



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 IN PERSON
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-qavel/oshtemo-township>)

**THURSDAY, JUNE 23, 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: June 9th, 2022
6. **Public Hearing – Rezoning, 7441 W KL Avenue**
Steven Drenth, on behalf of Stanley Alphenaar, is requesting to rezone the property located at 7441 W KL Avenue from an I-1: Industrial, Manufacturing/Service District to a RR: Rural Residential District.
7. **Public Hearing – Conditional Rezoning, Handley’s Tree Service**
Jeff Triemstra of Handley’s Tree Service is requesting to conditionally rezone approximately 50,000 sqft of property located at 3265 S 6th Street and 3393 S 6th Street, from an I-1: Industrial District, Manufacturing/Service District to an I-2: Industrial District, Manufacturing/Service District.
8. **Site Plan Review, Handley’s Tree Service**
Jeff Triemstra of Handley’s Tree Service is requesting site plan review for amendments to 3265 S 6th Street.
9. Other Updates and Business
10. 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>		
Clare Buszka	216-5221	cbuszka@oshtemo.org
<u>Trustees</u>		
Cheri L. 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			
<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	

**OSHEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A MEETING HELD JUNE 9, 2022

Agenda

UPDATE: MAPLE HILL SOUTH MIXED-USE OVERLAY DISTRICT

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, June 9, 2022, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

**ALL MEMBERS
WERE PRESENT:**

Bruce VanderWeele, Chair
Micki Maxwell, Vice Chair
Kizzy Bradford
Deb Everett
Alistair Smith
Anna Versalle (arrived late)
Chetan Vyas

Also present were Iris Lubbert, Planning Director, James Porter, Township Attorney, and Martha Coash, Recording Secretary. Seven guests were also in attendance.

Call to Order and Pledge of Allegiance

Chairperson VanderWeele called the meeting to order at approximately 6:00 p.m. 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

The Chair determined no one from the public wished to comment.

Approval of the Minutes of the Meeting of May 26, 2022

Chairperson VanderWeele asked if there were additions, deletions, or corrections to the Minutes of the Meeting of May 26, 2022. Hearing none, he asked for a motion.

Ms. Maxwell **made a motion** to approve the Minutes of the Meeting of May 26, 2022, as presented. Ms. Everett **seconded the motion**. The **motion was approved unanimously**.

Chairperson VanderWeele moved to the next agenda item.

UPDATE: MAPLE HILL SOUTH MIXED-USE OVERLAY DISTRICT

Ms. Lubbert said, as requested at the May 26th Planning Commission meeting, she would provide background and a general analysis of the previously drafted Maple Hill South Mixed-Use Overlay District and provided a copy of same. She indicated she had not had time to do an in-depth review of the October 31st, 2019 draft but walked through the document citing many concerns she had identified, including: poor document construction, subjective and unclear language, the allowance of piecemeal and uncoordinated design, unsupported density increases, proposed criteria with no implementation tools, not taking into account traffic generation/impact, and failure to reference the correlating Master Plan. She stated that in her professional opinion the document as written does not follow best planning practices and would not provide the desired outcomes.

She recommended the Planning Commission change their approach to implementing the Maple Hill Drive South Sub-Area Plan. She felt that rather than an overlay specific for this area, a form of conditional rezoning would be more appropriate. She recommended creating a mixed-use zoning district which would require a development plan as part of its approval. Although she didn't have time to draft a full proposal, she noted the development plan should illustrate all contiguous holdings of the owner, proposed land uses and densities, open space areas, architectural guidelines, a full circulation plan for the project area, phasing if any, a traffic generation analysis with particular attention to impacts upon surrounding roadways, a description of existing infrastructure, projected improvements needed to serve the project, and a plan for providing needed infrastructure. The plan submitted by the applicant could then be evaluated against the adopted master plan. She noted that this approach would provide for a smoother and faster review for development within the area and ensure that the entire project is feasible and coordinated. She added that this new zoning district could also be used for other sub area plans that the Township has in place. She cited two ordinance examples from other communities she found that could be referenced.

Ms. Lubbert requested direction from the Commission noting that she understands this is a lot of information to take in and offered that the Planning Commission digest what she has presented and revisit this issue in their first meeting in July.

Chairperson VanderWeele asked if Commissioners had comments. There was concern about the timing and the time needed to digest her evaluation.

Ms. Everett asked about the relevance of the PUD.

Attorney Porter said the provisions within the existing PUD ordinance were not sufficient to satisfy the Planning Director.

Ms. Lubbert said she had spoken to the developer about an approach which staff could support using the PUD tool to implement the sub area plan under the current ordinance, but they did not want to pursue that avenue.

Ms. Maxwell felt a lot of time and effort had been spent to get to this point; Chairperson VanderWeele felt what has been done to date provides good background information.

Ms. Everett wondered what would happen in the future if someone wished to redevelop other properties as this plan is very specific, applying only to the golf course.

Ms. Lubbert indicated that any redevelopment would follow the ordinances and zoning that are currently in place. If found appropriate, a more comprehensive document or sub area plan could be created.

Chairperson VanderWeele asked if anyone from the audience wished to speak.

Mr. Joe Gesmundo, AVB, noted the process to develop the plan was begun in 2017 with former Planning Director Greg Milliken and that it was his idea to do a sub area plan and overlay district. When Julie Johnston was Planning Director, she moved the process along with the consultant firm WadeTrim, who drafted the language and who is still used by the Township today.

He pointed out 10 pages out of 15 had already been collectively reviewed when Ms. Johnston left the Township. AVB instantly reached out to Ms. Lubbert when she was hired to keep the process going. Now it is three years later. It seems unfair and inappropriate to take so much time. If another planner is hired, will we go down another road? He described the process that was used in Portage when AVB developed Woodbridge Hills, a much larger project. It was begun in October of 1976 with nine parcels acquired. They worked with the Planning Department and Commission to plan, rezone, design the development and golf course and construction began within 12 months.

He said AVB has a great track record of development and indicated one of the reasons Woodbridge was so successful was because of the flexibility of the ordinance. To be successful with a planned development, flexibility is needed to adapt to market changes. It is especially needed in a small market like ours. A conceptual plan can be developed but it can't be completely planned out at the start and be successful. He didn't feel an ordinance could be drafted to be used in multiple places. He felt great work was done utilizing lots of time and capital on the plan before them and that the last five pages could be worked through so we can move on.

Mr. Rich MacDonald, Hinman Company, which is a half owner for the development of the Prairies, said he also volunteers on the board of the Oshtemo Downtown Development authority. He said he was not sure what to think about the concerns expressed by Ms. Lubbert. Flexibility can be suggestive and it is the intent of the Master Plan to be flexible which is necessary. Zoning Board Authority specific processes and rules make maneuverability when needed almost impossible. The overlay zone is optional. The underlying zoning still applies. He said the Master Plan sub area plan is clear about the idea of an overlay zone.

He distributed a handout of nine sets of Planning Commission minutes from 2019 meetings as well as corresponding excerpts detailing the systematic review of each point of the overlay zoning ordinance language by commissioners and the previous Planning Director. He was uncomfortable that the process to review the ordinance language was not this Commission's work product. The one constant is to rely on the Planning Commission body to work through policies and procedures and to move forward. Eight months of constant systematic review by the Commission with the assistance of outside experts helped to inform the document. A lot of work has been done – starting over does not seem like the right thing to do. He said he appreciated the opportunity to share the history of the overlay document process and understands the needed comfort level. Flexibility is appropriate because Planning Commissioners have the ability to evaluate and are capable of doing what is best and in the spirit of the community.

Mr. Curt Aardema, AVB said, as both Mr. Gesmundo and Mr. MacDonald mentioned, the information in the draft document was not arrived at loosely as it goes back to 2017. He sat in this room as Commissioners went through it page by page, and even line by line. It was developed by WadeTrim and Planning Department staff. All was vetted in detail with members of the public present. Public input was received. If all that is thrown out now, it will be a challenge. The golf course is a great property with great potential. It provides an opportunity to improve the road system. He said he looked forward to moving ahead and asked Commissioners to remember the extensive process and many hours of work to date.

Ms. Paula Rumsey, 139 Mandalay Drive, said she knows a lot of work was done on the Master Plan to get the Township organized for future development. With all the changes that have occurred in the last five years, we cannot look at what was true five years ago today. There were no traffic problems during covid, but they are evident again now. If nothing else, what was done on the overlay document provides a good foundation for going forward; she did not think the time spent would be thrown away. Vision has to be brought in. What the past three years have shown us is that we need to re-evaluate. She said the hotel corner is an example of a brick and mortar project. Brick and mortar projects now need to be re-evaluated and what is being projected for the future needs to be looked at. AVB has been ahead of the game in that area. The past work should be a launching pad for what will be needed going forward. She thinks the plan does need work and that we have good people to get things done.

Ms. Mary Shuster, Redstone Condos, commended Ms. Lubbert on the thoroughness and thoughtfulness of her evaluation of the ordinance proposal. She said the public had not really been consulted, not asked what they want during the process. They want the area to be something special, not the same things as on Westnedge Ave: car accidents and police calls. It is not about how long it takes, which will already be a problem partially due to the shortage of workers. It is about responsible growth. She asked if we will be proud of our development later on and asked Commissioners to think about that.

Mr. Gary Dobson, AVB, said he has been a business partner with AVB and worked with Mr. MacDonald for 23 years. He joined the firm because of their amazing developments. He manages planned developments, particularly with Portage with their flexible overlay, which is similar to what is being considered for Oshtemo. He noted this project's inception in April of 2017. It has been reported 400 citizens were involved to see the options. In August of that year the desire for flexibility on site came from the Planning Commission to the Planning Director. Flexibility is extremely important as things move and change. This approach worked very successfully with Portage. He also noted he has worked extensively with MDOT – he lives here and knows the driving challenges. MDOT's top priority is improving West Main Street. They work with AVB because they are problem solvers and the give and take between AVB and MDOT is valuable. The proposed zoning would be helpful as the access road does not work for residential property. It is important to finish this work so AVB can develop a West Main plan with MDOT, which is part of a much larger plan. The state is in a position to invest and move forward. Of AVB's five core values, one is "Be proud of What You Do." Working together can create a great development here. He asked Commissioners to consider how to move this forward and to do great things at this location.

Hearing no further comments, the Chair said he is torn as he does not want to give up on what has been done or to not move forward as expeditiously as possible.

Mr. Smith said there is one chance to get this right. The Planning Commission represents the residents of Oshtemo Township and has to do what is best for them.

The Chair moved to the next agenda item.

OTHER UPDATES AND BUSINESS

Ms. Lubbert said she received an e-mail regarding the minutes of April 28, 2022 from Gregg Kebler, asking that the spelling of his name and the street he was referencing, W N Ave, in his comments be corrected and that the text of his comments be appended to the minutes.

Attorney Porter said the minutes could not be corrected as they had already been approved by the Planning Commission before the request was received, but that a note could be made at the next meeting as Ms. Lubbert has done.

Attorney Porter also told the Commission the Judge ruled in favor of the Township in the case challenging sewer connection fees by the Oshtemo Resident Association. The Court ruled that the Township's sewer connection fees were proper - not a tax nor a violation of equal protection. The result is that 75-80 residents will have to connect to the sewer in the future.

He also reported that the requested Right of Referendum failed. Oshtemo argued that the petitions were insufficient. The Judge agreed with the Township.

Mr. Vyas asked how to move forward on the overlay district. He said he understands the need for flexibility and as what they approve will have an impact in the future, they need to move positively and with caution.

Chairperson VanderWeele asked if Ms. Lubbert could provide in writing her earlier oral comments on the document prior to the first meeting in July.

Ms. Lubbert said she could do that. She noted flexibility in the overlay document is important but clear guidance for that flexibility is also important. The level of the quality of work varies, things change and grow and it is ok to go in a different direction. Even when working with consultants, it is the responsibility of the Planning Director to evaluate the consultant's work and it is normal for people to have different perspectives.

Ms. Everett noted only Mr. VanderWeele and Ms. Maxwell were on the Planning Commission when the document was drafted and reviewed.

The Chair asked Ms. Lubbert to provide her written comments prior to the first regularly scheduled Planning Commission meeting in July. At that meeting Commissioners will review the comments and decide how to proceed.

ADJOURNMENT

With no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 7:08 p.m.

Minutes prepared:
June 10, 2022

Minutes approved:
_____, 2022

June 15, 2022

Mtg Date: June 23, 2022

To: Oshtemo Township Planning Commission

From: Colten Hutson, Zoning Administrator

Applicant: Steven Drenth

Owner: Stanley Alphenaar

Property: 7441 W KL Avenue, Parcel Number 05-22-405-010

Zoning: I-1: Industrial District

Request: Rezone to RR: Rural Residential District

Section(s): Section 5 - RR: Rural Residential District
Section 27 - I-1: Industrial District



PROPOSAL:

The applicant, Steven Drenth, on behalf of the property owner, Stanley Alphenaar, is requesting to rezone 7441 W KL Avenue from I-1: Industrial District to RR: Rural Residential District. The parcel under consideration is outlined in light blue on the map to the right. The subject site has a property area of approximately 14 acres and has over 800 feet of road frontage. 7441 W KL Avenue currently serves a residential land use.

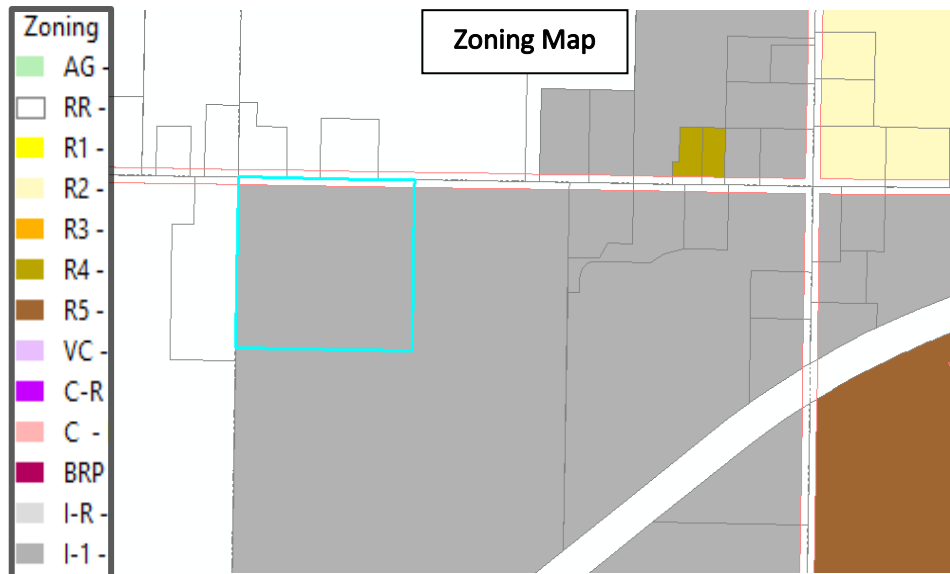
Although the zoning of the property is I-1: Industrial District, a single-family home has occupied the property since 1948. As such, the existing single-family home at this location is categorized as a legal nonconforming use since the zoning of the property no longer permits such. The requested rezoning of 7441 W KL Avenue would make the existing single-family dwelling a legal conforming use. It should be noted that the applicant has indicated an interest in dividing the property in the future and build a single-family dwelling on the newly created parcel, east of the existing home. Staff completed a preliminary review of the land division and determined it would meet Township requirements for newly created parcels located within the RR: Rural Residential zoning classification; however, since the request is for a



rezoning, such material shall be considered at time the applicant submits a land division application and building permit application for Township review and approval.

OVERVIEW:

Currently zoned I-1: Industrial District, the subject property is located on the south side of KL Avenue, between 8th Street and 4th Street. Properties immediately surrounding the site currently possess of agricultural and residential land uses. I-1: Industrial District zoning abuts the subject site to the east and south. Properties adjacent to the west and north are zoned Rural Residential District. A single-family dwelling, a handful of detached structures, and dense vegetation currently occupy the site. The subject property in question is outlined in light blue in the Zoning Map directly above.

