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**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Regular Meeting
Thursday, March 14, 2019
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: February 28, 2019
6. **SPECIAL USE REVIEW: Consumers Credit Union**
Bosch Architecture, representing Consumers Credit Union, is requesting special use and site plan approval for the redevelopment of their existing building located at 5018 West Main Street, to include drive through teller windows. Parcel No. 3905-13-280-062.
7. **SITE PLAN REVIEW: Metro Toyota**
Hurley & Stewart, representing Metro Leasing, LLC, is requesting site plan approval for the proposed automobile sales lot at 5924 Stadium Drive. Parcel No. 3905-25-305-031.
8. Old Business
9. Any Other Business
10. Planning Commissioner Comments
11. Adjournment

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

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

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official 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>		
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Zak Ford	271-5513	zford@oshtemo.org
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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>		
Julie Johnston	216-5223	jjohnston@oshtemo.org
<u>Public Works:</u>		
Marc Elliott	216-5236	melliott@oshtemo.org

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD FEBRUARY 28, 2019

Agenda

**SITE PLANNING REVIEW: ADVIA CREDIT UNION
BYCE AND ASSOCIATES, REPRESENTING ADVIA CREDIT UNION, REQUESTED
SITE PLAN APPROVAL FOR THE PROPOSED OFFICE HEADQUARTERS AT 6400
WEST MAIN STREET. PARCEL NOS. 3905-14-255-010 AND 3905-14-255-050.**

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, February 28, 2019, commencing at approximately 6:00 p.m. at the Oshtemo Charter Township Hall.

ALL MEMBERS WERE
PRESENT:

Bruce VanderWeele, Chair
Ollie Chambers
Ron Commissaris
Keisha Dickason
Dusty Farmer, Secretary
Micki Maxwell
Mary Smith, Vice Chair

Also present were Julie Johnston, Planning Department Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. Nine other persons were in attendance.

Call to Order and Pledge of Allegiance

Chairperson VanderWeele called the meeting to order at approximately 6:00 p.m. and invited those present to join in reciting the "Pledge of Allegiance."

Agenda

The Chair asked for a motion to approve the agenda.

Mr. Commissaris made a motion to accept the agenda as presented. Ms. Farmer supported the motion. The motion was approved unanimously.

Public Comment on Non-Agenda Items

The Chair asked if any member of the audience cared to address the Board on a non-agenda item.

Ms. Jennifer Wickey said she lives in the Frie-Gibbs plat and asked that the Zoning Ordinance be changed to allow bee-keeping by individuals to provide honey for personal use. Their house is on four and a half acres, in the middle of an old apple orchard they are trying to revive and bees/hives would be beneficial to that effort.

Ms. Johnston explained bee-keeping is permitted under the Right to Farm protections but the Ordinance is silent to personal bee-keeping so it is not permitted. She said the Township Zoning Administrator spoke with Ms. Wickey and indicated the best way forward would be to address the Planning Commission to see if they would be willing to change the Ordinance.

Ms. Smith asked about private subdivision rules related to the keeping of animals or bees. Attorney Porter said both rules would apply, but if the two are in conflict, the subdivision would take precedence if it was stricter than the Township, and would be enforced by the subdivision Association.

Chairperson VanderWeele determined no one else cared to comment regarding non-agenda items and moved to the next agenda item.

Approval of the Minutes of February 14, 2019

The Chair asked if there were any additions, deletions or corrections to the Minutes of February 14, 2019. Hearing none, he asked for a motion.

Mr. Chambers made a motion to approve the Minutes of February 14, 2019 as presented. Ms. Dickason supported the motion. The motion was approved unanimously.

Chairperson VanderWeele moved to the next agenda item.

SITE PLAN REVIEW: ADVIA CREDIT UNION: BYCE AND ASSOCIATES, REPRESENTING ADVIA CREDIT UNION, REQUESTED SITE PLAN APPROVAL FOR THE PROPOSED OFFICE HEADQUARTERS AT 6400 WEST MAIN STREET. PARCEL NOS. 3905-14-255-010 AND 3905-14-255-050.

Chairperson VanderWeele asked Ms. Johnston to review the proposed site plan.

Ms. Johnston said on October 10, 2017, Advia Credit Union received approval from the Township Board to conditionally rezone two parcels totaling 37 acres located on West Main Street, mid-block between 9th and 10th Streets, now addressed as 6400 West Main Street.

Advia would now like to develop their site and have requested site plan approval from the Planning Commission. This is a use permitted by right through conditional rezoning but because part of this property is still within the West Main Overlay, site plan approval is handled through the Planning Commission. As part of this review, the Planning Commission will need to determine if the conditions established as part of the rezoning have been met.

