



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

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Regular Meeting
Thursday, March 8, 2018
7:00 p.m.
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: February 22, 2018 Work Session
February 22, 2018 Regular Meeting
6. PUBLIC HEARING: D & R Sports Center – Spring Open House
Consideration of an application from D & R Sports Center for a special exception use to allow an outdoor event per Sections 30.400 and 60.000 of the Township Zoning Ordinance, to commence March 29 and end April 1, 2018, with the Spring Open House being held March 30 and 31, 2018, located at 8178 West Main Street, within the C: Local Business District. Parcel No. 3905-16-280-012.
7. PUBLIC HEARING: Oshtemo Rotary Club – Oshtemo Rotary Family Festival
Consideration of an application from the Oshtemo Rotary Club for a special exception use to allow an outdoor event per Sections 30.400 and 60.000 of the Township Zoning Ordinance, to commence May 21 and end May 30, 2018, with the Family Festival being held May 24 through May 28, 2018, located at 5030 West Main Street, within the C: Local Business District. Parcel No. 3905-13-280-051.
8. Old Business
9. Any Other Business
 - a. Drive Aisle Widths
10. Planning Commissioner Comments
11. Adjournment

Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

- a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.
- b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be board discussion prior to call for a motion.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment or Citizen Comment on Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 5/9/2000)
(revised 5/14/2013)

Policy for Public Comment
6:00 p.m. "Public Comment"/Portion of Township Board Meetings

At the commencement of the meeting, the Supervisor shall poll the members of the public who are present to determine how many persons wish to make comments. The Supervisor shall allocate maximum comment time among persons so identified based upon the total number of persons indicating their wish to make public comments, but no longer than ten (10) minutes per person. Special permission to extend the maximum comment time may be granted in advance by the Supervisor based upon the topic of discussion.

While this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 2/27/2001)
(revised 5/14/2013)

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A WORK SESSION HELD FEBRUARY 22, 2018

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

MEMBERS PRESENT: Fred Antosz
Ollie Chambers
Dusty Farmer
Micki Maxwell
Mary Smith
Bruce VanderWeele, Vice Chairperson

MEMBERS ABSENT: Cheri Bell, Chairperson

Also present was Julie Johnston, Planning Director.

Call to Order

Vice Chairperson VanderWeele called the meeting to order at approximately 6:04 p.m.

Public Comment on Non-Agenda Items

The Vice Chairperson called for public comment on non-agenda items. Seeing none, moved to the next agenda item.

Zoning Ordinance Re-Organization Discussion

Ms. Johnston reminded the Planning Commission that this project began in the fall of 2016 but was placed on hold while the Master Plan Update was in process. She indicated that the Township contracted with Wade Trim, a planning consulting firm, to assist with the re-organization. Wade Trim actually completed the re-organization of the Ordinance, but that staff saw this project as an opportunity to make additional changes and improvements to the Ordinance language.

Ms. Johnston reviewed the organizational chart developed for the re-organization and then requested the Planning Commission discuss process, how to most efficiently work through the ordinance changes, working with the Township Board, and schedule.

After discussion by the Planning Commission, it was decided that we would begin with the Zoning Districts, including the conditional and special land uses, and the schedule of regulations related to those districts. The AG and residential districts would

be the first to be reviewed in March. It was also determined that Ms. Johnston would provide redlined copies of the ordinances, showing language that has been added and removed.

When discussing working with the Township Board, it was decided that sending the entire Ordinance to them at the end of the Planning Commission's work was not ideal. Instead, sending sections of the Ordinance to them for review seemed a better approach. Ms. Farmer wondered if we could send sections for first reading, but hold off on second reading until the entire new Ordinance was ready for approval. Ms. Johnston said she would speak with Attorney Porter to see if that was a possibility.

Finally, it was decided that the Planning Commission should work diligently to try and have the re-organization and all updates done by the end of 2018. Some of the more challenging districts, like possibly the Maple Hill Overlay, should be reviewed concurrently with other work, utilizing both the 6:00 pm Work Session and the regular Planning Commission agenda at 7:00 pm during the 2nd meeting of the month.

Any Other Business

Seeing no other business before the Planning Commission, Vice Chairperson VanderWeele requested a motion to adjourn.

Adjournment

Vice Chairperson adjourned the Work Session at approximately 6.59 pm.

Minutes prepared: February 27, 2018

Minutes approved:

**OSHEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD FEBRUARY 22, 2018

OLD BUSINESS

- a. Condominium Ordinance

ANY OTHER BUSINESS

- a. Liquor Control Ordinance
 - b. Circulation Aisle Widths
 - c. Master Plan Update requested amendments
-

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, February 22, 2018, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

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

MEMBER ABSENT: None

Also present were Julie Johnston, Planning Director and James Porter, Township Attorney.

Call to Order

Chairperson Bell called the meeting to order at approximately 7:04 p.m.; the "Pledge of Allegiance" was recited.

Agenda

Chairperson Bell asked if there were any additions, deletions or corrections to the agenda as presented. Seeing none, the Chair asked for a motion to approve the agenda as presented.

Mr. VanderWeele made a motion to approve the agenda as presented. Mr. Chambers supported the motion. The motion passed unanimously.

Approval of the Minutes

Chairperson Bell asked if there were any additions, deletions or corrections to the Regular Meeting minutes of February 8, 2018. Seeing none, she asked for a motion.

Mr. VanderWeele made a motion to approve the minutes of the Regular Meeting of February 8, 2018. Mr. Chambers supported the motion. The motion was approved unanimously.

Public Comment on Non-Agenda Items

Seeing no audience in attendance, Chairperson Bell moved to the next agenda item.

Old Business

a. Condominium Ordinance

Chairperson Bell asked for staff's review of this item. Ms. Johnston indicated that the Planning Commission first reviewed this item at the January 11th meeting. After the Planning Commission's review, the following changes were made to the draft:

1. Height was included to ensure any new development would be compatible with any possible adjacent single family residential. Height was limited to 24-feet.
2. The total number of attached units allowed per zoning district was included. Each zoning district limits the number of units that are permitted to be attached into one building. For example, the R-2 District only allows 2 units to be attached.
3. Language was added to require developments to build nonmotorized trails/paths that are indicated in an approved Township plan. Staff indicated that Attorney Porter will have to weigh in on whether this is permissible for trails/paths outside of existing or planned public rights-of-way.

4. Finally, the requirements for open space were more clearly defined at 10 percent of the subject site.

Mr. Antosz indicated that other ordinances allow a maximum height of 25 feet. After Planning Commission discussion, it was decided to increase the height to 25 feet to be consistent with other ordinances.

