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**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 9, 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: May 26th, 2022
6. Update: Maple Hill South Mixed-Use Overlay District
7. Other Updates and Business
8. Adjournment

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

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

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

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

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

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5221	cbuszka@oshtemo.org
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Cheri L. Bell	372-2275	cbell@oshtemo.org
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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	
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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	

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A MEETING HELD MAY 26, 2022

Agenda

**SPECIAL USE AND SITE PLAN EXTENSION REQUEST, 7-ELEVEN
(PREVIOUSLY KNOWN AS SPEEDWAY)**

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, May 26, 2022, commencing at approximately 6:02 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Bruce VanderWeele, Chair
Micki Maxwell, Vice Chair
Kizzy Bradford
Deb Everett
Alistair Smith

MEMBERS ABSENT: Anna Versalle
Chetan Vyas

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

Call to Order and Pledge of Allegiance

Chairperson VanderWeele called the meeting to order at approximately 6:02 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

Chairperson VanderWeele asked if anyone from the public wished to comment.

Mr. Joe Gesmundo, AVB/The Prairies developer, asked that the Maple Hill Sub-Area overlay draft plan that was worked on in 2019, be included on the agenda for the next Planning Commission meeting for consideration in order to keep the process moving forward.

Chairperson VanderWeele thanked him for his comments and indicated his request would be considered later in the meeting.

Approval of the Minutes of the Meeting of May 12, 2022

Chairperson VanderWeele asked if there were additions, deletions, or corrections to the Minutes of the meeting of May 12, 2022. Hearing none, he asked for a motion.

Ms. Maxwell **made a motion** to approve the Minutes of the Meeting of May 12, 2022, as presented. Mr. Smith **seconded the motion**. The **motion was approved unanimously**.

Chairperson VanderWeele moved to the next agenda item.

SPECIAL USE AND SITE PLAN EXTENSION REQUEST, 7-ELEVEN (PREVIOUSLY KNOWN AS SPEEDWAY)

Ms. Lubbert explained the Planning Commission was being asked to approve or deny, with a formal motion, the 18-month Site Plan and Special Use extension request submitted by 7-Eleven (previously known as Speedway).

She said on June 24, 2021 the Planning Commission reviewed and approved the Special Use and Site Plan request from Speedway LLC to construct a new 4,608 square foot convenience store with a ten dispenser auto fueling canopy at 1250 and 1300 S Drake Road.

Per Section 64.90 A and 65.60 of the Ordinance, if a property which was subject to a Special Use and/or Site Plan approval has not obtained a building permit, and on-site development has not commenced within one year, Site Plan approval and/or Special Use approval becomes void. Extensions may be granted by the approving body if requested prior to the expiration of the one-year validity period. The one-year validity period ends on June 24, 2022; the applicant was requesting an 18-month extension.

Ms. Lubbert said the Planning Commission has the authority to grant an extension of a Special Use where the applicant satisfies any of the following existing circumstances:

1. The delay in commencement or completion of the project subject to the Special Use approval was beyond the control of the applicant and the applicant has in good faith attempted to meet the foregoing time schedule.
2. The project is in the process of being developed for the Special Use purpose and has reasonably progressed towards completion.
3. The complexity or size of the project requires additional time for either commencement or completion of construction, which commencement and completion appear feasible and probable if permitted. Under this

circumstance, the Planning Commission shall have the authority to grant an initial longer period for commencement and/or completion at the time of approving the original Special Use.

4. Successive extensions of time may be granted by the Planning Commission for such periods of time as said Planning Commission determines to be reasonable and proper under the foregoing criteria.
5. Where a Special Use is terminated by lapse of time, any new application for a Special Use shall be heard and determined anew based upon circumstances then existing.

To date, she said the parcels in question have been combined and the car wash and dry-cleaning buildings have been demolished. Per the applicant's letter: "7-Eleven acquired Speedway in 2021 and with the acquisition multiple Speedway projects that were scheduled for construction in 2022 were placed on hold until all sites and numbers could be evaluated by 7-Eleven and new construction budgets and schedules could be prepared. With the new schedules, the majority of Speedway sites that were supposed to be constructed in 2022 were moved to 2023".

Ms. Lubbert said, based on the work completed to date and the details outlined in the applicant's letter, circumstances permitting the Planning Commission to grant an extension have been met. Staff recommended the Planning Commission grant the requested 18-month extension, which would result in a new deadline of December 24, 2023.

The applicant noted the business would be closed down completely for construction which is anticipated to begin in August of 2023, to allow them to close down after the July 4th holiday weekend. They were asking for the 18 month extension to provide some "wiggle room" in case unanticipated delays occur.