She said the rezoning included the following conditions proposed by Advia and approved by the Township Board, which must be met as part of the site development:

1. All requirements of the West Main Overlay District will be met except for Section 50.403.C. which limits building size and Section 50.403.F. which dictates rural architectural character.
2. Cross-access, either through a public road or private service drive, to the properties located to the east and west of the site will be provided as generally outlined in the West Main Street Sub-Area Plan. In addition, this cross-access drive will connect to a signalized intersection at West Main Street, as approved by MDOT and the Township.
3. The 150,000-square foot administrative building will be designed to fit into the natural topography of the site, reducing the impacts of height on neighboring properties and the West Main corridor. This building will have mixed office use and 1st floor retail use. Additional retail buildings, if any, will be within the West Main Overlay District and will comply with West Main Overlay District requirements. Additional buildings outside the current area zoned for commercial in the West Main Overlay District shall be office buildings.
4. The parcel will contain no residential development.
5. Buildings and structures on the parcel will have a minimum setback of 170 feet where the parcel abuts property with an R-1 or R-2 zoning classification.
6. A 100-foot buffer adjacent to R-1 and R-2 zoning will include undulating earth berms with varying heights constructed with slopes not to exceed a one to three gradient. Berms will be protected with sod, seed or a natural ground cover. Evergreen trees will be planted near the berm at a rate of two trees every 100 linear feet to mitigate noise and light from the subject property.
7. The parcel will have no entrances and exits onto Westlins Avenue or Bunkerhill Drive.

8. If the sale to Advia Credit Union does not take place, the land shall revert to its former zoning classification.
9. Nonmotorized connections will be provided within the property, to adjacent developments, and to the nonmotorized path found next to West Main Street

She indicated the submitted site plan outlines the development of a 151,190 square foot office building with a footprint of approximately 41,770 square feet or 2.5 percent of the site acreage. The building is intended to be three stories in height with a basement. The total impervious surface of the site is 289,461 square feet. Approximately 29 acres, or 78 percent, of the 37-acre site will remain as either green space or be undeveloped at this time. Of this undeveloped acreage, approximately 4.6 acres is located within the required 100-foot buffer adjacent to the residentially zoned properties to the north and east.

In general, Ms. Johnston said, the site plan meets the Zoning Ordinance requirements for parking and drive aisles within the parking area, handicap accessible spaces, drive through teller windows, and a nonmotorized connection to the 10-foot multi-use path along West Main Street. Of note, the applicant is utilizing *Section 68.300.A*, which allows parking lots over 100 spaces to reduce the size of 25 percent of the spaces. Of the 378 planned parking spaces, 93 will be sized at 10 feet by 18 feet as opposed to the standard 10-foot by 20-foot space.

She explained a nonmotorized connection is shown on the site plan to the west. It is a dashed line from the front parking lot through the drive through lane drive aisle to the west property line. This connection is shown a little differently on the landscape plan. Staff would recommend removing the connection from the site plan to be consistent with the eastern nonmotorized connection, which is shown on the landscape plan not the site plan. In addition, the nonmotorized path should extend to the property line.

Ms. Johnston said the staff report dated February 22nd outlined a number of outstanding concerns related to the Advia Credit Union corporate headquarters site plan. The project engineer has provided an updated plan that addresses a number of these issues. In addition, the Township held a meeting on February 26th with Meijer and Bronson, adjacent property owners to the Advia site, and was able to secure verbal confirmation that they would allow cross-access from their properties. This verbal agreement was then strengthened with written letters of confirmation. There are still a few issues to resolve with the site plan, as well as some conditions staff would recommend the Planning Commission consider if amenable to approving the plan. These are outlined below.

Outstanding Concerns Noted in the February 22nd Staff Report

- **Cross access between the neighboring properties was outlined as a condition of the rezoning. The applicant provides a service drive to the western**

boundary and a proposed drive to the eastern boundary, but to date, no agreements have been signed.

Letters have been provided by both Meijer and Bronson property owners indicating their willingness to provide cross-access and enter into cross-access agreements. While cross-access agreements are still outstanding, the applicant has worked in good faith to secure the neighboring property owners' consent. A condition is still needed on the plan, but staff is confident the complete service drive will be developed and cross-access agreements signed.

- **Staff is recommending the dashed line that outlines the western nonmotorized path on the site plan be removed and the nonmotorized network be displayed on the landscape plan. In addition, the path should extend to the western property line.**

This request has been completed.

- **Confirmation from MDOT should be provided that the signal has been approved and who will be responsible for installing the infrastructure.**

MDOT was an attendee of the February 26th meeting. They indicated a warrant for the placement of the intersection light has been approved as long as east bound Meijer traffic is diverted from their existing east curb cut to the Advia site. This requires Meijer's east curb cut to be altered to a limited movement curb cut (likely right-in, right-out only). Staff understood Advia would show this on their site plan and include it as part of Phase II of the project. It currently is not shown on the plan.