Ms. Farmer asked if it would not be better to wait to incorporate this ordinance as part of the Zoning Ordinance re-organization planned in 2018. Ms. Johnston stated that the Township currently has a gap in the ordinance in relation to an attached condominium product. Michigan legislation allows for this type of development but the Oshtemo ordinance does not currently regulate it. Staff would request the Ordinance go through the adoption process now instead of waiting on the re-organization.

Mr. Antosz pointed out that the R-3 and R-4 District specifically indicate a density allotment, but the R-2 District does not. He questioned how the density for the R-2 District would be determined. Ms. Johnston indicated that the current draft ordinance states the underlying zoning prevails. But, after further scrutiny based on Mr. Antosz' observation, it might be prudent to specifically spell out the permitted densities for each district. After additional discussion, the Planning Commission asked that this be added to the ordinance.

Chairperson Bell asked if there were any other recommended changes or comments from the Commissioners. Hearing none, she asked if the Planning Commission was ready for this ordinance to be scheduled for a public hearing. It was decided that a public hearing would be held on March 22, 2018.

Any Other Business

a. Liquor Control Ordinance

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston for the Staff review.

Ms. Johnston stated that recently there had been some concern at the staff level about the number of alcohol sales establishments in Oshtemo. Staff began researching the locations of alcohol sales, the types of licenses issues in the Townships, and any public safety concerns. There are two types of Michigan licenses that allow sales for off-premise consumption, which are Specifically Designated Distributor (SDD) and Specifically Designated Merchant (SDM). The SDD license allows the sale of hard liquor and the SDM is for beer and wine. Many liquor stores like Mega-Bev hold both licenses while a convenience store or gas station may only hold a SDM to sell beer and wine.

Lieutenant Faulk completed a database search at staff's request of incidents at all of the SDM and SDD license locations outside of a big box or grocery store location. He did not find that any of the stores had significant numbers of incidents.

Ms. Smith discussed the difficulty with adhering to the draft ordinance distances considering the Township's Master Plan steers growth to only the eastern third of the Township. She stated it seems disingenuous to allow commercial growth in a defined area of the Township and then place additional distance restrictions on a certain type of retail use.

After additional discussion, the Planning Commission decided to wait on the development of a liquor control ordinance at this time. They would like to reconsider the possibility of an ordinance in a years' time.

b. Circulation Aisle Widths

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston for her report.

Ms. Johnston indicated that when the recent parking lot ordinance amendments were reviewed by the Township Board for first reading, a request was made for the Planning Commission to consider reduced pavement widths for circulation aisles. She stated it was the Township Board's intent to try and reduce the amount of asphalt used per site.

In researching adjacent communities as well as other jurisdictions, Ms. Johnston stated that staff found that circulation aisles generally ranged from 20-feet to 26-feet in width (see attached). She suggested the Planning Commission might consider retaining the 24-foot width for circulation aisles of general travel, but for those dedicated to loading docks, employee parking, etc., possibly a smaller width could be considered.

Ms. Farmer asked if 24-foot aisles were needed in parking lots. Mr. VanderWeele explained that size of an aisle was needed to allow for backing up from a parking space. Ms. Johnston stated that from the research of other ordinances, 24-feet in parking lots was standard. Based on this, Ms. Farmer clarified that the Commission should only be considering other ancillary drive aisles on a site.

Ms. Farmer asked about the needs of the Fire Department and access for fire trucks. There was a request of staff to clarify the size of the fire trucks and their spacing needs. There was further discussion about fire lanes, where they should be located and their size.

Chairperson Bell asked if there were any other comments on this agenda item. It was decided that staff would bring language back to the Planning Commission that had some flexibility to allow either the Planning Commission or Zoning Board of Appeals to allow reduced pavement widths in certain circumstances.

c. Master Plan Update Amendments

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston for her report.

Ms. Johnston indicated that there were a handful of recommended Master Plan amendments for the Planning Commission to consider. She stated she felt all of the suggested changes were positive improvements to the Plan, and endorsed the Planning Commission adopt them as part of their recommendation of approval to the Township Board.

Ms. Johnston went through each of the recommended changes and the reasons behind each change. The Planning Commission discussed the changes and indicated their consent.

Mr. VanderWeele made a motion to recommend the proposed changes to the Master Plan Update to the Township Board. Ms. Farmer supported the motion. The motion was approved unanimously.

Planning Commissioner Comments

Hearing none, Chairperson Bell asked for a motion to adjourn.

Adjournment

Ms. Smith made a motion to adjourn. Ms. Maxwell supported the motion. The motion was approved unanimously and Chairperson Bell adjourned the Planning Commission meeting at approximately 8:25 p.m.

Minutes prepared: February 27, 2018

Minutes approved:

February 26, 2018



Mtg Date: March 8, 2018

To: Planning Commission

From: Julie Johnston, AICP
Planning Director

Applicant: Randy VanDam
D & R Sports Center

Owner: Randy VanDam

Property: 8178 West Main Street, parcel number 3905-16-280-012

Zoning: C: Local Business District

Request: Special Exception Use for an Outdoor Event

Section(s): Section 30.400: Special Exception Uses in the C: Local Business District
Section 60.000: Special Exception Uses

Project Name: D & R Sports Spring Open House

PROJECT SUMMARY

The applicant, owner of D & R Sports, requests a special exception use and general site layout approval for an outdoor event, which occurs annually in the spring. The applicant has been holding this event for a number of years with no concerns from the Fire Marshall, however Planning staff noted that the event was never approved by the Planning Commission. The application provided this year was to ensure that all outdoor events are treated consistently. The property is zoned C: Local Business District, which requires Planning Commission approval for outdoor events lasting longer than one day in duration.

The Spring Open House will include vendors, educational seminars, and concessions and will be held on Friday, March 30th and Saturday, March 31st. To allow time for set-up and tear-down, staff recommends considering extending the requested time period to March 29th through April 1st.

TEMPORARY OUTDOOR EVENTS

Section 30.415 of the C: Local Business District allows temporary outdoor events, stating:

Temporary outdoor events meeting all the conditions and limitations of Section 30.221 except 30.221(a).

Section 30.221 requires the following:

- a. *Use is incidental to principal use of the property and all events shall not last more than one day.*
- b. *A site plan shall be submitted for administrative review indicating the following:*
 1. *Traffic lanes and on-site parking.*
 2. *Fire lanes and emergency vehicle turning areas.*
 3. *Restrooms provided (in building or portable facilities).*
 4. *Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks.*
 5. *All activity takes place on subject property.*
- c. *The Fire Chief, or his designee, has approved the placement of vehicles, trailers, and all other equipment associated with the event.*
- d. *All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.*
- e. *Property owner must approve and acknowledge the use of the property for the event.*

The applicant has provided a general layout plan which shows the locations of the vendors, concessions, overflow parking, and temporary restroom facilities. Per the site plan, all drive aisles will remain clear for emergency vehicles to internally access the site. The Fire Marshal has reviewed the site plan and was satisfied with emergency access. All other ordinance requirements have been met.

