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269-216-5220 Fax 375-7180 TDD 375-7198
www.oshtemo.org

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

REGULAR MEETING – VIRTUAL

Participate through this Zoom link:
<https://us02web.zoom.us/j/81882097659>

Or by calling: 1-929-205-6099
Meeting ID: 818 8209 7659

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

**THURSDAY, MARCH 11, 2021
6:00 P.M.**

AGENDA

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes: February 25th, 2021
5. **Public Hearing: Special Use, Oshtemo Schoolhouse #10 Adaptive Reuse**
Three Brothers Construction, LLC is requesting site plan and special use approval to convert historic Oshtemo Schoolhouse #10, located at 6667 Stadium Drive, into a mixed use building with five dwelling units and one commercial office space. Site plan approval is also requested to allow for outdoor sales, a workshop and storage area in the historic bus garage and in a fenced area at the rear of the property
6. Public Comment
7. Other Updates and Business
8. 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> Grant Taylor	216-5221	gtaylor@oshtemo.org
<u>Trustees</u> Cheri L. Bell	372-2275	cbell@oshtemo.org
Deb Everett	375-4260	deverett@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Ken Hudok	548-7002	khudok@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: 818 8209 7659**

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: **818 8209 7659#**

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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**OSHEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A VIRTUAL MEETING HELD FEBRUARY 25, 2021

Agenda

PUBLIC HEARING: SPECIAL USE, KALAMAZOO SELF STORAGE STORAGE RENTALS OF AMERICA WAS REQUESTING SPECIAL USE AND SITE PLAN APPROVAL TO ADD A 9,300 SQUARE FOOT SELF-STORAGE BUILDING TO THEIR SELF-STORAGE FACILITY AT 1515 S. 11TH STREET.

A virtual meeting of the Oshtemo Charter Township Planning Commission was held Thursday, February 25, 2021, commencing at approximately 6:01 p.m.

**MEMBERS PRESENT AND
WITHIN THE TOWNSHIP:**

Bruce VanderWeele, Chair
Micki Maxwell, Vice Chair
Kizzy Bradford
Alistair Smith
Anna Versalle
Chetan Vyas

(All attending within Oshtemo Township)

ABSENT: Deb Everett

Also present were Iris Lubbert, Planning Director, Colten Hutson, Zoning Administrator, James Porter, Township Attorney, and Martha Coash, Recording Secretary.

Guests attending included Kevin Oliver, Oliver Architecture

Call to Order and Pledge of Allegiance

Chairperson VanderWeele called the meeting to order at approximately 6:01 p.m. and invited those in attendance to join in reciting the Pledge of Allegiance.

Approval of Agenda

Hearing no changes, the Chair let the agenda stand as published.

Approval of the Minutes of the Meeting of February 11, 2021

The Chair asked if there were additions, deletions, or corrections to the Minutes of the Meeting of February 11, 2021. Hearing none, he asked for a motion.

Ms. Versalle **made a motion** to approve the Minutes of the Meeting of January 28, 2021 as presented. Ms. Maxwell **seconded the motion**. The **motion was approved** unanimously by roll call vote.

Chairperson VanderWeele moved to the next agenda item and asked Mr. Hutson for his presentation.

PUBLIC HEARING: SPECIAL USE, KALAMAZOO SELF STORAGE STORAGE RENTALS OF AMERICA WAS REQUESTING SPECIAL USE AND SITE PLAN APPROVAL TO ADD A 9,300 SQUARE FOOT SELF-STORAGE BUILDING TO THEIR SELF-STORAGE FACILITY AT 1515 S. 11TH STREET.

Mr. Hutson said Storage Rentals of America was requesting Special Use and Site Plan approval to add a 9,300 SF self-storage building at 1515 S 11th Street. The proposed one-story building will provide an additional 58 indoor storage units to the site that will be primarily used for residential and office customers. The approximate 12-acre site currently serves as a self-storage facility in the eastern half of the Township.

Currently zoned I-1: Industrial District, Storage Rentals of America is located on the east side of S 11th Street, between KL Avenue and W Michigan Avenue. The self-storage facility abuts US 131 to its east and railway to its north. Adjacent to the west are zoning districts for R-1: Residence District and I-1: Industrial District. Adjacent to the south is zoned C: Local Business District. Wetlands are situated within the northern section of the property. Currently, there are 15 one-story self-storage buildings on site along with one office building. Any proposed Special Uses require review and approval from the Planning Commission.

He said when reviewing a Special Use request, there are three sets of criteria that need to be considered: the general Special Use review criteria outlined in Section 65.30, the specific requirements for *Storage Buildings and Mini Warehouses* outlined under Section 49.250, and the general Site Plan review criteria outlined in Section 64. He provided the following an analysis of the proposal against these three Sections. Overall, most of the requirements of Section 65.30, Section 49.250, and Section 64 have been met; he focused on the following highlights:

Section 65.30: Special Use Review Criteria

Impacts:

The proposed use would be compatible, harmonious and appropriate with the existing or planned character and uses of adjacent properties; meaning the proposed use can coexist with neighboring uses in a stable fashion over time such that no neighboring use is unduly negatively impacted.

An established industrial use already exists on-site. With the proposed use continuing to operate as an industrial use with minimal site changes proposed, and

being in accordance with both the Master Plan and the Zoning Ordinance, staff has no concerns that the proposed use will negatively affect neighboring uses.

The proposed use would not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, smoke, odors, glare, or visual clutter.

A self-storage facility has occupied the site since the date of its construction in 1975. The additional storage building is a minimal site change and will reduce the visual clutter as it will be replacing the scattered and unprotected outdoor recreational vehicles currently parked on the north side of the storage facility. Staff anticipates the proposed project will not generate such negative impacts on adjacent properties.

Environment: The natural features of the subject property shall only be cleared or altered to the extent necessary to accommodate site design elements, particularly where the natural features assist in preserving the general character of the area.

Wetlands connected to the headwaters of Arcadia Creek are located on the northernmost portion of the site under consideration. The proposed site modifications, as presented in the site plan, will not impact the existing natural features on the site. However, there is currently an existing outfall to the wetland to the north. If the storm sewer and outfall are reconstructed, an EGLE Joint Permit and coordination with the Michigan Department of Environment, Great Lakes, and Energy will be required. If approved, the building will be located on the existing grassy area where outdoor recreational vehicles are currently being stored. The current percentage of open space on this site is approximately 55% (includes proposed building).

Public Facilities: Adequate public and/or private infrastructure and services already exist or would be provided, and will safeguard the health, safety, and general welfare of the public.

Public water and sewer are available at 1515 S 11th Street. Regarding the transportation network, the intersection to the north at W KL Avenue and South 11th Street is well controlled by a traffic signal. The intersection to the south where S 11th Street crosses W Michigan Avenue is also controlled by a traffic signal. This section of 11th street already supports several commercial and industrial uses. If the Special Use request is granted, it will not negatively affect the area as the proposed use will not generate noise, pollution, traffic, smoke, or odors aside from the construction of the 9,300 SF building. Impacts from this proposed use would not exceed the impacts of the nearby uses that have been established on this site since 1975.

The Township's Non-Motorized Transportation Plan does identify a 6 Ft wide Shared Use Path adjacent to the subject site on the east side of S 11th Street. **The applicant has requested a deferment for the 6 Ft wide Shared Use Path and has agreed to file a Shared Use Path SAD form with the Township as a condition of**

Site Plan and Special Use approval. This means that when the Township deems it appropriate to install the path and implement a Special Assessment District to fund the installation of the path, the owners and future owners of this site cannot oppose it. Bike lanes have already been established in both northbound and southbound directions in this portion of S 11th Street.

Section 49.250: Storage Buildings and Mini Warehouses

A. Must be fully enclosed.

The applicant has noted that the building being proposed will be enclosed, as indicated on Sheet A-100 in the site plan.

B. Storage is primarily for, but not limited to residential and office customers.

The applicant has noted that storage will be primarily used for office and residential customers, as indicated on Sheet A-100 in the site plan.

C. The distance between buildings shall not be less than 30 feet.

Distances between buildings are no less than 30 feet apart.

D. Outdoor storage will require approval by the Planning Commission.

This section of the review is not applicable as no outdoor storage is proposed.

Section 64: Site Plan Review

General Zoning Compliance:

Zoning: 1515 S 11th Street is zoned I-1: Industrial District. Storage buildings and mini warehouses are considered a special use within the I-1: Industrial District. The percentage of land on-site covered by buildings is 15.4%. The proposed percentage of land reserved for open space is 55%. All general zoning requirements have been met.

Access and Circulation

Access: Access to the site will not change. The proposed site has an established entrance drive along S 11th Street to access the facility. Most circulation aisles within the proposed site plan are approximately 30 Ft wide and have safe turning radii. Fire engines and other vehicles have ample space and circulation if emergency response is needed. Oshtemo's Fire Marshal has reviewed the proposed layout and has no concerns in terms of access and circulation.

Parking: The site currently has nine parking spaces in total, one of which being ADA accessible. All existing parking stalls are 10 Ft x 20 Ft. All parking requirements for storage buildings and mini warehouses have been satisfied as no changes to current on-site parking is proposed. He noted the site was established prior to the Township requiring all ADA spaces to be made of concrete. Given standard practice in this type of situation the current asphalt ADA parking spaces can remain, contingent upon passing cross-slopes and other pertinent ADA requirements.

Shared Use Path:

The Township's Non-Motorized Transportation Plan identifies a 6 Ft wide Shared Use Path adjacent to the subject site on the east side of S 11th Street. The

applicant requested a deferment for the 6 Ft wide Shared Use Path and has agreed to file a Shared Use Path SAD form with the Township as a condition of Site Plan and Special Use approval. This means that when the Township deems it appropriate to install the path and implement a Special Assessment District to fund the installation of the path, the owners and future owners of this site cannot oppose it. Bike lanes have already been established in both northbound and southbound directions in this portion of S 11th Street.

Building Design

Building Information: The proposed 9,300 SF, one-story self-storage building will consist of approximately 58 new storage units. The height of the building will be approximately 10 Ft 7 inches tall and has a first floor elevation of 884.50. The majority of the existing buildings on the site range between 10 Ft and 14 Ft in height. The exterior materials for the proposed building as presented in the site plan are very similar to the exterior materials on the existing storage buildings on-site.

Fencing: The applicant is proposing a mixture of chain link and wrought iron fencing throughout the facility. Most of the fencing is intended to remain the same with the exception of the new fencing being proposed immediately north of the subject 9,300 SF addition. All existing fencing along with fencing being proposed is 6 Ft tall, which is the maximum height allowed within the I-1: Industrial District.

Lighting: A total of five new wall mounted light fixtures are proposed to be added to the 9,300 SF self-storage building. The applicant is proposing all new lighting to be cut-off fixtures. Building mounted lighting cannot exceed 14 Ft in height. The applicant illustrates in the photometric plan that the lighting will be mounted at approximately 10 Ft in height. The applicant is proposing there to be 3,795 lumens per lamp, which satisfies ordinance requirements. The foot candles shown in the site plan will be 0.1-foot candles or less at the western property line, which is acceptable when adjacent to residentially zoned property.

Landscaping

Per Ordinance Section 53.150: Provisions for Existing Sites, landscaping is required along 11th Street since the expansion exceeds 2,000 SF. Such landscaping applies to the developed portion of the site, approximately 580 linear feet. The wetland area north of the developed area is not required to have additional landscaping. All necessary landscaping such as canopy trees, understory trees, and shrubs are provided in the site plan as all landscaping requirements have been satisfied.

Engineering

Prein & Newhof and the Oshtemo Public Works Department have reviewed the project site plan and have noted that most of the on-site engineering concerns have been addressed; however, it is unclear whether the hydrant on the west side of the property near the entrance is existing or proposed. A proposed water main easement is shown but no note of the hydrant or water main connection. If

a water main connection is needed it shall be coordinated with the City of Kalamazoo Department of Public Services. Additionally, **as a condition of approval, Engineering requested that a Soil Erosion and Sedimentation Control Permit from the Kalamazoo County Drain Commissioner's Office be obtained prior to any site modifications.**

Fire Department

The Township Fire Marshal is satisfied with the overall design of the site. An additional fire hydrant was required to be placed on-site due to the size of the expansion. The subject fire hydrant has been provided in the site plan.

Mr. Hutson indicated that overall, the site plan meets Township requirements.

RECOMMENDATION:

Planning Department staff recommended the Planning Commission approve the proposed Special Use and Site Plan for the Storage Rentals of America Self-Storage Facility with the following conditions, which Mr. Hutson indicated can be handled administratively:

1. A signed Shared Use Path SAD form shall be submitted to the Township prior to issuing a Certificate of Occupancy.
2. There is currently an existing outfall to the wetland to the north. If the storm sewer and outfall are reconstructed an EGLE Joint Permit and coordination with the Michigan Department of Environment, Great Lakes, and Energy will be required.
3. An updated site plan is submitted clarifying whether the shown fire hydrant is existing or proposed prior to building permit issuance.
4. If a water main connection is needed, it shall be coordinated with the City of Kalamazoo Department of Public Services prior to building permit issuance.
5. A Soil Erosion and Sedimentation Control Permit from the Kalamazoo County Drain Commissioner's Office be obtained prior to building permit issuance.
6. The ADA space shall be inspected by Township staff to ensure ADA requirements have been met. If the inspection fails, the ADA space shall be made of concrete prior to issuing a Certificate of Occupancy.

Chairperson VanderWeele thanked Mr. Hutson for his report and asked if commission members had questions. Hearing none, he invited the applicant to speak.

Mr. Kevin Oliver, Oliver Architecture, said he would be happy to discuss any further details or answer questions.

Ms. Maxwell asked if there is outdoor storage currently where the new building will be constructed, and if so where it will be going.

Mr. Oliver said yes, but they have informed clients they will no longer be able to store those items there as they are replacing outdoor storage with climate controlled storage. He confirmed that Kalamazoo Self Storage has nothing stored there themselves.

Mr. Vyas said he saw multi-level storage facilities in California and asked if that had been considered.

Mr. Oliver said this request to provide climate controlled indoor storage is a starting point. In the future his client will potentially remove existing storage facilities and build larger, multi-level storage facilities there.

Hearing no further questions, Chairperson VanderWeele moved to public hearing. As there were no members of the public who wished to speak, he asked for a motion.