- **The evergreen trees required by *Section 75.130* must be installed within the 100-foot buffer area.**

This requirement has been met. It should be noted that the landscape materials are planned to be placed on the proposed buffer. Staff is concerned about long term viability of the plants and wants to ensure the applicant understands as a requirement of the Ordinance, the trees will have to be replaced if they do not survive.

- **The Planning Commission will need to determine if the undulating berm required by the conditional rezoning is met through the topography of the site or must be installed as part of the 100-foot buffer.**

The applicant has now placed a berm within the 100-foot buffer adjacent to the residentially zoned properties. The grading detail of the berm is found on Sheet C300: Grading Plan. A note is shown on the plan indicating the berm is four feet high and six feet wide at the top. The four-foot height undulates with the existing topography of the site. Some of the berm detail is obscured by retention tables on the plan. Staff would request the applicant move these tables so the full detail of the

berm can be shown. Staff is satisfied the berm meets the requirements of the conditional rezoning.

In addition, now that a berm is being provided, tree protection fencing should be shown on the plan for those trees being preserved and utilized for tree credits. Tree protection fencing is needed to ensure these trees survive. That is especially critical in the northwest corner of the site where grading is occurring for the storm water basin. Staff suggest tree protection fencing be shown on the soil erosion sheet of the plan set.

- **The lighting specifications for the building and architectural pole lighting needs to be provided to the Township. In addition, a note should be placed on the photometric plan that all lighting will be full cut-off and downward directed. Finally, information needs to be included on the photometric plan related to reduced lighting during non-business hours.**

The applicant has placed notes on the lighting plan that indicate the following:

- All exterior light fixtures shall be reduced to 30% power from midnight to within one hour of the end of business operations, whichever is later, until 6 am or business openings, whichever is earlier (owner programmable time) vial timer function through the lighting control panel.
- All light fixtures shall be full cut-off and orientated downward.

Staff believes the first note should have read “*shall be reduced to 30% power within one hour of the end of business operation or midnight, whichever is later...*” The Planning Commission will need to determine if the percentage and timing for reduced lighting is appropriate. The Lighting Ordinance states the following:

Section 78.720.1: For uses requiring site plan review, lighting shall be significantly reduced during non-operational building hours, allowing only lighting necessary for security purposes. The lighting plan submitted for review shall note where this distinction occurs.

The lighting specifications (cut-sheet details) for the building and architectural pole lighting is still needed.

- **Finally, a condition should be included with any considered approval that any final concerns from the Township Engineer will be resolved prior to issuance of a building permit.**

Ms. Johnston listed 15 conditions that should be considered if the Planning Commission were to approve the site plan:

1. Cross-access agreements must be signed between Advia and the neighboring properties to the east and west prior to the issuance of a certificate of occupancy.
2. The service drive connection to the west (Phase II) must be constructed and the eastern Meijer curb cut restricted prior to the issuance of a certificate of occupancy.
3. The east service drive (Phase III) must be development within 12-months of site plan approval for the Bronson property.
4. The installation of the intersection light (Phase II) will be installed prior to the issuance of a certificate of occupancy.
5. The site plan indicates the intersection light poles to be installed “by others.” The installation of the intersection light is a condition of the rezoning and therefore must be included with this development. The language “by others” should be removed from the plan prior to issuance of a building permit.
6. The lighting specifications for the building and architectural pole lighting must be provided to the Township prior to the issuance of a building permit.
7. The restricted curb cut for the east Meijer drive should be shown on the site plan and included as part of Phase II prior to the issuance of a building permit.
8. A proposed public sanitary sewer easement shall be provided on the site plan along the eastern property line prior to the issuance of a building permit.
9. The site plan indicates a 35-foot landscape buffer along the east property line adjacent to the Bronson property. This is incorrect. A 10-foot landscape buffer is required here. This buffer is shown correctly on the landscape plan, but needs to be revised on the site plan, which should be provided to the Township prior to the issuance of a building permit.
10. The retention pond tables on the grading plan obscure the berm graphic in the northeast corner of the property. Provide an updated grading plan prior to the issuance of a building permit with these tables moved so the full berm can be visualized.
11. The soil erosion plan shall be amended prior to the issuance of a building permit to show tree protection fencing around those trees intended to be preserved for tree credits.
12. Any final concerns from the Township Engineer will be resolved prior to the issuance of a building permit.