Staff would recommend the Planning Commission condition the event on signage directing participants to the overflow parking located to the north of the main buildings on site. For concerns of safety, it will be important to keep participants from parking along West Main Street because it is unclear where additional parking can be found onsite.

SPECIAL EXCEPTION USE CONSIDERATIONS

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

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

The C: Local Business District is the most intense commercial district within the Township, allowing for a wide variety of commercial service and retail activity. Due to the short duration of the temporary use, it should not adversely affect other uses expressly permitted within the District.

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

The proposed vendor locations and concession are located in areas internally within the site that will have minimal impact on adjacent properties. Emergency vehicle access has been maintained on site supporting the safety of the participants, vendors and employees on site during the event. Staff does not believe the temporary event will negatively impact adjacent properties or the general public.

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

Staff does not have any concerns regarding the public's health, safety, or welfare. However, we would reiterate the need to manage traffic entering the site, directing vehicles to the designated parking areas. Signage guiding patrons to the rear (north) of the property would be beneficial to deter parking on West Main Street.

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

As an existing retail property, staff feels that the proposed 2-day outdoor event is in accordance with the land's character and adaptability. All activities will take place within the current developed extent of the property that is used for retail.

RECOMMENDATION

Planning Department staff is satisfied that the project meets all Special Exception Use requirements and recommends that the Planning Commission grant approval for the D & R Sports Spring Open House outdoor temporary event, subject to the following conditions:

1. The final layout of the site be inspected and approved by the Fire Marshal prior to the commencement of the event.
2. Signage be placed on the property directing traffic to the overflow parking found to the north of the existing retail buildings and as shown on the site plan.

If the Planning Commission is so inclined, staff requests that subsequent D & R Sports Spring Open House events held by the applicant at this address be administratively approved, provided the proposed layout for any future event does not deviate significantly from the request being presented at this time. This is consistent with how other outdoor events have been handled.

Respectfully Submitted,



Julie Johnston, AICP
Planning Director

Attachments: Application
Aerial Map
Site Plan

Julie Ben Clark



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

PLEASE PRINT

PROJECT NAME & ADDRESS D+R Sports Spring Open House

PLANNING & ZONING APPLICATION

Applicant Name : Randy VanDam
Company D+R Sports Center
Address 8178 West Main St
Kalamazoo MI 49009
E-mail Randy@DandRSports.com
Telephone 269-372-2277 Fax 269-372-9072
Interest in Property Owner

Oshtemo Charter Township
7275 W MAIN ST
KALAMAZOO, MI 49009
Phone : 269-375-4260
OSHTEMOTOWNSHIP.ORG

Received From: D & R SPORTS
Date: 02/07/2018 Time: 9:07:06 AM
Receipt: 139688
Cashier: LPOTOK

OWNER*:

Name Same
Address _____
Email _____
Phone & Fax _____

ITEM REFERENCE	AMOUNT
1085 SPECIAL EXCEPTION USE	
SPECIAL EXCEPTION USE	\$400.00
TOTAL	\$400.00
CHECK 77268	\$400.00
Total Tendered:	\$400.00
Change:	\$0.00

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

- Planning Escrow-1042
- Site Plan Review-1088
- Administrative Site Plan Review-1086
- Special Exception Use-1085
- Zoning Variance-1092
- Site Condominium-1084
- Accessory Building Review-1083
- Land Division-1090
- Subdivision Plat Review-1089
- Rezoning-1091
- Interpretation-1082
- Text Amendment-1081
- Sign Deviation-1080
- Other: _____

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

Have some outside display for our March 30 & 31, 2018 Spring Special Event
- See Plan enclosed - We have been doing this for over 20 years and
have worked closely with Jim Wiley & Fire Dept to direct traffic, parking
five lanes etc. Plan is not really any different than the 10/15 past and
we have had no problems because we do prepare and coordinate with Jim.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

PARCEL NUMBER: 3905- 16-280-012

ADDRESS OF PROPERTY: 8178 West Main St

PRESENT USE OF THE PROPERTY: Retail Business

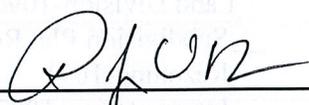
PRESENT ZONING C-Local **SIZE OF PROPERTY** 13+ Acrr

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

Name(s)	Address(es)
<u>N/A</u>	

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)