Ms. Maxwell **made a motion** to grant the 18 month extension as requested for special use and site plan extension by 7-eleven (previously known as speedway). Ms. Everett **seconded the motion**. The **motion was approved** unanimously.

The Chair moved to the next agenda item.

OTHER UPDATES AND BUSINESS

5G Survey

Ms. Lubbert told Commissioners the 5G survey has been made available to residents in a variety of ways; so far approximately 300 surveys have been completed. The more information received, the better. She encouraged everyone to complete the survey if they have not already and to spread the word to others. She noted it was cost prohibitive to mail hard copies of the survey to all Township residents.

Maple Hill South Overlay Zone

Ms. Lubbert indicated she has reservations about the drafted Maple Hill South Overlay zone document. It was agreed that Ms. Lubbert would present her concerns at the June 9th Planning Commission meeting and the overlay will be considered further in July.

ADJOURNMENT

With no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 6:20 p.m.

Minutes prepared:
May 27, 2022

Minutes approved:
_____, 2022

DRAFT



June 2, 2022

Mtg Date: June 9, 2022
To: Planning Commission
From: Iris Lubbert, AICP, Planning Director
Subject: Maple Hill South Mixed-Use Overlay District

As requested at the May 26th Planning Commission meeting, Planning Director Iris Lubbert will provide the Planning Commission background and a general analysis of the previously drafted Maple Hill South Mixed-Use Overlay District at their June 9th regular meeting. A copy of the 10-31-2019 draft of the overlay is attached.

In preparation, Planning Commission members are asked to review the adopted Maple Hill Drive South Sub Area Plan which can be found on the Township's website, see link below.

<https://www.oshtemo.org/files/assets/public/planning/documents/maple-hill-south-sub-area-plan.pdf>

SECTION XX.000 MAPLE HILL SOUTH MIXED-USE OVERLAY DISTRICT

October 31st Draft

XX.10 INTENT AND APPLICABILITY

- A. **Intent.** The Maple Hill South Mixed-Use Overlay District (MHS-Overlay District) is intended to provide, through comprehensive planning, zoning and project review, for the development of a compact, pedestrian-oriented, mixed-use district, consisting of a planned mixture of commercial, office and technology, residential, and public use, which features high quality and uniform building and site design standards, and which complements and is compatible with adjacent uses. The district is designed to provide residents and visitors with a unique opportunity to meet their needs for housing, employment services, entertainment, and recreation.
- B. **Optional Overlay.** The MHS-Overlay District is established as an optional overlay district, the limits of which are designated on the official Zoning Map of Oshtemo Township. This means that it is overlaid on other, existing zoning districts. Within this optional overlay district, property owners have the option to continue to use their property in the manner permitted in the underlying districts. The overlay district provides additional opportunities and flexibility should property owners choose to avail themselves of those choices. These opportunities within the overlay district, however, do not apply unless the property owner elects to become subject to the overlay district and the standards and procedures contained herein.
- C. **Eligibility Criteria.** In order to qualify as an eligible development under the MHP-Overlay District standards and procedures contained herein, the Planning Commission, shall find that the development demonstrates compliance with the following principles:
1. **Size.** In order to ensure that the intent of this Overlay District is accomplished, projects must be of a sufficient size. A minimum development size of 80 acres of contiguous land shall be required, **which may be developed in phases.**
 2. **Walkability.** Physical infrastructure shall be provided to support pedestrian access and a mix of amenities and destinations within a reasonable walking distance. ~~Blocks shall be short and walkable.~~ Streets ~~should~~ **shall be walkable**, designed for cars, bicycles, and pedestrians, **and comply with the Township's Complete Streets policy.**
 3. **Circulation.** Site access and on-site circulation shall be provided through an interconnected network of streets, sidewalks and other routes. ~~A grid-like network of streets shall be established to~~ **An integrated network of streets shall be established to** ~~that~~ **that** enable an efficient dispersion of traffic. ~~Accommodations for transit facilities should be provided~~ **shall be requested.**
 4. **Pedestrian-Oriented.** Sites shall be designed such that vehicles are not the dominant feature. Large expanses of pavement shall be replaced or reduced via on-street parking,

parking structures, shared parking, underground parking, and other parking management strategies.