13. No curb cuts will be permitted to West Main Street for any future out lots of this parcel. Access will only be granted from the service drive.
14. Exterior wall colors should be provided on the elevation drawings prior to the issuance of a building permit.
15. All exterior light fixtures shall be reduced to 30 percent power at one hour after the end of business operations or 10:00 pm, whichever is later, until 7:00 am or business opening, whichever is earlier via an owner programmable timer through the lighting control panel.

Chairperson VanderWeele thanked Ms. Johnston for her review and asked whether Commissioners had questions for her.

Ms. Farmer suggested #15 be amended to read “All exterior light fixtures shall be reduced to 30 percent power at one hour after the end of business operations and no later than 10:00 pm, until 7:00 am or business opening, whichever is earlier via an owner programmable timer through the lighting control panel.”

In response to a question from Chairperson VanderWeele, Ms. Johnston explained how the project was differentiated into three phases of development to allow Advia to move forward with the building construction while working out the cross access.

Ms. Farmer wondered who would be responsible for actually providing the new signal light.

Ms. Johnston said that question should be addressed to the applicant.

Ms. Maxwell asked when the signal light would be installed.

Ms. Johnston indicated if the site plan is approved it would go in before the building is occupied.

Hearing no further questions, Chairperson VanderWeele asked whether the applicant wished to speak.

Mr. Michael Flynn, Byce Architects and Engineers, said he had reviewed the 15 conditions and affirmed they would all be met and that the site plan would be so amended and resubmitted to the Township. He indicated they have worked closely with MDOT regarding the signal light but it is not yet clear who provides the foundations for the light. They will comply with whatever MDOT requires.

The Chair determined there were no questions for Mr. Flynn, thanked him for his comments and opened the meeting for Public Comment.

Mr. John Beatty, 1250 Bunker Hill Drive, wondered where the current Advia

headquarters are located and how many employees they have.

Ms. Neena Marion, 6346 Brogan Hill, wondered what will happen to the “Meijer Trail” that runs behind where the building will be constructed.

Hearing no further comments from audience members, Chairperson VanderWeele moved to Board Deliberations.

Ms. Farmer asked for clarification about the “Meijer Trail.”

Ms. Johnston did not think it was within the building property lines, that it runs north-south behind Meijer.

Attorney Porter noted there is a path to access sewer lines there but that it is not open to the public.

Ms. Marion commented there are not a lot of parks in the area that provide a rural atmosphere. The trail is considered a jewel to people who walk and snowshoe there. It is a value she hopes will not be lost.

Attorney Porter said the sewer access would be retained.

Mr. Chad Farrer, representing Advia, said the current Advia headquarters is located in Parchment and approximately 200 people are employed at various buildings in Parchment.

Mr. VanderWeele noted the Board received correspondence from two citizens.

The first from a resident of 6379 Brogan Hill, asked that all parking be moved to the front of the building and felt the amount of parking to be provided was excessive. It was questioned whether there would be planned additions in the future and that if so, they should be highlighted now. The last points made noted the number of banks and credit unions in the area and that a new Advia building should result in special tax assessments for residential properties as they will be reduced in value as soon as the project begins.

A resident at 6359 Brogan Hill indicated support for the previous comments, was concerned that the promised natural barrier be implemented and said residents wanted to be good neighbors and that is a two-way street.

Ms. Maxwell said she felt the berms included in the plan take care of the natural barrier concern.

Ms. Johnston explained that by Ordinance, only two parking bays are allowed in front of the building. As many parking spaces as allowed in front are included in the plan; the rest are in the rear or side yard.

After discussion it was agreed to change the language for condition #15 as suggested earlier by Ms. Farmer.

Ms. Johnston explained if the site plan is approved with the conditions recommended by Staff, that when the amended plan is submitted, Staff will review it for compliance unless the Commission wishes to see it.

Commissioners agreed review should be done by Staff.

Mr. Chambers asked for clarification on the new traffic pattern for the east drive at Meijer when the signal light is installed.

Ms. Johnston indicated the drive would be channelized to restrict turns in and out of the east drive to right turns only. Those turning left would use the service drive through the Advia property to the signal light. She noted many accidents occur at the Meijer east drive; Township emergency vehicles are called out there often.

Hearing no further comments, Chairperson VanderWeele asked for a motion.

Ms. Maxwell made a motion to approve the site plan presented from Advia, contingent on meeting the 15 conditions as outlined in the February 28, 2019 memo from Ms. Johnston presented at this meeting, and as amended by the Planning Commission. Ms. Smith supported the motion. The motion was approved unanimously.

OLD BUSINESS

Ms. Johnston reported although it was planned to hold a public hearing on the Agritourism Ordinance at the March 14 meeting, it will instead be included on the March 28 agenda.

She also informed the Commission that Mr. Dan Cunningham from Circuit Electric would not be available as hoped for consultation on the Lighting Ordinance draft at the March 28 meeting. She will bring the latest draft to that meeting for further consideration and invite him to an April meeting instead.