Ms. Maxwell **made a motion** to approve the Special Use and Site Plan request from Kalamazoo Self Storage Rentals of America to add a 9,300 square foot self-storage building to their Self-Storage Facility At 1515 S. 11th Street, subject to the following six conditions recommended by Staff:

1. A signed Shared Use Path SAD form shall be submitted to the Township prior to issuing a Certificate of Occupancy.
2. There is currently an existing outfall to the wetland to the north. If the storm sewer and outfall are reconstructed an EGLE Joint Permit and coordination with the Michigan Department of Environment, Great Lakes, and Energy will be required.
3. An updated site plan is submitted clarifying whether the shown fire hydrant is existing or proposed prior to building permit issuance.
4. If a water main connection is needed, it shall be coordinated with the City of Kalamazoo Department of Public Services prior to building permit issuance.
5. A Soil Erosion and Sedimentation Control Permit from the Kalamazoo County Drain Commissioner's Office be obtained prior to building permit issuance.
6. The ADA space shall be inspected by Township staff to ensure ADA requirements have been met. If the inspection fails, the ADA space shall be made of concrete prior to issuing a Certificate of Occupancy.

Mr. Vyas **seconded the motion**. The **motion was approved unanimously by roll call vote**.

PUBLIC COMMENT

There were no comments from members of the public.

OTHER UPDATES AND BUSINESS

Ms. Maxwell noted the Planning Commission keeps approving shared path conditions that accompany staff recommendations for approval and asked for an update on Township plans for shared path development.

Ms. Lubbert said that the Township needs approximately 51% of property owners in a designated area to sign SAD agreements before a special assessment district can be established to collect funding to develop sidewalks in that area. Slowly but surely we are making progress toward achieving enough SADs to be able to implement the plan.

Attorney Porter said the Master Plan includes non-motorized paths. We are slowly collecting SAD agreements because the Township is reluctant to require business owners to build segments of sidewalk that do not currently connect to anything. He noted there are some non-motorized paths completed on Drake Road and West Main Street.

Ms. Lubbert said the Township Supervisor will be asking the Township Board to revisit this policy in the near future and that any proposed changes would come back to the Planning Commission.

ADJOURNMENT

With there being no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 6:30 p.m.

Minutes prepared:
February 26, 2021

Minutes approved:
_____, 2021

March 5, 2021

Mtg Date: March 11, 2021

To: Oshtemo Township Planning Commission

From: Karen High, Zoning Administrator

Applicant: Jack Livingstone, Three Brothers Construction, LLC

Owner: Jack Livingstone, Three Brothers Construction, LLC

Property: 6667 Stadium Drive, Parcel ID: 05-35-135-011

Zoning: VC Village Commercial District
Village Form-Based Code Overlay Zone

Request: Site Plan and Special Use approval of residences and office in the historic school building, with workshop, outdoor sales and storage in the historic bus garage and fenced area

Section(s): Article 19 VC Village Commercial District
Article 34 Village Form-Based Code Overlay Zone
Article 64 Site Plan Review



Project Name: Oshtemo Schoolhouse #10 Adaptive Reuse

PROJECT SUMMARY:

Three Brothers Construction, LLC is requesting site plan and special use approval to convert historic Oshtemo Schoolhouse #10, located at 6667 Stadium Drive, into a mixed use building with five dwelling units and one commercial office space. Site plan approval is also requested to allow for outdoor sales, a workshop and storage area in the historic bus garage and in a fenced area at the rear of the property. 6667 Stadium Drive is located on the south side of Stadium Drive west of Chime Street. The property is outlined in yellow on the aerial photo on the right.



OVERVIEW:

Oshtemo Schoolhouse #10 was built in the Italianate style in 1870, one of at least 11 schools scattered across Oshtemo Township in the late 1800's. An addition in the 1920's nearly doubled the building size. Schoolhouse #10 was in use until the 1950's when it was replaced by Chime Elementary School. The property was sold to a private owner in 1974. In 1975, the Zoning Board of Appeals granted special exception use approval to convert the former school to multi-family use. It is not known whether this conversion occurred. In the 1980's, a store selling antiques and used furniture operated in the building.

It is not known when the retail use ended. In recent years, the building has been vacant and/or used for storage. More information about the historic schoolhouse, including historic photos and a five-minute audio link, can be found here: <https://www.wmuk.org/post/old-schoolhouse-stadium-drive#stream/0>.

The 6,256 square foot schoolhouse building has 3,810 square feet on the first floor and 2,446 square feet on the second floor. The proposal under consideration is to renovate the historic structure and construct three one-bedroom dwelling units, ranging in size from 672 square feet to 897 square feet, and one 288 square foot office with showroom on the first floor. One of the first-floor dwelling units is ADA accessible. Access to the office and showroom is separate from access to the dwelling units. Two additional one-bedroom dwelling units are proposed on the second floor, one at 672 square feet and the other at 897 square feet. A two-story building addition, 257 square feet in area, is proposed on the south side of the brick structure to accommodate a second stairway to the upper level. Fifteen parking spaces are proposed to serve the office and residences.

The 4,729 square foot accessory building at the rear of the site, formerly a bus garage, is proposed to be renovated for uses accessory to the proposed office space in the schoolhouse building. This proposal is to convert the former bus garage into a wood workshop area, approximately 1,600 square feet in size, at the north end with the remainder of the building proposed for equipment storage and garage area. A fenced and gated area, encompassing the accessory building and approximately 0.52 acres, is proposed for “an outdoor wood sales yard and accessory related activities”.

The applicant’s architect, Richard Schramm, has stated that an application is being prepared to list the building on the National Register of Historic Places and that renovations will be in keeping with historic standards. Proposed renovation of the historic schoolhouse includes repairing the brickwork where required, repairing or replacing the windows and doors to match the existing windows and doors, updating electrical/mechanical systems, and installing a sprinkler system. Proposed renovation of the historic bus garage includes repairing/replacing and painting the siding, repairing/replacing windows and overhead doors, installing a new man door, and updating electrical/mechanical systems as required.

The applicant owns and operates a roofing and tree service business, Three Brothers Construction, with 17 vehicles, four lifts, and multiple crews. The business also includes the creation of wood furniture and sculpture from some of the trees that are cut by the tree service. This proposal is to operate the business entirely from this site. The business office and a furniture showroom are proposed in the historic schoolhouse. The workshop area proposed in the historic bus garage is to be used for creating furniture and sculpture. The remainder of the garage would be used to kiln dry and store logs for future furniture/sculpture, equipment storage and vehicle parking. The applicant states that most processing, including chipping and cutting logs to firewood length, is done at the customer’s location, not at the subject site. The cut logs would be brought to the site and stored outdoors to season until they are ready to sell as firewood. Most firewood would be loaded onto trucks and delivered to customers, though firewood could be purchased on site. Work vehicles would be parked within the garage or fenced area when not in use. Wood processing on site would be limited to use of an electric saw to cut valuable eight to ten-foot-long walnut and cherry logs into slabs for tables or countertops. This would occur approximately twice per month. A bobcat would be onsite to move the walnut and cherry logs or the firewood.

A request to confer historic overlay zone status on the site has been requested by the applicant. However, this request was not included in the initial application. It was received after the public notice for the project was published. Because establishment of overlay zone status requires public notice, it should not be considered by the Planning Commission at this time and is not addressed in this staff report. It is important to note, however, that permitted and special uses in the historic overlay zone are based on the underlying zoning. No additional permitted or special uses are conferred.

ANALYSIS:

The entire property is in the VC: Village Commercial District. The subject site is outlined in yellow on the zoning map excerpt at right. The intent of this district is “to promote a village atmosphere allowing for small-scale mixed land uses and satisfying the land needs for convenience, specialty and personal service establishments primarily serving residents in the immediate and nearby residential areas of the Township”. Article 19 of the zoning ordinance includes a list of permitted, administrative review, and special uses in the VC zoning district. Article 19 also includes site design standards.

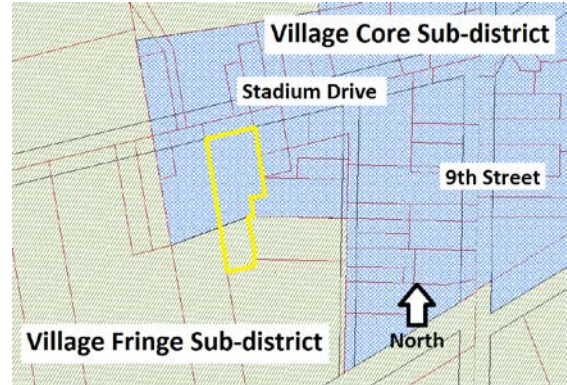


The property is also located in the Village Form-Based Code Overlay Zone. Article 34 of the zoning ordinance describes the intent of the overlay zone as follows: “to establish a compact, walkable, and mixed-use environment, and it is meant to create a comfortable, safe, and ecologically sustainable place for all residents to enjoy within the Oshtemo Village area. The Overlay District allows a mix of uses within each neighborhood, so residents do not have to rely exclusively on the automobile. It simultaneously allows for a variety of uses to create vitality and bring many activities of daily living within walking distance of homes”. The regulations of this Article are further intended to ensure that the area covered by the Village Overlay District evolves into new, mixed-use neighborhoods with the following characteristics:

- “The size of each neighborhood reflects a five-minute walking distance from edge to center.
- The mixture of permitted land uses includes stores, workplaces, residences, and civic buildings in close proximity.
- Streets within the Village Form-Based Code Overlay serve the needs of pedestrians, cyclists, and automobiles equitably.
- Public open spaces providing places for informal social activity and recreation.
- Building frontages defining the public space of streets.”

The Village Form-Based Code Overlay Zone consists of four sub-districts. Just over half of 6667 Stadium Drive, or 0.81 of 1.33 acres, is located in the Village Core sub-district. The remainder of the property, or 0.52 acres, is located in the Village Fringe sub-district. The property is outlined in yellow on the Sub-district map on the following page. Section 34.30 of the zoning ordinance describes these sub-districts as follows:

“Village Core. The purpose of the Village Core is to provide a pedestrian oriented area with a mixture of commercial, retail, and residential uses integrated horizontally or vertically at a greater intensity than the surrounding area. It is the intent to provide an integrated mix of uses in close proximity to provide an innovative and stimulating environment and encourage walking, biking, and transit use while also accommodating the automobile and boosting the market for commercial goods and services. This is the heart of the Village and should be the focus of most redevelopment/development efforts.



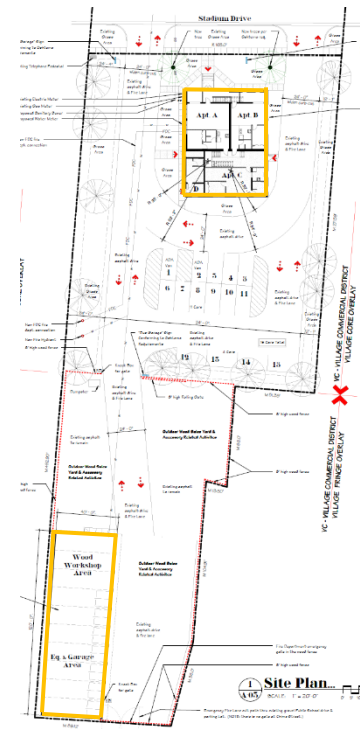
Village Fringe. The Village Fringe sub-district is an extension of the Village Core sub-district. The sub-district is pedestrian oriented including a network of streets and pedestrian connections. Off the major roads, the Fringe area is a place for residential neighborhoods and other predominately residential uses. There are many areas within the Village Fringe that are or could be available for development or redevelopment. While the Core is the heart of the Village, the Fringe is where the greatest transformation may occur.”

This request for site plan and special use approval will be reviewed using all appropriate sections of Article 19, VC Village Commercial, Article 34 Village Form-Based Code Overlay Zone, and Article 64 which outlines the requirements for all site plan reviews. Allowable uses are regulated in the VC district. A reduced size image of the site plan is shown at right. The existing buildings are outlined in yellow.

Special Use Review:

The VC district allows just two permitted uses: private one, two and three family dwellings and accessory structures. All other uses are Permitted Uses with Conditions, Administrative Review Uses, or Special Uses. Three Special Uses apply to this request. Each require the Planning Commission’s review and approval.

1. All new construction, additions, conversions of buildings to nonresidential use, and exterior facade changes other than routine maintenance.
 - o This Special Use applies because an addition for a stairway to the second floor is proposed at the rear of the historic schoolhouse.
2. Other uses which are determined by the Planning Commission to be similar to those uses permitted in Section 19.20 through 19.40.
 - o The Planning Commission must determine whether five family dwellings are similar to the permitted use of one, two or three family dwellings.
3. Mixed uses allowing both residential and nonresidential uses within the same building.



- This Special Use applies because residences and an office are proposed within the historic schoolhouse building.

All Special Use requests must be reviewed against the following criteria.

Section 65.30: Special Use Review Criteria:

A. Master Plan/Zoning Ordinance: The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the District in which the use is located.

1. **Master Plan:** The Village Form-Based Code sub-district map serves as the Master Plan for the Village area. The north end of the parcel is in the Village Core sub-district and the south end of the parcel is in the Village Fringe sub-district. The intent of these sub-districts is described on page two of this staff report. A map is shown on the right. **In essence, both subdistricts are intended for a walkable mix of commercial and residential uses.** The proposed residential and office use, as long as it is designed to permit walk-in customers, appears to be consistent with the intent of the Village Core. However, a business like Three Brothers Construction largely falls under the use: “Contractor’s services related to the building trades such as electrical, mechanical, plumbing, general building, excavating, and landscaping”. This is a permitted use within the I-1 and I-2, Industrial Districts – not an allowable use in any other commercial or residential zoning areas. An industrial use does not fall into the uses permitted in either the Village Core or the Village Fringe subdistrict. **Parking of work vehicles, outdoor storage, and any other business-related outdoor activities would not be permitted on this site and would go against the master plan’s intent for this area. In order for this site plan to be approved these industrial components need to be removed from the site plan. The Planning Commission has no authority to approve these activities/accessory uses as it would be considered a use variance which is not allowed to be granted in Oshtemo. However, the VC district does offer some flexibility. The Planning Commission must determine whether the proposed office and showroom for Three Brothers Construction, the wood workshop, equipment and garage area proposed in the existing accessory building, including use of a bobcat on site, is consistent with the intent of the Village Fringe sub-district.** It is relevant to be aware that in 2018 site plan approval was granted for an office, showroom and barn workshop for a construction company located in the Village Fringe sub-district at 6825 Stadium Drive. In this instance all storage for the use was required to be kept indoors. This was required for this plan as no outdoor storage is permitted within this zoning district. The staff report and meeting minutes for this site plan approval are attached for reference. **Although aspects of Three Brothers Construction may be deemed appropriate for this location by the Planning Commission, outdoor storage of materials or work vehicles is not permitted per Section 19 of the zoning ordinance. The Planning Commission will need to specifically list, as a condition of approval, those activities permitted and not permitted in the accessory building and area proposed for ‘outdoor wood sales yard and accessory related activities’.**
2. **Zoning Ordinance:** The 257 square foot addition proposed at the rear of the 6,256 square foot building is compatible with the district’s intent. Five dwelling units proposed on a 1.33 acre parcel can reasonably be considered similar to the one, two, or three dwelling

units that are a permitted use. Per Article 34.50, the dwelling unit density for mixed-use buildings in the Village is based on the requirements for multi-family dwellings. Five dwelling units on 1.33 acres is approximately four dwelling units/acre, which falls within the maximum of eight dwelling units per acre. Mixed uses within a building is an identified Special Use within the VC district and therefore consistent with the Zoning Ordinance. For the Three Brother's Construction portion of the proposal, as noted in the Master Plan review section, there are aspects of the proposed use that can not be permitted in this zoning district and other aspects that the Planning Commission must review and make a determination on.