5. **Mixed-Use.** There shall be a variety of compatible uses, services and building types that serve the needs of residents, workers, and visitors alike. A range of types, sizes, amenities, and uses will enhance a series of inviting functional spaces, including streets and pedestrian-friendly streetscapes, open spaces, courtyards, trails, residential, office, and retail in mixed-use buildings. Varied styles of residential development shall be provided to attract residents of diverse ages, incomes, and lifestyles for example, lofts, townhomes, duplexes, cottages, single-family homes, etc .
6. **District Identity and Physical Design.** A coordinated distinct identity shall be developed for the District to promote a sense of place. Building design shall be elevated with varied building heights, architectural character, and high-quality building materials that provide visual interest at a pedestrian scale. A streetscape aesthetic shall be designed that includes public elements and integrated gateways and signage within the District.
7. **Community Spaces.** Open spaces and community gathering spaces shall be provided within the District to be used as locations to stimulate social interaction, civic events, and recreational activity. Passive open spaces shall be designed to be reflective of the existing landscape and natural features (tree rows, ponds, etc.) of the site. Active plazas and civic spaces shall also be integrated into the overall development.
8. **Compatibility with Adjacent Residential Uses.** The physical height and bulk of buildings shall reduce in size from north to south, providing compatibility in size to the adjacent residential neighborhoods. A transitional land use scheme shall be employed, with the least intensive and lowest density land uses to be located along the southern edge of the District (adjacent to established residential areas).

XX.20 CONTEXT ZONES

The Maple Hill South Mixed Use Overlay District is divided into ~~three~~ four Context Zones. These Context Zones are illustrated on the map herein and are as follows: Gateway (G); **Mixed-Use Transition (MT)**; Town Center (TC); and Neighborhood Transition (NT). The regulations of this Article related to uses allowed, building heights, building design, site orientation, parking and other development standards may vary for each of the Context Zones. The Planning Commission is given the authority to permit flexibility in the delineation of the context zones to encourage innovation in land use and variety of design, layout, type and use of structures.

[Insert Context Zones Map] **See attached**

XX.30 USES PERMITTED BY CONTEXT ZONE

- A. **Permitted Uses.** The following Context Zone character descriptions shall determine the types of uses which may be allowed. The Planning Commission, may approve any use determined to be compatible with the Context Zone character descriptions, with the exception of prohibited uses listed in Subsection B.

1. Gateway (G) – Lands along the edge of the MHS-Overlay District with frontage along or near U.S. 131 and/or West Main Street are designated in this Context Zone. Land uses within this area will primarily be of a retail, restaurant, entertainment, lodging, office and technology character. Other uses may also be accommodated, including compatible medical, educational, institutional and higher-density residential use.
2. **Mixed-Use Transition - Lands along the edge of the MHS-Overlay District with frontage along or near West Main Street are designated in this Context Zone. Land uses within this area will primarily be of a retail, restaurant, entertainment, and office character, with higher-density residential uses. Other uses may also be accommodated, including compatible medical, educational, institutional and technology uses.**
3. Town Center (TC) – This Context Zone is envisioned as a central focal point of the MHS-Overlay District, with compact mixed-uses that will provide a nucleus to attract future growth. Development will allow for a mix of uses both vertically within buildings and horizontally within blocks. Mixed-use buildings could contain first-floor commercial, retail, and/or office uses, with upper floor office and/or residential uses. Mixed-use blocks allow for single-use buildings in a range of land uses within one block. Commercial uses, professional offices, entertainment facilities and cultural centers are encouraged.
4. Neighborhood Transition (NT) – This Context Zone is anticipated to accommodate a wide variety of residential styles. This could include higher density residential land uses adjacent to the Town Center, Gateway and/or existing commercial development on West Main Street. Traditional single-family detached and/or attached residential uses will be accommodated to serve as a buffer between mixed-uses within the District and the adjacent neighborhoods to the south of the District.
4. ~~Community and Open Space Uses shall also be integrated throughout the development to ensure an exceptional environment for visitors and residents. A central community space area is recommended as a District focal point; this space would be designed to accommodate more active community functions, such as civic events, recreation, and entertainment. Passive open space areas shall serve as buffers and places to experience and enjoy nature.~~ **(Planning Commission did not think this was needed here as community and open space uses are requirements in the development standards. It was determined that this section of the Overlay should just deal with the Context Zones.)**

B. Prohibited Uses. The following uses are specifically prohibited within the MHS-Overlay District:

1. New and/or used car sales lots; recreational vehicle sales lots; mobile home sales lots outside of mobile home parks; farm machinery and other equipment sales lots; boat sales lots; and other businesses involving substantial outdoor sales. ~~or activities connected with retail sales.~~
2. Filling stations, carwashes, ~~public garages~~ or service stations, **automobile repair**, auto body, **auto glass repair** and auto paint shops.