ANY OTHER BUSINESS

There was no other business to consider.

PLANNING COMMISSIONER COMMENTS

Attorney Porter indicated the Township Board may ask the Planning Commission to consider locations for marijuana facilities to be included in a new Ordinance.

Ms. Johnston will bring language for the Commission to consider regarding allowing personal bee-keeping including a provision that it not infringe on neighboring properties.

ADJOURNMENT

Hearing no further comments, Chairperson VanderWeele adjourned the meeting at approximately 7:03 p.m.

Minutes prepared:
March 2, 2019

Minutes approved:
_____, 2019

March 7, 2019



Meeting Date: March 14, 2019

To: Planning Commission

From: Julie Johnston, AICP
Planning Director

Applicant: John Lovely
Bosch Architecture

Owner: Consumers Credit Union

Property: 5018 West Main Street, parcel number 05-13-280-062

Zoning: C: Local Business District

Request: Special Use and Site Plan Approval

Articles(s): 18 – C: Local Business District
49 – Requirements for Special Use
64 – Site Plan Review
65 – Special Uses

Project Name: Consumers Credit Union Rebuild

OVERVIEW

Consumer Credit Union (CCU), located at 5018 West Main Street, would like to demolish their existing building to redevelop the site. Due to the complete redevelopment of the site, Special Use approval for the drive through teller windows and site plan approval for the overall site is required.

From previous records, staff was able to ascertain that a bank was originally approved on this site in 1973 and that Consumers Credit Union has occupied the property since 1999. In April of 2006, a new site plan was approved that slightly altered the development to include new ATM lanes in the front yard. This was accomplished through a “swap” of property between CCU and MDOT when Drake Road was expanded in 2005. This 2006 approval is the present nonconforming configuration of the site.

The applicant requested variances from the setback and landscape buffer requirements to assist with site redevelopment. As this is a small corner parcel, the Zoning Board of Appeals felt these ordinances were unnecessarily burdensome to the redevelopment of the site. The building setbacks for this parcel are 170 feet from the centerline of West Main Street and 120 feet from the centerline of Drake Road. This significantly limits the parcels buildable area. The following variances were granted:

- A 103-foot setback from the centerline of Drake Road, resulting in a needed 17-foot variance.
- A 149-foot setback from the centerline of West Main Street, resulting in a needed 21-foot variance.
- A landscape buffer variance for the east property line that tapers from the required 20-foot buffer down to a 1-foot buffer, resulting in a maximum 19-foot landscape buffer variance.
- A five-foot landscape buffer for the south property line, requiring a 15-foot variance.
- A six-foot landscape buffer for the west property line, requiring a four-foot variance.

SPECIAL USE CONSIDERATIONS

Section 65.30 provides review criteria for consideration when deliberating a Special Use request, as follows:

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

The Future Land Use Plan calls for General Commercial uses in this area of the Township. The General Commercial District is intended to serve both area residents as well as the regional market and transient customers. Uses like big box retail, shopping centers, and auto-oriented uses are permitted. Certainly, a financial institution with drive through teller windows would fit into this district. In addition, this is a long-standing established use in this area. The redevelopment does not alter the use of the property.

The provided site plan actually brings the property more into compliance with the Zoning Ordinance than in its current configuration. While variances were needed, the placement of the reduced sized building and redevelopment of the landscape buffers will more closely meet current ordinance requirements than the existing conditions.

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

A site plan has been provided that generally meets all of the requirements of the Site Plan Review Ordinance. Any deficiencies will be outlined in the Site Plan Packet section below.

C. Impacts:

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

The site is currently utilized as a financial institution with no compatibility issues with neighboring properties. The redevelopment of the site provides better site design, to not only enhance the corner property but improve overall aesthetics and economic stability for adjacent uses and the area.

2. Potentially adverse effects arising from the proposed use on adjacent properties would be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers or setbacks.

The redesign of the site provides for better placement of the teller windows and parking, allows for improved site circulation, and provides enhanced landscaping where essentially none currently exists. As this is an existing nonresidential use in a dense commercial area of the Township, no adverse effects are expected to neighboring properties.

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

The use as a financial institution will not contribute to any detrimental or hazardous conditions in the area. Traffic to the site should remain the same and visual clutter is being reduced through improvements to the site, particularly with the inclusion of enhanced landscaping.

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

There are no natural features, except for some grass, shrubs, and seasonal plantings, currently existing on site. Any natural features were removed during initial development in 1973 and the improvements in 2006.

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

The site is served by public water and sewer. Storm water will be managed through new parking lot leaching basins connected to the Maple Hill Mall detention area for overflow.

