

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

NOTICE OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION - REGULAR MEETING

MEETING WILL BE HELD <u>IN PERSON</u> AT OSHTEMO TOWNSHIP HALL 7275 W MAIN STREET

Masks Are Now Optional in Oshtemo Township Buildings

(Meeting will be available for viewing through https://www.publicmedianet.org/qavel-to-gavel/oshtemo-township)

THURSDAY, OCTOBER 13, 2022 6:00 P.M.

AGENDA

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Approval of Agenda
- 4. Public Comment on Non-Agenda Items
- 5. Approval of Minutes: September 22nd, 2022
- 6. Public Hearing Special Use, Chocolate Thunder

Connor Tierney, representing Chocolate Thunder, is requesting special exception use approval to establish a craft food and beverage production facility within an existing multi-tenant commercial center located at 656 Maple Hill Drive. The proposed craft food and beverage production facility will serve as a space which produces chocolate.

- 7. Steering Committee: Housing Plan Coordination and Kick Off
- 8. Other Updates and Business
- 9. Adjournment

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

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

- a. Citizen Comment on Non-Agenda Items or Public Comment while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed r 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 e 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 a.m. – 5:00 p.m., and on Friday, 8:00 a.m. – 1:00 p.m. 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				
Supervisor				
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org		
Clerk				
Dusty Farmer	216-5224	dfarmer@oshtemo.org		
Treasurer				
Clare Buszka	216-5260	cbuszka@oshtemo.org		
Trustees				
Cheri Bell	372-2275	cbell@oshtemo.org		
Kristin Cole	375-4260	kcole@oshtemo.org		
Zak Ford	271-5513	zford@oshtemo.org		
Kizzy Bradford	375-4260	kbradford@oshtemo.org		

Township Department Information			
Assessor:			
Kristine Biddle	216-5225	assessor@oshtemo.org	
Fire Chief:			
Greg McComb	375-0487	gmccomb@oshtemo.org	
Ordinance Enforcemen	nt:		
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org	
Parks Director:		-	
Karen High	216-5233	khigh@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
Planning Director:			
Iris Lubbert	216-5223	ilubbert@oshtemo.org	
Public Works Director	<u>:</u>		
Anna Horner	216-5228	ahorner@oshtemo.org	

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

DRAFT MINUTES OF A MEETING HELD SEPTEMBER 22, 2022

Agenda

PUBLIC HEARING: CONCEPT PLAN, SUNSET POINTE CONDOMINIUM

Scott Carlson, on behalf of Sunset Point Condominiums LLC, was requesting feedback on a proposed condominium development comprised of 24 duplex buildings (48 units), a club house, a community pool and associated parking lot within, R-3 Residence District, located at the intersection of Meridian Avenue and Sunset Road. (Parcel 05-26-460-021.) No formal action by the Planning Commission.

<u>PUBLIC HEARING: SPECIAL USE, HERITAGE CHRISTIAN REFORMED CHURCH</u>
Heritage Christian Reformed Church was requesting special use approval to
establish a preschool within the existing principal building located at 2857 S. 11th
Street, R-3: Residence District. (Parcel No. 05-25-455-012)

PUBLIC HEARING: SPECIAL USE, THE VILLAGE CHILDCARE CENTER
Crystal Curtis, representing The Village Childcare Center, was requesting special exception use approval to establish a child care center within three existing suites of a multi-tenant commercial center located at 5320 Holiday Terrace, C: Local Business District. (Parcel No. 05-25-405-037)

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, September 22, 2022, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

ALL MEMBERS WERE PRESENT:

Bruce VanderWeele, Chair

Kizzy Bradford Deb Everett

Micki Maxwell, Vice Chair

Alistair Smith Anna Versalle Chetan Vyas

Also present were Colten Hutson, Zoning Administrator, James Porter, Township Attorney, Martha Coash, Recording Secretary, Kyle Mucha of McKenna, Dan Lewis, Attorney and Civil Engineer, Curt Aardema of AVB, Crystal Curtis, Village Childcare Center, and approximately 20 guests.

Call to Order and Pledge of Allegiance

Chairperson VanderWeele called the meeting to order at approximately 6:00 p.m. and those in attendance joined in reciting the Pledge of Allegiance.

Approval of Agenda

The Chair asked if there were any changes to the agenda. Hearing none, he let the agenda stand as published.

Public Comment on Non-Agenda Items

Mr. Curt Aardema, representing AVB and Hinman, said he was present to check in on the progress on the Maple Hill Sub-Area plan since it has been 10 weeks since the last work session on this topic, which he felt was productive. He noted the commitment by planners that a draft document would be available in September, but it looks like it will be October. He expressed a desire for transparency and looks forward to the process, including involving the public in meetings.

He asked, if possible, that a draft copy of the document be available for public preview prior to the meeting when it will be considered, so that everyone can see the comments before the discussion. He looks forward to a productive meeting and hopes the process will be completed by the end of this year.

Mr. Travis Hill, 2642 Wildemere Street, asked about sewer project progress.