3. ~~Automobile repair, service and/or automobile glass repair facilities.~~
4. Drive-in theatres.
5. Earth removal, quarrying, gravel processing, mining, related mineral extraction businesses, and landfill gas recovery processing facilities.
6. Manufacturing, compounding, assembling or treatment of merchandise.
7. Wholesaling, storage **buildings** and/or warehousing of commodities, **mini-storage/warehouses**.
8. ~~Storage buildings and mini-warehouses.~~
9. Outdoor equipment and/or vehicle storage yards.
10. **Commercial** kennels for the breeding, raising and/or boarding of dogs or cats.
11. Adult regulated uses.

XX.40 DEVELOPMENT REQUIREMENTS

- A. **Net Acreage.** For the purposes of this Article, net acreage shall be defined as the gross acreage of the proposed development, minus public/private rights-of-way and stormwater detention areas. However, stormwater detention areas may be included within the net acreage if they are designed as functional open spaces, are accessible to pedestrians, and do not require safety fencing.
- B. **Site Development Requirements.** The following regulations shall apply to all development within the MHS-Overlay District.

Context Zone	Height		Placement			Minimum Floor Area per Dwelling Unit	Minimum Required Open Space
	Minimum Building Height (1)	Maximum Building Height	Front and Street Sides	Minimum Side Setback	Minimum Rear Setback		
Gateway (G)	1 story / 18 feet 15 feet	3 stories / 6 stories with direct US-131 frontage 45 feet east of utility easement 90 feet west of utility easement	15 feet (2)	10 feet (2)	20 feet (2)	(4)	15% of net acreage (5)
Mixed-Use Transition	1 story / 18 feet 15 feet	3 stories 45 feet	15 feet (2)	10 feet (2)	20 feet (2)	(4)	15% of net acreage (5)
Town Center (TC)	2 stories 30 feet	5 stories 75 feet	0 feet required building line (3)	0 feet	0 feet	(4)	10% of net acreage (5)
Neighborhood Transition (NT)	1 story 15 feet	2 stories 30 feet	15 feet (2)	10 feet (2)	15 feet (2)	(4)	25% of net acreage (5)

Footnotes to the Development Requirements Table:

- (1) A minimum interior ground floor height of 12 feet shall be required for all development within the MHS-Overlay District, except in the Neighborhood Transition Context Zone.
- (2) The Planning Commission, may approve reduced setbacks to allow for buildings to be placed in a manner that encourages a consistent street wall and provides for a usable sidewalk area and a more attractive pedestrian environment.

(3) Buildings shall be placed on lots in relation to their frontages in a manner that encourages a consistent street wall and provides for a usable sidewalk area and a more attractive pedestrian environment. 75% of the building façade must meet the required building line, while up to 25% of the façade can be setback to allow for architectural considerations such as outdoor cafés, plazas, squares or other public spaces. The required build to line and frontage coverages may be modified by the Planning Commission, provided that the location of any proposed building is in keeping with or improves the context of the existing area.

(4) The minimum floor area per dwelling unit shall be 400 square feet. as follows:

<u>Unit Type:</u>	<u>Minimum Floor Area:</u>
Efficiency or 1 bedroom	600 sq. ft.
2 Bedrooms	800 sq. ft.
3 or More Bedrooms	1,000 sq. ft.
Elderly (independent)	525 sq. ft.
Elderly (limited assisted)	425 sq. ft.

(5) Required open space may include plazas, parks, pedestrian pathways, lakes or similar types of park-like features.

C. **Residential Maximum Density and Density Bonus.**

1. For the purposes of this Article, net acreage shall be defined as the gross acreage of the development, minus public/private rights of way and stormwater detention areas. However, stormwater detention areas may be included within the net acreage if they are designed as functional open spaces, are accessible to pedestrians, and do not require safety fencing.

2. **Maximum Density.** The maximum residential density shall not exceed six (6) ~~eight (8)~~ dwelling units per net acreage of the development.

3. **Density Bonus.** The inclusion of certain amenities or design options may result in an allowed increase in residential density, referred to as a density bonus. However, the total density bonus shall not result in a residential density of more than ~~eight (8)~~ sixteen (16) dwelling units per net acreage of development.

The Planning Commission may determine the density bonus upon a finding that the proposed development would accomplish at least four (4) of the below amenities or design options from the list below as follows:

Density Bonus	Required Amenities/Design Options
Ten (10) dwelling units per acre	4
Twelve (12) dwelling units per acre	4, one must be from amenities listed in a. – d.
Fourteen (14) dwelling units per acre	5, one must be from amenities listed in a. – d.
Sixteen (16) dwelling units per acre	6

If the development is proposed in phases, the Planning Commission may, at its discretion, approve density bonuses for one or more phases, commensurate with the amenities or design options proposed for each phase.

