. Milliken explained to the Planning Commission that the applicant had re-located the ATM and reviewed the engineer's drawings with the Planning Commission.

Mr. Milliken then proceeded to go through the Standards for Approval of the special exception use, as more fully set forth in his report. Mr. Milliken concluded his report by indicating that Staff supported the revised plan and appreciated the efforts made by the entities to accommodate the Township's identified concerns, and he recommended approval with certain conditions.

Mr. Skalski asked about the landscaping. A brief discussion ensued with regard to the trees and their locations. Mr. Skalski suggested that the trees be moved to the larger curbed area north of the ATM so that they could get more water. He also expressed a concern about the viability of the chosen groundcover.

Mr. Boggio said they had looked at all possible alternatives, and because there was no sprinkling available, they were doing the best they could to try to comply with the Zoning Ordinance requirements. He said he agreed with Mr. Skalski that perhaps putting the trees in the triangular island would be best for their survivability. Mr. Boggio asked Mr. Skalski if he had any other ideas regarding appropriate plantings. The Chairman suggested perhaps pachysandra, which grows quite low to the ground. Mr. Skalski said pachysandra would be nice except that it would need more of a shaded area. Mr. Boggio said perhaps they could move the shrubs as well.

The Chairperson asked about the concrete bollards and if there was any way to provide some give to those so as not to damage automobiles. Mr. Boggio said yes, and they could work on that issue.

The Chairperson asked Mr. Boggio if they were okay with the engineer's request for pavement markings. Mr. Boggio indicated that they were.

The Chairperson asked the Commissioners if there were any further questions of the applicant. Hearing none, she opened the meeting for public comment. Hearing no public comment, she closed the public portion of the meeting and called for Planning Commission deliberations.

Mr. Loy said he was satisfied with the newly-designed proposal.

Mr. Boulding, Sr. asked about the electric supply and how long it might disrupt the site. Mr. Boggio said they would have to do a saw cut to put into the electrical service, but that there would not be an interruption lasting more than two weeks.

Mr. Skalski said he was pleased with the new location of the ATM. He again suggested re-locating the trees and re-arranging the landscaping as discussed previously.

Mr. Anderson said he liked the new location. Mr. Bushouse said he thought this was a significant improvement. The Chairperson said she was pleased with the level of cooperation received from Mr. Boggio and his client, as well as the property owner.

Mr. Boulding, Sr. expressed some concern about the bollards being too flexible and not allowing for protection of the equipment. Mr. Boggio explained that his proposal would be to cover them with rubber or plastic PVC sleeves so as to minimize any damage to motor vehicles. The Chairperson said she thought that would be satisfactory.

A discussion ensued again regarding the landscaping. Mr. Boggio suggested that the Planning Commission approve the proposal, but leave the location of the plantings up to the Planning Department Staff. Mr. Skalski said he thought that was a good idea. Mr. Skalski made a motion to approve the special exception use, as requested, with the following conditions:

- (1) A sign and/or pavement markings shall be installed at the entry to the ATM drive to identify the ATM drive from the adjacent parking lanes.
- (2) Site plan approval is subject to the approval of the Fire Department, pursuant to adopted codes.
- (3) Site plan approval is subject to the review and acceptance of the Township Engineer as adequate. The final plan should be revised as noted in the email sent by the Township Engineer.
- (4) Landscaping may be located either on site or nearby as directed by the Oshtemo Charter Township Planning Department Staff in conjunction with the developer.

Mr. Loy seconded the motion. After asking if there was any further discussion, the Chairperson called for a vote on the motion. The motion passed unanimously.

The Chairperson thanked Mr. Boggio for his willingness to work with the Township, and said she appreciated his efforts.

ZONING ORDINANCE AMENDMENTS – DISCUSSION OF PROPOSED AMENDMENTS TO OSHTEMO TOWNSHIP ZONING ORDINANCE SECTION 76 REGARDING ELECTRONIC SIGNS AND BILLBOARDS

The Chairperson indicated the next item on the Agenda with a discussion of proposed amendments to the Oshtemo Township Zoning Ordinance Section 76 regarding electronic signs and billboards. Mr. Milliken presented the Planning Commission with a draft of a proposed text to deal with electronic billboards and their regulations, and the same is incorporated herein by reference.

Noting that this was the first chance to comment on the proposed amendment language, Mr. Milliken said there was no rush to set a public hearing at this time.

Mr. Milliken took the Commission through the various sections of the proposed draft beginning with the definitions. He then addressed the Ordinance provisions dealing specifically with electronic billboards including findings, regulations, brightness and incentives. In addition, he asked that they add a couple of provisions to the lighting regulations under Section 76.410. He did this, in part, to remove part of the regulations regarding LED lighting from the definition section of the Ordinance.