B. Site Plan Review. The Site Plan Review Criteria of Section 64.80. A site plan has been provided and an analysis of the site plan against Section 64.80 will be provided later in this report.

C. Impacts:

- 1. The proposed use would be compatible, harmonious and appropriate with the existing or planned character and uses of adjacent properties; meaning the proposed use can coexist with neighboring uses in a stable fashion over time such that no neighboring use is unduly negatively impacted.** The proposed five dwelling units and office with a showroom are compatible with the existing and planned character of the area. The proposed wood workshop, equipment and garage area in the accessory building could be considered compatible provided that noise and outdoor activities are limited. The outdoor wood sales yard and outdoor accessory related activities, not permitted in or compatible with this zoning district, would have negative impacts on nearby residences in terms of the number of work vehicles entering, leaving and stored on the site. Based on the nature of the business, this could foreseeably occur in early morning or evening hours. Noise generated by workers and equipment, such as a bobcat, in the outdoor sales area could also have a negative impact.
- 2. Potentially adverse effects arising from the proposed use on adjacent properties would be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers or setbacks.** No potentially adverse effects are foreseen from the five dwelling units and office use proposed in the existing schoolhouse. Similarly, no potentially adverse effects are foreseen from the proposed parking lot, which is on existing pavement. The site currently has two driveways onto Stadium Drive. Due to the proposed use's increase in intensity to the site and the consideration of safety concerns for motorists and pedestrians along an arterial road, one of the two driveways onto Stadium Drive will need to be removed. The site has not been well maintained during its vacant period and renovation of the historic building will have a positive effect on adjacent properties and the community in general. Proposed landscaping and sidewalks will also have a positive effect. In an effort to minimize the potential negative effects of the outdoor wood sales area, the applicant has located it at the rear of the site and is proposing an 8-foot-tall solid wood fence for visual screening. As previously stated, outdoor storage and sales is not permitted on this site. However, the fence would minimize the impact of the proposed wood workshop and garage area from adjacent property owners if these uses are approved by the Planning Commission. A dumpster is located within the fenced area. Gates with Knox Box for fire access are provided at the

north and south ends of the fenced area. The south gate, intended for emergency access only, leads to the driveway and parking lot of the former Chime School. A cross access easement from the adjacent property owner is needed to allow use of this gate. If the easement is not obtained, a fire truck turn around area may be required.

- D. **The proposed use would not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, smoke, odors, glare, or visual clutter.** Outdoor storage and sales is not permitted on this site. The proposed wood workshop, equipment and garage area could disturb existing or future adjacent uses particularly if use of a bobcat and saw are permitted. If approved, the Planning Commission should consider limiting the hours of operation of loud equipment such as saws or bobcats on the site.
- E. **Environment: The natural features of the subject property shall only be cleared or altered to the extent necessary to accommodate site design elements, particularly where the natural features assist in preserving the general character of the area.** No changes to the site are planned that would negatively impact existing natural features.
- F. **Public Facilities: Adequate public and/or private infrastructure and services already exist or would be provided, and will safeguard the health, safety, and general welfare of the public.** There is adequate public infrastructure in place and adequate private infrastructure proposed to support the requested uses.
- G. **Specific Use Requirements: The Special Use development requirements of Article 49.** Article 49 currently has no additional requirements for the consideration of these special uses.

Article 64: Site Plan Review:

Site Plan Review is required for existing sites when the use of a building is changed. Planning Commission review and approval is required when the proposed use is a Special Use. Review criteria is outlined in Section 64.60 - Application Procedure, C - Site Plan. Staff's summary of the requirements and analysis of the proposal is provided below. Because the property was used as a school for decades, development on the site is existing. Changes to the site are described below.

Access and Circulation

Access: The site has two driveways onto Stadium Drive. The Road Commission of Kalamazoo County has indicated that they will require closure of the easternmost drive. The site plan will need to be revised to show only one driveway while allowing necessary turning radii for fire trucks to circulate through the site. As previously stated, a gated driveway exit leads to adjoining property south of the site. Staff recommends that obtaining a cross access easement from the adjacent property owner be a condition of approval. If the easement is not obtained, a fire truck turnaround may be required.

Parking: Per Section 52.100, Minimum Required Parking Spaces, 12.5 parking spaces are required for the five residential dwelling units and two parking spaces are required for the office/retail use, for a total of fifteen required parking spaces. Fifteen parking spaces are proposed, including two ADA accessible spaces. These spaces are located on existing asphalt behind the schoolhouse. Per Section 34.80.B.2, all

parking is located in the rear yard. Three parking spaces are required for the wood workshop area in the historic bus garage or one per employee, whichever number is greater, Seven spaces are provided in the garage, though some of this area is proposed for wood and equipment storage. If the wood workshop area is approved, the site plan should be revised to show that parking requirements for the workshop area are met, either inside or outside the existing garage. If located outside the garage, these parking spaces are intended for customer or employee use, not for storing work vehicles or equipment such as the bobcat.

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 sidewalk along Stadium Drive. A proposed sidewalk along Stadium Drive is shown on the site plan, along with proposed internal sidewalks leading to the building and parking lot.

Buildings and Structures

Article 34.50 of the Village Form-Based Code Overlay Zone allows three building types along arterial roads in the Village Core: Storefront Buildings, Workplace Buildings, and Stoops/Townhouses. The historic schoolhouse doesn’t fit into any of these narrowly defined building types. However, Article 34.50 H. provides flexibility by allowing the Planning Commission to approve a building type not identified, provided that the building type is pedestrian oriented and meets the intent of the Village Overlay District. Because of the schoolhouse’s historic significance and its main entrance fronting on Stadium Drive, it is reasonable to conclude that these requirements are satisfied.

In addition to the above flexibility, Article 34.90 allows for non-conforming uses and structures to continue to the extent consistent with health, safety and public welfare purposes. Buildings or other structures that are nonconforming as to placement, frontage, height, design, or other zoning regulations contained in the Overlay standards or elsewhere in the Ordinance may be repaired, replaced, or added to, only to the extent permitted by this section.

1. Additions. A nonconforming building or other structure may be added to, provided that the portion of the building or other structure comprising such addition complies with all requirements of this Article 34.

Setbacks: In the VC district, the front setback requirement is a minimum of 5 feet and a maximum of 20 feet. Side setback requirement is 0 feet. Rear setback is a minimum of 15 feet. The proposed addition, located at the rear of the schoolhouse, meets the side and rear setback requirements.

Signs: Two freestanding signs are proposed. One freestanding sign is permitted. The site plan should be revised to reflect the removal of one freestanding sign.

Gross Floor Area and Floor Area Ratio: The VC district allows a maximum gross floor area of 15,000 square feet. Both the schoolhouse, at 6,256 square feet, and the bus garage, at 4,729 square feet, fall within this requirement. The maximum Floor Area Ratio permitted is 0.25 for sites with multiple buildings. In this instance, the floor area ratio is 0.19, which meets the ordinance requirements.

Residential Density: Per Article 34.50, the dwelling unit density for mixed-use buildings shall be determined based on the requirements for multi-family dwellings. Five dwelling units on 1.33 acres is approximately four dwelling units/acre, which meets this requirement.

Dimensional Requirements for Dwellings: Section 50.20 requires that one-bedroom apartments have a minimum of 500 square feet of living area per unit. All five proposed apartments exceed this requirement.

Architectural Design: proposed modifications to the historic buildings and the proposed addition meet requirements for architectural design features. The exterior material proposed on the addition is stucco, which is deemed acceptable per the ordinance and will “project a natural appearance.” The roof of the addition will be pitched to match the shape of the existing hipped roof, which also meets ordinance requirements.

Landscaping: Two additional street trees are required and proposed along Stadium Drive. 12 existing trees on the site will be preserved.

Fencing: Per Section 57.60, fences “exceeding six feet in height shall be subject to approval by the appropriate reviewing body” when located in the VC District. An eight-foot-tall fence is proposed, with an eight foot tall rolling gate. The Planning Commission must determine whether an eight-foot-tall fence is appropriate in this instance.

Exterior lighting: No site lighting is proposed at this time.

Engineering

Prein & Newhof, the Township’s civil engineering agent, has reviewed the site plan and indicated that all requirements are met. Public water and sewer will be extended to the building.

Fire Department

Oshtemo’s Fire Department will need to review the site plan to ensure that turning radii are adequate when the eastern driveway is removed from the site plan. If a cross access agreement for the gated exit to the south is not obtained, the Fire Department will also need to review maneuvering space within the fenced area. A fire hydrant is required and shown on the site plan.

Enforcement

Oshtemo Township’s Ordinance Enforcement staff have requested that two large piles of cut logs, limbs, and brush be removed. If the Planning Commission approves this request, removal of these materials is recommended as a condition of approval.

RECOMMENDATION

Preservation of this significant historic structure is an admirable goal. Staff recommends approval of all aspects of the proposal that are allowed by law. In other words, approval of all proposed Special Uses and site plan improvements *with the exception of* outdoor storage of materials such as firewood and outdoor parking of work vehicles, with the following conditions:

1. Approve the following Special Uses:

- a) Special Use to allow an addition at the rear of the historic schoolhouse to accommodate stairs to the upper level.
 - b) Special Use to allow five family dwellings where one, two, or three family dwellings are permitted, which is hereby determined to be similar to those uses permitted in Section 19.20 through 19.40.
 - c) Special Use to allow both residential and nonresidential uses within the historic schoolhouse building.
2. Motion to deny the "outdoor wood sales yard and accessory related activities", which includes denial of any outdoor storage or parking of work vehicles.
3. Wood processing on site would be limited to use of an electric saw to cut eight to ten-foot-long logs into slabs for tables or countertops and will be limited to regular business hours, Monday through Saturday.
4. All references to "outdoor wood sales yard and accessory related activities" shall be removed from the plan. No outdoor storage of materials or work vehicles or outdoor activities for the commercial use are permitted on the site except those described below.
 - a) Activities permitted in the accessory building include a wood workshop area, wood and equipment storage, and parking. Activities permitted in the fenced area around the accessory building include use of a bobcat to move logs and other materials required for making furniture and art.
 - b) Use of the bobcat and other loud equipment is limited to regular business hours, Monday through Saturday.
5. A cross access easement agreement is required for access to the gated exit to the south. If not obtained, a revised site plan shall be submitted that shows removal of the gated exit and maneuvering space as required by the Fire Department.
6. Approval to allow an eight-foot-tall fence as shown on the site plan, per Section 57.60.
7. A revised site plan shall be submitted that shows:
 - a) Elimination of the eastern driveway onto Stadium Drive while meeting Fire Department requirements for turning radii.
 - b) Location of at least three additional parking spaces for the wood workshop area, or an amount equal to the number of employees in the wood workshop area, whichever is greater. If located outside the garage, these parking spaces shall be for customer or employee use only, not for storing work vehicles or equipment such as the bobcat.
 - c) Elimination of one of the proposed free standing signs. (One free standing sign is permitted.)
 - d) Tree species and size at time of planting of the two canopy trees
8. Prior to issuance of a building permit, the existing wood and brush piles will be removed to bring the site into compliance.
9. The accessory building shall not be used for the business until a Certificate of Occupancy is issued for the office and showroom in the historic schoolhouse. However, use of the accessory building for the schoolhouse renovation is permitted.

Attachments: (list attachments): Application; Applicant statement and information; Site Plans; Excerpt from Historic Site Research in Oshtemo Township; Excerpt from 2006 Village Theme Development Plan; 6825 Stadium Drive letter; and 6825 Stadium Drive Planning Commission minutes, staff report



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

PLEASE PRINT

PROJECT NAME & ADDRESS OSHKEMO SCHOOL HOUSE #10

PLANNING & ZONING APPLICATION

Applicant Name : JACK LIVINGSTONE

Company THREE BROTHERS CONSTRUCTION

Address 2210 ABERDEEN
KALAMAZOO, MI 49008
DBA: "TREE FELLERS"

E-mail THREEBROTHERS.CONSTRUCTION
LLC@GMAIL.COM

Telephone _____ Fax _____
Interest in Property 231/622-9785

OWNER*: OWNER

Name _____

Address _____

Email _____

Phone & Fax _____

THIS SPACE FOR TOWNSHIP USE ONLY

Fee Amount _____

Escrow Amount _____

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): _____

RESTORE HISTORIC SCHOOL HOUSE #10 AND
INTERIOR RENOVATIONS FOR 5 APARTMENTS AND
BUSINESS OFFICE/SHOWROOM. RESTORE BUS
GARAGE WITH FENCE ENCLOSURE FOR USE
TO STORE TRUCKS AND WORKSHOP AREA. (FURNITURE)

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

SEE BOUNDARY SURVEY

PARCEL NUMBER: 3905- 05-35-135-011

ADDRESS OF PROPERTY: 6667 STADIUM DRIVE

PRESENT USE OF THE PROPERTY: EXISTING SCHOOLHOUSE & BUS GARAGE

PRESENT ZONING VC VILLAGE FRINGE SIZE OF PROPERTY 1.33 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)

JACK LIVINGSTONE

2210 ABERDEEN, KAZOO
49008

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

Owner's Signature (* If different from Applicant)

Date

[Handwritten Signature]