Attorney Porter said since the Planning Commission does not have jurisdiction regarding the sewer project his questions should be directed to the Township Board, but indicated the Court of Appeals is likely to rule on the related case in the next two months; it expected the project will move forward then.

Approval of the Minutes of the Meeting of September 8, 2022

The Chair asked if there were additions, deletions, or corrections to the Minutes of the Meeting of September 8, 2022. Hearing none, he asked for a motion.

Mr. Vyas <u>made a motion</u> to approve the Minutes of the Meeting of September 8, 2022, as presented. Ms. Versalle <u>seconded the motion</u>. The <u>motion was approved</u> unanimously.

Chairperson VanderWeele moved to the next agenda item.

PUBLIC HEARING: CONCEPT PLAN, SUNSET POINTE CONDOMINIUM
Scott Carlson, on behalf of Sunset Point Condominiums LLC, was requesting feedback on a proposed condominium development comprised of 24 duplex

buildings (48 units), a club house, a community pool and associated parking lot within the R-2 Residence District, located at the intersection of Meridian Avenue and Sunset Road. (Parcel 05-26-460-021.) No formal action by the Planning Commission.

Mr. Kyle Mucha, of McKenna, indicated that on behalf of the Township's Planning Department McKenna performed a conceptual review of this site condominium application and offered a number of comments on their findings for the Planning Commission's consideration. He particularly addressed the amount of open space proposed, (20%) and set back requirements – all but one site comply. The one site that does not meet the requirements will be altered to comply. Also, they have suggested side alleys to limit contact between sidewalk pedestrian traffic and vehicle traffic.

Mr. Dan Lewis, Civil Engineer Attorney, was also present to answer questions from Commissioners. He said market research shows duplexes are in demand and successful near this site and in Kalamazoo County as a whole and are permitted in R-2. He noted approval would consist of two steps as required: approval of the site plan as well as approval after construction.

He said the applicant is hesitant to go through steps one and two before receiving Planning Commission and public input before going through the full design process.

Attorney Lewis also noted the 35 foot proposed buffer around all borders of the property, up from the required 20 feet. All other setbacks with the one exception noted exceed requirements.

Phase III is not being proposed at this time as it would require a secondary access road which does not currently exist. Phase III will not be addressed until a future time if a secondary road touches the property. There is no frontage on Stadium Drive, but something may come to the southeast corner and could intersect anywhere in that area. They will keep going north for any other future residential projects.

He explained the distance from the face of the buildings to the sidewalk will be 30-31 feet. They do not want people parking over the sidewalk and feel this would provide plenty of room. Two car garages will be provided for each duplex half, with comfortable parking for three. Street parking will not be encouraged unless someone has a gathering; it should not be routine.

In response to a question from Mr. Vyas, he indicated the clubhouse will be located in the center of the parcel.

Chairperson VanderWeele opened a public hearing and invited those attending to address the Planning Commission.

Mr. Phil Hassing, 2952 Sunset, said he believed the property is deed restricted

for single family dwellings. If it is R-2, he did not know when that rezoning occurred as it was restricted when he moved in years ago. He was concerned about traffic density with only one access. Meridian/Sunset cannot handle that amount of traffic. People speed as they cut through the plat now. Adding another estimated 200-300 car trips per day is not acceptable unless there is another access on Stadium Drive. Also, residents will not stand for subsidizing a sewer project for this development.

Mr. Josh Jackson, 2931 Sunset, hoped the developer would retain the existing foliage in the existing densely wooded area and agreed with Mr. Hassing that residents would not subsidize sewers for this development. If the developer wants to assist with that it would be looked at more positively.

Mr. Brian Himmelein , 2935 Sunset, was also concerned about additional traffic and said in over 20 years not one dime has been spent to maintain the road and that it is the worst in the Township. The proposed clubhouse would be at the back of his property and he would like to keep the wooded area and its wildlife rather than having to look at condos. He agreed an additional road is needed off Stadium Drive even for the 48 units proposed, and with the unwillingness to subsidize sewers.

Dr. Lisa Augustyniak, 2615 S. 9th Street, said her horse pasture borders the proposed development and she is not sure the proposed setback is enough. She was also concerned about increased traffic congestion but was unclear about the advantage of a second access point. Everyone enjoys this property. She is looking to ensure beautification and feels development is occurring too fast in this area.

Mr. Travis Hall, 2642 Wildemere, said it would be helpful to reach out to the community to provide public dialog. The 35 foot buffer zone needs clarification. He is concerned about the crest in the road at Speedway as it is difficult to see traffic over the hill. He was against subsidizing spending with taxpayer dollars, but agreed with previous speakers that the current road is in terrible shape.

Ms. Louise Schaner, 2746 Windemere, echoed traffic concerns. There are accidents at 9th and Stadium every day and she noted the difficulty seeing over the crest in front of Speedway. She does not want to see beautiful trees clear cut or to lose the wildlife in the area and did not feel a 35 foot buffer is enough. She was also concerned three parking places per each unit were not enough. She has lived there for about 30 years and was not aware the area had been designated R-2.