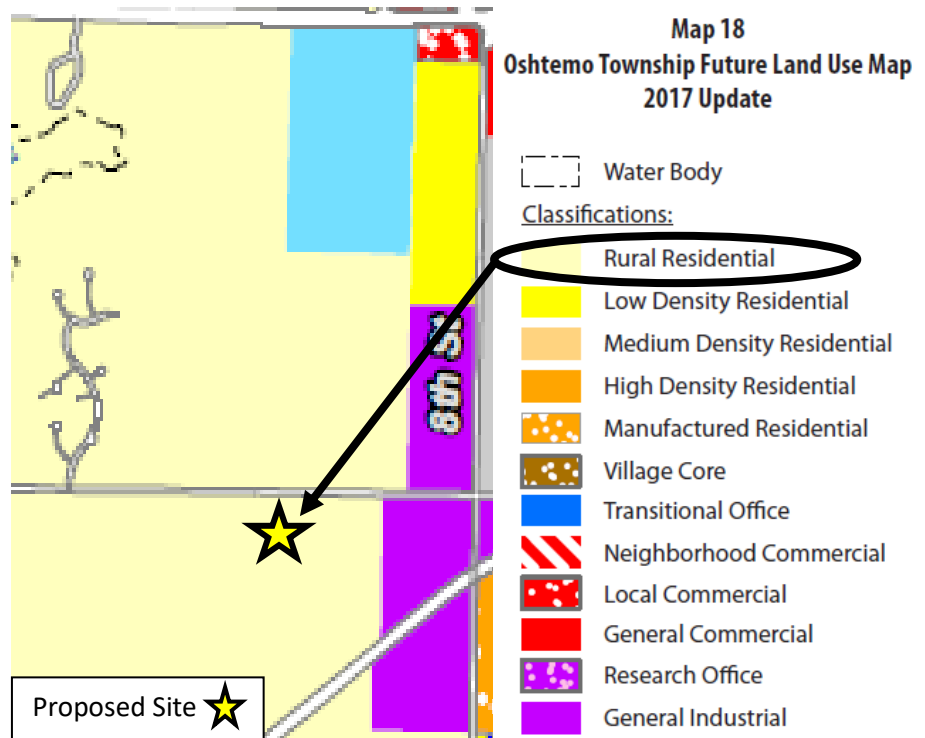


CONSIDERATIONS:

The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that a Planning Commission must consider when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. These considerations are as follows:

1. Master Plan Designation

The Township's Future Land Use Plan categorizes this area – east of 8th Street, west of 4th Street – as



Rural Residential. According to the Township’s Master Plan, Rural Residential includes developments such as low-density housing on scattered sites. The Future Land Use Map identifies that the subject property is within an area that is intended to transition to Rural Residential from its present industrial zoning. Single-family dwellings are a permitted use by right within the RR: Rural Residential zoning classification. The proposed rezoning would be consistent with the site’s current activity, Future Land Use Map, and the Township’s Zoning Ordinance. Should approval for the rezoning be granted, it would follow the Township’s vision in terms of land use for this area.

2. Consistency of the Zoning Classification in the General Area

Rezoning 7441 W KL Avenue from I-1: Industrial District to RR: Rural Residential District would be consistent with current zoning in nearby parcels. The site is currently adjacent to several other properties which serve low density land uses. These uses of land include single-family dwellings as well as areas used for farmland.

3. Consistency and Compatibility with General Land Use Patterns in the Area

A pattern already exists less than a quarter mile west of 8th Street on both the north and south sides of W KL Avenue, where numerous residences or farmlands have been established, increasing in consistency traveling westbound while approaching 4th Street. With the request being consistent and compatible with land use patterns in the area, and this use being in accordance with the Future Land Use map, the rezoning will allow the property to match the established character of the area.

4. Utilities and Infrastructure

Municipal water is available adjacent to the subject site along W KL Avenue. Municipal sewer currently does not exist adjacent to the subject property. The existing home on-site is currently serviced by a private drinking well and private septic system. It should be noted that if any future development on the subject site requires such public infrastructure needs, such build will be mandated to connect to the available municipal system prior to a certificate of occupancy. Regarding the transportation network, the intersection to the east at W KL Avenue and 8th Street is well controlled by a traffic signal. The next intersection to the west where W KL Avenue crosses 4th Street is a 4-way stop. The stretch of W KL Avenue between 4th Street and 8th Street supports a handful of industrial uses near 8th Street and numerous residential uses thereafter. Staff is of the opinion that if this rezoning is approved, it will not negatively affect the area.

5. Reasonable Use under Current Zoning Classification

The current zoning classification of I-1: Industrial District allows for more diversity of uses than experienced by neighboring properties; however, it is important to note that this property has enjoyed this residential use for over 70 years. Through the rezoning, the applicant is making efforts to eliminate the legal non-conforming use and make the site comply with the Township’s Zoning Ordinance and Future Land Use Plan. The rezoning achieves the Township’s goals for this area and also fits the applicant’s vision for the site.

6. Effects on Surrounding Property

Staff do not foresee any negative impacts occurring onto surrounding properties if the subject site is rezoned to the RR: Rural Residential District. All properties adjacent to the subject site share a common theme as each property consists of an existing primary residence, farmland, or a combination thereof. The present residential use of the property is not changing and is

harmonious with the rural character surrounding the site today. With there being an existing pattern of rural character and uses in the area, the rezoning would complement adjacent zoning districts and their present land uses.

RECOMMENDATION:

Planning Department staff recommend that the Planning Commission forward a recommendation of approval to the Township Board for the rezoning of the subject property from the I-1: Industrial District to the RR: Rural Residential District.

Attachments: Application, Letter of Intent, and Map



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

PLEASE PRINT

PROJECT NAME & ADDRESS Drenth 7441 W KL Ave.

PLANNING & ZONING APPLICATION

Applicant Name : Steven Drenth

Company _____

Address 7071 W N Ave.
Kalamazoo MI 49009

E-mail sdrenth427@gmail.com

Telephone 269 929 7310 Fax _____

Interest in Property Building a home

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name Stanley Alphenaar

Address 7441 W KL Ave
Kalamazoo MI 49009

Email _____

Phone & Fax 269 744 5587

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):

We would like to
rezone the property to RR: Residence District and then
divide the property to build a single-family home.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

SEC 22-2-12 BEG AT NW COR SE 1/4 SEC 22 TH S ALG W LI SE 1/4 SD
SEC 752 FT THE PAR WITH N LI SD SE 1/4 806 FT TH N PAR WITH W LI SD SE 1/4 752 FT
TO E & W 1/4 LI SD SEC TH W THEREON 806 FT TO BEG (H22-1-2)

PARCEL NUMBER: 3905- 05-22-405-010

ADDRESS OF PROPERTY: 7441 W KL Ave, Kalamazoo MI

PRESENT USE OF THE PROPERTY: Occupied by residential use

PRESENT ZONING I-1: Industrial **SIZE OF PROPERTY** 13.91 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)

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.

Stanley Alphenaar
Owner's Signature (* If different from Applicant)

4-28-22
Date

Steen Post
Applicant's Signature

4-28-22
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS

Letter of Intent for Rezoning and Division

Property: 7441 W KL Ave. Kalamazoo, MI 49009

I (Stanley Alphenaar) am requesting that my property (listed above) be rezoned from I-1: Industrial District to RR: Residential District. I request that the property can then be divided as shown in the site plan sketch. The divided piece of property would consist of 5.179 acres with 300 ft of road frontage.

I am requesting this with intent to then sell the newly divided portion of property to my daughter and son in law to build a single family home.

Owners Signature: Stan Alphenaar

Date: 4-29-22

AVENUE



220'

153.88'

264'

682.12'

200'

154.69'

373.88'

264'

806'

010

405

808'

752'

752'

037

00'

806'

June 16, 2022

Meeting Date: June 23, 2022

To: Oshtemo Planning Commission

From: Iris Lubbert, Planning Director

Applicant: Jeff Triemstra, Handley's Tree Service

Owner: J&T Real Estate

Property: 3265 S 6th Street, Parcel Numbers 05-34-130-017 and 05-34-130-018
3393 S 6th Street, Parcel Number 05-34-130-042

Zoning: I-1: Industrial District, Manufacturing/Service

Request: Conditional Rezoning to I-2: Industrial District, Manufacturing/Service

Section(s): Article 27 — I-1: Industrial District, Manufacturing/Service
Article 28 — I-2: Industrial District, Manufacturing/Service
Article 66 — Conditional Rezoning



OVERVIEW

Handley's Tree Service is requesting to conditionally rezone approximately 50,000 sqft of land located at 3265 S 6th Street and 3393 S 6th Street from I-1: Industrial District, Manufacturing/Service to the I-2: Industrial District, Manufacturing/Service. The properties under consideration are outlined in yellow on the map excerpt to the right; the proposed conditional rezoning area is highlighted in red. The applicant will be combining parcels 05-34-130-017 and 05-34-130-018. If the conditional rezoning is approved, the portion identified on 3393 S 6th Street, Parcel Number 05-34-130-042 will be transferred to 3265 S 6th Street.

SUBJECT PROPERTY

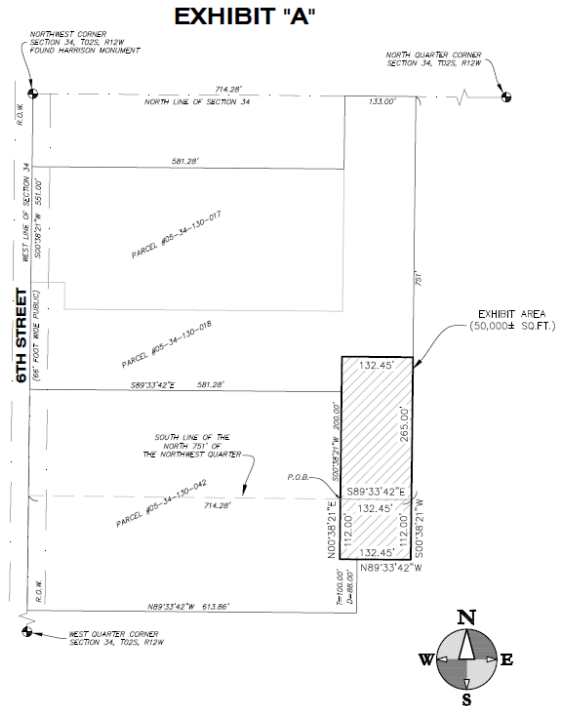
Currently located in the I-1, Industrial District, Manufacturing/Service, 3265 S 6th Street (comprised of parcels 05-34-130-017 and 05-34-130-018) has approximately 400 feet of frontage on S 6th Street. Neighboring to the north and west are residential properties. Neighboring to the south and east are industrial properties.



CONDITIONAL REZONING CONSIDERATIONS

The applicant is requesting a conditional rezoning. This means that Handley's Tree Service has offered conditions as part of the request for the rezoning. These conditions are summarized below. The conditional rezoning statement of conditions submitted by the applicant is attached to this staff report.

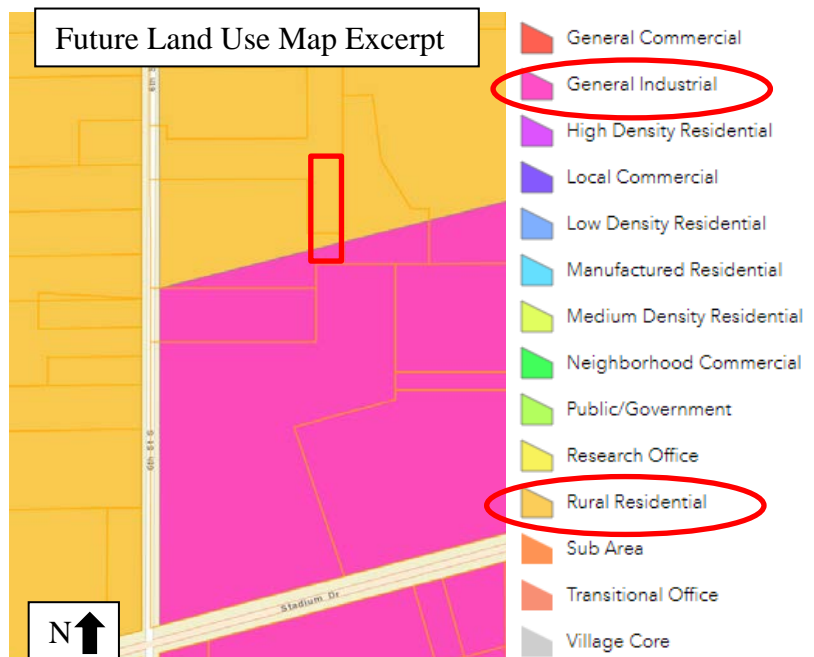
1. The proposed I-2 zoned area will only be used for "sawmill" activities limited to active processing of trees into recycled wood products/wood chips on site.
2. These activities will be limited to Wednesdays and Thursdays between 8AM and 5PM.
3. Truck traffic will utilize the site's driveway on 6th Street. Truck operation will vary throughout the week but in general will be limited to Monday through Friday between 8am and 5PM.
4. The owner will perform a land division and combinations to establish a contiguous zoning district.
5. The existing earthen berm and vegetation, identified in Exhibit B, will remain to reduce the sound impact of the described activities on neighboring properties.



Article 66 of the Township Zoning Ordinance outlines the process for a conditional rezoning to be considered, which is consistent with Section 405 of the Michigan Zoning Enabling Act (MCL 125.3405) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request. The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that a Planning Commission must consider when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. These considerations along with staff's analysis, incorporating the applicants' proposed conditions, are outlined below and in the following pages.

1. Master Plan Designation

The Township's Future Land Use Map primarily designates the proposed rezoning area, outlined in red, as Rural Residential. A small portion of the proposed rezoning is within the General Industrial Designation. The Rural

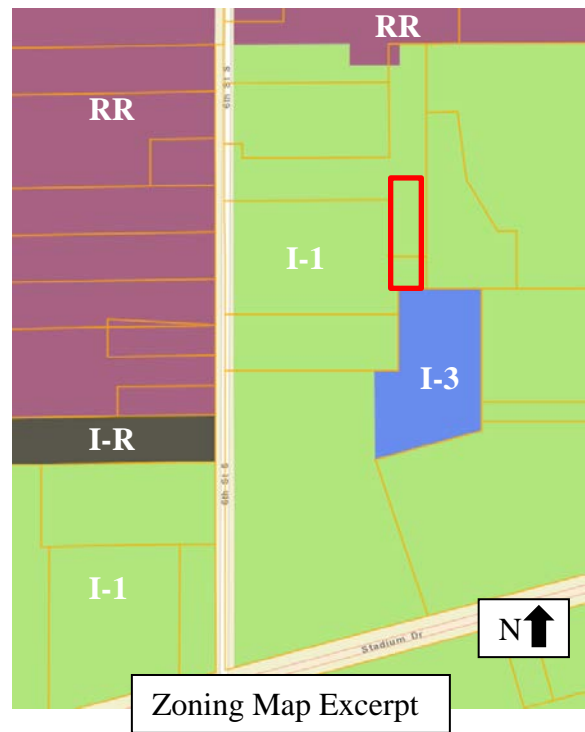


Residential designation calls for low density residential development that utilizes rural character preservation strategies. The General Industrial designation calls for industrial development at a low or moderate intensity that is consistent with the surrounding character, heavy commercial such as contractor yards with generous setback to maintain rural character, sufficient buffers and screening to prevent impacts on neighboring property owners, and coordinated development and application of access management standards for large parcels with multiple uses (recommends PUD technique).

The proposed conditional rezoning would create an intense industrial district within the designated rural residential designation, expanding well outside of the identified General Industrial area. Although the property is currently zoned I-1, Industrial District, Manufacturing/Service, by rezoning a portion of the property to I-2, Industrial District, Manufacturing/Service, it brings this site further away from the Township's adopted vision for the area.

2. Consistency of the Zoning Classification in the General Area

The proposed rezoning area is located within an I-1: Industrial District, Manufacturing/Service with a bubble of I-3: Industrial District Special directly to the south, see excerpt of the Township's Zoning Map to the right. Best planning practice is for there to be a transition from higher intensity uses to lower intensity uses. The proposed I-2 zoned property is an appropriate transition from an I-3 zone and is buffered from the neighboring residential uses by I-1 zoning. There would be approximately 600 feet between the proposed I-2 zoned property and the RR zoning district to the west. However, it should be noted that it is bad planning practice to rezone portions of a property as it creates conflicts and inconsistencies for not only that property but neighboring. For example, all heavy equipment that will utilize this proposed I-2 zoning designation will travel through an I-1 property whose entrance on S 6th street is directly adjacent to residential. By rezoning a piece of an I-1 property to I-2, the remaining I-1 property also increases in intensity automatically by transference.



3. Consistency and Compatibility with General Land Use Patterns in the Area

The predominate land use pattern along Stadium Drive in this area is industrial. For a certain distance along 6th Street north of Stadium Drive is also industrial or government uses. At the northwest corner of Stadium and 6th Street is the Spartan Paperboard Company. Immediately north of that facility is Oshtemo Fire Station 2 and then the large ITC electrical easement, which is around 200 linear feet in width. At this point on the west side of 6th Street, the residential land uses begin. On the east side of 6th Street moving north is Advanced Poured Walls, S & T Lawn Service, and then Handley's Tree Service. At that point, land uses change to residential.