12/7/21

Applicant's Signature

Date

RICHARD SCHRAMM
ARCHITECT

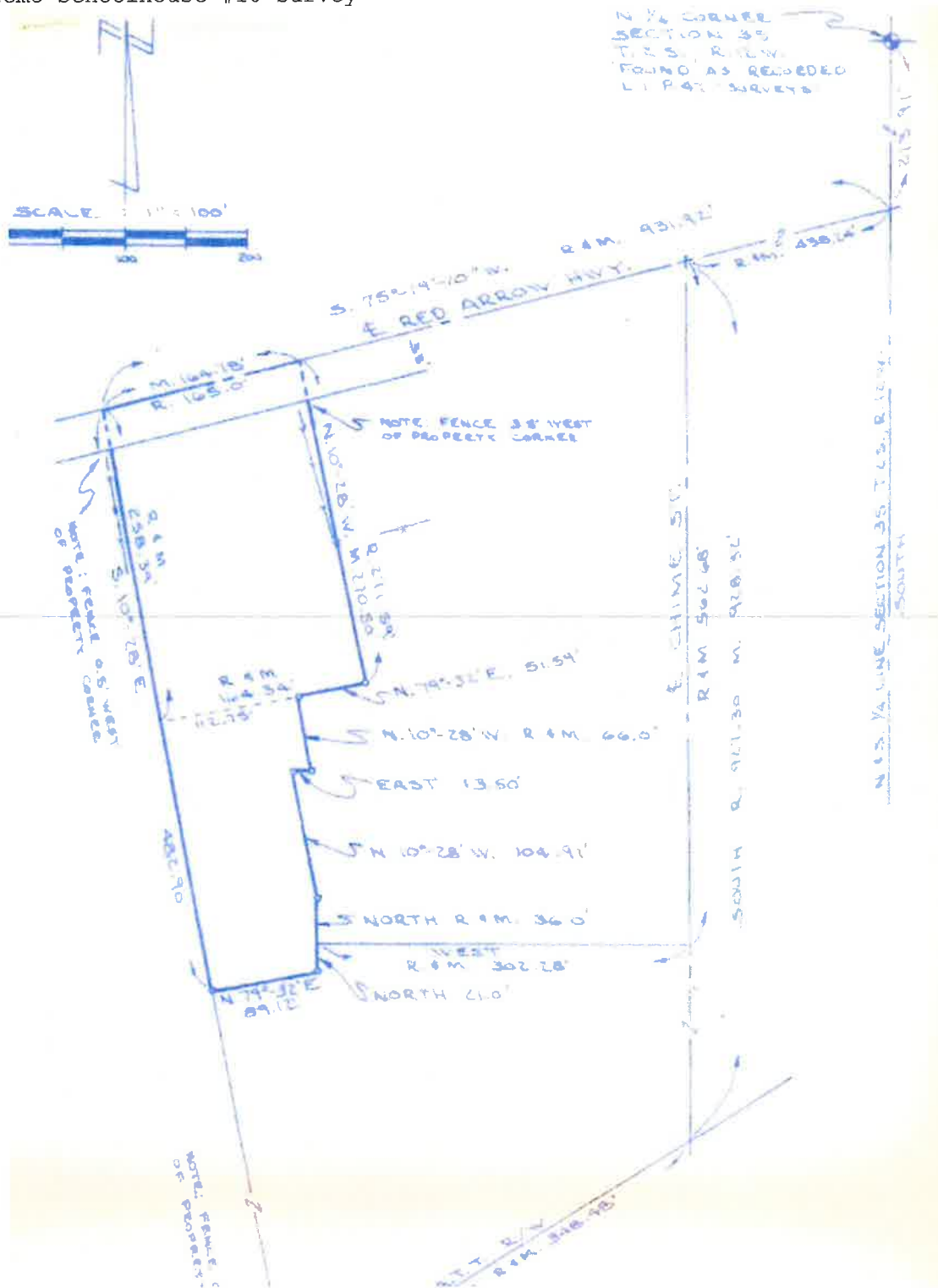
PLEASE ATTACH ALL REQUIRED DOCUMENTS

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

Architectural Workshop, Inc.

Richard A. Schramm, Architect, 7540 Stadium Drive, Kalamazoo, Michigan 49009
 FAX: 269/372-7272 www.ArchWorks.us richard@ArchWorks.us Phone: 269/375-2472

Oshtemo Schoolhouse #10 Survey



“Architecture is the Art of Building”

Registered in Michigan, Indiana, and Florida / Certified by the National Council of Architectural Registration Boards

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From: [Jack Livingstone](#)
To: [Richard Schramm](#)
Subject: narrative/request
Date: Thursday, January 21, 2021 10:49:21 AM

To whom it may concern, may this serve as a letter of intent...

WHO I AM:

My name is Jack Livingstone. I am a licensed builder for 23 years, double major Kalamazoo College Graduate, home rehabilitator, but most importantly, I'm a single father of three boys. (please excuse any editing errors or typos. I'm writing this in a hurry after a long day, but I'm sure you will get the picture.)

I'd like to fix up the building at 6667 Stadium. I am a resourceful person who tries very hard. When I set my mind to something. When I pick a destination, I get there. But I also don't set insurmountable goals. I think hard about which projects make sense, and which ones are impossible. In the case of this project, I am concerned that although the reputation of the Oshtemo local government has become almost legendary, I underestimated the difficulty that a regular person will have in working with it. Maybe its the downside of being an optimist. I have had high hopes to renovate and restore this schoolhouse. Yet, I have been told by township officials that it is impossible, that I am not allowed, that it will never happen. I've literally had more experiences where the township officials have stopped on the property to relieve themselves and use it as a toilet than I have had what I would consider to be fair and open minded conversations, let alone, encouragement. Yet, it seems obvious to me from where I'm sitting, that the township wants- no, NEEDS this project to happen. Yet, every conversation I have seems to indicated that the township is trying to close doors wherever possible. To snatch defeat from the jaws of victory. I was approached by Dollar General to sell this property for twice what I paid. But that wasn't my vision, nor that of the man who sold it to me in hopes I would restore it. So here I am, appealing to the board.

I'm not going to make promises about how I'm going to do it. Anybody can say anything.

Instead, I'm going to tell you about my history. I followed my passions, and while I made a lot of mistakes, I learned a lot, dug down into my own resilience, figured out better solutions, and made things happen.

ANCIENT HISTORY: In 1994-1997, with no experience, I created, published and edited a magazine out of my bedroom at 23 years old that became a worldwide periodical. It was picked up by Tower Records, Ubiquity distributors, and received critical acclaim and made its way to 5 continents.

In 1998, I entered the building trades, educated myself about how to do home renovations and began rehabbing the first of a couple dozen properties. These included the home of the owner of Antoine's Restaurant in New Orleans, and my own home there, which I then sold in 2010 to purchase 13 rental homes in Kalamazoo where I again improved them, made them livable and financially viable. I began my construction business, which continues to this day.

In 2010, I taught myself sailing, and sailed across the Gulf Stream in a boat that most said was not ocean worthy. I had many adventures, and eventually, found a small peaceful place where I built a haven for family and friends to share. This was more difficult, because besides being limited on time and money, I was building into the side of a rock hill, on a foreign island, in a foreign country with no network, cellphone, vehicle, or place to sleep. But I made it happen. Nevertheless, I completed the project, share it with those close to me, and I visit once or twice yearly to work on and improve the property.

In 2017, I taught myself to climb trees, and created a tree service business that after 3 and a half years that- according to our customer reviews-is now the highest rated tree service in Southwest Michigan in customer service, quality, and value. We went from the days of a pickup truck and a trailer when I would climb and cut every tree to having 17 vehicles, four lifts, and multiple crews.

CURRENTLY: In the course of creating the tree service, I have come across many interesting pieces of wood. As a third generation carpenter, builder, and woodworker, many of them call out to me. So, I began saving interesting pieces, and creating things with them. I make things from extraordinary pieces of wood, but also from things that some consider garbage. I believe in conserving, creating, and working on a grassroots level to network with my community.

In 2020, I met Richard Spigelmeyer. He saw an advertisement I circulated and appreciated it enough to choose my company to do the roof of the Stadium Drive property. The roof had failed, and the building was in dire need of help. We replaced the roof. During the course of the conversations, Richard and I discussed the possibility of renovating it. Mr. Spigelmeyer indicated he was impressed with me and my capabilities, and he stated that he decided that after a long time looking for

someone who could take on this project, I was the one for the job. After turning away a purchaser at the closing table who had offered 250% of what I had to offer financially, Mr. Spigelmeyer chose to sell it to me to renovate, because he believed in me, my drive and my abilities. The other developer was planning to level the schoolhouse and start over. Richard believed I had the ability to see his dream of rehabbing and restoring the property become a reality. I purchased the property about a year ago.

WHAT I FORESEE:

I am currently hoping to renovate the old schoolhouse. I plan to put three apartments on the second floor. I plan to put either a commercial space or three more apartments on the first floor. I would like to have my tree service located in back, using the bus barn and surrounding outside area for wood and vehicle storage. The yard would be fenced, the wood processing would occur elsewhere, except for one electric saw, which would be used to turn 8-10' logs into slabs for tables. (I already have many of these onsite, in the building being stored and seasoned.) No wood chipping would occur on the property. The busbarn would be the place where the valuable and beautiful pieces of wood would be stored, and also have a place where customers could come and view the pieces for sale, or where I could have artisans work on wood furniture or sculpture pieces. Less valuable pieces would be cut to firewood lengths at our customers' residences, and brought there to be seasoned a year before being loaded into a truck to sell elsewhere, generally. We might sell some wood right from the lot to customers who bring their own vehicles. Minimal chainsawing would take place on site, if any. (I don't want to say I'll never start a saw on the property" but I don't have any need to. So far, I've only used a saw there to trim the trees on the property. Naturally, in the tree removal business, we go to where the trees are, and process them onsite, because otherwise they would be too heavy to move. So to be clear, chipping or chainsawing would NOT need to be done on the property.) Vehicles would be there for parking at night, and when not in use. A bobcat would be on site to move the firewood or logs around. The building in front would be refurbished, and improved, as I choose to do it, likely with a schoolhouse theme, if any portion is used as a commercial space, but the simplest and most likely use would be to make it into apartments. The building would be restored and help be a centerpiece for the downtown Oshtemo is trying to develop.

THE OUTSTANDING ISSUE:

Representatives of the township have told me that I can never run a tree service from there (despite the fact that it's an essential service that is actually performed elsewhere), that I can never run a construction business from there (See above), I am COMPLETELY unable to renovate this building unless I DO run a tree service and construction company from there. I am the boss of the company. I am going to be at the headquarters of my companies. I cannot, and will not renovate this building if I have to be physically present somewhere else, trying to supervise this renovation, and simultaneously be in the Edison neighborhood at 2002 Lane (my alternative location if this doesn't work out), running my other companies. Concurrently, I can't spend \$200,000 on another piece of property elsewhere to store wood and vehicles and invest that same money here in Oshtemo renovating the schoolhouse. And lastly, why would I? When as my resume indicates, I go where my passion is, where the learning is, where the growing is, f I don't feel I'm welcome in a location, and feel as though I'm being harassed, why not go elsewhere and develop in more pleasant and cooperative circumstances?

TO SUMMARIZE REGARDING OUR OPERATION:

I am a builder who is hands-on. I have a roofing company which, and a tree service, both of which provide essential services (imagine an ice storm with a tree on a roof, and all the work that entails, from dealing with the insurance adjuster, to craning the tree off of the roof and removing it, to replacing the roof afterward). Although the work is done when and where it's needed by our customers, we need a place to call headquarters. Although the tree service works wherever the customers need us, after removing dangerous trees from the power lines and homes of our customers, we need a place to put the wood and park the vehicles. We need a headquarters. We also need a place to store wood that will serve as firewood to our customers (again, conservation is a priority), and a place to kiln dry special pieces that will become live edge oak countertops, tables or sculptures. We do NOT need to process wood on site. ALL chipping and cutting logs to firewood length is done at the residences of our customers before it is loaded. It is simply more effective. Chipping is disposed of elsewhere, (which we give away for free to get rid of it), and firewood is processed elsewhere, before scooping it up to put in trucks. It would then be brought to the rear of the stadium drive location a fenced in area, to be seasoned. After drying, it will be reloaded, then delivered and sold to customers. All tree removal activities besides storage would be taking place at the residences where the trees are located. (From hearsay, I understand there is some concern about wood being processed on premises, but there is actually no reason to do this, and it would be very inefficient. There is no reason to take a tree from one location to another to work on it. Trees are processed in all cases within a few feet of where they grew!). The ONLY wood processing onsite would be from a sawmill machine, which would cut slab countertops or the like out of valuable walnut or cherry. These we run across approximately twice a month. In the time we have owned the property, despite the increasingly aggressive code enforcement on the property. we have yet to do ANY chipping on the property, or any wood processing, except for of the

trees that are already there. We have burned brush on the property, with permits, and following township and fire marshall guidelines. No other wood processing has occurred there. Richard Schramm suggested I might offer that I would only use electric chainsaws on the property. However, while I have yet to start a chainsaw on the premises that was not used for the trees on the premises, I would like to reserve the right to cut a piece of wood in half if it's the wrong length, or do minimal work there But I have zero need to actually process wood on site. And absolutely no need to ever run a chipper there.

So for me, housing my tree removal, real estate management, construction, and rehabilitation projects on one property makes total sense. And to my mind, when my boys leave Winchell school in another couple year,s I can completely see moving onto the property to continue their education as they see how a business is run, from the ground up. But if I have to be in two places at once, I will go somewhere else. I'm a builder, developer, and a rehabilitator, and a single dad. But I'm only one guy and I can't be in more than one place at once. If the father of three/builder/developer/tree guy can't be on the development project because builders and tree guys aren't allowed at development projects, the part of the guy that runs the tree company, (which is the most profitable part and provides for the three kids) is going to take the other three parts and move. That's the bottom line. Further, if I spend \$200,000 elsewhere to store vehicles because Oshtemo won't let me store them at the school, that's \$200,000 less that I have to spend renovating the school. Which makes the project untenable, and that issue is a deal killer.

You either have to take all of me, or none of me. My company, which does many things, can't simultaneously come in and save this place from demolition and be told we aren't welcome here. But honestly, I'm already being offered more than twice what I paid for it, so I won't even be that hurt if I have to go elsewhere. I just want your group to all get on the same page. You either want me to come redevelop this, or you want to close the gates and I will show myself out. You can't have it both ways. Either way is fine with me. Dollar General has offered me \$200,000 for it so far. I'd rather not see that, but if I can't work there, I can still sleep at night knowing I tried.

I look forward to being a part of your community, and helping it grow and develop. I hope my sons will be a part of that.

Thank you for your consideration.

Jack Livingstone
Owner/Father
Three Brothers

THREE BROTHERS CONSTRUCTION



WE CAN DO IT.
(and if we can't, we'll let our dad help!!)



Architectural Workshop, Inc.