Ms. Brenda Schuur, 6450 Meridian, said her property is next to the proposed development and her concerns are worsening traffic congestion, opposition to paying for sewers, and loss of wildlife. When purchasing her property she was told there would never be development next to her. Too many units will be added to their small community.

Ms. Trish Jackson, 2981 Sunset, echoed her neighbors' comments. She bought her property three years ago; a large reason was the property that includes trees and

wildlife. Although they are on Stadium Drive it does not feel like it. There is a lot of traffic on two very short streets and it is already hard to get out. She will not pay for a sewer for a development that none of the residents want.

Hearing no further comments, Chairperson VanderWeele thanked the speakers for their input and closed the public hearing.

Attorney Porter reported that regarding deed restrictions cited by speakers, no evidence was found of a restriction, but a title search is underway to see if there is one.

Ms. Maxwell and Ms. Versalle both shared speakers' concerns about traffic and said that should be looked at appropriately.

Attorney Porter said the primary authority on roads is the Road Commission, not the Township but that the concerns expressed are shared by the Township. Adding a cross street and light are being explored. The developer wants to work with the Township in this area. It is hoped the addition will take the pressure off and calm traffic.

Ms. Bradford said it sounds like the main concern of residents is traffic/safety. A happy medium needs to be found because we need more housing. Residents, the Township, and the community will need to meet somewhere in the middle.

Attorney Lewis offered two clarifications: 1) The existing sanitary sewer on Stadium Drive will be utilized. Residents will not pay for sewer. 2) The 35 foot buffer will allow trees and existing vegetation to be preserved.

Hearing no further comments, the Chair moved to the next item on the agenda and asked Mr. Hutson for his presentation.

PUBLIC HEARING: SPECIAL USE, HERITAGE CHRISTIAN REFORMED CHURCH Heritage Christian Reformed Church was requesting special use approval to establish a preschool within the existing principal building located at 2857 S. 11th Street, R-3: Residence District. (Parcel No. 05-25-455-012)

Mr. Hutson explained Heritage Christian Reformed Church was requesting special use approval to establish a preschool within the existing principal building located at 2857 S 11th Street. Two existing rooms within the subject building will serve as preschool classrooms for students enrolled in the pre-K school program with the Kalamazoo Christian School Association.

2857 S 11th Street is a stand-alone parcel located along t-e east side of S 11th Street, north of Parkview Avenue, and west of US-131. The preschool is proposed to be located within two classrooms located in the south wing of the existing building on-site.

Each classroom will be approximately 750 square feet. Up to 34 children between the ages of four and six are being proposed as well as two teachers. The applicant noted that as a part of their license with the State of Michigan an outdoor play

area will need to be established in the grassy area east of the building on-site. The applicant has also indicated that no buses will be circulating throughout the site as all children will be dropped off and picked-up by their respective parent or guardian. The preschool's hours are proposed to be Monday through Friday from 7:30 am - 3:30 pm.

Section 65.30: Special Use Review Criteria

Mr. Hutson reviewed the special use criteria for Commissioners and indicated the proposal meets all requirements.

RECOMMENDATION:

Mr. Hutson said Planning Department staff recommended the approval of the proposed special exception use for the preschool with the following five conditions:

- 1) The preschool will serve up to 34 children between the ages of four and six.
- 2) Hours of operation will be 7:30 am 3:30 pm Monday through Friday.
- 3) All existing circulation aisles, fire lanes, and emergency vehicle turning areas onsite shall be maintained at all times.
- 4) Fencing, at a minimum height of 4', shall be installed between the outdoor play area and the highway.
- 5) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.

Chairperson VanderWeele asked if there were any questions from Commissioners.

Ms. Everett noted the fourth recommendation requires a line of fencing between the outdoor play area and the highway and said that children can go around a fence.

Mr. Hutson said the play area can be enclosed if needed and noted parking spaces will be blocked off Monday – Friday with orange cones which meets state requirements. The recommendation for the line of fencing is not required by the state, but was recommended by staff.

Mr. Smith <u>made a motion</u> to approve the proposed special exception request to allow Heritage Christian Reformed Church to establish a preschool within the existing principal building located at 2857 S. 11th Street with the five conditions recommended by staff with number four amended to require that the play area be enclosed entirely by fencing.

- 1) The preschool will serve up to 34 children between the ages of four and six.
- 2) Hours of operation will be 7:30 am 3:30 pm Monday through Friday.
- 3) All existing circulation aisles, fire lanes, and emergency vehicle turning areas onsite shall be maintained at all times.
- 4) Fencing shall be installed to entirely enclose the outdoor play area.

5) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.

Ms. Versalle **seconded the motion**. The **motion was approved** unanimously.

The Chair moved to the next agenda item and asked Mr. Hutson for his report.