- a. ~~Construction and~~ Dedication of land for a public park, plaza, **community buildings**, or open space use, if acceptable to the Township.
- b. Development of significant recreational or site amenities such as golf courses, baseball diamonds, tennis courts, basketball courts ~~and community buildings~~, **or similar amenities, available to the public.**
- c. In addition to sidewalks required along public streets, the development of pedestrian, bicycle, or other recreational trails for public use that are separated from vehicular traffic, within the development and connecting to adjacent development.
- d. Provision of open space in an amount which is at least 50 percent greater than the minimum open space percentage required by Section XX.40.A.
- e. Significant use of sustainable building design features such as, optimized energy performance, on-site renewable energy, passive solar heating, use of reused/recycled/renewable materials, indoor air quality mechanisms, green roofs, or other elements identified as sustainable by established groups such as the US Green Building Council (LEED) or ANSI National Green Building Standards.
- f. Significant use of sustainable site design features such as stormwater filtration landscaping, low impact stormwater management, permeable surfaces, bioretention facilities, or other elements identified as sustainable by established groups such as the US Green Building Council (LEED).
- g. Provision of other exceptional public benefits within the development **that are** determined by the Planning Commission as sufficient to qualify as one of the four required amenities or design options justifying a density bonus.

D. Road Design.

1. **The development shall be serviced by an interior street system, which may be public, private, or a combination of both. The Planning Commission may require certain streets, which are needed to complete the public road network, to be developed as public rights-of-way.**

~~If some or all of the interior street system is private, it shall be built in conformance with the standards and requirements of Section 49.160 of the Township Zoning Ordinance.~~

Exceptions to the standards and requirements of Section 49.160 may be permitted by the Planning Commission, where deemed necessary to achieve the intent and eligibility criteria of this Article.

2. Streets shall be interconnected with each other and with streets on abutting properties in generally a grid or modified grid pattern.
3. Cul-de-sacs shall be minimized and in no case shall a permanent cul-de-sac exceed a length of three hundred and fifty (350) feet.
4. Public Rights-of-Way. All public rights-of-way, including road development, shall be designed to meet the standards and requirements of the Road Commission of Kalamazoo County, as well as Article 51: Access Management Guidelines of the Township Zoning Ordinance.
5. Private Road Guidelines
 - a. Private roads may consist of the following classifications and designed to the following standards:

i. Alleyways

Purpose	To provide access to rear or side of properties.
Right-Of-way	20 feet
Street Width	20 feet
Number of Travel Lanes	2

ii. Local Residential Street

Purpose	To serve the local residential access needs within the development.
Right-Of-Way*	56 feet
Street Width (curb to curb)	32 feet
On-Street Parking	Parallel (7 feet)
Number of Travel Lanes	2
Block Length	600 feet maximum
Alleys	Optional
Landscape Strip	6 feet
Sidewalk	5 feet + one foot beyond sidewalk
Bike Lane	None

*Right-of-way width may be reduced to 42 feet if on-street parking is prohibited.

iii. Local Mixed-Use Street

Purpose	To serve the areas of low-volume mixed-use access needs within the development.
Right-Of-Way*	62 feet
Street Width (curb to curb)	36 feet
On-Street Parking	Parallel (8 feet)
Number of Travel Lanes	2
Block Length	600 feet maximum

Alleys	Optional
Landscape Strip	6 feet
Sidewalk	6 feet + one foot beyond sidewalk
Bike Lane	None

iv. Collector Street

Purpose	To serve as a distributor road within the development and to move traffic from local streets to arterial roads.
Right-Of-Way*	76 feet Parallel Parking, 98 feet Diagonal Parking
Street Width (curb to curb)	46 feet Parallel Parking, 68 feet Diagonal Parking
On-Street Parking	Parallel or Diagonal (8 feet or 19 feet)
Number of Travel Lanes	2
Block Length	1000 feet maximum
Alleys	Optional
Landscape Strip	8 feet
Sidewalk	6 feet + one foot beyond sidewalk
Bike Lane	5 feet

Right-of-way may be reduced to 60 feet if on-street parking is prohibited.

v. Parkway

Purpose	For swifter and unimpeded travel through the development, carrying higher volumes of traffic.
Right-Of-Way	128 feet
Street Width (curb to curb)	29 feet one way – total pavement width 58 feet
Median Type	Raised
Median Width	16 feet
On-Street Parking	No
Number of Travel Lanes	4
Block Length	n/a
Alleys	Optional
Landscape Strip	8 feet
Sidewalk	6 feet + one foot beyond sidewalk
Bike Lane	6 feet

- b. Private roads shall comply with all other standards and requirements of the Road Commission of Kalamazoo County.