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

While requiring Special Use approval, drive through windows do not have specific use requirements outlined in Article 49. They are considered a Special Use to allow the Planning Commission the opportunity to mitigate any compatibility issues which might arise with neighboring properties. For example, a teller window adjacent to residential properties may require extra screening, such as a fence, to mitigate automobile lights. As this is a nonresidential use adjacent to other nonresidential uses, staff does not anticipate any compatibility concerns.

SITE PLAN PACKET

Site Plan

The proposed site design provides a smaller building footprint with the teller windows in the rear yard, allowing for better site circulation. In addition, landscape buffers have been added to the development and parking is now in the front and east side yard. A pedestrian connection is planned from the existing sidewalk along West Main Street to the site. This connection will need to be thoroughly detailed on the site plan, with appropriate striping through the parking lot.

Per the Ordinance requirements, concrete is planned for the accessible spaces near the front of the building. While the site plan provides a color distinction between those areas intended to be asphalt or concrete, there is no key on the site plan. While staff assumes the darker shaded areas are concrete, a key would confirm this hypothesis.

Landscape Plan

All requirements of the Landscape Ordinance have been met.

Photometric Plan

There are some outstanding concerns to address with the photometric plan. Staff has been in contact with the applicant to make them aware of these concerns. While they were not able to make the requested changes to be included as part of this staff report, they did indicate a willingness to comply with the Township requirements. Staff's concerns are outlined below:

1. The photometric plan does not reach 0.1 foot-candles in areas along the east and west property lines. Lighting either must be moved or reduced to ensure 0.1 foot-candles can be reached.
2. The plan now shows ground mounted up-lighting for the building. While technically not in violation of the ordinance, there are requirements with ground mounted lighting that are very hard to meet. *Section 54.20.E* states following:

*Fixtures used for the sole purpose of illuminating a building facade may be up to 400 watts per lamp and may be building- or ground-mounted. Light generated from said fixtures shall be appropriately shielded with louvers so that no light is emitted beyond the building façade... The illumination of building exteriors shall not exceed the recommended foot-candle levels set forth by the IES, not to exceed 20 foot-candles. **No more than 25 percent of a building wall may be illuminated.***

Staff would need building elevations that show how much of the building façade is going to be illuminated to ensure this requirement has been met. In working with the applicant, staff strongly recommend changing to downward directed building mounted lighting.

3. No detail has been provided of the ground mounted lighting or the SAL light at the building entrance. These lights will need to be cut-off and downward directed.
4. A note needs to be placed on the plan that all lighting will be full cut-off and downward directed.
5. In addition, another note should indicate how the lighting will be reduced during nonbusiness hours.

Elevation Drawings

Elevation drawings with the height of building, clearance dimension of the teller window canopy to the proposed grade, exterior wall materials, and exterior wall colors is needed.

Engineering Concerns

No concerns. However, the Township Engineer would like to see spotting maps and/or locational information will be collected and captured on as-built (red-lined) record plans as the public utility connections (water and wastewater) are reconstructed.

Fire Marshal Concerns

The Fire Marshal is concerned that fire apparatuses will not be able to drive under the proposed teller window canopy. This canopy will need to have a minimum clearance of 15 feet. If clearance is not provided, then there needs to be enough room for the fire trucks to maneuver outside of the canopy. The distance between the drive through canopy and the curb appears to be less than the required 30-50 turning radius needed for these vehicles.

OUTSTANDING CONCERNS

The following provides a more succinct list of the remaining outstanding items/concerns to be resolved with the site plan packet:

1. A key to indicate the difference between proposed surfaces on the site plan. This is to ensure that the accessible spaces are developed as concrete per Ordinance requirements.
2. Complete striping through the entirety of the parking lot for the pedestrian connection from the sidewalk on West Main Street to the entrance of the building.
3. The photometric plan:
 - a. Needs to reach 0.1 foot-candles at all property lines.
 - b. Ground mounted or building mounted lighting needs to be resolved.
 - c. Details of any building or ground mounted lighting needs to be provided.
 - d. A note needs to be placed on the plan that all lighting will be full cut-off and downward directed.
 - e. A note needs to be placed on the plan related to reduced lighting during nonbusiness hours.
4. An elevation drawing with the height of the building, clearance distance of the teller window canopy to the ground, exterior wall materials, and exterior wall colors.
5. Clearance for fire trucks under the teller window canopy or appropriate radii for maneuverability between the canopy and proposed curb.

PLANNING COMMISSION POSSIBLE ACTIONS

If the Planning Commission is amenable to approving the site plan, staff recommends attaching the follow conditions:

1. A revised site plan be provided before the issuance of a building permit with the following:
 - a. A key to indicate the difference between proposed surfaces.