PUBLIC HEARING: SPECIAL USE, THE VILLAGE CHILDCARE CENTER
Crystal Curtis, representing The Village Childcare Center, was requesting special
exception use approval to establish a child care center within three existing
suites of multi-tenant commercial center located at 5320 Holiday Terrace in C:
Local Business District. (Parcel No. 05-25-405-037)

Mr. Hutson said Crystal Curtis, representing The Village Childcare Center, was requesting special exception use approval to establish a child care center within three existing suites of a multi-tenant commercial center located at 5320 Holiday Terrace. The proposed child care center will serve as a day care for up to 78 children between the ages of six weeks and 12 years old.

5320 Holiday Terrace is located within the Westwood Office Plaza, a business center immediately south of Stadium Drive between S 11th Street and US-131 Highway. The building which will be occupied by the proposed special use is positioned in the southeast corner of the office park. The proposed child care center is seeking to occupy three vacant suites within the subject building. Said suites are located on the lower level and have a combined gross square footage of 4,575 SF. As mentioned above, the Village Childcare Center offers day care services for children between the ages of six weeks and 12 years old. Up to 78 children are currently proposed along with a total of 17 staff members. The applicant has indicated that transportation will be provided by Kalamazoo Public Schools for any school age children attending the day care center. The proposed hours of operation are Monday through Friday from 6am-6pm.

Section 65.30: Special Use Review Criteria

Mr. Hutson reviewed the special use criteria for Commissioners and indicated the proposal meets all requirements.

RECOMMENDATION:

Mr. Hutson said the Planning Department staff recommended the approval of the proposed special exception use for the child care center with the following conditions:

- 1) The child care center will serve up to 78 children between the ages of six weeks and 12 years old.
- 2) Hours of operation shall be Monday through Friday from 6am-6pm.

- 3) Documentation from the State of Michigan (Department of Licensing and Regulatory Affairs) approving the proposed child care center and sealed building drawings for said use shall be provided to the Township.
- 4) If an outdoor play area is required by the State of Michigan or desired to be implemented in the future, such request will be submitted for administrative review and approval.
- 5) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.

Chairperson VanderWeele asked if Commissioners had questions for Mr. Hutson.

Mr. Smith asked what was meant by condition number four regarding an outdoor play area.

Attorney Porter responded that an outdoor play area is not proposed. If the applicant wished to add one the proposal would have to come back to the Commission for a site plan review.

Mr. Smith said he would want another enclosure if a play area was added and asked why there is no outdoor play area proposed.

The applicant, Ms. Crystal Curtis, said there is an 1,800 square foot triangular area enclosed by fence in front of the building but the fence does not extend to the door of the building for fire safety reasons. Children could be accompanied straight from the door into the enclosed play area.

- Mr. Smith said he would approve the application subject to providing a fenced in outdoor play area as described by Ms. Curtis.
 - Ms. Versalle asked if Ms. Curtis anticipated extending hours past 6:00 p.m.
 - Ms. Curtis said she did not anticipate any extension of hours.

Chairperson VanderWeele moved to Public Hearing. After determining no one wished to speak, he closed the hearing and moved to Board Deliberations.

Ms. Versalle **made a motion** to approve the proposed special exception request to allow establishment of Village Childcare center at 5320 Holiday Terrace as proposed and including the five conditions recommended by staff with the amendment to number four as suggested by Mr. Smith:

- 1) The child care center will serve up to 78 children between the ages of six weeks and 12 years old.
- 2) Hours of operation shall be Monday through Friday from 6am-6pm.
- 3) Documentation from the State of Michigan (Department of Licensing and Regulatory Affairs) approving the proposed child care center and sealed building drawings for said use shall be provided to the Township.

- 4) Fencing shall be installed surrounding the outdoor play area.
- 5) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.

Ms. Bradford **seconded the motion**. The **motion was approved** unanimously.

PUBLIC COMMENT

There were no public comments.

OTHER UPDATES AND BUSINESS

Mr. Hutson indicated there were no updates and no further business to come before the Commission.

ADJOURNMENT

With there being no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 7:15 p.m.

Minutes prepared: September 23, 2022	
Minutes approved: , 2022	

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October 06, 2022

osptemo est. 1839

Mtg Date: October 13, 2022

To: Oshtemo Township Planning Commission

From: Colten Hutson, Zoning Administrator

Applicant: Connor Tierney, Chocolate Thunder

Owner: 626 Maple Hill LLC & J Milham LLC

Property: 656 Maple Hill Drive, Parcel Number 05-13-403-010

Zoning: C: Local Business District

Request: Special Use approval for a Craft Food and Beverage Production Facility

Section(s): Section 65: Special Uses

PROPOSAL:

Connor Tierney, representing Chocolate Thunder, is requesting special exception use approval to establish a craft food and beverage production facility within an existing multi-tenant commercial center located at 656 Maple Hill Drive. The proposed craft food and beverage production facility will serve as a space which produces chocolate. The project area under consideration is outlined in light blue on the map to the right.