Richard A. Schramm, Architect, 7540 Stadium Drive, Kalamazoo, Michigan 49009

FAX: 269/372-7272

www.ArchWorks.us

richard@ArchWorks.us

Phone: 269/375-2472



Help save Oshtemo's Historic Schoolhouse #10.
Contact Richard Schramm, Architect.



The Alternative.

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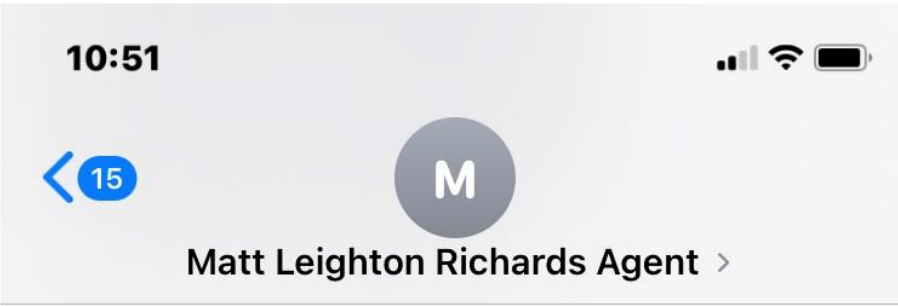
Please include this. This was yesterday.



Jack Livingstone <threebrothersconstructionllc@gmail.com>
To Richard Schramm

Reply Reply All Forward

Thu 1/21/2021 10:52 AM



Yesterday 10:51 AM

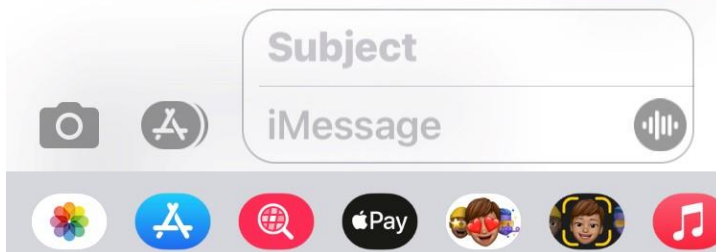
Do you want to discuss the possibility of Listing Stadium Dr for sale?

We ? discuss it. what do you think it could go for?

We could discuss it that should have said

Ok. I would say List at \$199,000.

Well, I'm meeting with the township we are going to see what they have to say about how I can use it or if I can use it for my business.





1 North East Elevation View
A-01 SCALE: 1/4" = 1'-0"

Schoolhouse #10

Schoolhouse #10 Restoration, 6667 Stadium Drive, Kalamazoo, Michigan 49009

Drawing Index:

- A-01 Index and Street View
- A-02 Area Relationship Map
- A-03 Site Plan
- A-04 First Floor Plan
- A-05 Second Floor Plan
- A-06 North, West, South, & East Elevations
- A-07 Zoning & Restoration of Schoolhouse & Bus Garage

Architectural Symbols

Site Plan	Reference Symbols	Material Indications
<ul style="list-style-type: none"> ● BM-1 Bench Mark Number (Elevation in Feet) ○ TB-1 Test Boring Number ○ MH Manhole ○ CB Catch Basin ○ Light Pole ○ Fire Hydrant ● Power or Telephone Pole ○ Curb Inlet ○ Existing Tree to be Removed ○ Existing Tree to Remain — New Topo Contour Line — Existing Topo Contour Line — W Water Line — E Electric Line — F.O. Fuel Oil Line — SS Storm Sewer — FD Foundation Drain Tile — Contract Limit Line — Property Line — Fence — S Sanitary Sewer — RD Roof Drain Tile Loop — G Gas Line — T Telephone Line 	<ul style="list-style-type: none"> ▲ North Arrow Designation Plan Views ① Detail Designation Plan Views & Detail Views ② Elevation Designation Plan Views F-1 Footing Designation Plan Views 100'-0" Step Footing Designation Plan Views 100'-0" Spot Elevation Designation Plan Views 100'-0" Vertical Elevation Designation Plan, Section, Elevation Views Storage Room Number Designation Plan Views 007 Door Number Designation Plan Views A-8 Cross Section Designation Plan Views Design Revision Designation Plan, Section, Elevation Views 24 Equipment Number Designation Plan, Section, Elevation Views Column Number Designation Plan Views & Detail Views Lintel Number Designation Plan Views & Detail Views 	<ul style="list-style-type: none"> Concrete wall, plan view Brick veneer on etal wall, plan view Rigid insulation, cross section Dimensional lumber, stud, cross section- continuous member Dimensional lumber stud, cross section, intermittent Plywood, cross section Earth, cross section Existing construction to be removed (wall plan view) Existing construction to remain (wall plan view) Fire rated wall plan view construction, see notes Concrete block wall Batts insulation, cross section view Wood etal wall, plan view Steel, cross section Gravel, cross section Sand, cross section Stucco plaster finish, cross section, over concrete block wall Wood flooring, plan view Brick parging, basket weave pattern plan view Tile flooring, plan view Stone paving, plan view Center line, plan view Ceiling cove trim, plan view Roof overhang line, plan view Hidden line, all views

Architect's Seal

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Drawn by: R.A.S.

Project: 0946.101

Sheet Number

A-01

Index and Rendering

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Historic Schoolhouse #10 Restoration

Schoolhouse #10 Restoration, 6667 Stadium Drive, Kalamazoo, Michigan 49009

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 Phone: 269.375.2472
 Fax: 269.372.7272
 www.ArchWorks.us

Historic Oshtemo Schoolhouse #10
6667 Stadium Drive

Iris House Salon
6641 Stadium Drive

United Methodist Church
6667 Stadium Drive

Harding's Friendly Market
6416 Stadium Drive

Ted & Marie's Restaurant
6416 Stadium Drive

LaRue's Restaurant
6375 Stadium Drive

Wally's Subs
6475 Stadium Drive

Kalamazoo Pool Service
3357 S. 9th Street

Great Wall Express
6547 Stadium Drive

Flesher Field
3664 S. 9th Street

All Pro Lawn Care
3675 S. 9th Street

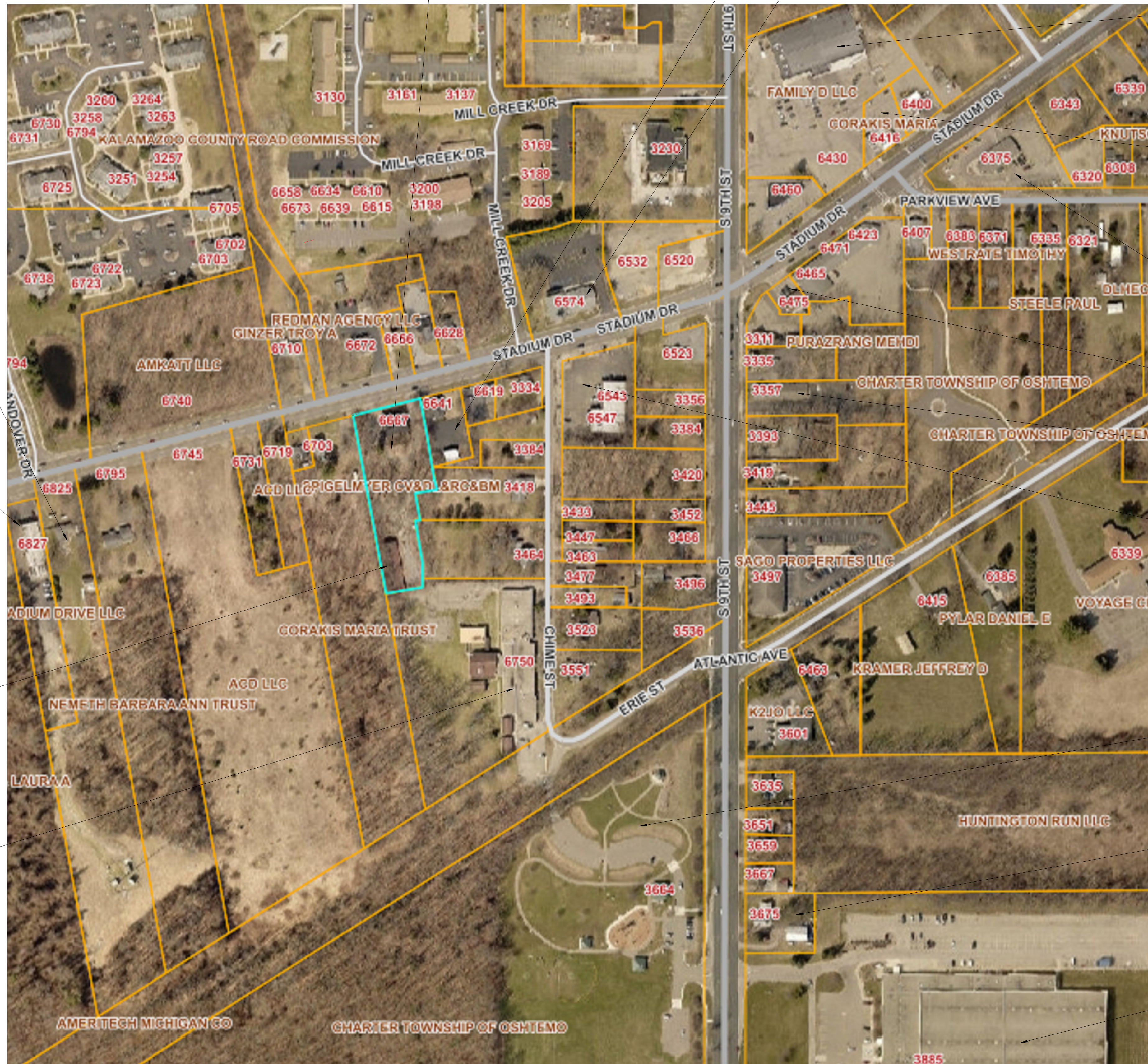
U.S. Post Office:
3885 S. 9th Street

Adam Garland Construction
6825 Stadium Drive

Williams Distributing
6827 Stadium Drive

Historic Oshtemo & Bus Garage
6667 Stadium Drive

Chime Street School
6750 Chime Street



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Area Relationship Map
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Schoolhouse #10 Restoration, 6667 Stadium Drive, Kalamazoo, Michigan 49009



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Sheet Number		A-02



4
A-05 **Historic Bus Garage View**
SCALE: 1/4" = 1'-0"

6
A-05 **Requested Oshtemo Historic Overlay Zone**
SCALE: 1/4" = 1'-0"

36 - HISTORICAL OVERLAY ZONE

- Contents:
- **36.10 PURPOSE**
 - **36.20 PERMITTED USES**
 - **36.30 SPECIAL USES**
 - **36.40 ESTABLISHMENT**

36.10 PURPOSE

The purpose of this Zone is to promote the preservation and rehabilitation of historical places in the Township by protecting those places against destruction or encroachment upon structures, monuments, or other features which contribute or will contribute to the cultural, social, architectural, and historical heritage of the Township.

It is recognized that changes that occur to one property can impact the property next door, the block, and even an entire neighborhood. The establishment of this Historical Overlay Zone will help the Township manage how change occurs both in the Zone itself and within surrounding properties in order to ensure that as much of the original character of the historical place remains intact.

The preservation of these places helps to safeguard the Township's heritage, stabilize and improve property values, foster civic beauty and promote history.

36.20 PERMITTED USES

- A. Any permitted use in the underlying zoning.
- B. Any use significant to the historical purpose or characteristics of the property.
- C.

36.30 SPECIAL USES

Any permitted use in the underlying zoning.

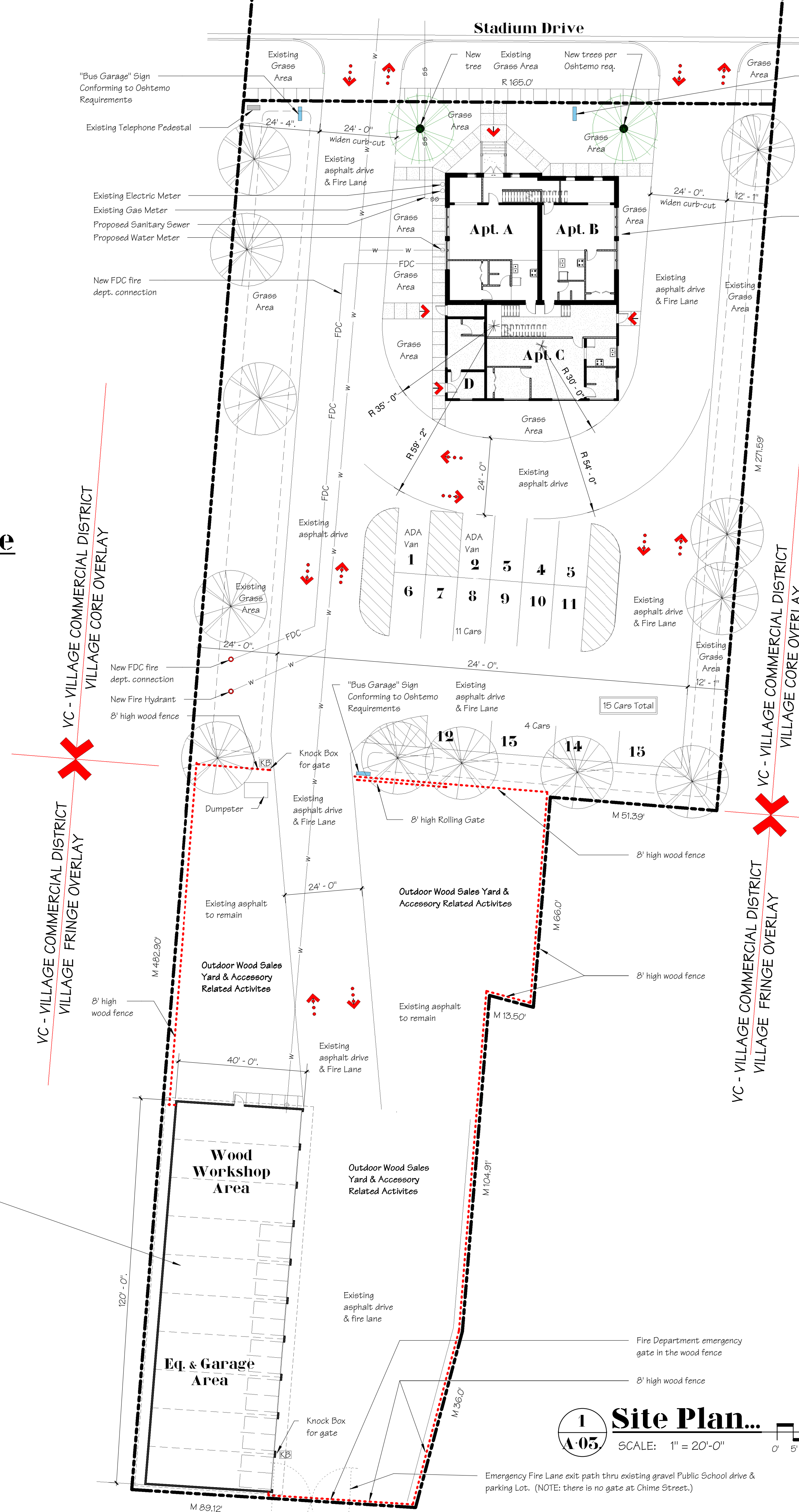
36.40 ESTABLISHMENT

The Historical Overlay Zone shall be established in a manner which buffers any historic feature to a distance of 100 feet. In no event shall an Historical Overlay Zone extend beyond the property boundary containing the historic feature.