6. Pedestrian Design Standards

a. Sidewalks

- i. Sidewalks are required along all road frontages.

- ii. Sidewalks shall connect the road frontage sidewalks to all front building entrances, parking areas, central open space, and any other destination that generates pedestrian traffic.
- iii. Sidewalks shall connect to existing sidewalks on abutting properties and other nearby pedestrian destination points and transit stops.

b. Pedestrian Trails

E. Open Space.

1. Designated open space shall be set aside as common land and either retained in an essentially undeveloped or unimproved state or improved as a "public gathering places" to serve the following purposes:
 - a. Conservation of land and its resources
 - b. Ecological protection
 - d. Protect historic and/or scenic features
 - e. Shaping and guiding the development
 - f. Enhancement of values and safety
 - g. Provide opportunities for social interaction
 - h. Provide parkland and active recreational opportunities on a neighborhood scale.
2. Designated open space shall be under common ownership or control, such that there is a single entity having proprietary responsibility. Sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions shall be provided.
3. Designated open space shall be set aside through an irrevocable conveyance approved by the Planning Commission, such as:
 - a. Recorded deed restrictions
 - b. Covenants that run perpetually with the land
 - c. A conservation easement
 - d. Land trusts.
 - e. Such conveyance shall assure that the open space is protected from development, except as approved by the Planning Commission. Such conveyance shall also:

- 1) Indicate the proposed allowable use(s) of the designated open space;
- 2) Require that the designated open space be maintained by parties who have an ownership interest in the open space;
- 3) Provide standards for scheduled maintenance of the open space;
- 4) Provide for maintenance to be undertaken by the Township in the event that the dedicated open space is inadequately maintained or is determined by the Township to be a public nuisance, with the assessment of costs upon the open space ownership.

F. Buffer from Adjacent Residential Uses.

1. Where the height and bulk of any proposed residential construction is not equivalent and more intensive than existing adjacent residential development, a greenspace buffer/vegetative screen shall be provided which is acceptable to the Planning Commission in terms of width, height and composition of plant materials.

G. Access.

Item to be discussed. Refer to the "Vehicular Circulation and Connections" narrative from the Maple Hill Drive South Sub-Area Plan.

XX.50 AUTHORITY TO WAIVER DEVELOPMENT REQUIREMENTS.

Regulations relating to the use of land, including permitted land uses, height requirements, yard setbacks, and site improvements shall, in the first instance, be based upon the standards and requirements outlined in this Article. However, the Planning Commission is given the authority to permit flexibility in such standards and encourage innovation in land use and variety of design, layout, type and use of structures, provided any variation granted would also result in the overall design being consistent with the Intent and Eligibility Criteria of this Article, compatible with the adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land uses.

XX.60 APPLICATION AND APPROVAL PROCEDURES

- A. Optional pre-application review(s). Informal pre-application review(s) is encouraged and may be scheduled with the Planning Department and/or Planning Commission, at which the project concept may be reviewed by the applicant, Township staff, and Township consultants.
- B. General Development Plan.
 1. An application proposing the development of land within the MHS-Overlay District shall first be made through the submittal of a general development plan (GDP). An application for review and approval of a GDP may be made by the owners of record or by any persons acting on behalf of the owners of record of the subject parcel. The applicant shall have a substantial interest in the subject property prior to filing; such

filing shall be in the name of and signed by all owners. The applicant shall provide evidence of full ownership all land in the proposed project area, such as legal title or execution of a binding sales agreement, prior to approval of the GDP by the Township.

2. Information required. The general development plan shall consist of a plan of the entire area carried out in sufficient detail as to show topography, land uses proposed, the densities and scale of development, the system of pedestrian and vehicular circulation, including off-street parking areas, and the relationship to adjacent properties and uses. Further, the GDP shall contain all the following information:
 - a. A property survey of the exact acreage proposed to be developed, prepared by a registered land surveyor or civil engineer (Scale: 1" = 50');
 - b. The intent of nonresidential development, type and gross and net square feet for each area of the site;
 - c. The number and type of residential units and residential density for each area of the site;
 - d. Location, size, and uses of common open space and recreation areas;
 - e. General landscape concept showing woodlands, wetlands and vegetation to be preserved or added, topography, and similar features;
 - f. Delineation of areas to be subdivided, if applicable;
 - g. General description of proposed water, sanitary sewer, and storm drainage system;
 - h. A unified plan for wayfinding and signage within the development;
 - i. A plan delineating the location and area of the proposed phases of the development;
 - j. A written statement containing the following supporting documentation:
 - 1) A full description as to how the proposed development satisfies the eligibility requirements and design principles of Section XX.10.C;
 - 2) If applicable, evidence of how the proposed development meets the criteria for qualifying for a density bonus outlined in Section XX.40.B;
 - 3) A description of the expected schedule of development including progressive time schedule for each phase of the development;
 - 4) General description of the organization to be established, to own and maintain common open space;