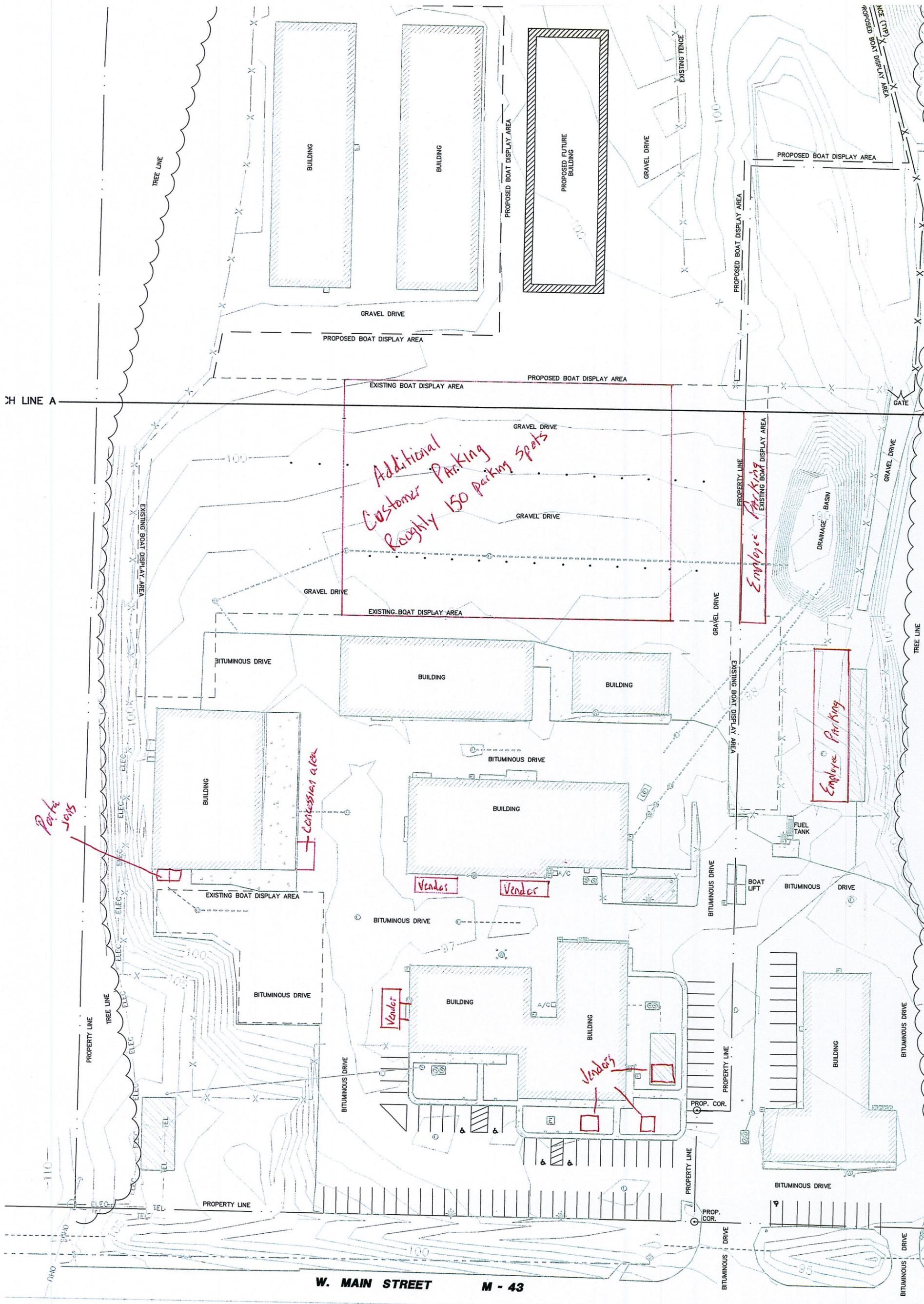
1-16-2018
Date

Applicant's Signature

Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS



*Additional Customer Parking
Roughly 150 parking spots*

Employee Parking

Employee Parking

Vendors

Vendors

Vendor

Vendors

Concession area

Parks Jaws

W. MAIN STREET M - 43

February 28, 2018



Mtg Date: March 8, 2018

To: Planning Commission

From: Julie Johnston, AICP
Planning Director

Applicant: Geoff Moffat, President Elect
Rotary Club of Oshtemo

Owner: DFG-Maple Hill, LLC

Property: 5030 West Main Street, parcel number 3905-13-280-051

Zoning: C: Local Business District

Request: Special Exception Use for an Outdoor Event

Section(s): Section 30.400: Special Exception Uses in the C: Local Business District
Section 60.000: Special Exception Uses

Project Name: Oshtemo Rotary Family Festival

PROJECT SUMMARY

The applicant, representing the Rotary Club of Oshtemo, requests a special exception use and general site layout approval for an outdoor carnival event called Oshtemo Rotary Family Festival. This is the second year for the event, first approved by the Planning Commission in April of 2017. The community festival fundraiser will be a midway of rides, concessions, and games that will last from Thursday, May 24th through Monday, May 28th, or essentially the Memorial Day weekend. The full requested time period for the event to allow for set up and tear down is from May 21st through the 30th.

Due to the overwhelming success of the Family Festival in 2017, the Rotary Club would like to expand the size of the event, allowing Skerbeck Entertainment Group to set up more rides and midway attractions. The location of the festival will be in the generally unused parking lot north of the Maple Hill Mall complex. The Rotary Club received permission from the property owner to hold the Family Festival at this location. The property is zoned C: Local Business District, which requires Planning Commission approval for outdoor events lasting longer than one day in duration.

TEMPORARY OUTDOOR EVENTS

Section 30.415 of the C: Local Business District allows temporary outdoor events, stating:

Temporary outdoor events meeting all the conditions and limitations of Section 30.221 except 30.221(a).

Section 30.221 requires the following:

- a. *Use is incidental to principal use of the property and all events shall not last more than one day.*
- b. *A site plan shall be submitted for administrative review indicating the following:*
 1. *Traffic lanes and on-site parking.*
 2. *Fire lanes and emergency vehicle turning areas.*
 3. *Restrooms provided (in building or portable facilities).*
 4. *Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks.*
 5. *All activity takes place on subject property.*
- c. *The Fire Chief, or his designee, has approved the placement of vehicles, trailers, and all other equipment associated with the event.*
- d. *All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.*
- e. *Property owner must approve and acknowledge the use of the property for the event.*

The applicant has provided a general layout plan which shows the locations of the rides, games, and concessions. Staff had requested a revised layout map showing where the Skerbeck employees would be housed during the duration of the event and the location of fire hydrants in the vicinity. In addition, it is difficult to determine the location of the required restroom facilities on the provided aerial. At the time of this memo, the requested revised aerial has not been provided.

The midway lanes will be a minimum of 25 feet in width per Skerbeck Entertainment Group to allow for set-up and tear down as well as emergency vehicles to internally access the site. The Fire Marshal was satisfied with lane width and indicated that vehicle drives lanes surround the parking lot allowing for emergency access. All other ordinance requirements have been met.

SPECIAL EXCEPTION USE CONSIDERATIONS

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

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

The C: Local Business District is the most intense commercial district within the Township, allowing for a wide variety of commercial service and retail activity. Due to the short duration of the temporary use, it should not adversely affect other uses expressly permitted within the District.

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

The proposed rides, concessions and games will be located within a parking lot that is rarely used by adjacent retail uses. Emergency vehicle access surrounds the site and access lanes have been provided internal to the midway, ensuring public safety. Staff does not believe the temporary event will negatively impact adjacent properties or the general public.

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

Outside of good planning for traffic and access, staff has no other concerns related to public health, safety and welfare. The Township Attorney has reviewed the insurance provided by the Rotary and is satisfied with its coverage. The Township Fire Marshal did recommend that the approval be conditioned with the requirement that electrical, mechanical and plumbing permits, as applicable, be required for the vendor and that the carnival rides be inspected by the necessary trades and the Fire Department.

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

Collocated on a property that is already used for retail uses, staff feels that the proposed outdoor carnival event is in accordance with the land's character and adaptability. All activities will take place on existing parking lots that are underused by adjacent retail.

RECOMMENDATION

Planning Department staff is satisfied that the project meets all Special Exception Use requirements and recommends that the Planning Commission grant approval for the Oshtemo Rotary Family Festival outdoor temporary event, subject to the following conditions:

1. A revised layout plan indicating the where the Skerbeck employees will be housed during the duration of the event, to be submitted by March 30, 2018.
2. A revised layout plan showing the location of fire hydrants and restroom facilities, to be submitted by March 30, 2018.
3. The final layout of the site and carnival rides are to be inspected and approved by the Fire Marshal prior to the commencement of the event.
4. Applications shall be required for all appropriate trade permits and inspections will be required from the Southwest Michigan Building Authority, as applicable, prior to the commencement of the event.