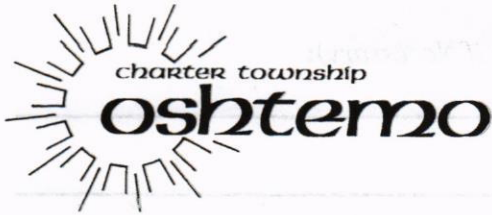
In addition, it should be noted that the Township's ordinance enforcement receives regular complaints from multiple residents along this section of S 6th Street. There is already an established concern about the noises and smells generated by Handley's Tree Service and the neighboring industrial uses. Increasing the intensity of Handley's Tree Service, a property adjacent to these residential properties, to permit a 'sawmill' will only increase the external effects on the neighboring residents.

RECOMMENDATION

The Planning Department recommends the Planning Commission recommend the denial of the request to conditionally rezone the approximately 50,000 sqft of land located at 3265 S 6th Street and 3393 S 6th Street from I-1: Industrial District, Manufacturing/Service to the I-2: Industrial District, Manufacturing/Service to the Township Board.

Attachments: Application, Conditional Rezoning Statement of Conditions and Exhibits, 2022 aerial image of the property, Article 27 and 28 of the ordinance —I-1 and I-2: Industrial Districts, Manufacturing/Service

This page has been intentionally left blank for printing purposes.



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

PLEASE PRINT

PROJECT NAME & ADDRESS HANDLEY'S 3265 S 6TH STREET

PLANNING & ZONING APPLICATION

Applicant Name: JEFF TRIEMSTRA
Company: HANDLEY'S TREE SERVICE
Address: 3265 S 6TH STREET
KALAMAZOO MI 49009
E-mail: jtremstra@stlawnservice.com
Telephone: 269 375 0334 Fax: _____
Interest in Property: OWNER

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name: J+T REAL ESTATE
Address: 3393 S 6TH STREET
KALAMAZOO MI 49009
Email: jtremstra@stlawnservice.com
Phone & Fax: 269 375 0334

Fee Amount _____
Escrow Amount _____

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

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

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

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

SEE ATTACHED

PARCEL NUMBER: 3905- _____

ADDRESS OF PROPERTY: _____

PRESENT USE OF THE PROPERTY: _____

PRESENT ZONING I-1

SIZE OF PROPERTY 7.83 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)

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)

6/7/21
Date

Applicant's Signature

6/7/21
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS

CONDITIONAL REZONING AGREEMENT

THIS CONDITIONAL REZONING AGREEMENT, dated _____, 2021 (“Agreement”), is between J&T REAL ESTATE, LLC, a Michigan Limited Liability Company whose address is 3393 S 6th St. Kalamazoo, MI 49009 and CHARTER TOWNSHIP OF OSHTEMO, whose address is 7275 West Main Street (“Township”) and is as follows:

RECITALS

- A. J&T Real Estate is the owner of certain real property located at 3265/3393 South 6th Street, within Charter Township of Oshtemo, Kalamazoo County, Michigan (Parcel Nos. 05-34-130-017/05-34-130-018) and more fully described as follows (the “Property”):

LAND SITUATED IN THE TOWNSHIP OF OSHTEMO, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

PARCEL B:

THE NORTH 751 FEET OF THE WEST 714.28 FEET OF THE NORTHWEST 1/4 OF SECTION 34, TOWN 2 SOUTH, RANGE 12 WEST, EXCEPT THE SOUTH 200 FEET OF THE WEST 581.28 FEET THEREOF. ALSO, EXCEPT THE NORTH 401 FEET OF THE WEST 581.28 FEET.

ALSO, THE SOUTH 50 FEET OF THE NORTH 401 FEET OF THE WEST 63 FEET OF THE NORTHWEST 1/4 OF SECTION 34, TOWN 2 SOUTH, RANGE 12 WEST.

PARCEL C:

THE SOUTH 265 FEET OF THE NORTH 401 FEET OF THE WEST 581.28 FEET OF THE NORTHWEST QUARTER OF SECTION 34, TOWN 2 SOUTH, RANGE 12 WEST, EXCEPT THE SOUTH 50 FEET OF THE WEST 63 FEET THEREOF.

- B. J&T Real Estate has requested that a portion of the Property as described in Exhibit “A” be rezoned from the I-1 Industrial District, Manufacturing/Service Zoning District Classification to the I-2 Industrial District, Manufacturing/Service Zoning District Classification. J&T Real Estate has voluntarily offered in writing to the Township certain conditions to be placed on the property if the rezoning is approved.

AGREEMENT

NOW, THEREFORE, in consideration of the promises and covenants set forth in this Agreement, the Township and J&T Real Estate agree that if the Property is rezoned to the I-2 Industrial District Special Zoning District Classification, the following conditions will apply to the Property:

1. The portion of the Property as described in Exhibit "A" shall be used for "Sawmill" activities as allowed under Article 28 of the Oshetmo Township Zoning Ordinance. More specifically, said portion of property shall only be used for active processing of trees into recycled wood products/wood chips on site and will be limited to Wednesday and Thursday between the hours of 8:00 AM and 5:00 PM.
2. J&T Real Estate will limit truck traffic entering and exiting the existing driveway as depicted on Exhibit "B" of the Property. Truck operations will vary throughout the week but in general be limited to Monday through Friday between the hours of 8:00 AM and 5:00 PM.
3. J&T Real Estate shall perform a Land Divisions and Combination of parcel #'s 05-34-130-018 and 05-34-130-042, to establish a contiguous zoning district with other I2 Industrial District as depicted in Exhibit "A".
4. Existing earthen berms and vegetation as depicted on Exhibit "B" created to reduce sound impact on neighboring properties shall not be removed.
5. This Agreement shall be governed by the following miscellaneous provisions:
 - A. A copy of this Agreement shall be recorded with the Kalamazoo County Register of Deeds.
 - B. This Agreement shall run with the land and be binding on any successor owners of the land.
 - C. Any failure to comply with this Agreement shall constitute a violation of the Charter Township of Oshtemo Zoning Ordinance and be punishable accordingly.
 - D. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
 - E. This Agreement does not authorize any violation of Township Ordinances and any current violations on the Property may be enforced.
 - F. This is the entire agreement between the parties with respect to its subject matter. It supersedes and replaces all other agreements, whether express or implied, written or verbal. There are no other agreements. Each party had the advice of legal counsel and was able to participate in its creation, so it shall be construed as

mutually drafted. More than one copy may be signed, but it shall constitute only one agreement. It was drafted in Kalamazoo County, Michigan and is to be interpreted in accordance with Michigan law. The interpretation of this Agreement shall not be affected by any course of dealing between the parties.

- G. The parties agree to execute such other documents that any one of them may reasonably request to fully implement this Agreement.
- H. This Agreement may only be amended in writing, signed by all parties, and must be recorded with the Kalamazoo County Register of Deeds in order to become effective.

J&T Real Estate, LLC

By: _____
Jeffrey R. Triemstra
Its: Member

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

Before me, a Notary Public in and for said County and State, personally appeared Jeffrey Triemstra of J&T Real Estate, LLC, who acknowledged the execution of the foregoing Conditional Rezoning Agreement.

), Notary Public
_____) County, Michigan
My Commission Expires: _____

CHARTER TOWNSHIP OF OSHTEMO

By: _____
Its: Supervisor

By: _____
Its: Clerk

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

Before me, a Notary Public in and for said County and State, personally appeared _____ the Supervisor and Clerk of Charter Township of Oshtemo respectively, who acknowledged the execution of the foregoing Conditional Rezoning Agreement.

), Notary Public

) County, Michigan
My Commission Expires: _____

Drafted by:
Gregory G. St. Arnauld
Lewis, Reed & Allen, P.C.
136 E. Michigan Avenue, Suite 800
Kalamazoo, Michigan 49007
Phone: (269) 553-1422

When recorded return to:
Charter Township of Oshtemo Clerk
Charter Township of Oshtemo

EXHIBIT "A"

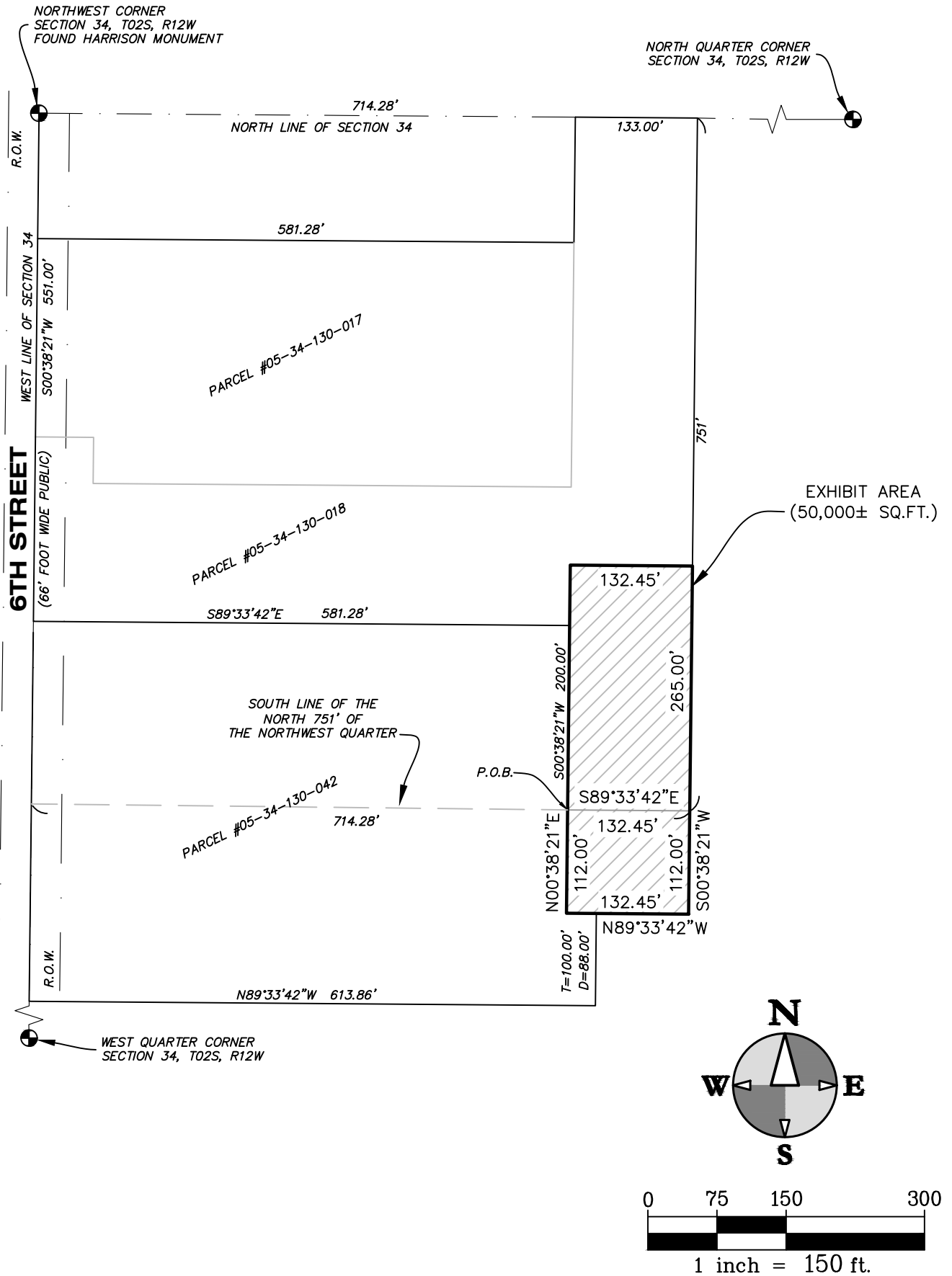


EXHIBIT DESCRIPTION:

LAND SITUATED IN THE TOWNSHIP OF OSHTEMO, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, TOWN 02 SOUTH RANGE 12, WEST; THENCE ALONG THE WEST LINE OF SAID SECTION S00°38'21"W 551.00 FEET; THENCE S89°33'42"E 581.28 FEET; THENCE S00°38'21"W 200.00 FEET, TO THE SOUTH LINE OF THE NORTH 751 FEET OF THE NORTHWEST ONE QUARTER OF SAID SECTION AND THE POINT OF BEGINNING; THENCE ALONG SAID LINE S89°33'42"E 132.45 FEET; THENCE S00°38'21"W 112.00 FEET; THENCE N89°33'42"W 132.45 FEET; THENCE N00°38'21"E 112.00 FEET, TO THE SOUTH LINE OF THE NORTH 751 FEET AND THE POINT OF BEGINNING.
 ALSO,
 THE SOUTH 265 FEET OF THE NORTH 751 FEET OF THE WEST 714.28 FEET OF THE NORTHWEST 1/4 OF SECTION 34, TOWN 02 SOUTH, RANGE 12 WEST, EXCEPT THE WEST 581.28 FEET OF THE NORTH 751 FEET OF THE WEST 714.28 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 34.
 EXHIBIT CONTAINS 50,000 SQUARE FEET (1.15± ACRES).

NOTE: THIS IS NOT A BOUNDARY SURVEY.

Drawing No.
1
 1 OF 1

Title:
 Project:
 Client:

EXHIBIT "A"
HANDLEYS
S&T

Job No.: 21-057
 Date: 12/22/21
 Scale: AS NOTED
 P.M.: TAK
 Dft: ALC
 QA/QC: 12/22/21

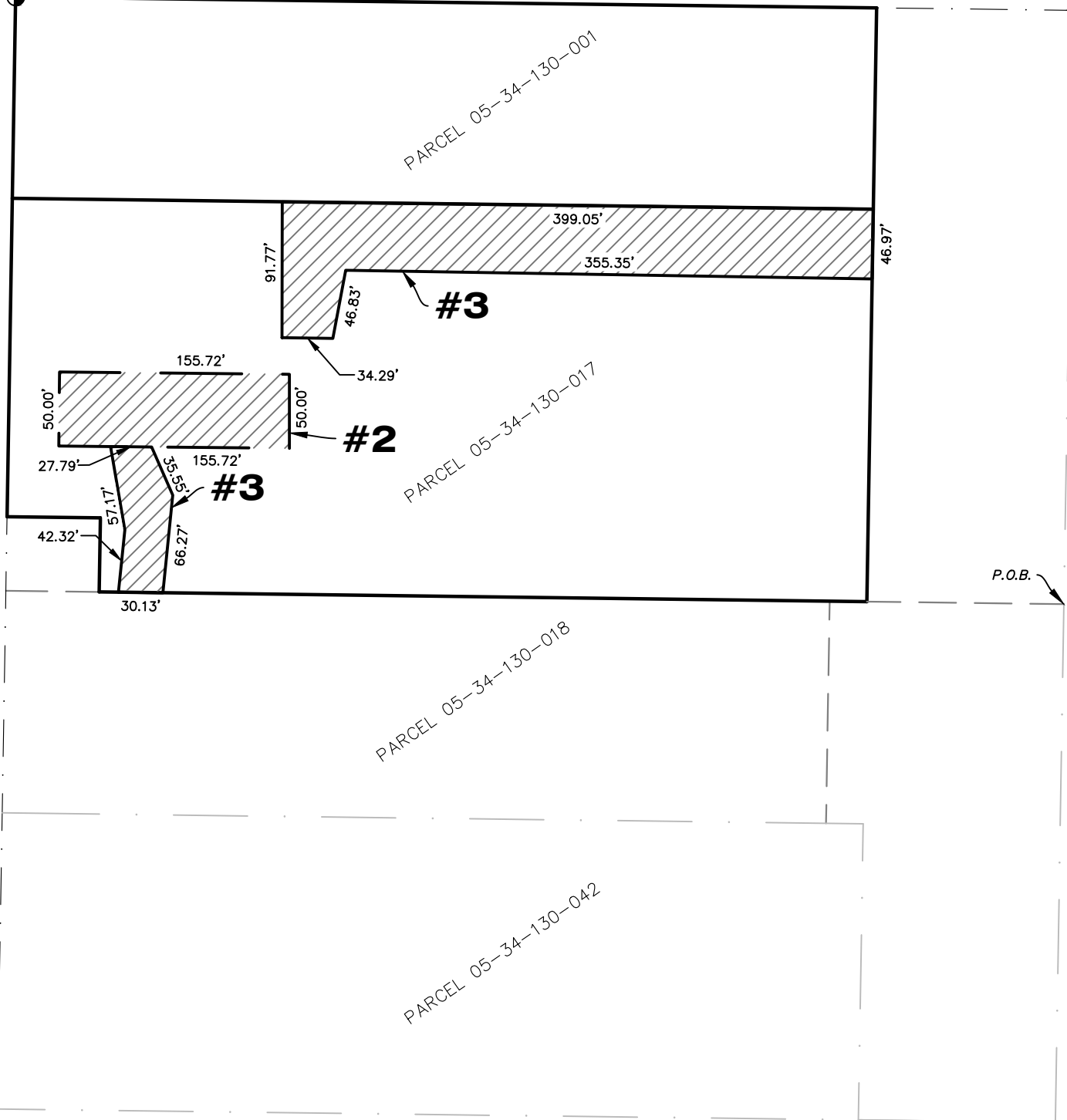
HS
hurley & stewart

hurley & stewart, llc
 2800 s. 11th street
 kalamazoo, michigan 49009
 269.552.4960 fax 269.552.4961
 www.hurleyandstewart.com

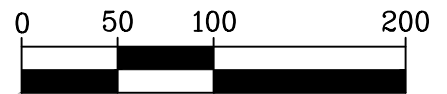
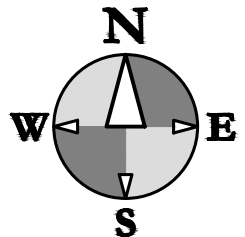
EXHIBIT "B"

NORTHWEST SECTION CORNER
SECTION 34, T02S, R12W
FOUND HARRISON MONUMENT

NORTH QUARTER CORNER
SECTION 34, T02S, R12W



WEST QUARTER CORNER
SECTION 34, T02S, R12W



1 inch = 100 ft.