- 5) General description of covenants, grants, easements, or other restrictions to be imposed upon land or buildings, including easements for public utilities, bylaws, and articles of incorporation for any homeowners' association or cooperative association;
- 6) Description of applicant's intentions regarding selling or leasing of all or portions of land in the development and of dwelling units;
- 7) Description of all proposed nonresidential uses, including types of stores and offices;
- 8) The number and type of residential units and calculations of the resultant population;
- 9) Average initial sales prices of dwelling units for sale and/or average initial rents of rental dwelling units;
- 10) A draft Development Agreement which establishes the formal rights and obligations of the property owner and Oshtemo Township regarding the future development of the site. The Development Agreement shall, at a minimum, specify: the parties to the agreement; the obligations of the property owner; a term or duration within which the action and obligations of the agreement must be fulfilled by the property owner; vested rights; procedures for determining compliance with the conditions included in the agreement; default remedies; provisions guiding the transfer of rights and obligations to subsequent property owners; and enforcement procedures;

C. Public Hearing. The Planning Commission shall, upon receipt of a general development plan in proper form, schedule and hold a hearing upon the request and shall notify the applicant and all owners of all contiguous parcels of such hearing.

D. Standards for Review of the GDP. The general development plan and supporting information shall be reviewed by the Planning Commission. The Planning Commission shall base its determination as to whether the plan meets the following standards:

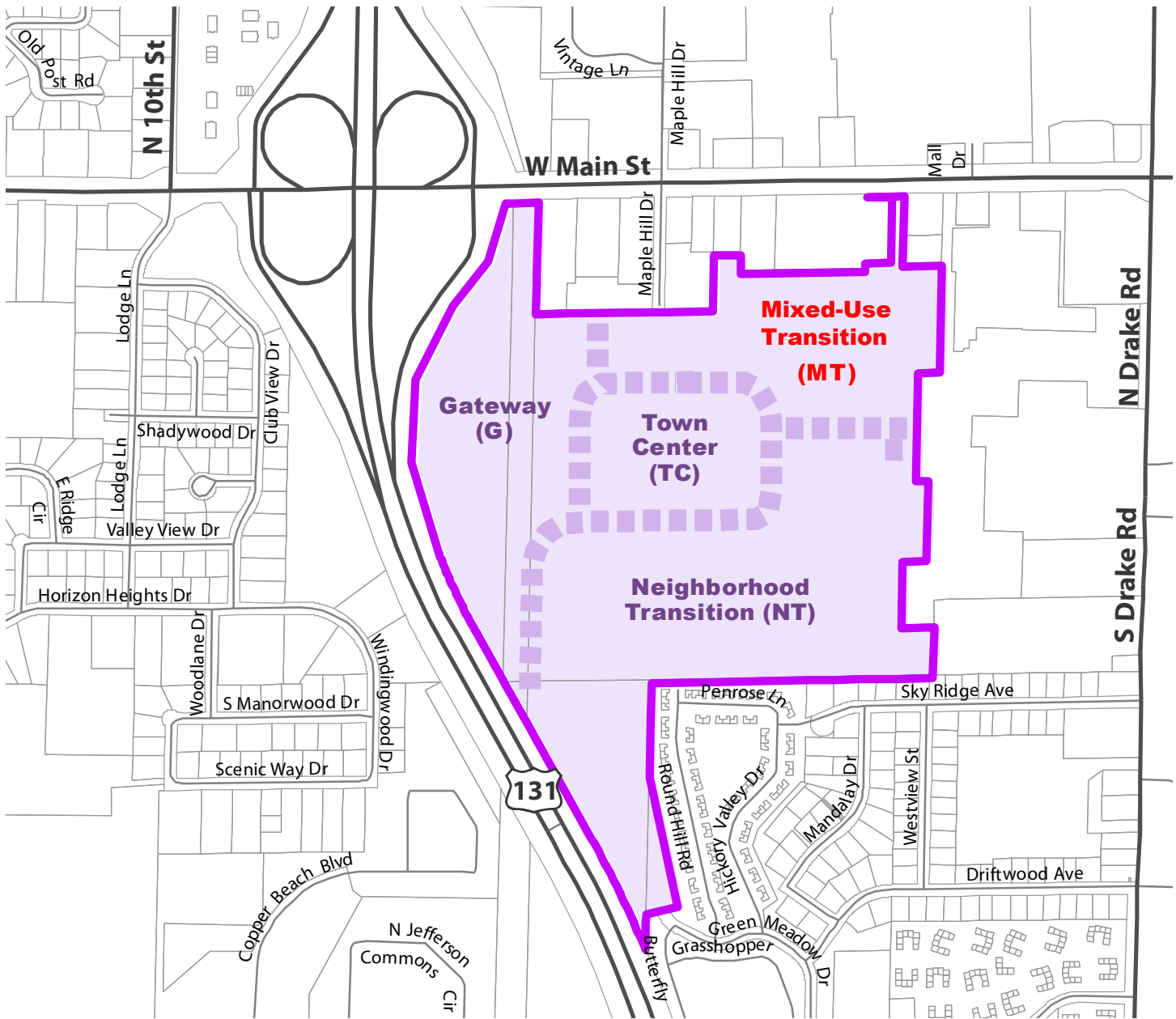
1. The general development plan shall generally conform to the Intent of this Article as outlined in Section XX.10.A.
2. The general development plan shall generally conform to the Eligibility Criteria and Design Principles of Section XX.10.C.
3. The general development plan shall generally conform to the review criteria for special land uses as outlined in Section 65.30.