If the Planning Commission is so inclined, staff requests that subsequent Oshtemo Rotary Family Festivals held by the applicant at this address be administratively approved, provided the proposed layout for any future event does not deviate significantly from the request being presented at this time. This is consistent with how other outdoor events have been handled.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Julie Johnston". The signature is cursive and fluid.

Julie Johnston, AICP
Planning Director

Attachments: Application
Applicant Narrative
Aerial Map
Site Plan



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

PLEASE PRINT

PROJECT NAME & ADDRESS OSHTEMO ROTARY FAMILY FESTIVAL
5030 W. MAIN STREET

PLANNING & ZONING APPLICATION

Applicant Name : GEOFF MOFFAT ^{PRESIDENT} _{CLERK}

Company OSHTEMO ROTARY CLUB

Address P.O. BOX 241
OSHTEMO, MI 49077

E-mail PRESIDENT@OSHTEMOROTARY.ORG

Telephone 269-217-5311 Fax _____

Interest in Property LEASEE

Oshtemo Charter Township
7275 W MAIN ST
KALAMAZOO, MI 49009
Phone : 269-375-4260
OSHTEMOTOWNSHIP.ORG

Received From: ROTARY
Date: 01/30/2018 Time: 10:12:19 AM
Receipt: 139255
Cashier: LPOTOK

ITEM REFERENCE	AMOUNT
1085 SPECIAL EXCEPTION USE	
SPECIAL EXCEPTION USE	\$400.00
TOTAL	\$400.00
CHECK 5243	\$400.00
Total Tendered:	\$400.00
Change:	\$0.00

OWNER*:

Name DFG - MAPLE HILL, LLC

Address 10100 WATERVILLE STREET
WHITEHOUSE, OH 43511

Email KEVIN.CAMPBELL@SHOPDZE.COM

Phone & Fax 614-207-2315 419-877-1012

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

- Planning Escrow-1042
- Site Plan Review-1088
- Administrative Site Plan Review-1086
- Special Exception Use-1085
- Zoning Variance-1092
- Site Condominium-1084
- Accessory Building Review-1083
- Land Division-1090
- Subdivision Plat Review-1089
- Rezoning-1091
- Interpretation-1082
- Text Amendment-1081
- Sign Deviation-1080
- Other: _____

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

PLEASE SEE ATTACHED CORRESPONDENCE

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

SEE ATTACHED PROPERTY MAPS

PARCEL NUMBER: 3905- 05-13-280-051

ADDRESS OF PROPERTY: 5030 W. MAILL, KALAMAZOO, MI 49009

PRESENT USE OF THE PROPERTY: LITTLE USED PAVED PARKING NORTH SIDE CRANK

PRESENT ZONING C. LOCAL BUSINESS SIZE OF PROPERTY NORTH SIDE PARKING, LOT AS INDICATED ON ATTACHED MAPS.

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.

[Handwritten Signature]

1-22-18

Owner's Signature (* If different from Applicant)

Date

[Handwritten Signature]

01/22/18

Applicant's Signature

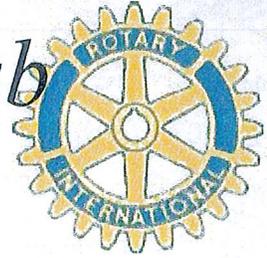
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS

Oshtemo Rotary Club

P.O. Box 241
Oshtemo, MI. 49077



January 22, 2018

Oshtemo Charter Township
Planning Commission
7275 West Main Street
Kalamazoo, MI 49009,

Dear Planning Commission,

Let us first begin by thanking the commission for approving this event in 2017. It meant a great deal to the community in general and the Rotary Club of Oshtemo in particular. Some of the funds raised were put to enhanced reading programs at Prairie Ridge Elementary school, a sponsored family over the holidays, final payment for the Flesher field park pavilion roof enhancement, as well as sponsoring Music in the Park series for the township, among so many other local and world needs. This event was such a reasonable success that both the entertainment provider and the mall owner here in Oshtemo township wish to continue and, in fact, grow the festival as an annual community fundraiser for years to come.

As we presented previously, allow us to continue by briefly describing our request as required by the Planning and Zoning Application. The Rotary Club of Oshtemo, its officers, board and members, request a Special Exception Use-1085, to be allowed to provide a Community Festival Fundraiser sponsored by the Rotary Club of Oshtemo which will be a Midway of Rides, concessions, and games conducted by Skerbeck Entertainment during the Memorial Day Weekend 2018. The occupancy of the requested area will be from May 21nd to May 30th, and the Midway Festival will be open to the public from Thursday May 24th to Monday May 28th. The event will be known as the 2nd Annual Oshtemo Rotary Family Festival.

The Rotary Club of Oshtemo is working fully with the owners and has received permission and a Periodic Tenancy Agreement from the owners of the property, DFG-Maple Hill, LLC who are in full favor of the use of their underutilized parking areas in our requested fashion. Our contact has been with several personnel at their Main office located at 10100 Waterville St, Whitehouse OH 43571, including Kevin Campbell, Project Coordinator, at Shop One REIT, Inc. Their local property manager for the Maple Hill Mall is Chuck Chrzan. His cell phone is (419) 704-4832.

We believe an activity like this is in keeping with the intent of the C district-local business zoning. We believe there is ample parking available directly to the North and South of the Midway as well as North of the Mall structure itself as well as the southern side used regularly for tenants.

The Oshtemo Club of Rotary has contracted with Skerbeck Entertainment Group to provide the entertainment. The owner and the Rotary Club of Oshtemo are in possession of the proper liability coverage provided by Skerbeck Entertainment Group which states the insured are the Oshtemo Rotary Club, DFG-Maple Hill, LLC ,and the township of Oshtemo. Included you will find evidence of insurance liability coverage from Skerbeck Entertainment as well as the liability insurance as Rotary Club of Oshtemo through Rotary International.

The area to be utilized for the Midway rides and activities will be the generally unused parking area due North of the mall buildings owned by DFG-Male Hill, LLC.. This area has minimal impact to mall vehicular traffic to the south of the merchants. The area to house the Skerbeck Entertainment personnel from arrival to departure, set up and tear down, will be a portion of the virtually unused parking lot North and behind of the Mall complex. This area has little if any regular traffic and is located adjacent to ample water hydrants that will be used for the personnel.

This expanded and adjusted site is chosen due to it's general lack of use for the current tenants of the Mall, and is, in general agreement by owner, club and entertainment provider to provide the expansion of the event to its full size. Existing Fire lanes and emergency vehicle and public transportation vehicle turning areas will not be impacted.