OVERVIEW:

656 Maple Hill Drive is located within the Westwood Office Plaza, a multi-tenant commercial center immediately south of W Main Street between US-131 and N Drake Road. The proposed craft food and beverage production facility is seeking to occupy a vacant suite in the rear of the building identified by the yellow star on the map to the right. Said tenant space is



located on the lower level and has a gross square footage of 1,100 square feet. Chocolate Thunder is a hand-made small batch operation that produces homemade chocolate. Current production volumes only

require 20 hours of work per week. The applicant has indicated that there will only be one employee and that a majority of the chocolate production will primarily take place on Wednesdays and Sundays. Most of the shipments will occur at the respective mail carrier location; however, there will be an occasional scheduled pickup at the subject site. Delivery trucks would circulate the site by utilizing both access points along Maple Hill Drive, one along the cul-de-sac and the other near the northern property line. The applicant has indicated that no retail is currently planned for the subject use; however, it should be noted that if the applicant would like to establish a retail component in the future, the special use permit would need to be amended and review and approval by the Planning Commission would be required.

ANALYSIS:

The subject property is zoned C: Local Business District. Uses permitted in the C: Local Business District are outlined in Section 18 of the Township's Zoning Ordinance. Craft food and beverage production facilities, limited to 8,000 square feet gross floor area, are identified as a special exception use within said ordinance section. When reviewing a special exception use, the general special use review criteria outlined in Section 65.30 shall be followed. Below is an analysis of the proposal against Section 65.30 of the Oshtemo Township Zoning Ordinance.

Section 65.30: Special Use Review Criteria

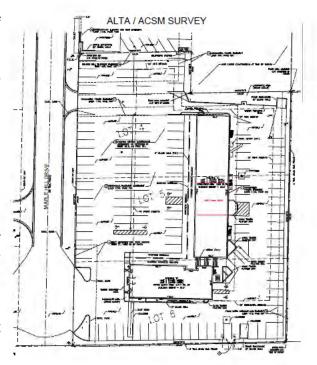
A. Master Plan/Zoning Ordinance: The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the District in which the use is located.

Oshtemo's adopted Future Land Use Plan illustrates that the property in question is located within a commercial area. The subject property is classified as C: Local Business District, within which craft food and beverage production facilities that are under 8,000 square feet gross floor area are permissible with special exception use approval from the Planning Commission. The proposed use meets the intent of the Township's Master Plan documents for this area and complies with the Township's Zoning Ordinance.

B. Site Plan Review: The Site Plan Review Criteria of Section 64.80

An engineered site plan is not required for a change in occupancy of this nature as no changes are proposed to be made in relation to the site's exterior; however, the applicant did provide a survey that was previously done for the site which provides a general layout of the buildings and parking on-site.

The subject property possesses approximately 135 parking spaces on-site. Craft food and beverage production facilities require 1.5 parking spaces per each 1,000 square feet of net floor area. The tenant space is 1,100 gross square feet. To calculate the net floor area, 10% of the gross square footage is subtracted. 10% of 1,100 square feet is 990 square feet. This equates to two parking spaces required to service the proposed special



exception use. Sufficient parking exists for the proposed chocolate production facility as well as the other uses located on-site.

The proposal will not impact driving aisles, fire lanes, or emergency vehicle turning areas as the overall site layout is not changing. All setback requirements have been met. Existing entrances on the site will not change and will continue to be used in a similar fashion. Elevation photos can be found below.







C. 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.

The proposed craft food and beverage production facility, a special exception use within the C: Local Business District, is leasing a tenant space within the already established multitenant commercial center. All properties adjacent to the subject site share the same zoning designation of C: Local Business District with the exception of the property immediately to the south, which is zoned R-2: Residence District. Other uses surrounding the site include ATD Security Services, Pawriffic Grooming Salon, Brumley & Co. Hair Salon, Wendy's, Burger King, Long John Silver, Texas Coral, etc. A craft food and beverage production facility of this limited scale would be harmonious with the other existing uses surrounding the site. With the proposed craft food and beverage production facility being compatible with the allowable uses within this zoning district, no exterior site changes proposed, and being in accordance with both the Master Plan and the Zoning Ordinance, staff has no concerns that

the proposed craft food and beverage production facility will negatively affect neighboring uses.

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.

Staff does not foresee a significant impact of the proposed use on neighboring properties. The subject site is located within an already established commercial area. The overall site layout is not changing. All requirements pertaining to setbacks, parking, access, etc. have been satisfied.

3. 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.

All activities associated with the proposed special use will be indoors - noise levels are not expected to exceed what is commonly found for a commercial area. The amount of traffic will be consistent with what the multi-tenant commercial area has produced in the past. Staff does not foresee any negative impacts occurring from this use.

D. 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.

The proposed project will occupy an existing tenant space on-site. All modifications to the site will only consist of interior alterations. This is a site with existing impervious surfaces. This criterion is not applicable.