E. Decision of the Planning Commission. The Planning Commission shall deny, approve, or approve with conditions the general development plan and supporting documentation. The Planning

Commission shall record its conclusions, its decisions, the basis for its decision, and any recommended conditions to be imposed in conjunction with an affirmative decision.

- F. Effect of Approval of the General Development Plan. Approval of the GDP shall indicate the Planning Commission's acceptance of uses, building location, layout of streets, dwelling unit count and type, floor areas, densities, and all other elements of the plan. The approval shall authorize the applicant to then submit, within ninety (90) days, a final draft Development Agreement for review and approval by the Township, with assistance from the Township Attorney.
- G. Development Agreement. For any project involving a financial obligation on the part of Oshtemo Township, approval of the GDP by the Township Board shall be required. The Development Agreement shall attest that the approved GDP and any conditions attached to the approvals, shall be binding on the property owner and upon their heirs, successors, and assigns. Upon approval by the Township, the executed Development Agreement shall be recorded with the Kalamazoo County Register of Deeds Office by the property owner within thirty (30) days of its signing. The property owner shall immediately thereafter provide a certified copy of the recorded Development Agreement with the Township Clerk for record keeping purposes.
- H. Site Plan. Execution of the Development Agreement shall authorize the applicant to file applications for site plan approval for all or phases of the development consistent with the approved GDP phasing schedule and Development Agreement. All site plans shall conform to the approved GDP and shall include the information required by Section 64.60.C. The Planning Department shall have the authority to deny, approve, or approve with conditions all site plans submitted for review under this section. The Planning Department shall record its conclusions, its decisions, the basis for its decision, and any recommended conditions to be imposed in conjunction with an affirmative decision.
- I. Amendments. A property owner may request an amendment to an approved GDP.
 - 1. Minor modifications to an approved GDP may be administratively approved by the Planning Department. Modifications to be considered minor shall include, among other similar modifications, the following:
 - a. A change in residential floor area;
 - b. A change in nonresidential floor area of ten percent or less;
 - c. Minor variations in layout which do not constitute major changes; and/or
 - d. A change in lot coverage of the entire GDP of five percent or less.
 - 2. Major modifications to an approved GDP shall follow the procedures and conditions required for the original submittal and review in full. Modifications to be considered major changes shall include one or more of the following:
 - a. Change in concept of the development;

- b. Change in use or character of the development;
 - c. Change in type of dwelling units as identified on the general development plan;
 - d. Change in the number of dwelling units;
 - e. Change in nonresidential floor area of over ten percent;
 - f. Change in lot coverage of the entire GDP of more than five percent;
 - g. Rearrangement of lots, blocks, and building tracts;
 - h. Change in the character or function of any street;
 - i. Reduction in land area set aside for common open space or the relocation of such area; or,
 - j. Increase in building height.
3. The Planning Department shall have the authority to determine whether a requested change is major or minor, in accordance with this section. The burden shall be on the property owner to show the reasons for any requested change owing to changed physical or economic factors, or consumer demand.
- J. Expiration, Extension and Revocation. The Development Agreement approved by the Township shall designate the timeframes and terms for the expiration, extension and revocation of plan approvals under this Article.



Maple Hill South Mixed-Use Overlay District: Context Zones **DRAFT - 3/6/19**

-  Major Roads
-  Local Roads
-  Property Lines

Data Sources:
Oshtemo Township Zoning Map
Michigan Geographic Framework, v14.