No access lanes will be affected. We will have 6 portalets (one handicap) at the Midway area and two portalets in the personnel staging area. They will be cleaned regularly by the contracted firm. The Rotary Club of Oshtemo will also be providing a dumpster near the personnel staging area (North of the Mall buildings) throughout the event. Both portalets and dumpster will be removed at the end of the event. Two, possible three, water hydrants will be metered and provide water for both the Festival and the personnel staging area. One immediately adjacent to the Midway site, on the north side, and on north of the Mall building in the area where the personnel will be housed.

This year the festival will benefit Oshtemo Township by providing not only the community with family-friendly outdoor amusements and the opportunity to celebrate the holiday weekend while raising money for the Rotary Club of Ohstemo, allowing funds to be raised to continue such endeavors as the various projects at Flesher Field, the clubs support of the cub scout pack at Prairie Ridge School as well as the various other benefits and works by which the Rotary Club of Oshtemo has enhanced the Township since the club's founding in 1980. In addition to supporting new township endeavors such as the Tree planting program, Drake House renovations, Fish Hatchery handicap enhancements and long term funding and needed assistance to local refugee family with triplets living here is Oshtemo.

Allow us to share a little bit about The Rotary Club of Oshtemo, a non-profit organization, and how we have served the people of our township since 1980. As mentioned above we have raised funds to not only have built the pavilion at that park but repair the roof and participate in the recent and continuing maintenance and improvements to that wonderful centerpiece of outdoor recreation in the township. We have also raised funds for Township Park pavilion refurbishment. We conduct an annual poinsettia sale as a fundraiser to help with a variety of community projects. Proceeds here go to benefit Prairie Ridge Elementary school, community projects and the Oshtemo Parks. We raise and provide funds for various international needs such as \$15,000 for over 250 Bio-sand water filters to families and communities in Dominican Republic. The club has assisted in the construction of a medical clinic in Huamachuco, Peru and participates as a part of the medical mission in that community. We provide support for Special People's camp as well as literacy development and reading programs at Prairie Ridge Elementary.

Please allow me to briefly share some information about Skerbeck Entertainment Group with whom the Rotary Club of Oshtemo is working to provide our community with premier world class safe, reliable, family friendly and quality entertainment. This company has a reputation for providing high quality rides, food and game concessions to festivals and fairs throughout MI. They were founded more than 120 years ago in the upper peninsula MI. They provide entertainment for such things as the Tulip Time festival in Holland, The Van Buren Youth Fair and the Allegan County Fair as well as numerous fairs throughout the Midwest and other states as well. Any of these event managers will be able to speak to the quality of their operation, friendliness of staff, safety and reliability of both the facilities and the revenue stream provided those communities. When they arrive on site they will bring all necessary equipment to set-up, completely operate, manage and clean-up a successful carnival/festival event. This includes generators and support equipment to make the event completely self-contained at the site. They consistently provide high quality community entertainment events and are professionals.

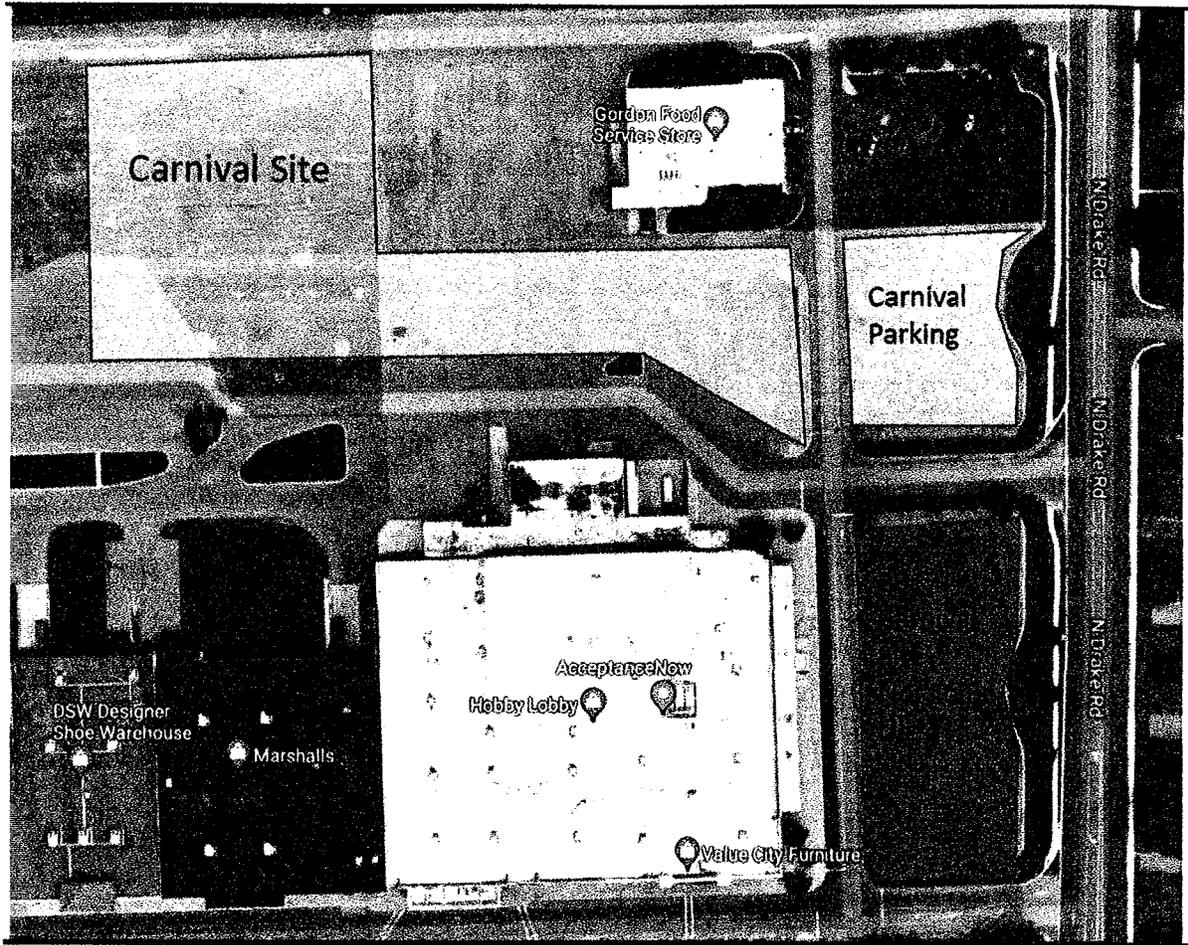
The Rotary Club of Oshtemo has been and remains a steadfast supporter of Oshtemo Township and community and this event is sure to continue that great relationship. Our hope is that since this event, last year, was approved and wholeheartedly endorsed by this planning commission, and accepted by the community, as attendance showed: our goal is to continue this event in Oshtemo township as the signature kick-off event for the summer season for the entire region.