LEGEND

2 J&T REAL ESTATE WILL LIMIT TRUCK TRAFFIC ENTERING AND EXITING THE EXISTING DRIVEWAY AS OF THE PROPERTY. TRUCK OPERATIONS WILL VARY THROUGHOUT THE WEEK BUT IN GENERAL BE LIMITED TO MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 AM AND 5:00 PM.

3 EXISTING EARTHEN BERMS AND VEGETATION CREATED TO REDUCE SOUND IMPACT ON NEIGHBORING PROPERTIES SHALL NOT BE REMOVED.

Drawing No.

1

Title:

Project:

Client:

EXHIBIT "B"
HANDLEYS SITE PLAN
S&T LAWN SERVICE

Job No.: 21-057

Date: 05/23/22

Scale: AS NOTED

P.M.: TAK

Dft: BDE

QA/QC: 09/29/21



hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleyandstewart.com



This page has been intentionally left blank for printing purposes.

ZONING ORDINANCE ARTICLE 27

27 – I-1: INDUSTRIAL DISTRICT, MANUFACTURING/SERVICING

Contents:

- 27.10 STATEMENT OF PURPOSE
- 27.20 PERMITTED USES
- 27.30 PERMITTED USES WITH CONDITIONS
- 27.40 SPECIAL USES
- 27.50 DEVELOPMENT STANDARDS

27.10 STATEMENT OF PURPOSE

This district is composed of certain lands located along State highways, County primary roads, and railroad rights-of-way. The district is designed to provide land for industries of a manufacturing and servicing nature in which all work is carried on within a fully enclosed building and which produces little external effect of an objectionable nature to the surrounding properties.

27.20 PERMITTED USES

- A. Any permitted use in the "I-R" Industrial District.
- B. Contractor's services related to the building trades such as electrical, mechanical, plumbing, general building, excavating, and landscaping.
- C. Auto body and paint shops.
- D. Ice and cold storage plant.
- E. Warehouses; fully enclosed.
- F. Automobile repair, service and/or automobile glass repair facilities.
- G. Crematories.
- H. Wholesale and retail lumber yards.
- I. Laundromats and dry-cleaning establishments providing cleaning services to other laundromat and dry-cleaning establishments.
- J. Publicly owned and operated buildings and uses including community buildings and public parks, playgrounds and other recreational areas.
- K. Essential services.
- L. Accessory buildings and uses customarily incidental to the foregoing.
- M. Communication towers.

27.30 PERMITTED USES WITH CONDITIONS

- A. Manufacturing, compounding, assembling or treatment of merchandise.
- B. Temporary outdoor events (not lasting more than one day).
- C. Communication towers.

27.40 SPECIAL USES

- A. Farm machinery and other equipment sales lots, subject to the conditions and limitations set forth in Section 49.170.
- B. Office buildings for executive and professional occupations traditionally related to building trades, including, but not limited to, architects, engineers and surveyors subject to the regulations contained in Section 49.130.C–N, where applicable as determined by the Planning Commission in the Special Use review/approval process.
- C. Skating rinks, bowling alleys, indoor recreational facilities and health clubs.
- D. Storage buildings and mini warehouses.
- E. Freestanding office buildings on legal nonconforming substandard parcels subject to the regulations contained in Section 49.130, where applicable, as determined by the Planning Commission in the Special Use and Site Plan review process. For purposes of this section, the term substandard shall apply to a parcel that does not meet the minimum area requirements of Section 50.10.
- F. Kennels for the breeding, raising and/or boarding of dogs or cats.
- G. Veterinary small animal hospitals and dog pounds, including crematories attached thereto.
- H. Temporary outdoor events (lasting more than one day).
- I. Adult regulated uses.
- J. Earth removal, quarrying, gravel processing, mining, related mineral extraction businesses, and landfill gas recovery processing facilities.
- K. Private streets.
- L. Wind energy conversion systems.

27.50 DEVELOPMENT STANDARDS

Outdoor storage in connection with the above permitted uses shall be allowed in the side and rear yard areas except within the area required for setback from side and rear lot lines. Such storage may not exceed 100 percent of the square foot area of the principal building upon the premises. No outdoor storage of damaged or inoperable vehicles or equipment is allowed.

ZONING ORDINANCE ARTICLE 28

28 – I-2: INDUSTRIAL DISTRICT, MANUFACTURING/SERVICING

Contents:

- **28.10 STATEMENT OF PURPOSE**
- **28.20 PERMITTED USES**
- **28.30 PERMITTED USES WITH CONDITIONS**
- **28.40 SPECIAL USES**
- **28.50 DEVELOPMENT STANDARDS**

28.10 STATEMENT OF PURPOSE

This district is composed of certain lands located along State highways, County primary roads, and railroad rights-of-way. This district is designed to accommodate those industrial activities requiring greater outdoor storage and which, accordingly, require larger sites and may have a greater adverse effect on adjacent commercial or industrial uses.

28.20 PERMITTED USES

- A. Any permitted use in the "I-1" Industrial District.
- B. Public utility buildings and storage yards.
- C. Truck terminal, maintenance and service yard.
- D. Bus storage facilities.
- E. Sawmill.
- F. Publicly owned and operated buildings and uses including community buildings and public parks, playgrounds and other recreational areas.
- G. Essential services.
- H. Accessory buildings and uses customarily incidental to the foregoing

28.30 PERMITTED USES WITH CONDITIONS

- A. Temporary outdoor events (not lasting more than one day).
- B. Communication towers.

28.40 SPECIAL USES

- A. Temporary outdoor events (lasting more than one day).
- B. Adult regulated uses.
- C. Earth removal, quarrying, gravel processing, mining, related mineral extraction businesses, and landfill gas recovery processing facilities.
- D. Private streets.
- E. Wind energy conversion systems.

28.50 DEVELOPMENT STANDARDS

Outdoor storage in connection with the above permitted uses shall be allowed in the side and rear yard areas except within the area required for setback from side and rear lot lines. No outdoor storage of damaged or inoperable vehicles or equipment is allowed.

June 16, 2021



Mtg Date: June 23, 2022

To: Oshtemo Planning Commission

From: Iris Lubbert, Planning Director

Applicant: Jeff Triemstra, Handley's Tree Service

Owner: J&T Real Estate

Property: 3265 S 6th Street, Parcel Numbers 05-34-130-017 and 05-34-130-018

Zoning: I-1: Industrial District, Manufacturing/Service

Request: Site Plan amendment to reconfigure the layout of the 3265 S 6th Street property

Section(s): Article 27 — I-1: Industrial District, Manufacturing/Service
Article 64 — Site Plan Review

PROPOSAL:

Handley's Tree Service is requesting site plan review for amendments to 3265 S 6th Street. The property, outlined in yellow in the 2018 aerial photo at right, is located on the east side of S 6th Street, north of Stadium Drive. The proposal includes the combination of Parcel Numbers 05-34-130-017 and 05-34-130-018; for an area of about 7.5 acres. Handley's Tree Service general hours of business are 7:30AM to 4:30PM.

BACKGROUND:

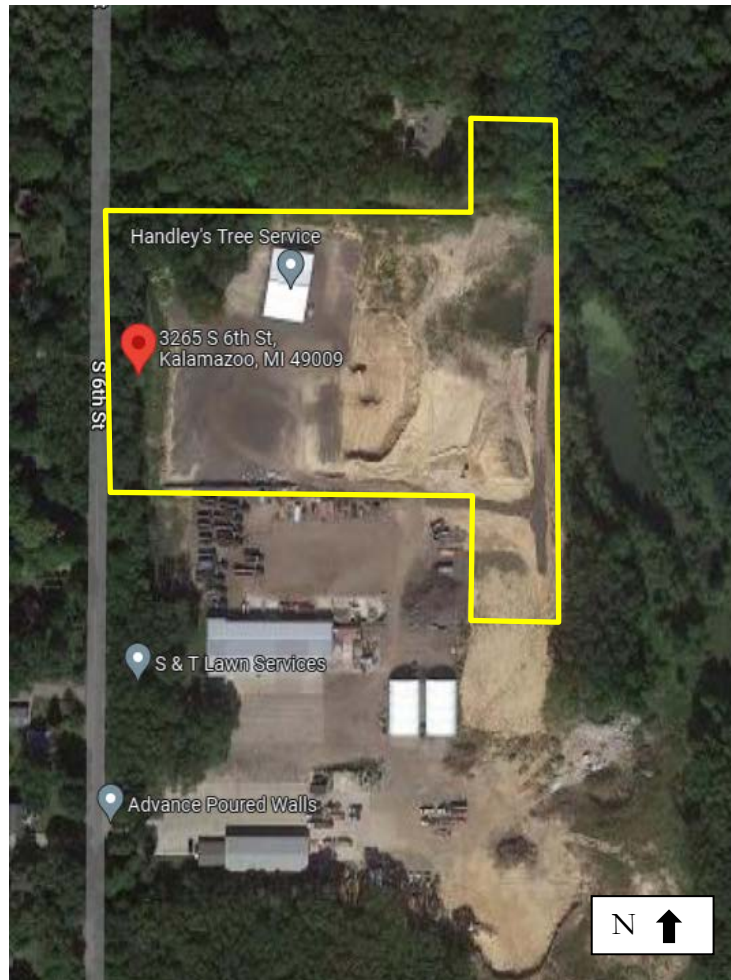
In November of 1968 the Zoning Board of Appeals granted site plan approval for the construction of a machine shop at 3265 S 6th Street. In 1989 site plan amendments were approved for an expansion and other site improvements for the new tenant, Little John's Excavating. Little John's Excavating was determined a "contractor's service" and was considered a permitted use in the I-1 zoning classification. In the I-1: Industrial District, Manufacturing/Service, the amount of



outdoor storage is limited to the footprint of the primary building onsite under Section 27.50 of the Ordinance. In 2000, the owner of Little John's Excavating received a variance to allow for additional outdoor storage of up to 11,800 sqft on this site. A copy of Little John's Excavating's site plan that was included in the variance review is attached. In the summer of 2019, 3265 S 6th Street and the adjacent parcel to the south (parcel # 05-34-130-018) were sold to J&T Real Estate and Handley's Tree Service became the new business onsite.

Through complaints from neighbors it was brought to staff's attention that the previously approved site plan for the contractor's service was not being followed. The operation had expanded to what was the vacant parcel to the south; a large number of trees had been cleared. See the Google aerial image to the right taken in 2022. The approximate project area in question is outlined in yellow. Since that time, staff has been working with the applicant to bring their site into compliance – the site plan under consideration is a large part of that process.

Generally, a site plan review for a permitted use by right, in this case a contractor's service in the I-1 zoning district, would go to the Zoning Board of Appeals for review and approval. However, there are aspects of the proposed site plan that are tied to a rezoning request submitted by the applicant that is also being considered by the Planning Commission at their June 23rd regular meeting. For this reason, staff has elected to bring this site plan to the Planning Commission to review as specific elements of the proposed site plan are tied to whether the rezoning is approved or denied.



ANALYSIS:

3265 S 6th Street and parcel number 05-34-130-018 are zoned I-1: Industrial District, Manufacturing/Service. Uses permitted in the I-1 zoning district are outlined in Article 27 of the Township's zoning ordinance. Contractor's services related to the building trades such as electrical, mechanical, plumbing, general building, excavating, and landscaping are identified as permitted uses by right within this article. A proposal for site plan modifications of a permitted use needs to be reviewed against the criteria outlined in Section 64.60 - Application Procedure, C - Site Plan. Staff's summary of the requirements and analysis of the proposal is provided over the next few pages.

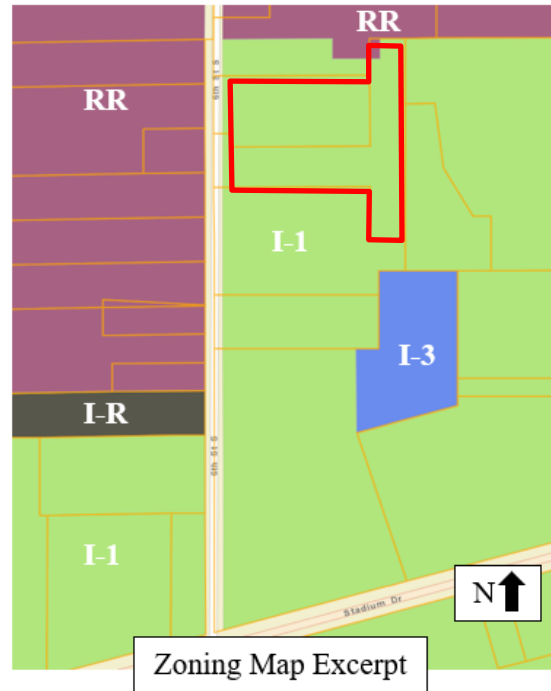
General Zoning Compliance

Zoning: 3265 S 6th Street and Parcel 05-34-130-018 are located within the I-1: Industrial District, Manufacturing/Service. The land to the north and west is zoned RR: Rural Residential. The land to the east and south have industrial zoning designations. The subject site is outlined in red. Handley's Tree Service is a landscaping contractor's service business which is a permitted use by right within the I-1 zoning district.

Lot dimensions: Parcels within the I-1 zoning district are required to have a minimum area of 50,000 sqft and frontage of 200 feet. 3265 S 6th Street and Parcel 05-34-130-018 combined have an approximate area of just under 340,000 sqft and close to 400 feet of frontage along S 6th Street.

Setbacks: The existing 6,500 sqft building onsite functions as an office and warehouse. The proposed 6,500 sqft hoop house stores trucks and support equipment. The front yard setback within the I-1 district is 70 feet from all street right-of-way; side and rear yard setbacks are 20 feet or the height of the building, whichever is greater (Section 50.60 (c)). Both buildings are placed on the north side of the property. The office building is over 400 feet from S 6th Street and 70 feet from the north property line. The hoop house is set behind the office and is over 60 feet from the side and rear lot line. A building permit will be required for the hoop house. All setbacks are met.

Outdoor storage: In the I-1: Industrial District, Manufacturing/Service, the amount of outdoor storage is limited to the footprint of the primary building onsite under Section 27.50 of the Ordinance.



be noted that the identified area in red does not match the rezoning boundary and should be modified to match. It should also abide by the conditions set by the conditional rezoning. For example, per the conditional rezoning, all "sawmill" activities will be limited to Wednesdays and Thursdays between 8AM and 5PM. No additional site plan review would be required. If the conditional rezoning is denied by the Township Board, all references of the rezoning and all 'sawmill' activities will need to be removed from the site plan. The overall site layout is not impacted by the proposed I-2 'sawmill' area. No significant changes to the layout would be needed. However, as the identified area of the site plan would not be utilized for any of the I-1 permitted Handley's Tree Service operations, it should be returned to green space (Section 53.30. C).

Access and Circulation

Access: Originally 3265 S 6th Street utilized the driveway on the neighboring residential property to the north, 3235 S 6th Street. However, no access easements were in place. The owner of 3235 S 6th Street rescinded his permission for the contractor's business to utilize his driveway. As such, a new access point into the site was required. The applicant worked with the Kalamazoo County Road Commission to identify a new curb cut location on S 6th Street to gain access into 3265 S 6th Street.

Circulation: The proposed site plan has far more paved and graveled areas than the originally approved site plan for this property. Vehicular movements show that this additional area is needed to support Handley's Tree Service operations. Both Oshtemo's Fire Department and Public Works Department have reviewed the site's circulation plan and found it acceptable. Emergency access throughout the site is sufficient. Signage will be included to help direct traffic.

It should be noted that there is a one-way ramp on the south side of the property that connects to S&T Landscaping. The applicant noted that this ramp will be used by S&T landscaping to come onto Handley's site to pick up mulch for their jobs and then exit onto S 6th Street using the Handley's Tree Service entrance. This ramp was installed with the intention of reducing the traffic on S 6th Street. Internal access is encouraged between neighboring sites.