E. 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.

The tenant space located at 656 Maple Hill Drive is already adequately serviced by public water and public sanitary sewer. The Township's Non-motorized Transportation Plan does identify a conceptual non-motorized path link adjacent to the subject site along Maple Hill Drive; however, per Section 57.90 of the Zoning Ordinance the property is exempt from installing such facility since what is being requested is a change in occupancy. Therefore, this section does not apply.

F. Specific Use Requirements: The Special Use development requirements of Article 49.

No specific use requirements exist for craft food and beverage production facilities. Therefore, this section does not apply.

RECOMMENDATION:

Planning Department staff recommend the approval of the proposed special exception use for a craft food and beverage production facility, with a gross square footage of 1,100 square feet, at 656 Maple Hill Drive with the following conditions.

- 1) The craft food and beverage production facility shall be a hand-made small batch operation that produces homemade chocolate.
- 2) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.
- 3) If the applicant wishes to establish a retail component in the future, the special use permit would need to be amended and review and approval by the Planning Commission would be required.

Attachments: Application, Letter of Intent, Site Plan, Floor Plan, Elevations, and Photos

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7275 W. Main Street, Kalamazoo, Michigan 49009-9334

Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS Chocolate Thunder - 656A Maple Hill Dr

PLANNING & ZONING APPLICATION

Applicant	Name : Connor Tierney	
Company Connor Tierney LLC		—— THIS
Address 656A Maple Hill Dr		SPACE FOR
	Oshtemo 49077	TOWNSHIP
E-mail	connortierneyllc@gmail.com	USE
Telephone 8104348131 Fax ———————————————————————————————————		ONLY
Interest in	Property Lessee	
OWNER*:		
Name	Hinman Company	
Address	750 Trade Center Way Ste 100	Fee Amount
	Portage, MI 49002	Escrow Amount
Email	Jake@hinmancompany.com	
Phone & F	269-488-3664	
I S S 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:
	CRIBE YOUR REQUEST (Use Attachments if	
Requesting	to use the space i'm leasing to make c	hocolate.
19/30/20151		
	Рада 1	10/15

Page 1 10/15

Hill Drive, Kalama	azoo, MI 49009,	
PARCEL NUMBE	CR: 3905-	
ADDRESS OF PR	OPERTY: 656 Maple Hil	ll Drive Suite 656A, Oshtemo MI 49077
	F THE PROPERTY: Va	
PRESENT ZONIN	G 201 - Commercial	SIZE OF PROPERTY 1100SF
		HER PERSONS, CORPORATIONS, OR FIRE
HAVING A	LEGAL OR EQUITAE	BLE INTEREST IN THE PROPERTY:
No	me(s)	Address(es)
	• •	
Maple Hill Manage	ement LLC	750 Trade Center Way Ste 100 49002
	SIGN	ATT/DEC
	51011	ATURES
I (we) the undersign		ation contained on this application form and the
required documents	ned certify that the informa attached hereto are to the	ation contained on this application form and the e best of my (our) knowledge true and accurate.
required documents I (we) acknowledge	ned certify that the informo attached hereto are to the that we have received the	ation contained on this application form and the e best of my (our) knowledge true and accurate. Township's Disclaimer Regarding Sewer and W
required documents I (we) acknowledge Infrastructure. By s	ned certify that the informa attached hereto are to the that we have received the submitting this Planning &	ation contained on this application form and the e best of my (our) knowledge true and accurate. Township's Disclaimer Regarding Sewer and W & Zoning Application, I (we) grant permission for
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2

Assessor 7120152 Planning Secretary - Original

LETTER OF INTENT

Connor Tierney LLC DBA Chocolate Thunder intends to use 656 Maple Hill Drive, Suite 656A Oshtemo Michigan 49077 as the primary craft food manufacturing location to make chocolate from cacao beans, package the chocolate, and ship the chocolate.

This is a very small operation that I'm moving from my home kitchen so the 1100SF space I'm leasing is about 4 times as much space as I need. I do not have any employees but I occasionally have friends help me out. As volumes increase, I may hire someone as volumes increase. This is a hand made small batch operation and current volumes only require 20 hours of work per week. Primarily most of the day Sunday and Wednesday 8am-4pm. Sometimes I need to work on this in the evening but usually that's just a quick 30 minute to an hour activity.