Historic Bus Garage

BUS GARAGE NOTES:

- 1. Exterior Siding:**
Repair/replace and paint siding
- 2. Windows:**
Repair/replace windows.
- 3. Doors:**
Repair/replace O.H. doors.
Install new main door
- 4. Electrical/Mechanical:**
Update systems as required.



Historic Schoolhouse #10

SCHOOLHOUSE NOTES:

- 1. Exterior Walls:**
Repair brickwork where required.
- 2. Windows:**
Repair/replace windows to match existing.
- 3. Doors:**
Repair/replace doors to match existing.
- 4. Interior Work:**
New apartment and office walls & finishes.
- 5. Electrical/Mechanical:**
Update all systems as required.
- 6. Exterior Lighting:**
To be determined and approved at later date.

On-Line Link to History of Oshtemo Schoolhouse #10
<https://www.wmuk.org/post/old-schoolhouse-stadium-drive#stream/0>

Building Code Conformance:

- A-01. BUILDING CODE CONFORMANCE:**
The building shall conform with the Michigan Building Rehabilitation Code For Existing Buildings 2015, the Michigan Plumbing Code 2015 as noted below.
- A-02. USE & OCCUPATION CLASSIFICATION:**
Primary Residential Use Group R-2, Apartment House (MBC-310.4)
Accessory Home Office Use
Accessory Garage/Storage Building Use
- A-03. CONSTRUCTION TYPE: "Type III Sprinkled":**
The exterior walls of the building are 16" thick brick of noncombustible 8" concrete block, and the interior of the building has wood frame wall materials permitted by code. (MBC-602.3)
- A-05. EXISTING BUILDING GROSS TOTAL AREA:**
Schoolhouse: 3,810 sq.ft. first floor area
2,446 sq.ft. second floor area = 6,256 sq.ft. total area
28'-0" Building Eave Height

Bus Garage: 4,729 sq.ft. first floor area
10'-0" Building Eave Height

Zoning Information:

- Z-01. BUILDING ADDRESS:**
6667 Stadium Drive
- Z-02. Parcel ID:**
05-35-135-011
- Z-03. ACREAGE:**
1.33 acres
- Z-04. PROPERTY CLASS:**
201
- Z-05. EXISTING ZONE DISTRICT:**
Village Commercial District
Village Form Based Code Overlay
- Z-06. PERMITTED USES WITH CONDITIONS:**
Private one, two, and three-family dwellings
Home occupations
Accessory Structures
- Z-08. ADMINISTRATED REVIEW USES:**
Retail businesses which supply commodities
Outdoor sales
Service establishments
Repair Shops
Professional Services
Essential services
- Z-09. PROPERTY OWNER:**
Jack Livingstone
DBA: "Tree Fellers", Tree Removal, (an essential service)
Three Brothers Construction, LLC
2210 Aberdeen
Kalamazoo, MI 49008
(261) 622-9785
- Z-10. HISTORIC OVERLAY ZONE:**
Z-10. HISTORIC OVERLAY ZONE
Z-10. REQUEST HISTORIC OVERLAY ZONE:
Establish Historic Overlay Zone for this property

1
A-05 **Site Plan...**
SCALE: 1" = 20'-0"

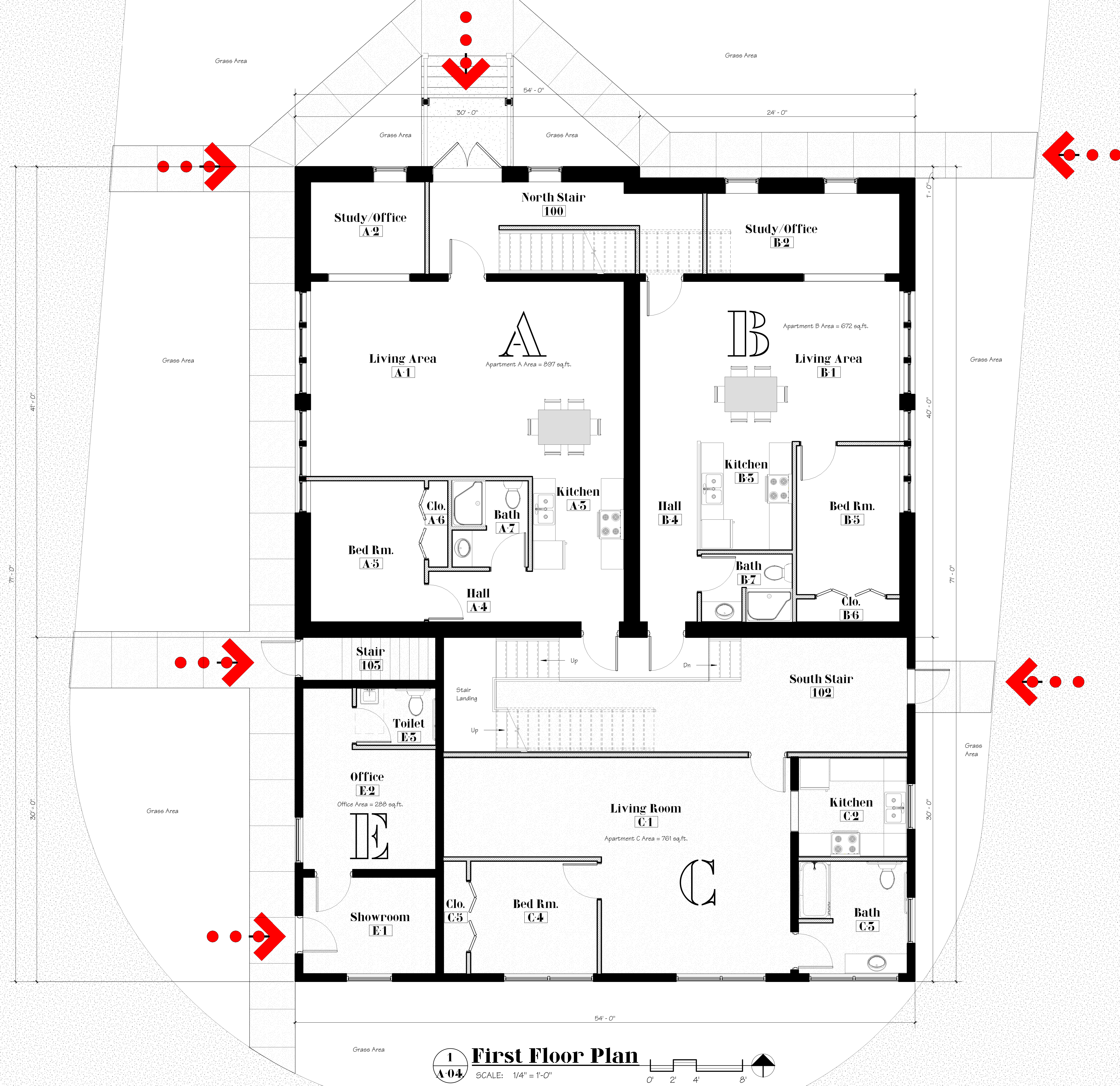
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Drawn by: R.A.S.
Project: 0946.101

Sheet Number
A-05.

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Site Plan
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Historic Schoolhouse #10 Restoration
Schoolhouse #10 Restoration, 6667 Stadium Drive, Kalamazoo, Michigan 49009



1
A-04 **First Floor Plan**
SCALE: 1/4" = 1'-0"
0' 2' 4' 8'

Architectural Workshop, Inc.
Richard Schramm, Architect
7540 Stadium Drive
Kalamazoo, MI 49009
www.ArchWork.us
Phone: 269.375.2472
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First Floor Plan
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Project: 0946.101

Sheet Number
A-04



1 North Elevation View
 SCALE: 1/4" = 1'-0"



2 West Elevation View
 SCALE: 1/4" = 1'-0"



5 South Elevation View
 SCALE: 1/4" = 1'-0"



4 East Elevation View
 SCALE: 1/4" = 1'-0"

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North, West, South, & East Elevations
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Sheet Number	
A-06	



1 Stadium Drive West Aerial View
 Google Aerial Photograph

Oshkemo Township "VC Village Commercial District"

19.10 STATEMENT OF PURPOSE

This district is designed to promote a village atmosphere allowing for **small-scale mixed land uses** and **satisfying the land needs for convenience**, specialty and personal service establishments primarily serving residents in the immediate and nearby residential areas of the Township. The district is not intended for the location of multiple retail tenant structures which could be classified as community wide or regional in scale.

19.20 PERMITTED USES

- A. Private one, two and three-family dwellings. (Schoolhouse to become a Five-Family dwelling unit)
- B. Accessory structures and uses customarily incidental to the uses permitted in this Article. (Off Site Tree Removal Services, on site sale of wood workshop products)

19.40 ADMINISTRATIVE REVIEW USES

- Administrative review of the following uses, when established within pre-existing nonresidential buildings, subject to the right of the Planning Director or designee to refer review to the Planning Commission.
- A. Generally recognized retail businesses, which supply commodities on the premises, such as, but not limited to, groceries, meats, dairy products, baked goods or other foods, drugs, **dry goods**, clothing and notions or hardware.
 - B. Service establishments such as, but not limited to, repair shops (watches, radios, television, shoes, etc.), tailor shops, beauty parlors or barber shops, **studios or galleries**, self-service laundries, flower shops and photocopy shops.
 - C. Retail dry cleaning establishments or pick-up stations, central dry-cleaning plants serving more than one retail outlet are prohibited.
 - D. Business establishments such as, but not limited to, banks, loan companies, insurance offices and real estate offices.
 - E. Professional services, including legal, financial, medical, and similar or allied professionals.
 - F. Restaurants, excluding drive-in or drive-thru service.
 - G. Houses of worship.

19.50 SPECIAL USES

- A. All new construction, additions, conversions of buildings to nonresidential use, and exterior facade changes other than routine maintenance.
- B. **Outdoor sales or activities accessory to permitted retail uses.**
- C. Filling stations, Mini-Food-Mart Stations, and auto glass repair shops, excluding body and engine repair and service garages.
- D. Pet shops, veterinarians.
- E. Child care centers or adult day care centers.
- F. Public and Private Schools.
- G. Indoor recreational facilities and health clubs.
- H. Drive-in service window or drive-through service for businesses, not to include restaurants.
- I. Other uses which are determined by the Planning Commission to be similar to those uses permitted in Section 19.20 through 19.40.
- J. Mixed uses allowing both residential and nonresidential uses within the same building.
- K. Buildings and regulator stations for essential services.
- L. Temporary outdoor events (lasting more than one day).
- M. Brewery.
- N. Microbrewery.
- O. Wine tasting room.
- P. Craft food and beverage production facility, less than 8,000 square feet gross floor area.
- Q. Communication towers.
- R. Private streets.
- S. Wind energy conversion systems.

19.60 DEVELOPMENT STANDARDS

Upon written request, the reviewing body may grant a deviation to allow up to 30% of parking between the building and the front property line. In considering whether to grant a deviation, the reviewing body shall consider the layout and parking placement on neighboring properties and their conformance with current standards as well as the likelihood of redevelopment of same. **The reviewing body shall further consider if full compliance is not readily achievable on the subject site due to physical limitations specific to the subject property and said deviation is found to be in keeping with the spirit and intent of this Article and the Village Focus Area Development Plan.**

FURTHER CONSIDERATION: The reviewing body may consider the Owner's business operations require the use of an essential service vehicle (a high lift bucket truck) and could be permitted to park it on the property behind an opaque 8'-0" high wood fence making the tall truck invisible to the community. The result of the Township's consideration will permit the Owner to restore the Historic Schoolhouse and Historic Bus Garage, get the buildings listed as Michigan Historic Sites, and obtain National Landmark designation from the National Park Service. This will benefit the entire Township, maintain the community's history, and continue the historic character of these buildings for years to come.



2 Google Stadium Drive Street View
 Google Street View, South Side of Stadium Dr.



4 Existing Outdoor Wood Operations & Sales in VC Zone
 Village Of Oshtemo, VC Zone



5 Demo of two Village Residences
 SCALE: 1/4" = 1'-0"

Architect's Seal
 NOTE: Official drawings prepared by the Architect bear his embossed seal below.

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HISTORIC SITE RESEARCH

IN

OSHTEMO TOWNSHIP

BY

BETH TIMMERMAN

KALAMAZOO, MICHIGAN

NOVEMBER, 1997

Property Number:

35-135-011

Current Location:

6667 Stadium Drive

Proposed Historic Name:

1870 Schoolhouse

Presumed Construction Dates:

Assessor's file - 1870

School Inspector's Report -1870

Current Owners:

Coy and Dorothy Spigelmyer

Richard and Barbara Spigelmyer

Architectural Classification:

Italianate

Historic Function:

Education/school

Materials:

Foundation - Stone

Walls - Brick

Roof - Asphalt

Current Function:

Commerce/specialty store

Description

The 1870 Schoolhouse which stands on the south side of Stadium Drive just west of Oshtemo Village, was built in the Italianate style which was popular at that time. The original building included only the section to the west. It is constructed of brick, with a cube shape, with a low-pitched hip roof, and slightly arched double-hung windows. The windows and door on the front of the building are capped by arched drip moldings made of brick. A cupola, which may have served as a bell tower, is centered on the roof of this section.

Richard Spigelmyer, an owner of the building, believes that the section to the east was added around 1922. The designers and builders of the addition went to great lengths to ensure that the new portion would match the existing building. Bricks of nearly the exact color were used; along with the same style of low-pitched hip roof, which was tied into the original section with little change. The windows on the front of the addition perfectly matched the existing

windows and may have been moved from the side of the original section.

The idea of using large windows to allow maximum sunlight into rooms did not become popular until the early 20th century. It is therefore likely that the large, mullied windows on the west end of the building were installed during the remodeling to match the windows in the addition. The builders of the addition may have parged the original stone foundation in a final effort to make the two sections appear identical.