Parking: Per Section 52.100, the minimum required parking spaces for general offices is 1 spot per 150 sqft and 1 spot for every 1,500 sqft or one per employee whichever is greater for warehouses. The applicant has noted that there are 10 employees onsite in the largest shift and 300 sqft of office space within the building. Per the ordinance 12 parking spaces onsite are needed. 12 spaces are provided. The spaces will be 10' by 20'. The parking count includes one new ADA concrete spot that will be appropriately signed.

Sidewalk – Per Section 57.90, shared use paths 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. There are no shared use paths identified on the plan along this section of S 6th Street. This criterion is not applicable.

Landscaping

Per Article 53 there are several landscaping requirements for this site. 35.6% of the proposed site layout is OpenSpace (this includes basins). I-1 zoning does not have a minimum amount of required open space. A landscaping plan has been submitted and all requirements met. Relevant landscaping requirements are outlined on the next page.

- The property to the north (and 80' of property to the east) is zoned RR Rural Residential. A 30' wide buffer is required where Industrially zoned property abuts residentially zoned or used property (Section 53.40). Provided.
- The 9- foot to 10-foot-tall berms shown on the plan meet the requirement for a visual barrier. It should be noted that the berms have already been put in place, upon inspection the berm used for screening the property to the north has debris protruding from it and does not appear to be finished. The berm may need to be improved or reconstructed in order to meet the requirements of 53.30 G.
- Parking lot landscaping: 12 parking spaces are proposed. A minimum of 300 square feet of interior landscape area is required, with 2 canopy trees and 3 shrubs. Provided.
- A 20' wide buffer is required along 6th Street. Additional trees proposed. Criterion met.
- Interior site landscaping is required for all properties undergoing site plan review per Section 53.70. Met.
- Dumpster onsite is screened.
- Requirements for native species and sizes have been met.

Site Lighting

Existing lighting onsite will be utilized; no new lighting is proposed onsite. Criterion is not applicable.

Signage

The free-standing sign at the entrance of 3265 S 6th Street will need to be relocated. A new location is shown on the site plan that appears to meet ordinance standards. A full review will be conducted when a sign permit application is submitted.

Engineering

Prein & Newhof, the Township's civil engineering agent, has reviewed the project site plan. All requirements are met. The site will have two basins designed to address onsite water runoff. A SESC Permit will be required from the Kalamazoo County Drain Commission.

Fire Department

Oshtemo's Fire Department has reviewed the site plan and indicated that all requirements are met.

RECOMMENDATION:

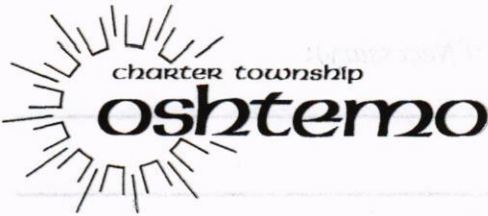
Staff recommends that the Planning Commission approve the proposed Site Plan for 3265 S 6th Street with the following conditions:

1. A Land Combination Application will be reviewed, approved, and recorded that combines 3265 S 6th Street and Parcel 05-34-130-018.
2. The Kalamazoo County Road Commission's permit for the new access point into the site from S 6th Street will be provided to the Township.
3. A building permit will be obtained for the hoop house onsite.
4. A sign permit will be obtained for the proposed free-standing sign onsite.
5. All existing onsite storage not approved in this site plan will be removed.

6. A SESC Permit will be required from the Kalamazoo County Drain Commission.
7. The existing berms will be improved or reconstructed as needed to meet the requirements of 53.30 G.
8. **If the proposed conditional rezoning is approved by the Township Board:**
 - a. An updated rezoning exhibit will be provided which mirrors the approved rezoned area. All "sawmill" activities will be limited to the rezoned I-2 area.
 - b. All "sawmill" activities will be limited to the conditions outlined in the offered conditions of the rezoning.
9. **If the proposed conditional rezoning is denied by the Township Board:**
 - a. The site plan set will be resubmitted with all references to 'sawmill' activities removed.
 - b. The area identified for 'sawmill' activities will be returned to and maintained as green space.
10. Any additional conditions deemed appropriate by the Planning Commission.

Attachments: Application, letter of intent, Plan Set, Rezoning Exhibit, Previously approved site plan from 2000

This page has been intentionally left blank for printing purposes.



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

PLEASE PRINT

PROJECT NAME & ADDRESS HANDLEY'S 3265 S. 6TH STREET

PLANNING & ZONING APPLICATION

Applicant Name: JEFF TRIEMSTRA

Company HANDLEY'S TREE SERVICE

Address 3265 S 6TH STREET
KALAMAZOO MI 49009

E-mail jtciemstra@stlawnservice.com

Telephone 269 375 0334 Fax _____

Interest in Property OWNER

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name J+T REAL ESTATE

Address 3343 S 6TH STREET
KALAMAZOO MI 49009

Email jtciemstra@stlawnservice.com

Phone & Fax 269 375 0334

Fee Amount _____

Escrow Amount _____

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

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

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary):

SITE REVIEW

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

SEE ATTACHED

PARCEL NUMBER: 3905- 34-130-017 34-130-018

ADDRESS OF PROPERTY: 3265 S. 6TH ST.

PRESENT USE OF THE PROPERTY: SHOP/OFFICE

PRESENT ZONING I-1 SIZE OF PROPERTY 7.83 Acres

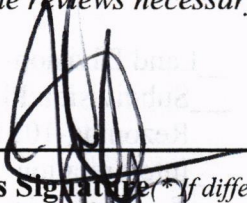
NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)

Address(es)

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)

6/7/21
Date

Applicant's Signature

6/7/21
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS



May 4, 2022

Iris Lubbert
Planning Director for Oshtemo Charter Township
7275 W. Main St
Kalamazoo, MI 49009

RE: Letter of Intent – Handley’s Site Plan

The intent for the Site plan submissions and seeking approval on this site are to continue to use the site as a tree service business. The final intent of the site is to reuse and recycle the cut trees into wood chips and mulch to keep the wood and tree out of the landfill.

On the site we are focused on, there is a workshop to repair and work on equipment and to store work related equipment. Also on site is a hoop house which also stores trucks and support equipment to keep the company’s investments out of the snow and ice in the winter and to keep the summer sun off of hydraulic lines.

General hours of this business are from 7:30 am – 4:30 pm. Employees come in and are out on jobs by 8 am and return by 4:30 to go home.

From April-September, the mulch making machine (tub grinder) would run approximately twice a week for 3 hours to make mulch. The amount of storage is fluid as it gets sold all summer long and historically what is brought and created on site is sold and completely gone on a yearly basis.

From December-March the wood splitting machine would run weather dependent, typically from 8:00 am - 4:00 pm to make firewood. The firewood is typically sold and no longer on site after October or November.

The ramp at the back of the site is usually used by the tree service’s sister company, S&T Landscaping, to load up needed mulch for jobs as they leave the site to go on jobs with the intention of reducing the traffic on 6th Street. It is currently a temporary access to Handley’s tree service due to the needed drive relocation on their site.

It is understood that the processing of wood would only be allowed within the presently sought to be rezoned area. If the site is not rezoned the material will be processed elsewhere and brought to the site temporarily while the owner would seek an alternate path forward.

This page has been intentionally left blank for printing purposes.

DRAWING LOCATION: H:\21-057D (S&T 6th Street)\21-057D (S&T 6th Street)\FINAL DRAWINGS\C-1 Layout Page.dwg LAST SAVED BY: LDCHEL ON: 5/24/2022

ZONING REQUIREMENTS

ZONING
 THE SITE IS ZONED I1 (GENERAL INDUSTRIAL)
 SETBACKS: FRONT - 70'
 SIDES - 20' OR HEIGHT OF STRUCTURE
 REAR - 20' OR HEIGHT OF STRUCTURE

COVERAGE
 BUILDING COVERAGE = 3.8%
 OPENSACE = 35.6%

PROPOSED USE

CONSTRUCTION BASE OPERATIONS

PARKING

TOTAL PARKING SPACES REQUIRED:
 1 SPACES x 150 NET OFFICE AREA
 300 SF OF OFFICE SPACE / 150 SF = 2 SPACES
 1 SPACE PER 1,500 SF OF WAREHOUSE SPACE
 6,200 GROSS SF WAREHOUSE SPACE / 1,500 = 4 SPACES
 (10 EMPLOYEES IN LARGEST SHIFT)

TOTAL PARKING PROVIDED = 12 SPACES
 BARRIER FREE SPACES REQUIRED = 1
 BARRIER FREE SPACES = 1 PROVIDED
 ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 10'x20'

LANDSCAPING REQUIREMENTS

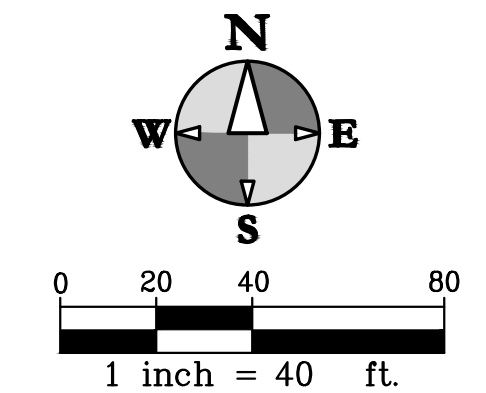
INTERIOR LANDSCAPING AREA REQUIRED 10% OF DISTURBED AREA
 10% OF 264,125 SF OF DISTURBED AREA IS 26,413 SF OF INTERIOR LANDSCAPED AREA REQUIRED
 INTERIOR LANDSCAPING AREA PROVIDED = 26,625 SFT

INTERIOR PLANTING REQUIREMENTS:
 18 CANOPY TREES
 11 UNDERSTORY TREES

SCREENING FOR RESIDENTIAL USE TO NORTH PROVIDED BY BERMS GREATER THAN 6'

6TH STREET RIGHT OF WAY GREENBELT:
 20' WIDE GREENBELT PLUS 1 CANOPY TREE AND 2 UNDERSTORY TREES REQUIRED PER 100 LINEAR FEET OF ROW.

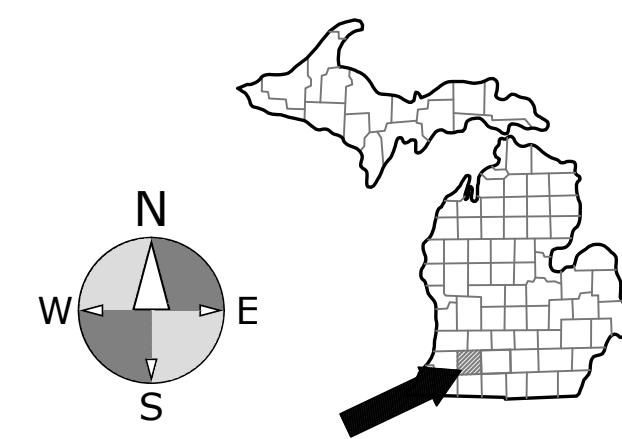
GREATER THAN 70' WIDE GREENBELT IS PROVIDED IN 415 LINEAR FEET OF ROW REQUIRED = 5 CANOPY TREES AND 9 UNDERSTORY TREES.
 THERE ARE 34 EXISTING TREES GROWING ALONG THE SITE'S FRONTAGE WITH A DBH OF GREATER THAN 10 INCHES. IN A HEAVILY WOODED AREA.



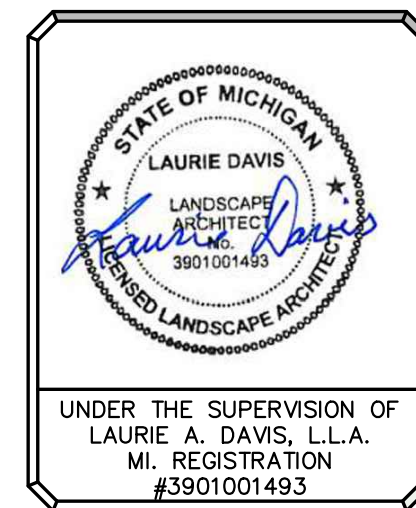
PROJECT LOCATION



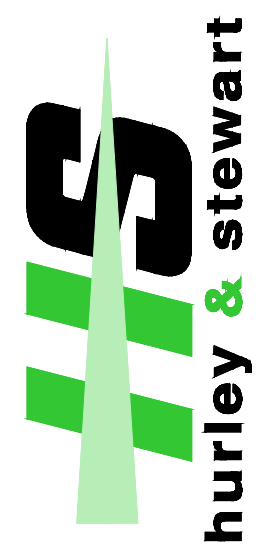
SITE LOCATION MAP
 NOT TO SCALE



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 THE AREA.
 FIELD WORK PERFORMED BY:
 HURLEY & STEWART, LLC



hurley & stewart, llc
 2800 s. 11th street
 kalamazoo, michigan 49009
 269.552.4960 fax 269.552.4961
 www.hurleystewart.com



ISSUED FOR/REVISIONS:	DATE
5 SITE PLAN RESUBMITTAL	1/10/22
6 SITE PLAN RESUBMITTAL	3/29/22
7 SITE PLAN RESUBMITTAL	5/4/22
8 SITE PLAN RESUBMITTAL	5/24/22

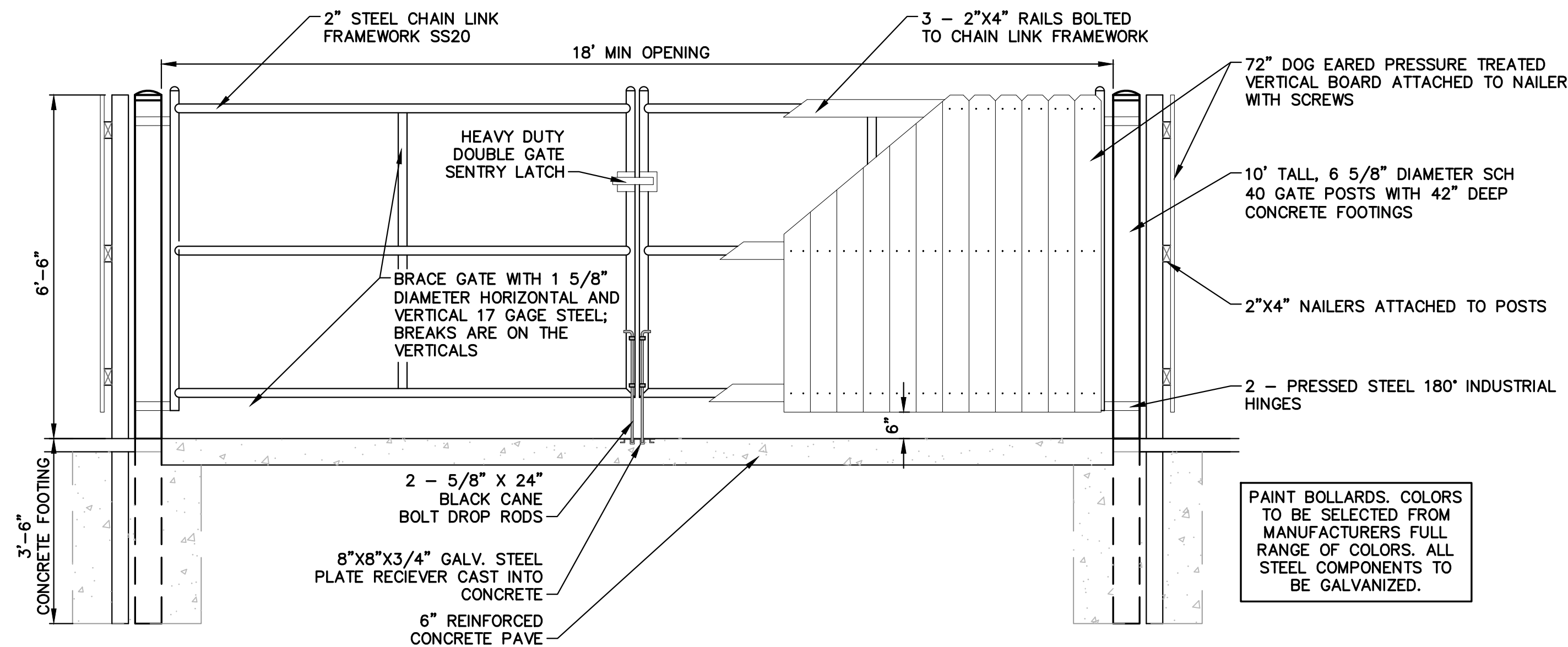
Job No. 21-057D P.M.A.--- DTL. LAD. GA/QC. 00/00/00
 COPYRIGHT © of Hurley & Stewart, LLC

**LAYOUT PLAN
 HANDLEYS SITE PLAN
 S&T**

Sheet Title:
 Project:
 Client:

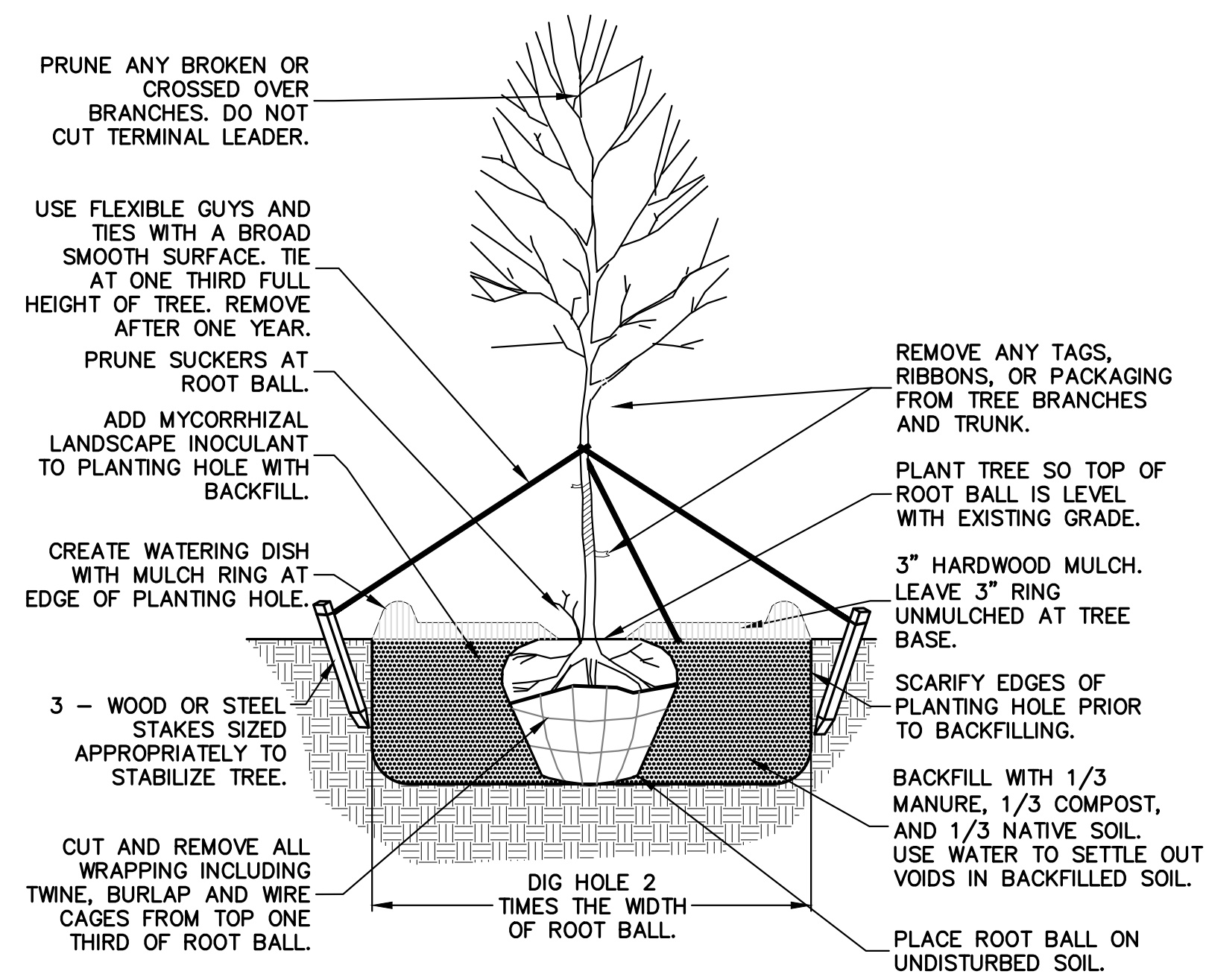
5/24/22
 Sheet

C-1

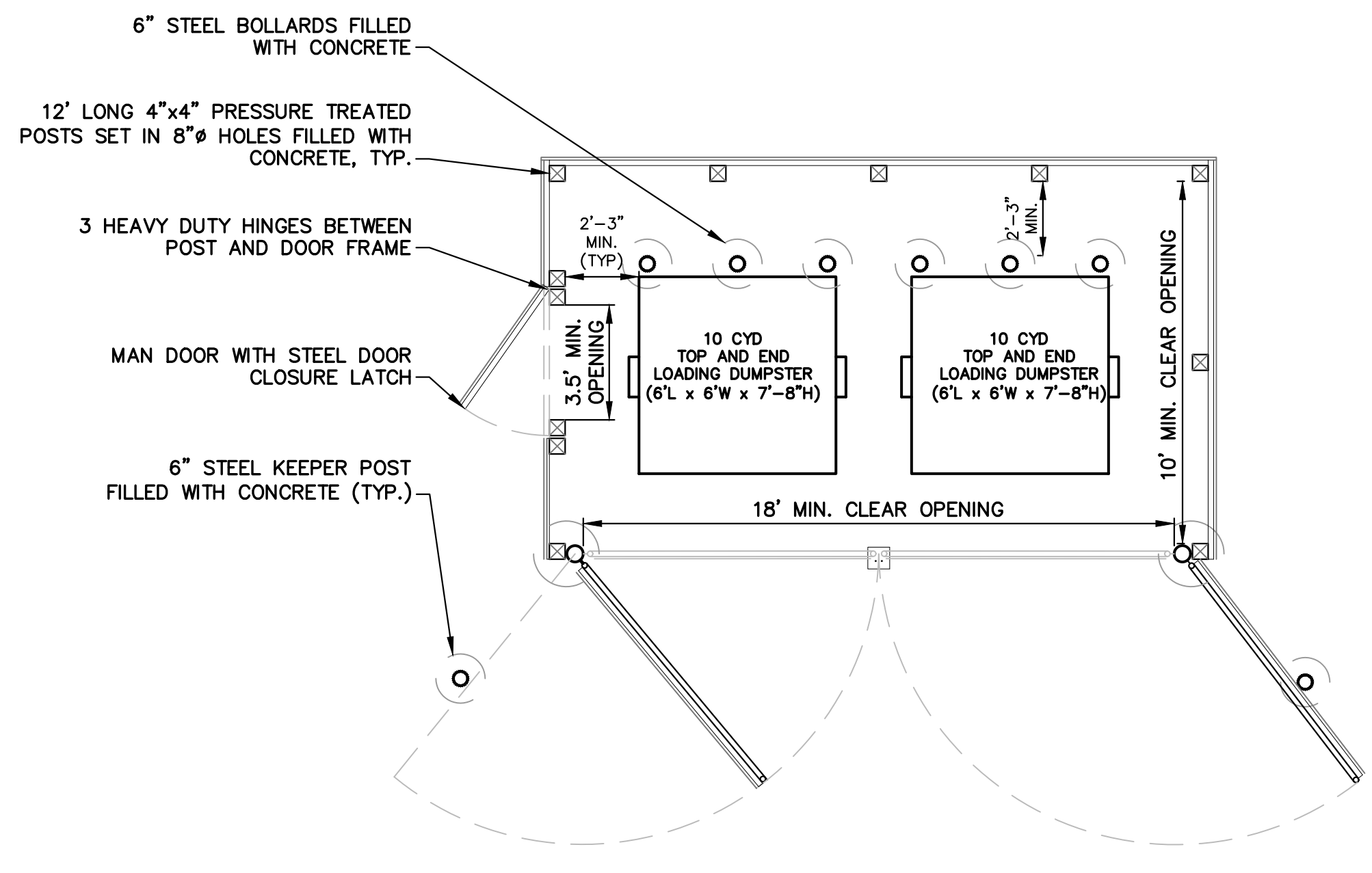


DOUBLE DUMPSTER ENCLOSURE SECTION
SCALE: 1"=2'-0"

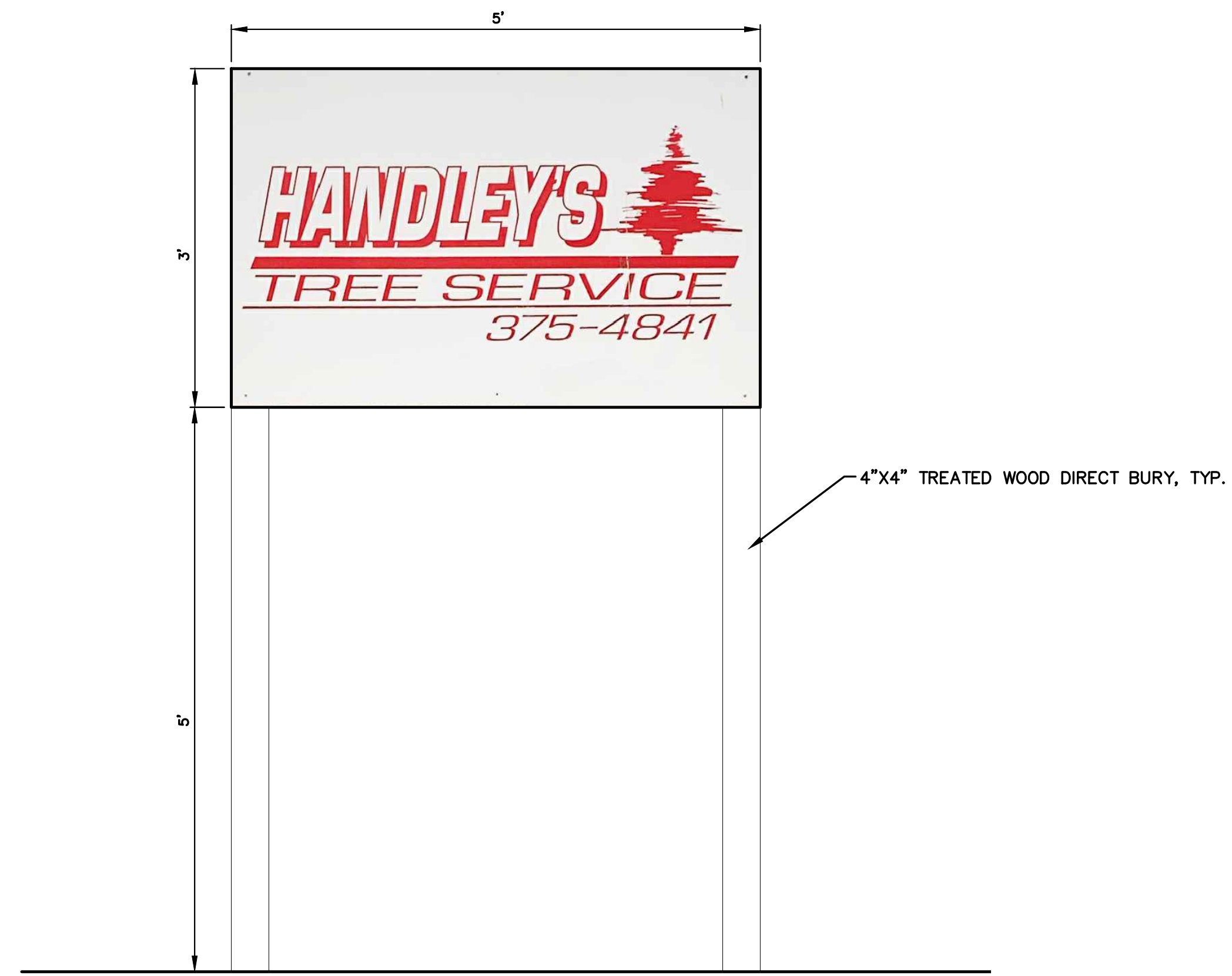
NOTE:
STAKING OF BALL AND BURLAP TREES REQUIRED AT THE DISCRETION OF THE CONTRACTOR. CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL STAKING AT END OF ONE YEAR WARRANTY PERIOD.



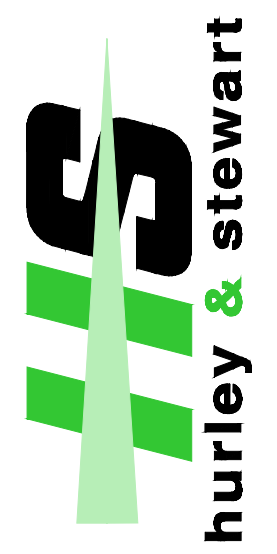
DECIDUOUS TREE
NOT TO SCALE



DOUBLE DUMPSTER ENCLOSURE PLAN
SCALE: 1"=4'-0"



SIGN DETAIL
SCALE: 1"=1'



Job No.: 21-057D P.M. --- DFL. LAD. 04/04/22 00/00/00

ISSUED FOR/REVISIONS:	DATE
5 SITE PLAN RESUBMITTAL	1/10/22
6 SITE PLAN RESUBMITTAL	3/29/22
7 SITE PLAN RESUBMITTAL	5/4/22
8 SITE PLAN RESUBMITTAL	5/24/22

COPYRIGHT © of Hurley & Stewart, LLC

DETAIL SHEET
HANDLEY'S SITE PLAN
S&T

Sheet Title:
Project:
Client:

5/24/22
Sheet

LANDSCAPING REQUIREMENTS

INTERIOR LANDSCAPING AREA REQUIRED 10% OF DISTURBED AREA
 10% OF 248,618 SF OF DISTURBED AREA IS 26,413 SF OF INTERIOR LANDSCAPED AREA REQUIRED
 INTERIOR LANDSCAPING AREA PROVIDED = 26,825 SFT

INTERIOR PLANTING REQUIREMENTS:
 18 CANOPY TREES
 11 UNDERSTORY TREES

30' SCREENING FOR RESIDENTIAL USE TO NORTH: 11 CANOPY TREES, 11 EVERGREEN TREES, AND 11 UNDERSTORY TREES. EXISTING 10" MAPLE 2 CANOPY TREE CREDITS
 6TH STREET RIGHT OF WAY GREENBELT:
 20' WIDE GREENBELT PLUS 1 CANOPY TREE AND 2 UNDERSTORY TREES REQUIRED PER 100 LINEAR FEET OF ROW.

PARKING INTERIOR 25 SF PER PARKING SPACE. 300 sf REQUIRED 2 CANOPY TREES AND 3 SHRUBS.

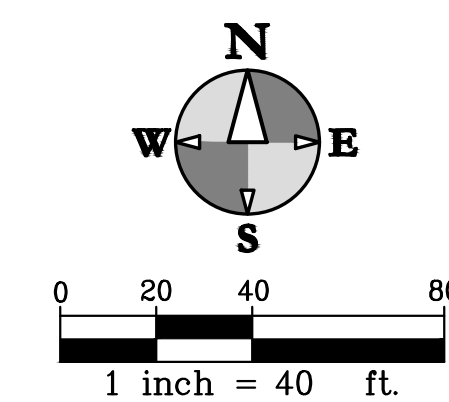
GREATER THAN 70' WIDE GREENBELT IS PROVIDED IN 415 LINEAR FEET OF ROW REQUIRED = 5 CANOPY TREES AND 9 UNDERSTORY TREES.
 THERE ARE 40 EXISTING TREES GROWING ALONG THE SITE'S FRONTAGE WITH A DBH OF GREATER THAN 10 INCHES. IN A HEAVILY WOODED AREA.