If there is anything else that you require to make your decision, please let us know. Thank you for your time and consideration for this request.

Sincerely,

Geoff Moffat
President-elect
Rotary Club of Oshtemo

MAPLE HILL PAVILION SHOPPING CENTER PLAN





February 27, 2018

Mtg Date: March 8, 2018
To: Planning Commission
From: Julie Johnston, AICP
Subject: Circulation Aisle Widths

Based on the Planning Commission discussion of circulation aisles at the February 22, 2018 meeting, staff developed the below recommendation. The full Ordinance section is attached. Staff would also endorse a minor change to *Pavement* within the Ordinance to ensure that the required paved surface of both parking lots and circulation aisles are addressed.

C. *Circulation Aisle Width.* Aisles for the general vehicular circulation of the public shall be 24 feet wide for two-way traffic and 20 feet wide for one-way traffic. The reviewing body may grant reduced widths for circulation aisles not intended for general public use. For example, drives dedicated to accessing loading bays or refuse containers. The reviewing body will consider the overall circulation of the site, access to public rights-of-way, public safety, and other site consideration which may impact general circulation.

~~C.~~ **D. *Pavement.*** All off-street parking facilities **and site circulation**, including private drives thereto, shall be constructed of materials which will have a paved surface resistant to erosion. Use of permeable materials, similar to a paved surface, is encouraged.

If the Planning Commission is comfortable with the proposed language, a public hearing could be scheduled for the April 12th meeting.

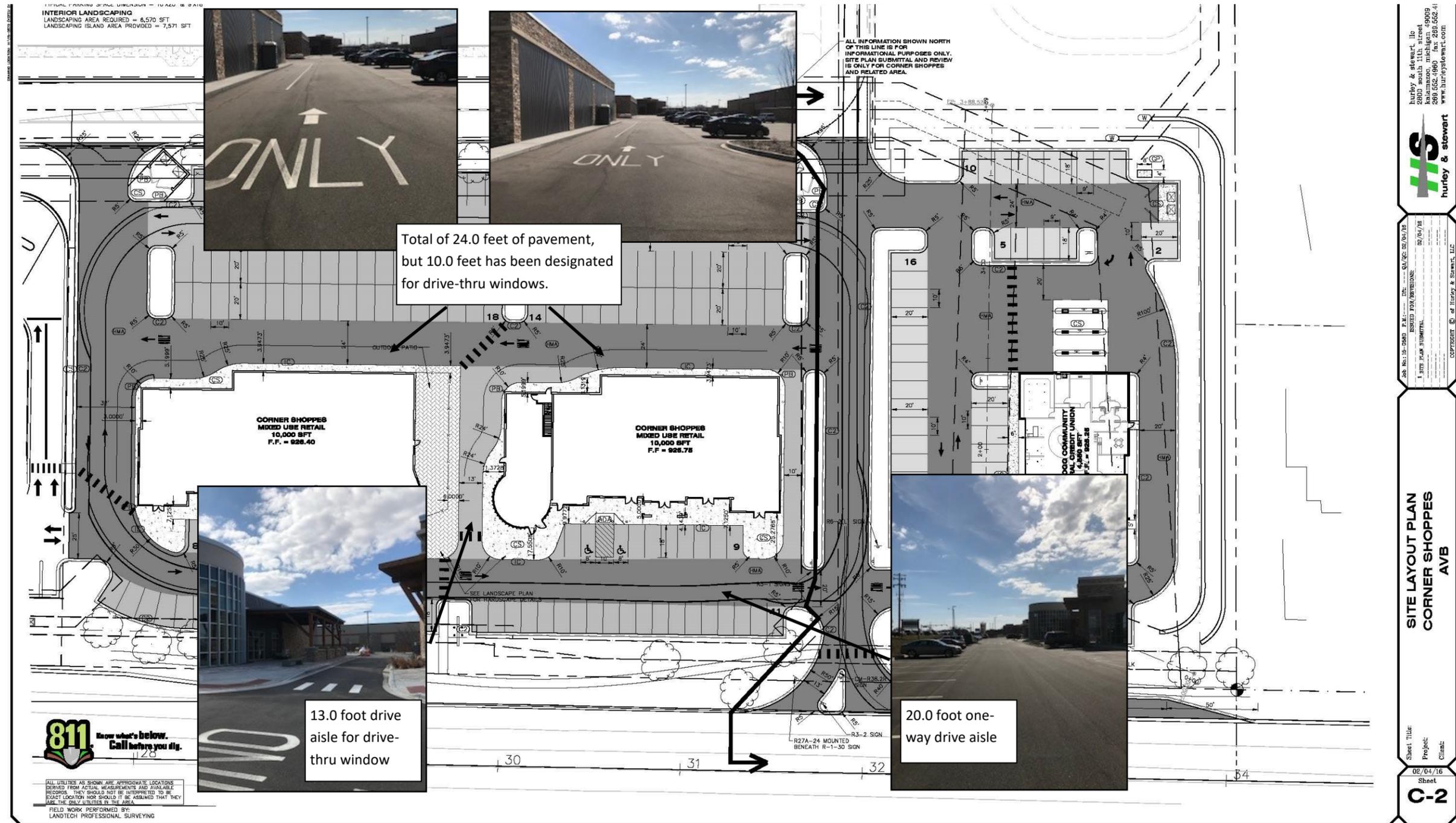
68.300 - Off-Street Parking and Site Circulation Requirements