A small porch sheltering the front door was not part of the original building, but could have been added before the 1922 addition. Richard Spigelmyer believes that the small addition on the back of the building was constructed in the 1950's.

History

Oshtemo township residents living in and near the northern portion of section 35 in the mid-1800's, established School District Number 10. The earliest available school inspector's reports from 1859, recorded that 43 students attended school in District 10 in that year. In 1866, the frame schoolhouse in that district was valued at \$500.00. By the end of the 1860's, District 10 had the largest population of children between the ages of five and twenty, of all of the districts in the township. Ninety-six children lived in the district in 1868 and this may have contributed to the decision to build the 1870 Schoolhouse.

The public interest in Kalamazoo county schools, as in other parts of the country in the mid-1870's, was not extensive. Carrol L. Rood, Kalamazoo County School Superintendent,

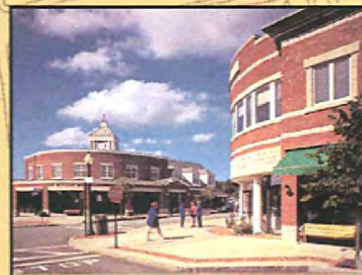
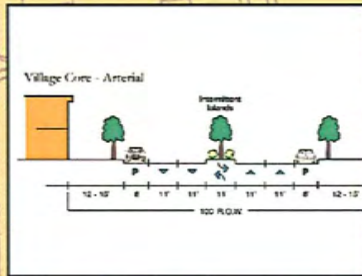
wrote of the necessity of improving schools in the 1871 Superintendent's Report. He wrote, "The amount of work necessary to be performed, in order to bring the schools of the county up to that standard of excellence so much to be desired, is incompatible with the means by which that labor is to be accomplished." He believed that public support was needed, stating, "Let people give at least as much attention to the treatment and instruction of their children as they do to their various kinds of livestock, and we shall soon see a marked improvement in the grade of our common schools."

The people of Oshtemo School District Number 10 obviously had more than average interest in their school, to have supported the construction of a new brick schoolhouse in 1870. From September, 1870, to August of 1871, the district raised over \$1200 from sources other than taxes. This additional money, which helped to pay for the new school, was almost four times the amount budgeted for operating the school for the entire year of 1870. When it was completed, the 1870 Schoolhouse was one of only two brick schoolhouses in the township and was valued at \$4500. District Number 10 employed two teachers in 1870, one male and one female. They each worked four months, with the male teacher receiving \$180, and the female \$120.

The District Number 10 school continued to be supported by the community. The addition constructed in the 1920's, nearly doubled the size of the building. Current owner, Richard Spigelmyer, was told by a former student of the school, that the addition was greatly appreciated because it included an indoor bathroom.

The building remained the property of the Kalamazoo school system until 1974. Prior to that time, it may have served as a community center.

Village Theme Development Plan



Oshtemo Charter Township
Kalamazoo County, Michigan

Historic Structures

Two studies have been conducted recently on the history of the Township and the structures within it. In July 1997, Stephanie Wood of Western Michigan University prepared a history of Oshtemo Township including research on historic sites by Beth Timmerman. Then in July, 1999, a deeper analysis was completed of the historic resources in the Township by Pastmasters.

The 1999 study mentioned structures that contributed to the historic nature of the community and recommended the possible formation of a historic district near the existing DDA area. This area captures the history of the Township with houses covering all eras of architectural development. There were 47 structures within the potential boundary of the historic district that were considered to be contributing to the character of the site. The recommendation to establish a historic district would then make property owners within that area eligible for Federal Historic Preservation and Michigan Homeowners Historic Preservation Tax Credits.

Although 47 structures were determined to be contributing within the area near the Stadium Drive and 9th Street intersection, a few stand out. These structures were identified in the 1997 inventory conducted by Timmerman and Wood are identified below:

- 1. William J. and Margaret Barnard House - 7001 Stadium Drive
Two-story Tudor revival style house built in the early to mid 1930's. The home is characterized by its many gables and dormers, its large front lawn, and brick and concrete construction. It remains a single family home today with little variation from the original design.

- 2. Oshtemo Methodist Church – 6600 Stadium Drive
This Italianate style structure was built in 1861 as the first church in the Township. The arched windows characterize the façade. A few additions have been made over the years including an expansion to the east, an



Barnard House

entryway to the basement, and a handicap access ramp. It remains a signature of the area and a home to a Methodist congregation.

3. 1870 Schoolhouse – 6667 Stadium Drive
The 1870 schoolhouse was built in the Italianate style as a home to the growing population of School District 10. The original building included only the portion to the west. The section to the east is believed to have been added around 1922. The addition was well done so as to blend nicely with the existing building and its materials. Other changes to the building include window replacements and construction of a new porch shelter, both of which were done so as to match the existing structure and elements. The building is currently privately owned.



1870 Schoolhouse

These buildings along with the other contributing structures in the district help to establish the current character and theme of the district. Although there are various architectural styles and elements demonstrated in these structures, each is traditional and contains similar elements and details. These similarities are brought forth later in the Plan when we discuss design recommendations, as the plan recommends that future development carry forward many of the elements characterized in these structures. This is also what was preferred during the public input.

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7275 West Main Street
Kalamazoo, MI 49009
269.375.4260 phone
269.375.7180 fax
www.oshtemo.org

December 13th, 2018

Adam Garland
Adam Garland Construction
6825 Stadium Drive
Kalamazoo, MI 49009

Dear Mr. Garland,

Oshtemo Township has recently completed the staff site plan review for the amended Barn Workshop Addition planned for the property addressed as 6825 Stadium Drive. The following is a list of comments pertaining to that review:

Planning and Zoning Review

1. Outdoor storage of materials and/or equipment is not permitted in the Village Commercial zoning district. Please remove any notation referring to such from the plan.
2. Please be advised that any lighting you wish to install on-site, including building mounted, shall be full cut-off, downward directed, and generally subject to the Township's lighting standards. Please see section 78.700 of the Zoning Ordinance for more information.

Public Works Review

1. Proposed fire lane and turn area shall have the dimensions called out.
2. The applicant has requested use of recycled asphalt as construction material for this fire lane. Construction notes shall specify that top soil is to be striped and removed, the design engineer or a suitable professional shall determine if sub base soils are of sufficient strength through proof roll or other acceptable method. Poor sub base soils shall be corrected by undercutting or other acceptable methods.
3. Placed recycled asphalt shall meet MDOT Standard 22A for Aggregate Base.
4. Constructed In place (CIP) aggregate base (asphalt millings) shall be 8-inch minimum.
5. Finished grades shall be such to assure that water drains away from the surface without creating off-site concentrations of flow.
- 6.

Fire Department Review

1. The Fire Marshal is unable to complete his review of the site layout using the architectural scale of 1/16"=1'. Please revise the plan to a standard engineering scale of between 1"=50' to 1"=20'.
2. Now that the area behind the secondary building is proposed to accommodate the fire truck turn-around surface, the paved area adjacent to the secondary structure will become a fire lane. As such, the travel portion must be at least 20 feet wide, which means the five parking spaces will need to be relocated to elsewhere on the site. Please recall that

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD JUNE 14, 2018

Agenda

PUBLIC HEARING:

**REZONING REQUEST CONSIDERATION OF AN APPLICATION FROM ADVANCE
POURED WALLS, ON BEHALF OF ROBERT REDMON, FOR THE REZONING OF
APPROXIMATELY 3.7 ACRES OF A 17.39-ACRE PARCEL LOCATED AT THE
NORTHEAST CORNER OF SOUTH 6TH STREET AND STADIUM DRIVE FROM THE
I-1: INDUSTRIAL DISTRICT, MANUFACTURING/SERVICING TO THE I-3:
INDUSTRIAL DISTRICT, SPECIAL. PARCEL NO. 3905-34-155-018.**

PUBLIC HEARING:

**REZONING REQUEST CONSIDERATION OF AN APPLICATION FROM SIMON
ASHBROOK FOR THE CONDITIONAL REZONING OF APPROXIMATELY 4.3
ACRES OF A 20-ACRE PARCEL LOCATED AT 7110 WEST MAIN STREET TO
ALLOW FOR THE DEVELOPMENT OF A SPECIALTY MARKET. THE REQUEST IS
FROM THE R-2: RESIDENCE DISTRICT TO THE C: LOCAL COMMERCIAL
DISTRICT WITH A VOLUNTARY OFFER OF CONDITIONS.
PARCEL NO. 3905-15-285-010.**

PUBLIC HEARING:

**REZONING REQUEST CONSIDERATION OF AN APPLICATION FROM OSHTEMO
CHARTER TOWNSHIP FOR THE REZONING OF APPROXIMATELY 9.11 ACRES
OF A 11.71-ACRE PARCEL LOCATED AT 25 SOUTH 4TH STREET FROM THE C:
LOCAL BUSINESS DISTRICT TO THE RR: RURAL RESIDENTIAL DISTRICT.
PARCEL NO. 3905-16-355-071.**

PUBLIC HEARING:

**SPECIAL EXCEPTION USE/SITE PLAN – RESIDENTIAL CONDOMINIUM
DEVELOPMENT CONSIDERATION OF AN APPLICATION FROM GREG WATTS OF
PRIME HOMES FOR THE DEVELOPMENT OF A RESIDENTIAL CONDOMINIUM ON
APPROXIMATELY 4.25 ACRES OF A 10.25-ACRE VACANT PARCEL LOCATED AT
8TH STREET AND GLENDORA LANE IN THE R-3: RESIDENCE DISTRICT.
PARCEL NO. 3905-24-220-110.**

***THE RESIDENTIAL CONDOMINIUM AGENDA ITEM WAS TABLED UNTIL JUNE 28,
2018***

PUBLIC HEARING:

**SPECIAL EXCEPTION USE/SITE PLAN REVIEW - WESTGATE PUD PRIVATE
ROAD CONSIDERATION OF AN APPLICATION FROM TWO SQUARED**

DEVELOPMENT, LLC FOR THE CONSTRUCTION OF AN ACCESS DRIVE FROM WEST MAIN STREET, WITHIN THE WESTGATE PLANNED UNIT DEVELOPMENT, LOCATED IN THE NORTHEAST CORNER OF U.S. 131 AND WEST MAIN STREET, IN THE C: LOCAL BUSINESS DISTRICT. PARCEL NOS. 3905-13-80-029 AND 3905-13-130-022.

PUBLIC HEARING:

SPECIAL EXCEPTION USE/SITE LAYOUT REVIEW – GROUP DAYCARE HOME CONSIDERATION OF AN APPLICATION FROM MABLE SCHMIDT TO ALLOW A CHILD GROUP DAYCARE HOME AT 5350 CRIMSON LANE IN THE R-2: RESIDENCE DISTRICT. PARCEL NO. 3905-24-220-110.

PUBLIC HEARING:

SPECIAL EXCEPTION USE/SITE LAYOUT REVIEW – TEMPORARY OUTDOOR EVENT CONSIDERATION OF AN APPLICATION FROM THE THIRSTY HOUND, LLC TO ALLOW A FOOD TRUCK IN THE PARKING LOT OF MEADOW RUN KNOLL AT 900 SOUTH 8TH STREET IN THE I-1: INDUSTRIAL DISTRICT. PARCEL NO. 3905-22- 430-040.

PUBLIC HEARING:

SPECIAL EXCEPTION USE/SITE PLAN REVIEW – DRIVE THROUGH LANE CONSIDERATION OF AN APPLICATION FROM PROGRESSIVE AE, ON BEHALF OF ARCHLAND II, LP, FOR THE DEVELOPMENT OF AN ADDITIONAL DRIVE THROUGH LANE FOR THE MCDONALD’S AT 6820 WEST MAIN STREET IN THE C: LOCAL BUSINESS DISTRICT. PARCEL NO. 3905-14-155-050.

SITE PLAN REVIEW:

ADAM GARLAND CONSTRUCTION CONSIDERATION OF AN APPLICATION FROM ADAM GARLAND CONSTRUCTION FOR AN ADDITION TO AN EXISTING BUILDING AT 6825 STADIUM DRIVE IN THE VC: VILLAGE COMMERCIAL DISTRICT AND WITH THE VILLAGE FORM BASED CODES OVERLAY ZONE. PARCEL NO. 3905-35-115-066.

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, June 14, 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
Mary Smith
Bruce VanderWeele, Vice Chairperson

MEMBERS ABSENT:

None

14. SITE PLAN REVIEW: ADAM GARLAND CONSTRUCTION CONSIDERATION OF AN APPLICATION FROM ADAM GARLAND CONSTRUCTION FOR AN ADDITION TO AN EXISTING BUILDING AT 6825 STADIUM DRIVE IN THE VC: VILLAGE COMMERCIAL DISTRICT AND WITH THE VILLAGE FORM BASED CODES OVERLAY ZONE. PARCEL NO. 3905-35-115-066.

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

Ms. Johnston reported Adam Garland Construction is currently housed at 6825 Stadium Drive, which is zoned within the Village Commercial District and is governed by the Village Form Based Code Overlay. Mr. Garland would like to complete improvements on his property, which include:

1. Aesthetic improvements to the existing residential home which has been converted to a showroom for his contractor's business.
2. Asphalt drive from Stadium Drive moving south to terminate behind the home.
3. The development of some onsite parking for staff and the occasional client.
4. The addition of a 40-foot by 60-foot (2,400 square foot) storage building attached to an existing 542 square foot garage structure on site.