LEGEND

- NUMBER AND TYPE OF PLANTS TO BE PROVIDED AND INSTALLED.
- SEEDED LAWN.
- PROPOSED DECIDUOUS TREE
- PROPOSED EVERGREEN TREE
- PROPOSED DECIDUOUS SHRUBS

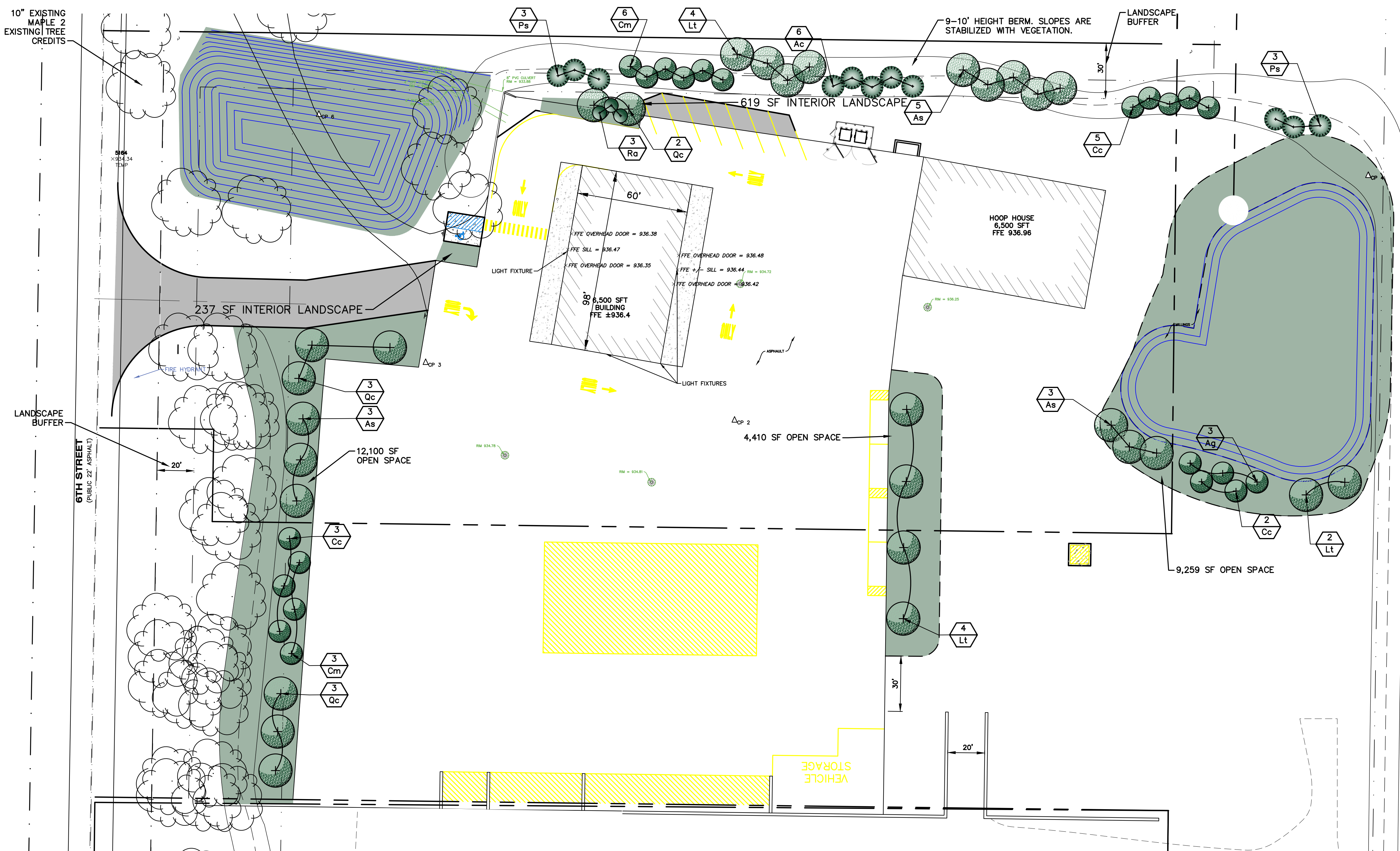
LANDSCAPE NOTES:

1. ALL LAWN AREAS SHALL BE SEEDED AND MULCHED WITH THE FOLLOWING MIXTURE: 20% IMPROVED PERENNIAL RYEGRASS, 40% FINE FESCUE, AND 40% KENTUCKY BLUEGRASS AT A RATE OF 8-10 LBS/1000 SFT. PROVIDE 19-19-19 STARTER FERTILIZER AT A RATE OF 5-7 LBS/1000 SFT.
2. PROVIDE QUALITY, SIZE, GENUS, SPECIES, AND VARIETY OF EXTERIOR PLANTS INDICATED, COMPLYING WITH APPLICABLE REQUIREMENTS IN ANSI Z60.1 "AMERICAN STANDARD FOR NURSERY STOCK." MEASURE ACCORDING TO ANSI Z60.1 STANDARDS.
3. WARRANT TREES, SHRUBS AND PERENNIALS FOR ONE YEAR FROM DATE OF SUBSTANTIAL COMPLETION AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM INCIDENTS THAT ARE BEYOND CONTRACTOR'S CONTROL.
4. REMOVE AND REPLACE DEAD PLANTS IMMEDIATELY. REPLACE PLANTS THAT ARE MORE THAN 25% DEAD OR IN AN UNHEALTHY CONDITION AT END OF WARRANTY PERIOD. A LIMIT OF ONE REPLACEMENT OF EACH PLANT WILL BE REQUIRED, EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO FAILURE TO COMPLY WITH REQUIREMENTS.
5. MAINTAIN TREES FOR ONE YEAR FROM DATE OF SUBSTANTIAL COMPLETION BY PRUNING, CULTIVATING, WATERING, WEEDING, FERTILIZING, RESTORING PLANTING SAUCERS, TIGHTENING AND REPAIRING STAKES AND GUY SUPPORTS, AND RESETTling TO PROPER GRADES OR VERTICAL POSITION, AS REQUIRED TO ESTABLISH HEALTHY VIABLE PLANTINGS. SPRAY AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE.
6. BEGIN LAWN MAINTENANCE IMMEDIATELY AFTER EACH AREA IS PLANTED AND CONTINUE UNTIL ACCEPTABLE LAWN IS ESTABLISHED: A MINIMUM OF 60 DAYS AFTER SUBSTANTIAL COMPLETION.
7. MAINTAIN AND ESTABLISH LAWN BY WATERING, FERTILIZING, WEEDING, USING CHEMICAL TREATMENT TO ELIMINATE BROADLEAF AND NOXIOUS WEEDS, MOWING, TRIMMING, REPLANTING, AND OTHER OPERATIONS. ROLL, REGRADE, AND REPLANT BARE OR ERODED AREAS AND REMULCH TO PRODUCE A UNIFORMLY SMOOTH LAWN.
8. PROTECT ADJACENT AND ADJOINING STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND PLANTINGS FROM HYDROSEEDING OVER-SPRAY AND DAMAGE CAUSED BY PLANTING OPERATIONS.
9. REMOVE STONES LARGER THAN 1" IN ANY DIMENSION AND REMOVE STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER FROM SITE.
10. MAINTAIN LAWN UNTIL A HEALTHY, UNIFORM, CLOSE STAND OF GRASS HAS BEEN ESTABLISHED, FREE OF WEEDS AND SURFACE IRREGULARITIES, WITH COVERAGE EXCEEDING 90% OVER ANY 10 SQFT AND BARE SPOTS DO NOT EXCEED 5 BY 5 INCHES.
11. CONTRACTOR TO INSPECT BERMS TO REMOVE ANY EXPOSED DEBRIS AND ENSURE THEY ARE STABILIZED AND WELL VEGETATED EVERYWHERE.



Planting Schedule

Symbol	Latin Name	Common Name	Size	Container Type	Comments	# of Plants
Ac	Abies concolor	Concolor Fir	6' Ht.	B&B		6
As	Acer saccharum 'Commemoration' or 'Legacy'	Commemoration or Legacy Sugar Maple	2" Cal.	B&B		11
Ag	Amelanchier x gradiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	8' Ht.	B&B	Clump Form 3-5 stems.	3
Cc	Cercis canadensis	Redbud	8' Ht.	B&B		10
Cm	Cornus mas 'Golden Glory'	Golden Glory Cornelian Cherry	8' Ht.	B&B		9
Lt	Liriodendron tulipifera	Tulip Tree	2" Cal.	B&B		10
Ps	Pinus strobus	Eastern White Pine	6' Ht.	B&B		6
Qc	Quercus coccinea	Scarlet Oaks	2" Cal.	B&B		8
Ra	Rhus aromatica 'Gro-low'	Gro-low Sumac	3 gal	Cont.		3



hurley & stewart, llc
 2800 s. 11th street
 kalamazoo, michigan 49009
 269.552.4960 fax 269.552.4961
 www.hurleystewart.com

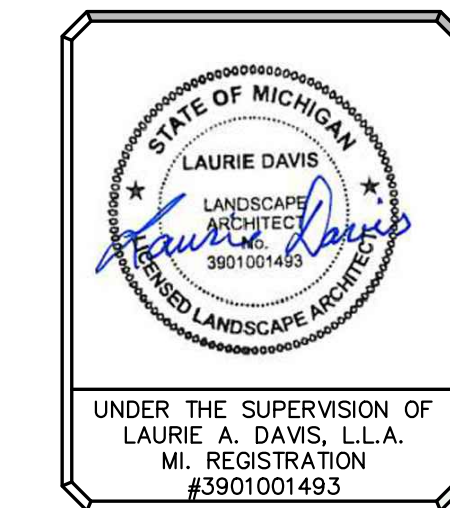
Job No. 21-057D P.M. --- DTL. LAD. QA/QC. 00/00/00

ISSUED FOR/REVISIONS:	DATE
5 SITE PLAN RESUBMITTAL	1/10/22
6 SITE PLAN RESUBMITTAL	3/29/22
7 SITE PLAN RESUBMITTAL	5/4/22
8 SITE PLAN RESUBMITTAL	5/24/22

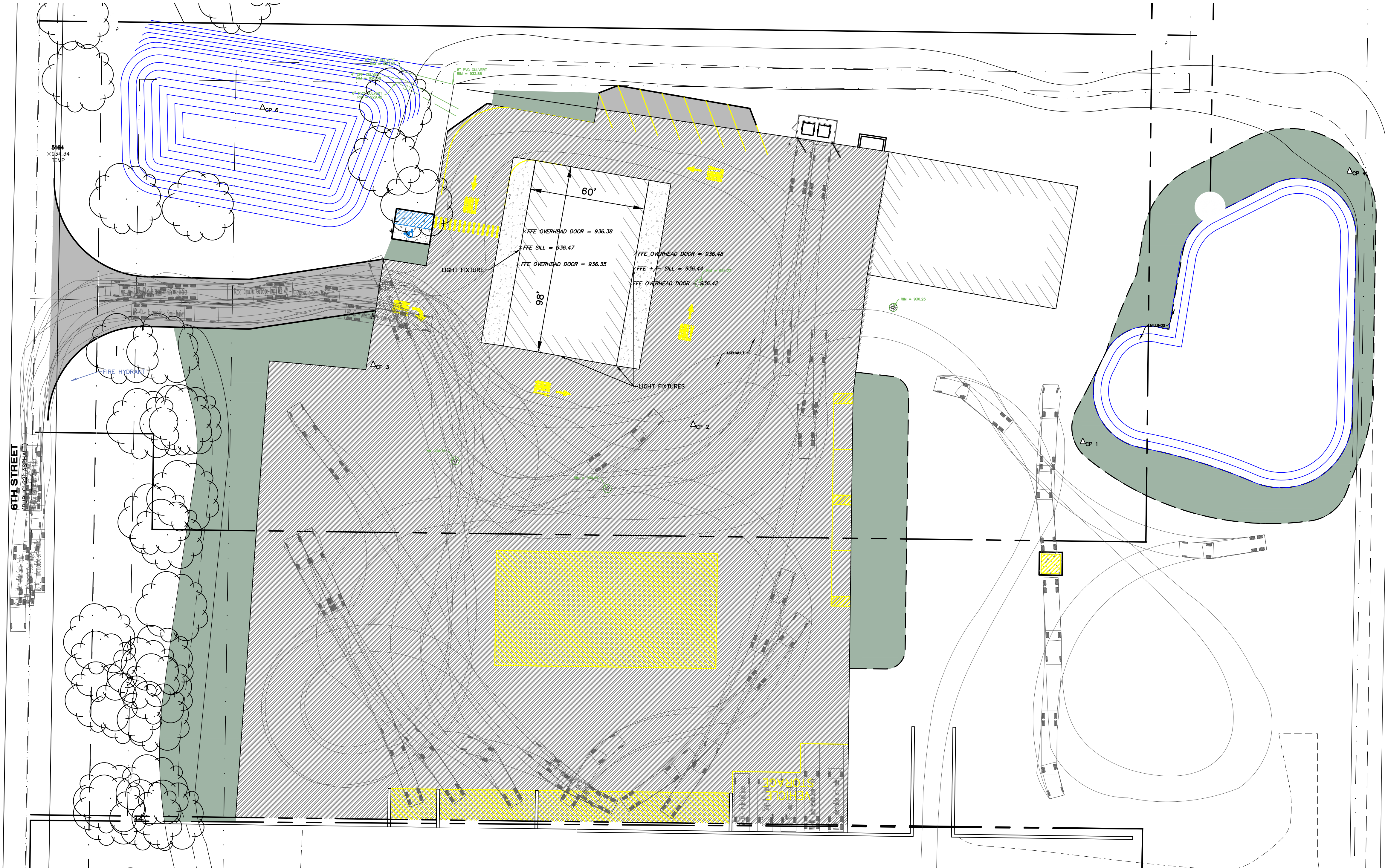
COPYRIGHT © of Hurley & Stewart, LLC

Sheet Title: **LANDSCAPE PLAN**
 Project: **HANDLEYS SITE PLAN**
 Client: **S&T**

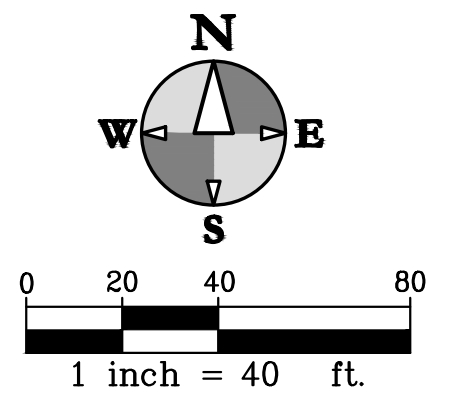
5/24/22
 Sheet
C-3



DRAWING LOCATION: H:\31-057D (S&T 6th Street) - FINAL DRAWINGS\C-4 DELIVERY TRAFFIC PATTERNS PLAN.dwg LAST SAVER BY: LSH/ML ON: 5/2/2022



VEHICULAR MOVEMENTS SHOWN ARE FOR A 40' WHEELBASE DELIVERY TRUCK AND A STANDARD GARBAGE TRUCK



6TH STREET

Sheet Title:
Project:
Client:

5/24/22
Sheet

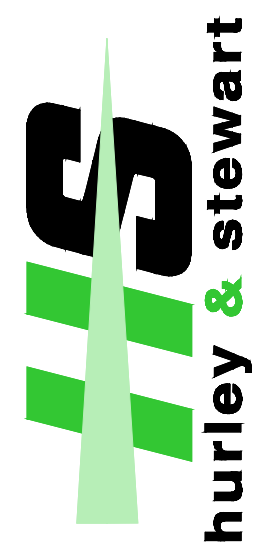
C-4

DELIVERY TRAFFIC PATTERNS PLAN
HANDLEYS SITE PLAN
S&T

Job No.: 21-057D P.M. --- DTL. LAD. QA/QC. 00/00/00

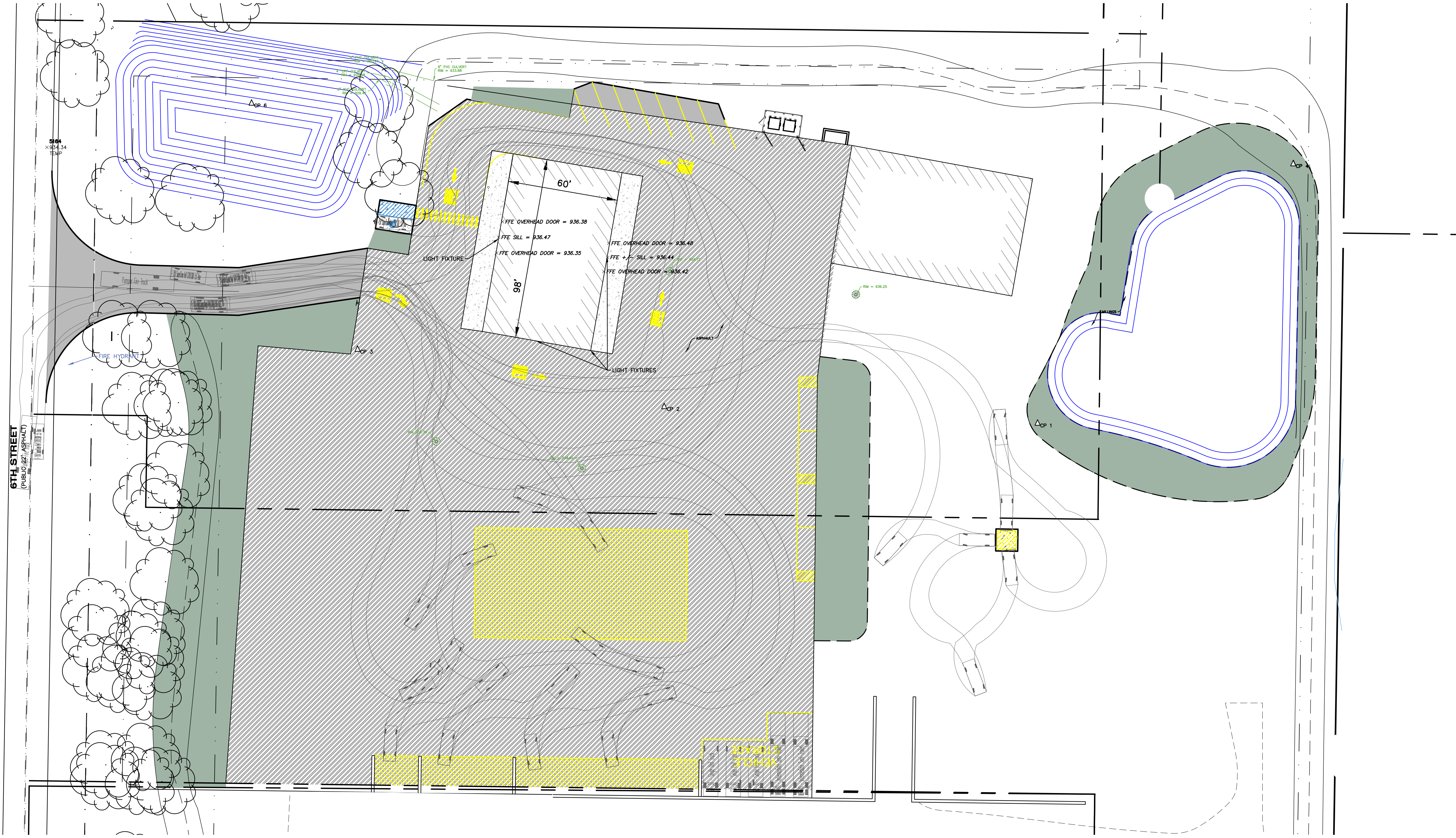
ISSUED FOR/REVISIONS:	DATE
5 SITE PLAN RESUBMITTAL	1/10/22
6 SITE PLAN RESUBMITTAL	3/29/22
7 SITE PLAN RESUBMITTAL	5/4/22
8 SITE PLAN RESUBMITTAL	5/24/22