- b. Complete striping through the entirety of the parking lot for the pedestrian connection from the sidewalk on West Main Street to the entrance of the building.
2. A revised photometric plan be provided before the issuance of a building permit that meets all of the requirements of the Township Lighting Ordinance.
3. Elevation drawings of the proposed building be provided before the issuance of a building permit with the height of the building, height and clearance distance of the teller window canopy, exterior wall materials, and exterior wall colors.
4. If the teller window canopy does not provide a height clearance of at least 15 feet for fire apparatuses, the required radii will be provided to ensure proper turning movements between the canopy and the proposed northern curb.
5. As the public utility connections (water and wastewater) are reconstructed, spotting maps and/or locational information will be collected and captured on as-built (red-lined) record plans to be submitted to the Township prior to a certificate of occupancy.

The Planning Commission may also consider postponing approval of the site plan until some or all of the concerns noted above have been resolved.

Respectfully Submitted,



Julie Johnston, AICP
Planning Director

Attachments: Application
Site Plan
Draft ZBA minutes – 02/26/2019



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

PLEASE PRINT

PROJECT NAME & ADDRESS Consumers W Main + Drake

PLANNING & ZONING APPLICATION

Applicant Name: John Lovely
Company Bosch Architecture
Address 8065 Vineyard Parkway
Kalamazoo, MI 49009
E-mail jlovely@boscharch.com
Telephone 269-321-5151 Fax N/A
Interest in Property Architect/Engineer

THIS SPACE FOR TOWNSHIP USE ONLY

OWNER*:

Name Consumers Credit Union
Address 7200 Elm Valley Drive
Kalamazoo, MI 49009
Email cindi.macdonald@consumerscu.
Phone & Fax 269-488-1922 N/A ⁰⁰³

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): Demolition of

Existing Credit Union along with parking lot and
Majority of Site Infrastructure. Construction of
New 2,143 SF Consumer's with New Parking lot, etc.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

Refer to Survey included w/ Submittal Set, sheet T5001

PARCEL NUMBER: 3905- 13-280-062

ADDRESS OF PROPERTY: 5018 W Main Street

PRESENT USE OF THE PROPERTY: Consumers Credit Union

PRESENT ZONING C-local Business District **SIZE OF PROPERTY** 0.68 Acres +/-

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

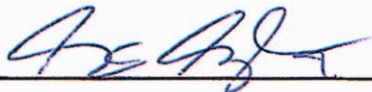
Name(s)

Address(es)

N/A at this time

SIGNATURES

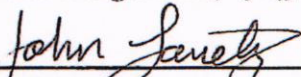
I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting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



Owner's Signature(* If different from Applicant)

1/29/19

Date



Applicant's Signature

1/28/2019

Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS

EXIST CB TO REMAIN

EXIST MH-C TO REMAIN

VALUE CITY FURNITURE, HOBBY LOBBY, BATH & BODY WORKS 5030 & 5022 N MAIN STREET KALAMAZOO, MI 49004 C. LOCAL BUSINESS DISTRICT PIN: 3405-13-280-091

EXIST LIGHT POLES TO REMAIN, TYPICAL

EXIST STREET/ PARKING LOT SIGNS TO REMAIN, TYP.