At the conclusion of the discussion, it was the consensus of the Commission that Mr. Milliken continue to work on the proposed text, taking into account the comments made by the Commission members. Attorney Porter complimented the Planning Director on the proposed draft to amend the Zoning Ordinance, as did the Chairperson.

JOINT MEETING FOLLOW-UP – FOLLOW-UP DISCUSSION FROM THE JOINT MEETING HELD ON TUESDAY, SEPTEMBER 18, WITH PARTICULAR FOCUS ON NEXT STEPS TO BE TAKEN BY PLANNING COMMISSION

The Chairperson said the next item on the Agenda was a follow-up discussion from the joint meeting on Tuesday, September 18, with particular focus on the next steps to be taken by the Planning Commission. At the Chairperson's request, Mr. Milliken provided an overview of the proposed microbrewery which was brought forward at the joint meeting for those Planning Commission members not in attendance. Mr. Milliken said he was looking for further comments from the Planning Commission and further direction as to how to proceed.

The Chairperson said she was quite excited about the proposal and thought it was encouraging to see someone attempting to establish a new operation within the Township, especially given the current economic times. She said there were a number of these types of facilities being developed throughout the State, and she proceeded to recite a list of towns throughout Southwest Michigan having microbreweries. She hoped to see the development of such a facility in the Township.

Mr. Skalski said he was comfortable with what was being planned, and he thought that the Township Planning Department and legal staff could make the appropriate changes to the Ordinances to accommodate a microbrewery

Mr. Boulding, Sr. said he was sorry that he missed the last meeting. He said he thought the idea of a microbrewery was good. He said he was a bit concerned about the size and the location chosen by the applicant, but would wait to see how things developed. Mr. Milliken said he would be meeting with the gentleman who was proposing the microbrewery tomorrow (Friday, September 28) and would obtain further information.

Mr. Milliken asked, if the applicant decided not to proceed with the process, would the Planning Commission still want to see a text change to allow a microbrewery. The Chairperson said she certainly would, and since microbreweries were becoming so popular, she would hate to see the Township lose potential economic benefits and business to another township because Oshtemo Township had not taken the necessary steps in accommodating for this type of entity. Mr. Loy said that he would rather be proactive rather than reactive and thought they should have something in the Ordinance to accommodate such a use. Mr. Skalski said the use in itself was good and would like to see the use allowed in the Village Commercial zone.

Mr. Bushouse said he was concerned about the applicant's proposal to use the building at 6360 Stadium Drive. He said he thought parking could be quite a problem and was concerned about that issue. Mr. Boulding, Sr. said he agreed with that concern. Mr. Anderson noted, however, that parking was a problem for any business in the Village Commercial area. Mr. Loy said he did not see why the applicant could not get an agreement with Harding's to accommodate parking. The Chairperson said she thought they could probably work something out that would be mutually advantageous. Mr. Anderson suggested possibly using the old school.

At the conclusion of the discussion the Planning Commission reached a consensus to go ahead with the proposed microbrewery text changes regardless of the decision of the current applicant.

Old Business

The Chairperson said she had heard Mr. Bushouse's comment at the joint meeting about wanting the Planning Commission dates in the Township Newsletter. She then read from a memo which she had sent to the Township Supervisor in January of 2012, asking that all the Planning Commission dates be put in the Newsletter. The request was forwarded to the editor who later informed her that there was not sufficient room in the Newsletter, but the dates were posted on the Township's website. Mr. Bushouse said he would take the issue up with the Township Board. He said his other concern was consistency in keeping meeting dates.

Mr. Milliken said they had two applications coming in – one dealing with the West Century redevelopment of the building previously occupied by Blockbuster Video and one dealing with Kalamazoo Christian. He said Kalamazoo Christian had been told that there might be a meeting on November 29th and they indicated that they would actually prefer to have their matter taken up on at that day in order to give them time to prepare for the meeting.

After a brief discussion, it was agreed that the Commission would keep its October 11th and 25th meetings as scheduled. It was also the consensus to meet on November 29th to deal with Kalamazoo Christian's application. Mr. Bushouse suggested maintaining a regular schedule. Mr. Loy suggested meeting twice in October and November, if necessary. At the conclusion of the discussion it was agreed that they would discuss whether to meet on November 8, depending upon need, at their October meetings.

Any Other Business

The Chairperson indicated that the next item on the Agenda was consideration of any other business. There being none, the Chairperson asked that the Commission proceed with the next item on the Agenda.

Planning Commissioner Comments

The Chairperson said she wanted everyone to please take note of the nice article in the Oshtemo Historical Society Newsletter regarding its new President, Millard Loy.

Mr. Bushouse complimented Mr. Loy on all the work he does for the Township.

Adjournment

The Chairperson noted that the Planning Commission had exhausted its Agenda, and with there being no other business, she adjourned the meeting at approximately 9:05 p.m.

Minutes Prepared:
September 28, 2012

Minutes Approved:
October 11, 2012