COPYRIGHT © of Hurley & Stewart, LLC

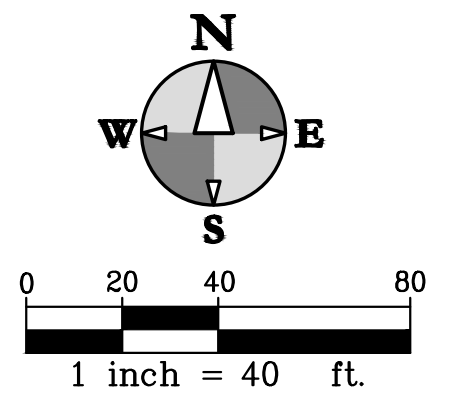


hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

DRAWING LOCATION: H:\21-057D (S&T 6th Street)\FINAL DRAWINGS\C-5 CUSTOMER TRAFFIC PATTERNS PLAN.dwg LAST SAVER BY: URSHEL ON: 5/24/2022



VEHICULAR MOVEMENTS SHOWN ARE FOR FORD F-150 WITH CREW CAB



6TH STREET
(Public Right-of-Way)

Sheet Title:
Project:
Client:

5/24/22
Sheet

C-5

CUSTOMER TRAFFIC PATTERNS PLAN
HANDLEYS SITE PLAN
S&T

Job No.: 21-057D P.M. --- DTL. LAD. QA/QC. 00/00/00

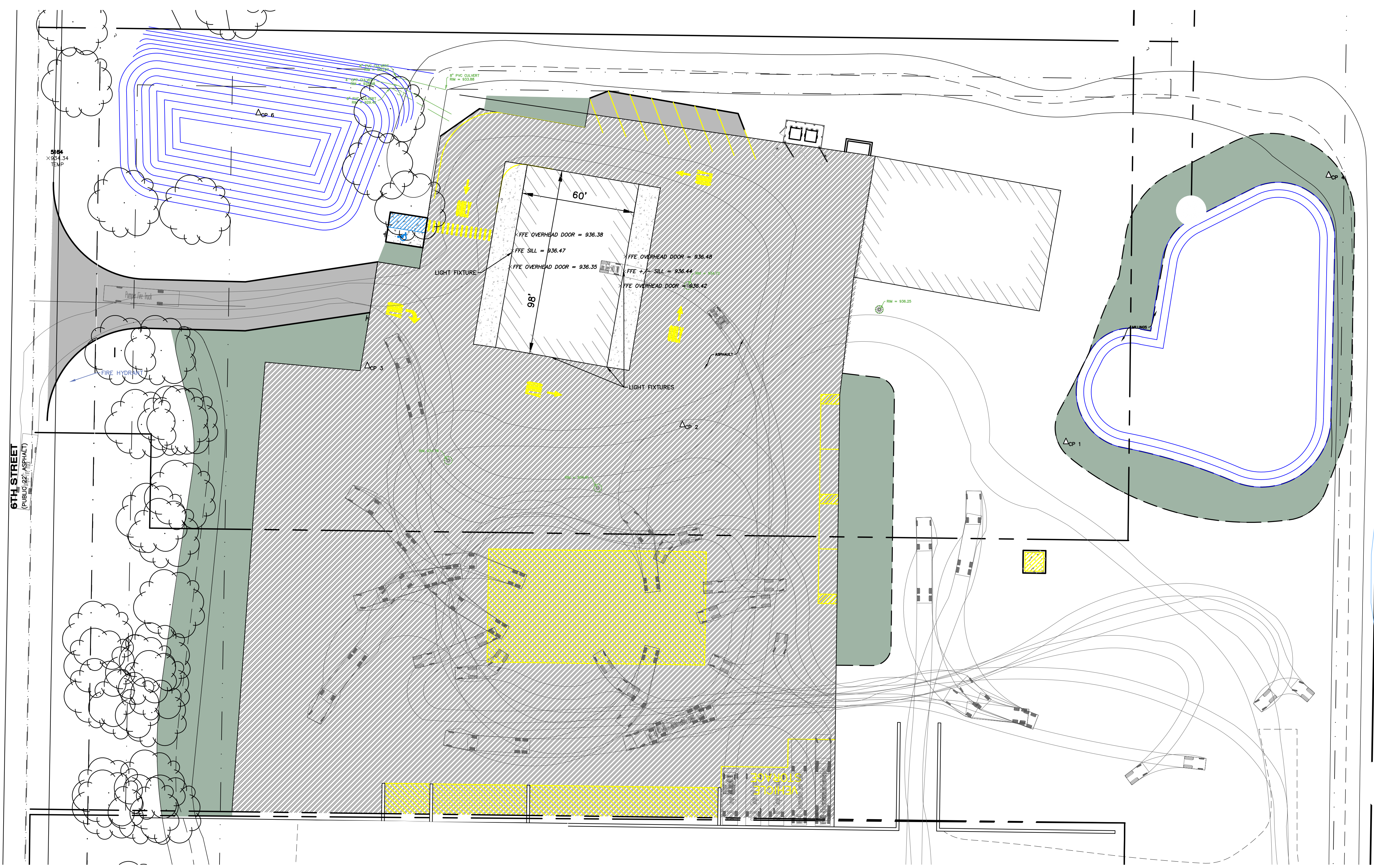
ISSUED FOR/REVISIONS:	
5 SITE PLAN RESUBMITTAL	1/10/22
6 SITE PLAN RESUBMITTAL	3/29/22
7 SITE PLAN RESUBMITTAL	5/4/22
8 SITE PLAN RESUBMITTAL	5/24/22

COPYRIGHT © of Hurley & Stewart, LLC

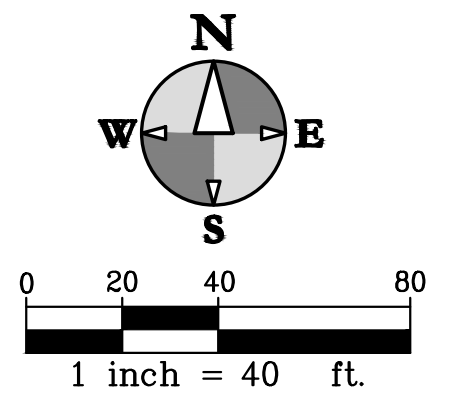


hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

DRAWING LOCATION: H:\21-057D (S&T 6th Street)\FINAL DRAWINGS\C-6 WOOD PROCESSING traffic patterns.dwg LAST SAVED BY: LERLH ON: 5/24/2022



VEHICULAR MOVEMENTS SHOWN ARE FOR 40 FOOT DUMP TRAILER AND A JOHN DEER TRACTOR



6TH STREET
(Public Right-of-Way)

Sheet Title: **WOOD PROCESSING TRAFFIC PATTERNS**
Project: **HANDLEYS SITE PLAN**
Client: **S&T**

5/24/22
Sheet
C-6

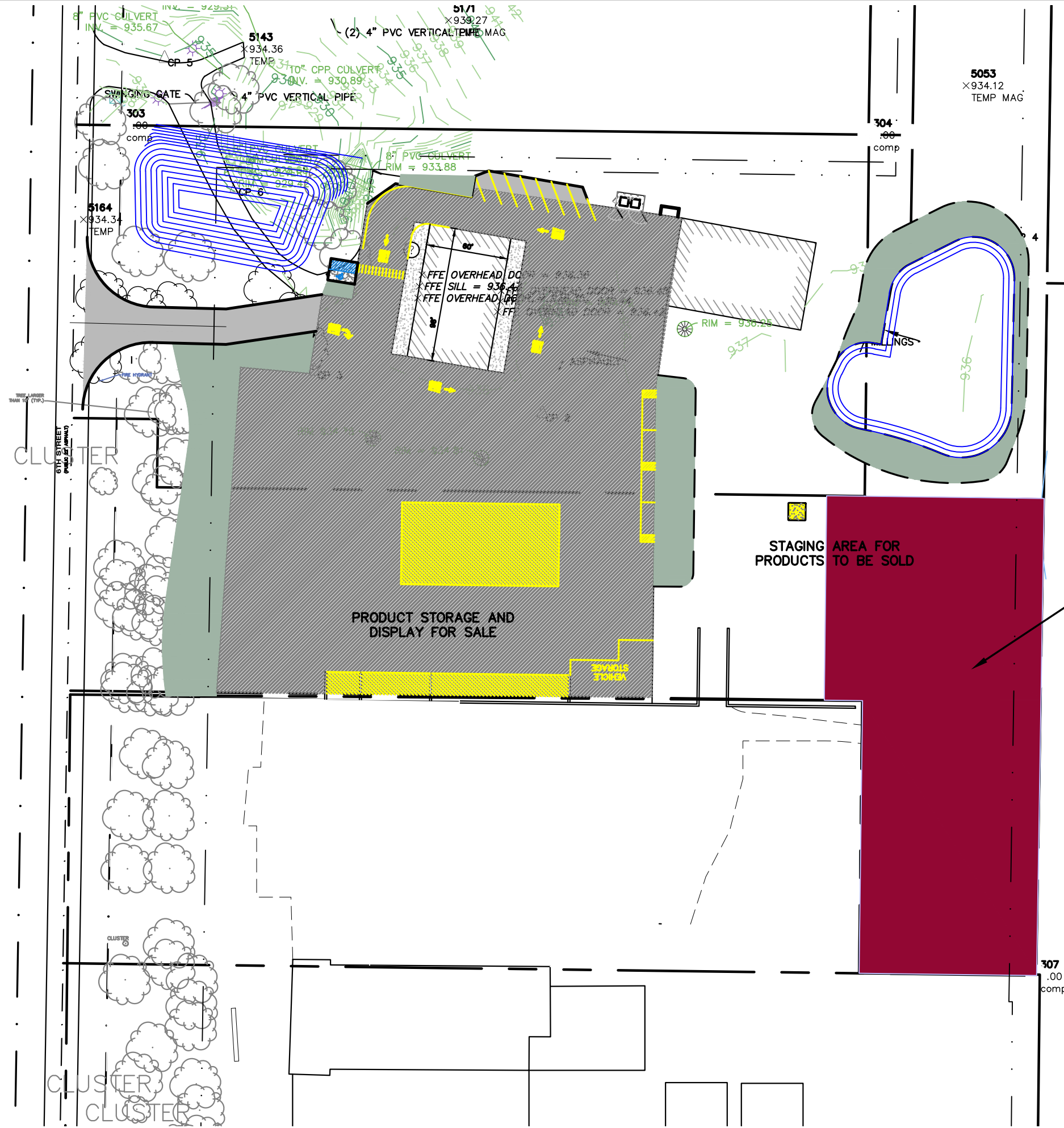
Job No.: 21-057D P.M. --- DTL. LAD. QA/QC. 00/00/00

ISSUED FOR/REVISIONS:	DATE
5 SITE PLAN RESUBMITTAL	1/10/22
6 SITE PLAN RESUBMITTAL	3/29/22
7 SITE PLAN RESUBMITTAL	5/4/22
8 SITE PLAN RESUBMITTAL	5/24/22

COPYRIGHT © of Hurley & Stewart, LLC



hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com



HATCHED AREA REQUESTED FOR REZONING TO ALLOW FOR PROCESSING OF WOOD. CUT TREES TO BE BROUGHT IN FROM OFF SITE AND TIME OF YEAR DEPENDANT, THE TREES WILL BE CUT INTO FIREWOOD OR GROUND INTO MULCH FOR LANDSCAPE USE.

**REZONE EXHIBIT
HANDLEY'S SITE PLAN
S&T**

Title:
Project:
Client:

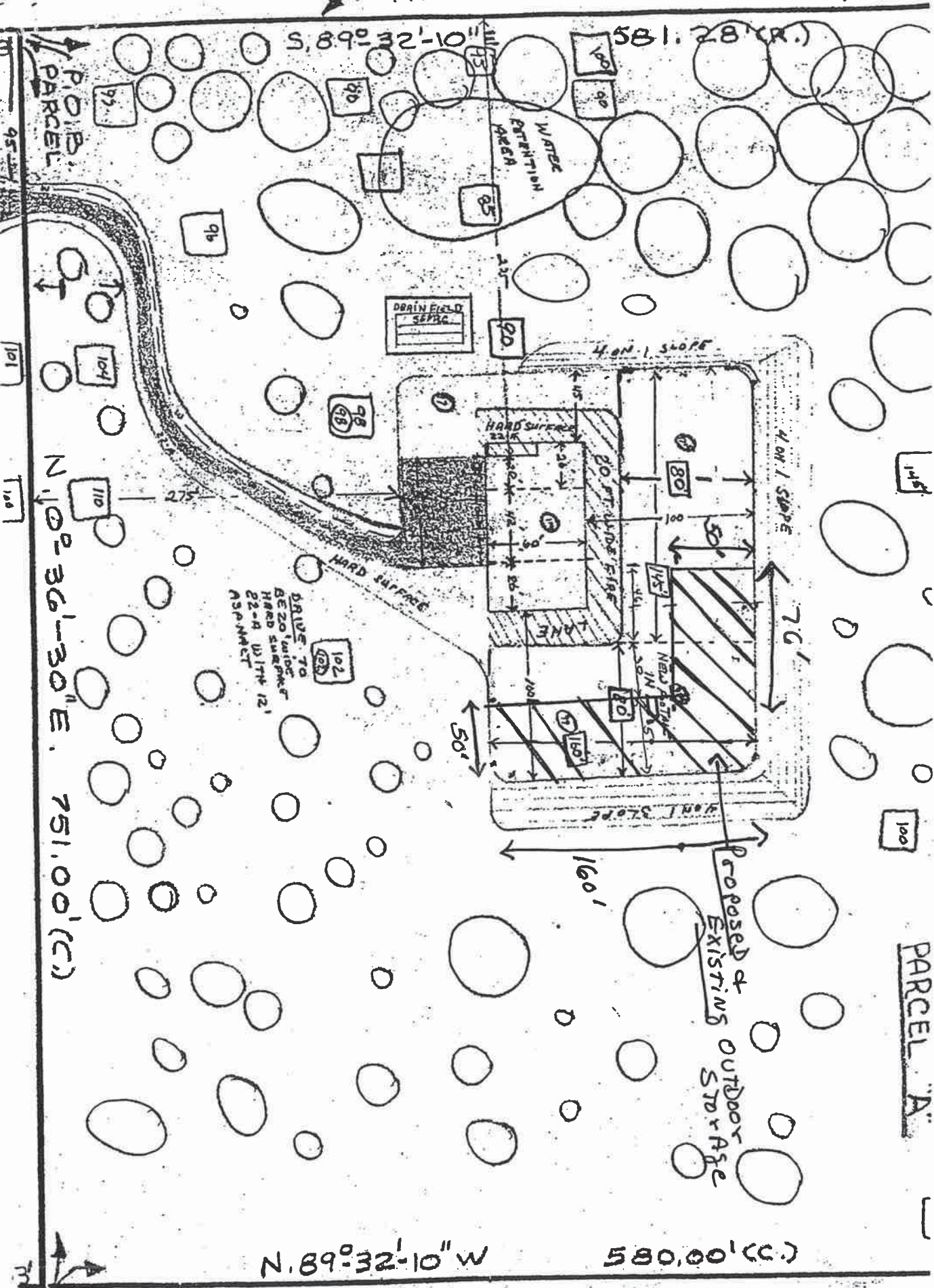
Drawing No.

1

Job No.: 21-057D
Date: 5/24/22
Scale: 80 SCALE
P.M.: AP
Dft: LAD
QA/QC: XX/XX/XX



hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com



LITTLE JOHN'S EXCAVATIONS
PARTIAL PARCEL

PARCEL "A"