Ms. Johnston said the building in question is nonconforming to the requirements of the Form-Based Codes. The Overlay provides some flexibility for nonconforming structures; however, the language clearly indicates that any additions should comply with the Ordinance:

34.930 Nonconforming uses and structures. *This section establishes regulations for nonconforming uses and nonconforming structures. This SECTION is intended to allow nonconforming uses and structures to continue to the extent consistent with the health, safety and public welfare purposes of this Ordinance. However, the ultimate goal is to bring such nonconforming uses and structures into compliance with the Ordinance.*

C. Nonconforming buildings or structures. *Buildings or other structures that are nonconforming as to placement, frontage, height, design, or other zoning regulations contained in these Overlay standards or elsewhere in this Ordinance may be repaired, replaced, or added to, only to the extent permitted by this section:*

1. *Additions. A nonconforming building or other structure may be added to, provided that the portion of the building or other structure comprising such addition **complies with all requirements of this SECTION 34.***

Based on this regulation, Ms. Johnston said Mr. Garland's addition would not be possible because it could not meet the requirements of the Form-Based Code, for example the build-to line of 10-feet from the right-of-way. However, the Form-Based Codes also includes a Section that allows the Planning Commission to modify the standards of the Ordinance. Per Section 34.920.B.3 and 4, build-to lines and the architectural standards of the Form-Based Code may be modified. In addition, Section 34.920.C states the following:

B. Modification due to adjacent development. The Planning Commission may consider modifications to the development standards of this Overlay District so that the proposed development will better fit with adjacent development. When considering the modification, the Planning Commission shall consider the following:

- 1. The anticipated lifespan of the adjacent development,*
- 2. Whether the development with the proposed modification is of equal or better quality than without the modification, and*
- 3. Whether the modification will limit the ability of the Township to achieve the goals of the Overlay District.*

Ms. Johnston explained the site plan shows a total of seven parking spaces. Based on Staff calculations, only five spaces are required, as follows:

Showroom: $1,220 \text{ square feet} \times 0.70 \text{ (net floor area)} / 400 = 2 \text{ spaces}$
Storage/Workroom building: $2,942 \times 0.70 / 1500 = 1 \text{ space}$
Existing cottage building = 1 space

With the reduction of two spaces, staff would like to see parallel spaces 3 and 4 be removed from the site plan. The drive aisle width adjacent to those spaces does not meet current Zoning Ordinance requirements and therefore should be eliminated. Parallel space number 5 could remain as any vehicle utilizing this space could back into the proposed drive and continue forward to Stadium Drive.

She also said the Fire Marshall indicated that the site needs a turn-around for emergency vehicles. Staff provided a number of options for how this could occur. The applicant chose to continue the vehicular drive to the property line, allowing it to attach to the neighboring Williams Distributing paved surface. This is only an acceptable option if Williams Distributing is willing to designate their side of the connection as a "fire lane," keeping the area clear of parked vehicles, equipment, etc. In addition, the Williams Distributing paved area does not extend to their eastern property line so the Adam Garland project would need permission to extend the asphalt and connect the two properties.

For this configuration to move forward, Ms. Johnston said a letter from Williams Distributing will be needed indicating they will keep their area cleared as a fire lane and

that they are willing to allow Adam Garland Construction to pave to their existing parking area. If this is not provided, a new turn-around for emergency vehicles will be required.

Finally, the Township is planning a sidewalk along Stadium Drive in this location, currently planned for 2020. It will be very important as part of the driveway design that the area located within the Stadium Drive right-of-way meet ADA standards for a maximum cross-slope of 2 percent.

She indicated public sanitary sewer is available along Stadium Drive. Currently, this property is not connected to this system. Per the requirements of *General Ordinance 232.008: Timing of Connections*, this site will be required to connect and should anticipate a notification from the Township in the near future. As part of the site plan review process, staff strongly recommended the connection to the public system occur as part of the full project scope. This is an important consideration to minimize future construction costs and to avoid conflicts and/or reconstruction at a later date. The site plan continues to be silent to this request.

In addition, an active "privy" is noted on the site plan. With the change of use from a single-family residential home to a nonresidential use, the use/configuration of this privy may not comply with current health codes. Therefore, staff recommends that documentation from Kalamazoo County Environmental Health be provided to the Township to ensure the use of this facility meets all code requirements. With that said, the Township would prefer connection to the public system, which would allow for the removal of the privy.

Ms. Johnston said based on the modification allowance under Section 34.920.C of the Village Form-Based Code Overlay, staff recommends the Planning Commission allow the expansion of the accessory building on site. In addition, staff is generally satisfied that the project meets the requirements for site plan approval, subject to the following conditions, which should all be managed prior to the issuance of a building permit:

1. A revised site plan with the following changes:
 - a. Reduce the parking from seven spaces to five spaces, eliminating parallel spaces 3 and 4 on the site plan.
 - b. Provide for a maximum cross-slope of 2 percent on the proposed drive within the right-of-way of Stadium Drive for future sidewalk development.
2. Provide documentation from Williams Distributing that they will both allow the connection to be designated as a fire lane and permit asphalt to be added to their site for the connection.
3. If condition No. 2 cannot be met, provide a location for emergency vehicle turn-around onsite, to be illustrated on a revised site plan and subject to staff approval.

4. Provide documentation from Kalamazoo County Environmental Health to ensure all code requirements have been met for the use of the “privy.”

Chairperson Bell asked if there were questions for Ms. Johnston.

Mr. VanderWeele asked about the timing for hookup to the sewer.

Ms. Johnston said it’s a good idea to do it now, but the ordinance dictates when it must occur. She said she was not recommending this be a condition of approval because the General Ordinance manages this requirement.

Ms. Farmer noted once the property owner receives notice, they would have to hook up within two years.

Chairperson Bell asked whether the applicant wished to speak.

Mr. Adam Garland, 6825 Stadium Drive, agreed with moving the parking spots as recommended. He also indicated he would like to install “drivable grass” for fire truck access, which would also help the Williams property to comply.

Ms. Johnston said that would be fine if approved by the Fire Marshal.

Mr. Garland indicated his employees take their trucks home at night and that would allow him to get by with four parking spaces. He also said he will remove the “privy” so it can be eliminated from the site plan.

Ms. Johnston noted that with removal of the “privy” Staff condition #4 can be eliminated.

Mr. Garland also said he would prefer to use metal on the pole barn rather than vinyl since metal will allow seamless construction and better durability but planned to use vinyl on the house.

Ms. Johnston explained Commissioners can modify that requirement according to 34.920, which says the architectural standards can be modified to fit in with neighboring properties. The adjacent Williams property has utilized all metal. The building is in the back, not facing the road.

Ms. Bell moved to Board deliberations at this point and said she supported amending the material for the exterior of the barn to metal.

Ms. Johnston noted the correction would need to be made on the plan.

Ms. Smith made a motion to allow the expansion of the accessory building on site plan, including Staff conditions as follows:

#1 Modified to eliminate parking spots 3 and 4 and reduce the overall required spots from 7 to 4, with one spot deferred.
#2 and 3 as recommended by Staff
#4 Provide documentation that the “privy” has been removed
#5 Addition of a condition to allow metal to be used on the barn and vinyl on the home with the provision of revised elevation drawings
Mr. VanderWeele supported the motion. The motion was approved unanimously.

OLD BUSINESS

There was no old business to consider.

ANY OTHER BUSINESS

Ms. Johnston told Commissioners about a training session on “Hot Topics in Planning and Zoning” and asked that anyone interested in attending contact her to be registered.

She also asked that they contact her to report any training they have had in the last year or that they plan to attend for inclusion in the Township’s newsletter.

PLANNING COMMISSIONER COMMENTS

There were no comments.

ADJOURNMENT

Hearing no further comments, Chairperson Bell adjourned the meeting at approximately 10:55 p.m.

Minutes prepared:
June 16, 2018

Minutes approved:
June 28, 2018



June 5, 2018

Mtg Date: June 14, 2018

To: Planning Commission

From: Julie Johnston, AICP
Planning Director

Applicant: Adam Garland
Adam Garland Construction

Owner: Molly Garland

Property: 6825 Stadium Drive
Parcel number 3905-35-115-066

Zoning: VC: Village Commercial and Village Form-Based Code Overlay

Request: Expansion of a barn workshop/storage

Section(s): Section 33.00: Village Commercial
Section 34.000: Village Form-Based Code Overlay

Project Name: Barn Addition

PROJECT SUMMARY

Adam Garland Construction is currently housed at 6825 Stadium Drive, which is zoned within the Village Commercial District and is governed by the Village Form Based Code Overlay. Mr. Garland would like to complete improvements on his property, which include:

1. Aesthetic improvements to the existing residential home which has been converted to a showroom for his contractor's business.
2. Asphalt drive from Stadium Drive moving south to terminate behind the home.
3. The development of some onsite parking for staff and the occasional client.
4. The addition of a 40-foot by 60-foot (2,400 square foot) storage building attached to an existing 542 square foot garage structure on site.

The building in question is nonconforming to the requirements of the Form-Based Codes. The Overlay provides some flexibility for nonconforming structures, however the language clearly indicates that any additions should comply with the Ordinance, as follows:

34.930 Nonconforming uses and structures. *This section establishes regulations for nonconforming uses and nonconforming structures. This SECTION is intended to allow nonconforming uses and structures to continue to the extent consistent with the health, safety and public welfare purposes of this Ordinance. However, the ultimate goal is to bring such nonconforming uses and structures into compliance with the Ordinance.*

- C. *Nonconforming buildings or structures.* *Buildings or other structures that are nonconforming as to placement, frontage, height, design, or other zoning regulations contained in these Overlay standards or elsewhere in this Ordinance may be repaired, replaced, or added to, only to the extent permitted by this section:*
1. *Additions. A nonconforming building or other structure may be added to, provided that the portion of the building or other structure comprising such addition **complies with all requirements of this SECTION 34.***

Based on this regulation, Mr. Garland's addition would not be possible because it could not meet the requirements of the Form-Based Code, for example the build-to line of 10-feet from the right-of-way. However, the Form-Based Codes also includes a Section that allows the Planning Commission to modify the standards of the Ordinance. Per Section 34.920.B.3 and 4, build-to lines and the architectural standards of the Form-Based Code may be modified. In addition, Section 34.920.C states the following:

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1. *The anticipated lifespan of the adjacent development,*
 2. *Whether the development with the proposed modification is of equal or better quality than without the modification, and*
 3. *Whether the modification will limit the ability of the Township to achieve the goals of the Overlay District.*

Adjacent development to 6825 Stadium Drive consists of a single-family home to the immediate east of the subject parcel, Williams Distributing to the immediate west, a cell tower facility to the south and Pinehurst Apartments across Stadium Drive to the north. The general formation of parcels along the south side of Stadium Drive are narrow and exceedingly long. The parcel in question has 150 feet of frontage but is 1,232 feet long. Adjacent parcels are very similar in configuration. This contributes to the limitation of development on these lots.

The site plan proposed by Mr. Garland will improve the site tremendously from its existing condition. Due to its location on Stadium Drive and its current use as a showroom for the construction company, it is not likely that this parcel would revert back to a residential home. Therefore, any improvements to the site to bring it to current standards for such things as an asphalt drive and parking, resolution of storm water runoff, improved appearance of the structures, etc., required as part of site plan review, would be an enhancement to the area. Based on the modification allowance under Section 34.920.C, staff recommends the Planning Commission allow the expansion of the garage building on site.

SITE PLAN

As stated, the main change to the site will be the addition of the 2,400 square foot storage building and the placement of an asphalt driveway with parking spaces. No new lighting is proposed, so a photometric plan was not required. The sign shown on the site plan will be reviewed under a separate sign permit, as required by the Township Zoning Ordinance.

Parking and Drive Aisle

The site plan shows a total of seven parking spaces. Based on our calculations, only five spaces are required, as follows:

Showroom: $1,220 \text{ square feet} \times 0.70 \text{ (net floor area)}/400 = 2 \text{ spaces}$
Storage/Workroom building: $2,942 \times 0.70/1500 = 1 \text{ space}$
Existing cottage building = 1 space

With the reduction of two spaces, staff would like to see parallel spaces 3 and 4 be removed from the site plan. The drive aisle width adjacent to those spaces does not meet current Zoning Ordinance requirements and therefore should be eliminated. Parallel space number 5 could remain as any vehicle utilizing this space could back into the proposed drive and continue forward to Stadium Drive.

The Fire Marshall indicated that the site needs a turn-around for emergency vehicles. Staff provided a number of options for how this could occur. The applicant chose to continue the vehicular drive to the property line, allowing it to attach to the neighboring Williams Distributing paved surface. This is only an acceptable option if Williams Distributing is willing to designate their side of the connection as a "fire lane," keeping the area clear of parked vehicles, equipment, etc. In addition, the Williams Distributing paved area does not extend to their eastern property line so the Adam Garland project would need permission to extend the asphalt and connect the two properties.

For this configuration to move forward, a letter from Williams Distributing will be needed indicating they will keep their area cleared as a fire lane and that they are willing to allow Adam Garland Construction to pave to their existing parking area. If this is not provided, a new turn-around for emergency vehicles will be required.

Finally, the Township is planning a sidewalk along Stadium Drive in this location, currently planned for 2020. It will be very important as part of the driveway design that the area located within the Stadium Drive right-of-way meet ADA standards for a maximum cross-slope of 2 percent.

Landscaping

The landscaping found on site meets the Ordinance requirements, as long as the development of the asphalt drive does not disturb the trees located within the front yard.

Engineering

Public sanitary sewer is available along Stadium Drive. Currently, this property is not connected to this system. Per the requirements of *General Ordinance 232.008: Timing of Connections*, this site will be required to connect and should anticipate a notification from the Township in the near future. As part of

the site plan review process, staff strongly recommended the connection to the public system occur as part of the full project scope. This is an important consideration to minimize future construction costs and to avoid conflicts and/or reconstruction at a later date. The site plan continues to be silent to this request.

In addition, an active “privy” is noted on the site plan. With the change of use from a single-family residential home to a nonresidential use, the use/configuration of this privy may not comply with current health codes. Therefore, staff recommends that documentation from Kalamazoo County Environmental Health be provided to the Township to ensure the use of this facility meets all code requirements. With that said, the Township would prefer connection to the public system, which would allow for the removal of the privy.

RECOMMENDATION

Based on the modification allowance under Section 34.920.C of the Village Form-Based Code Overlay, staff recommends the Planning Commission allow the expansion of the accessory building on site. In addition, staff is generally satisfied that the project meets the requirements for site plan approval, subject to the following conditions, which should all be managed prior to the issuance of a building permit:

1. A revised site plan with the following changes:
 - a. Reduce the parking from seven spaces to five spaces, eliminating parallel spaces 3 and 4 on the site plan.
 - b. Provide for a maximum cross-slope of 2 percent on the proposed drive within the right-of-way of Stadium Drive for future sidewalk development.
2. Provide documentation from Williams Distributing that they will both allow the connection to be designated as a fire lane and permit asphalt to be added to their site for the connection.
3. If condition No. 2 cannot be met, provide a location for emergency vehicle turn-around onsite, to be illustrated on a revised site plan and subject to staff approval.
4. Provide documentation from Kalamazoo County Environmental Health to ensure all code requirements have been met for the use of the “privy.”

Respectfully Submitted,



Julie Johnston, AICP
Planning Director

Attachments: Application
Aerial
Site Plan

Once the necessary changes to the plan have been made, please provide the Township with three full sized paper copies as well as a PDF file.

Regards,

A handwritten signature in cursive script that reads "Ben Clark".

Ben Clark, Zoning Administrator

cc: Richard Schramm
Architectural Workshop, Inc.