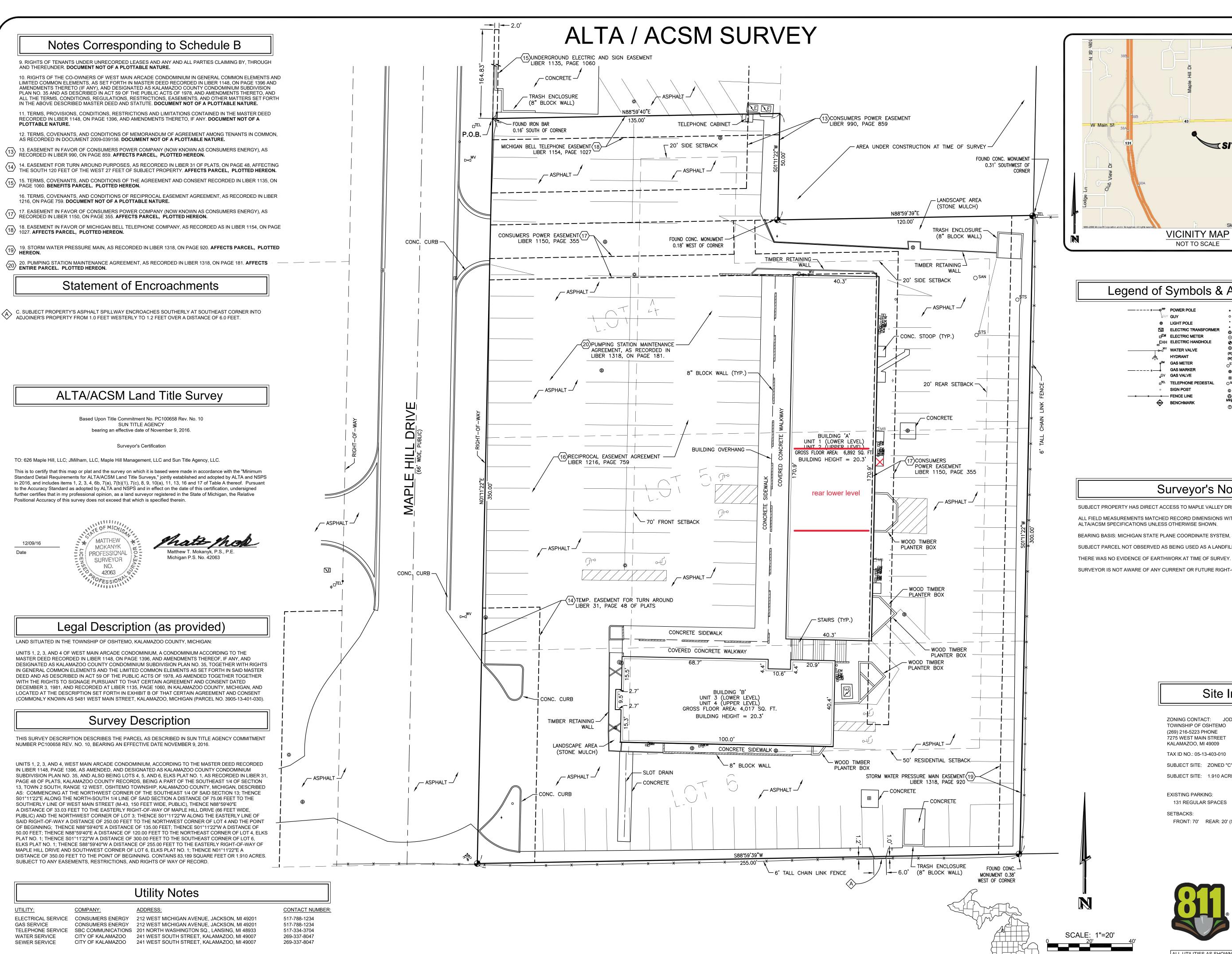
I order cacao beans and sugar a couple times a year in 50 pounds quantities that are delivered by UPS. No set delivery date as they don't require a forklift or anything to deliver. Packaging comes in a small box once a year the same way. Frequent little Amazon orders for spatulas, rubber gloves, cotton balls, etc throughout the year.

Production consists of roasting the cacao beans in a countertop coffee roaster (Behmor 1600) about the size of a toaster oven. I then pass the cacao beans through a modified juicer to break them up into tiny pieces. Then I add sugar and cacao beans to a granite refiner called a melanger. The melanger is another countertop appliance 10" round by about 12" tall designed to run continuously for 72 hours. Next I pour the chocolate and store it in vacuum sealed bags until it's ready to be poured into bars. I use a small countertop chocolate warmer to melt the chocolate and temper it before pouring the chocolate into molds. The molds are cooled for about 20 minutes in a wine cooler before being demolded onto trays, bagged, boxed, and stored for shipment.

Shipments will be made at USPS, Fedex, or UPS or a pick up can be scheduled if needed. They can park in the parking space in front of my door since I don't plan to sell retail and the space is in the back of the building.

x Connor Tierney Date: 8/26/2022

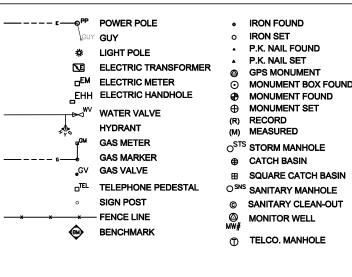
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Legend of Symbols & Abbreviations

GUY GUY



Surveyor's Notes

SUBJECT PROPERTY HAS DIRECT ACCESS TO MAPLE VALLEY DRIVE

ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF

BEARING BASIS: MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

SUBJECT PARCEL NOT OBSERVED AS BEING USED AS A LANDFILL AT TIME OF SURVEY.