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

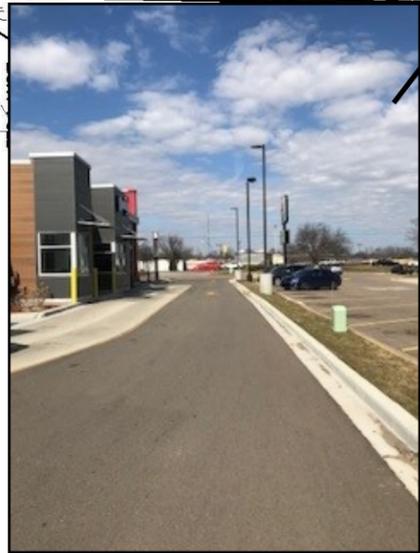
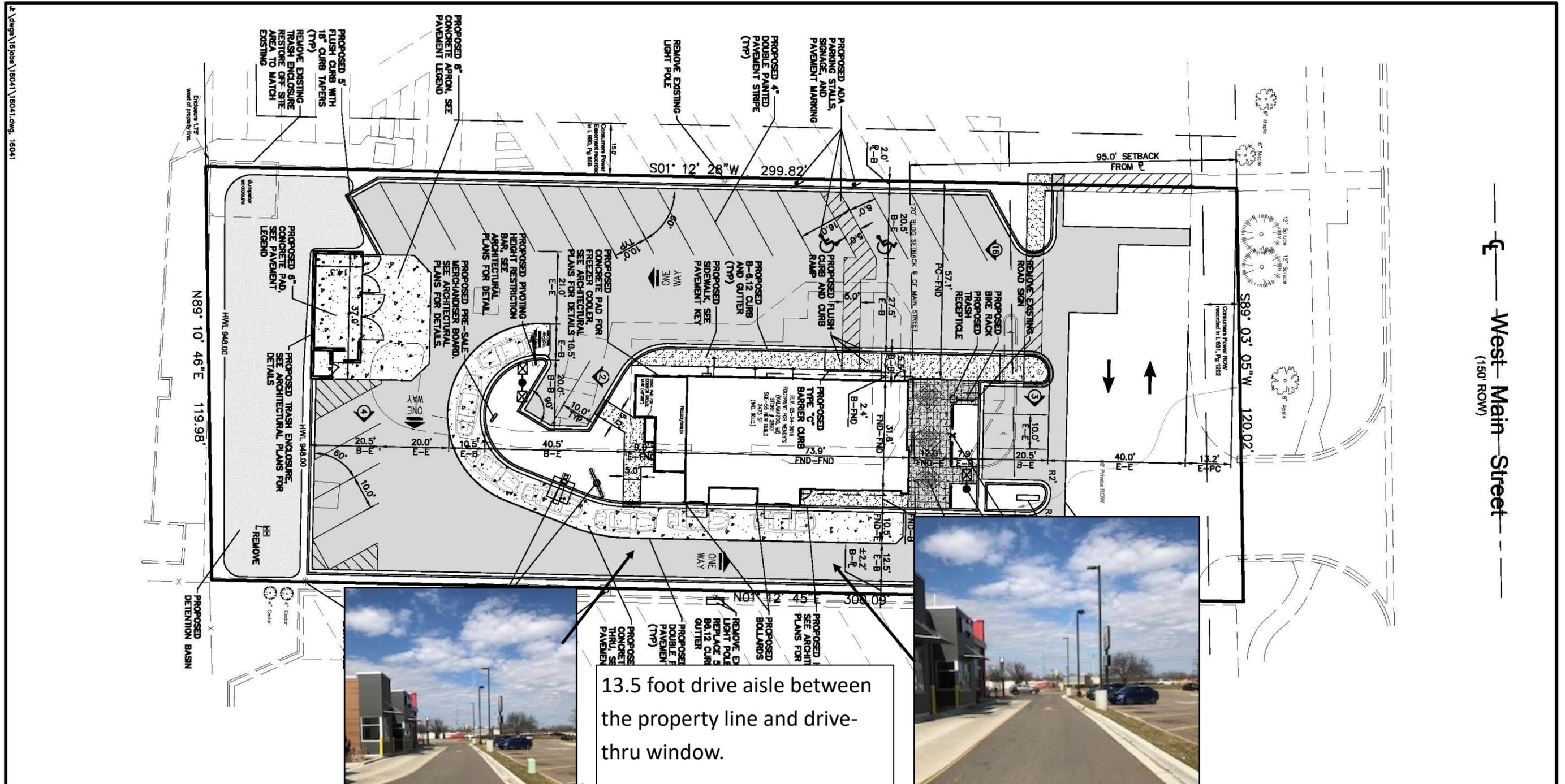
- A. *Space size.* Each automobile parking space shall not be less than 200 square feet nor less than ten feet wide exclusive of driveway and aisle space. For parking lots with over 100 spaces, minor adjustments of the dimensions prescribed in this Section may be authorized by the reviewing body for up to 25 percent of the required spaces, provided the design remains consistent with generally recognized design standards for off-street parking facilities.
- B. ~~Circulation and~~ *Parking Aisle Width.* Aisles shall be 24 feet wide for two-way traffic and 20 feet wide for one-way traffic. Consideration will be given to alternate widths for one-way aisles in conjunction with angled parking other than 75 to 90 degrees.
- C. ***Circulation Aisle Width.* Aisles for the general vehicular circulation of the public shall be 24 feet wide for two-way traffic and 20 feet wide for one-way traffic. The reviewing body may grant reduced widths for circulation aisles not intended for general public use. For example, drives dedicated to accessing loading bays or refuse containers. The reviewing body will consider the overall circulation of the site, access to public rights-of-way, public safety, and other site consideration which may impact general circulation.**
- ~~C.~~ **D. *Pavement.*** All off-street parking facilities **and site circulation**, including private drives thereto, shall be constructed of materials which will have a paved surface resistant to erosion. Use of permeable materials, similar to a paved surface, is encouraged.
- ~~D.~~ **E. *Accessible accommodations.*** Any barrier free parking spaces or accessible loading aisles between said spaces shall be designed and constructed in accordance with the Americans with Disabilities Act of 1990, using the 2010 or most recent design standards. Barrier free parking spaces, accessible loading aisles between said spaces, and ramps shall be constructed of aggregate cement concrete or a similar, pre-approved hard-surface alternate, subject to Township Staff approval. Flexible paving is not allowed.
- ~~E.~~ **F. *Backing into or from a street is prohibited.*** All trucks and vehicles shall enter and exit the lot, parcel, or site using forward movement from and to the abutting street.
- ~~F.~~ **G. *Bicycle parking.*** Provision of parking facilities for bicycles is strongly encouraged and may be required as part of Special Exception Use approval.
- ~~G.~~ **H. *Maximum number of spaces.*** To minimize excessive areas of pavement which detract from the aesthetics of an area and contribute to high rates of storm water runoff, no parking lot shall have parking spaces totaling more than 110% of the minimum parking space requirements except as may be approved by the reviewing body
- ~~H.~~ **I. *Additional Parking Allowance.*** In granting any additional space, the reviewing body shall determine that the parking is necessary, based upon documented evidence of actual use and demand provided by the applicant. The reviewing body shall also consider impacts on the property and surrounding properties including any natural features thereon. Use of pervious pavement is encouraged. This allowance shall apply only to those parcels, lots or building sites with a minimum of 50 parking spaces as required by Sections 68.302 and 68.400.

Corner Shoppes

Corner@Drake PUD



Wendy's Restaurant
 5455 West Main Street



13.5 foot drive aisle between the property line and drive-thru window.