SURVEYOR IS NOT AWARE OF ANY CURRENT OR FUTURE RIGHT-OF-WAY CHANGES.

CLIENT 626 Maple Hill, LLC

PLANS PREPARED BY

MI-OH-IN-IL-VA-TN-NE-PA-WI-MN-MO-SD-KS-OK

231-943-0050 PH 231-943-0051 FAX TOLL FREE: 877-520-LAND

CHECKED BY

M.T.M.

www.landtechps.com www.towersurveyors.com

SUBMITTALS

DRAWN BY:

TJW

and JMilham, LLC

THIS DRAWING HAS BEEN PREPARED BY LANDTECH PROFESSIONAL SURVEYING & ENGINEERING, LLC. ALL PATENTED AND PATENTABLE FEATURES AND/OR CONFIDENTIAL INFORMATION AND ITS USE IS CONDITIONED UPON THE USER'S AGREEMENT NOT TO REPRODUCE THE DRAWING, IN WHOLE OR IN PART NOR THE MATERIAL DESCRIBED THERE ON, NOR TO USE THE DRAWING FOR ANY PURPOSE OTHER THAN AS SPECIFICALLY PERMITTED IN WRITING BY LANDTECH PROFESSIONAL SURVEYING & ENGINEERING, LLC.

Site Information

ZONING CONTACT: JODI STEFFORIA TOWNSHIP OF OSHTEMO (269) 216-5223 PHONE 7275 WEST MAIN STREET

KALAMAZOO, MI 49009 TAX ID NO.: 05-13-403-010

SUBJECT SITE: ZONED "C" LOCAL BUSINESS DISTRICT

EXISTING PARKING:

131 REGULAR SPACES 6 HANDICAP SPACES

SUBJECT SITE: 1.910 ACRES OR 83,189 SQ. FT.

SETBACKS: FRONT: 70' REAR: 20' (50 ' ABUTTING RESIDENTIAL ZONING) SIDE: 20'

hurley & stewart

KALAMAZOO, MICHIGAN 49009

HURLEY & STEWART, LLC

269.552.4960 FAX 552.4961

2800 S 11TH STREET

www.hurleystewart.com



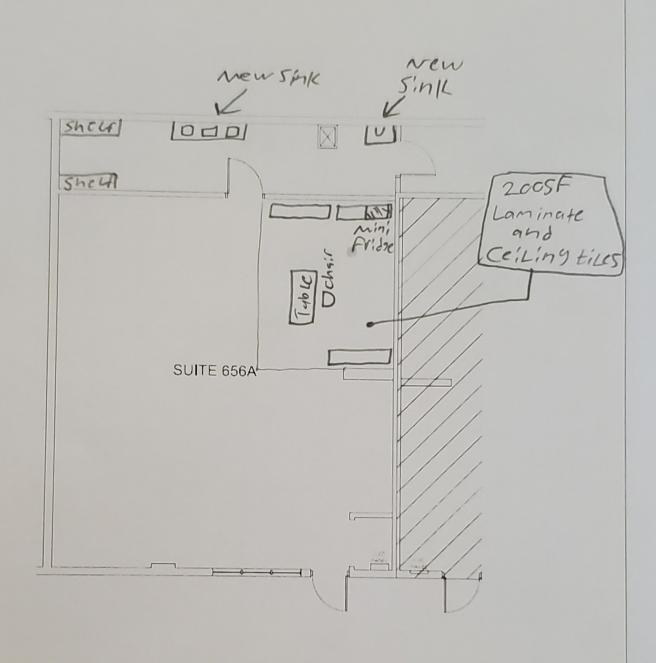
ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN

SHEET TITLE **ALTA SURVEY**

HEET NUMBER	JOB NO.
S-1	1044427

FLOOD NOTE:

By graphic plotting only, this property is in Zone(s) "X" of the Flood Insurance Rate Map, Community Panel No. 26077C0175D, which bears an effective date of 02/17/10 and is NOT in a Special Flood Hazard Area.







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October 6, 2022

Mtg Date: October 13, 2022

To: Planning Commission

From: Iris Lubbert, AICP, Planning Director

Subject: Steering Committee – Housing Plan Coordination and Kick Off

At the Planning Commission's August 11th regular meeting, the Planning Commission was asked to review and answer questions presented by the W.E. Upjohn Institute for Employment Research to ensure that the consultant was clear on the Planning Commission's vision for the project's end result. Based on the Commission's answers, the W.E. Upjohn Institute for Employment Research has amended the project scope, timeline, and contract. Changes primarily include additional data gathering and analysis as well as additional public engagement. A representative from the W.E. Upjohn Institute for Employment Research will attend the October 13th Planning Commission meeting and present the proposed changes and collect feedback. Using the Planning Commission's feedback, W.E. Upjohn Institute for Employment Research will finalize the contract amendment that will then be sent to the Township Board for final approval.

In addition to reviewing the project scope, timeline, and contract, the Planning Commission will be asked to provide feedback on a draft of a supplemental housing survey. All documents will be provided and walked through at the meeting.