LOCATE EXIST SANITARY LINE AND CUT BACK TO PROPERTY LINE FOR NEW 6" SANITARY LINE

WALGREENS 5020 N MAIN STREET KALAMAZOO, MI 49004 C. LOCAL BUSINESS DISTRICT PIN: 3405-13-280-095

REMOVE ALL EXISTING LANDSCAPING AND ELEMENTS ON SITE UNLESS NOTED OTHERWISE

REMOVE EXISTING WATER SERVICE FOR NEW SERVICE

ABANDON EXISTING COMM. LINES FOR NEW

DEMOLISH ENTIRE EXISTING BUILDING, DRIVE THROUGHS AND CANOPIES, REMOVE FROM SITE

EXIST CB TO REMAIN

EXIST CB TO REMAIN

EXIST MH #8 TO REMAIN

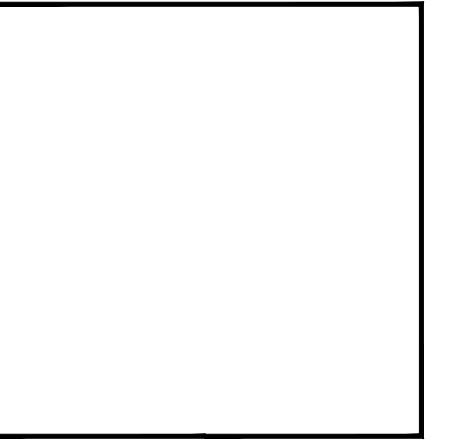
EXIST MH-B TO REMAIN

SITE DEMOLITION NOTES

- 1. REMOVAL OF EXISTING UTILITIES, STRUCTURES AND SLABS SHALL BE AS SHOWN ON THE CONSTRUCTION DRAWINGS. IF REMOVAL LIMITS ARE NOT SHOWN, THEY SHALL BE THE MINIMUM REQUIRED TO COMPLETE THE PROJECT.
- 2. DISCONNECTS OF ALL UTILITIES TO BE REMOVED SHALL BE BY THE TRADE INVOLVED OR THE APPROPRIATE UTILITY CO. AS DIRECTED BY THE GENERAL CONTRACTOR.
- 3. DISPOSAL OF MATERIAL REMOVED SHALL BE OFF SITE BY THE GENERAL CONTRACTOR.

Consumer's Credit Union

5018 West Main Street
Kalamazoo, Michigan 49009



ISSUED

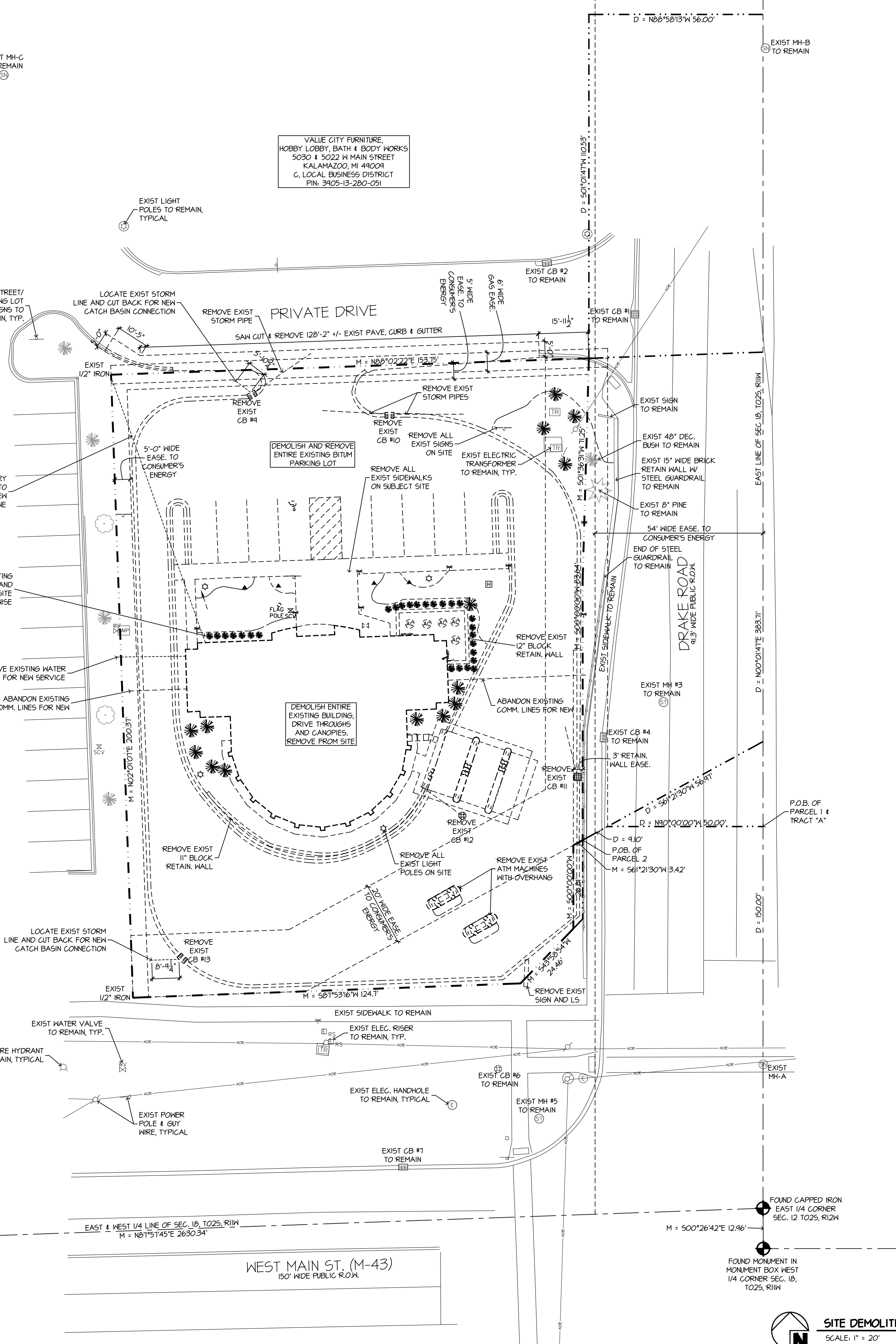
2019-01-31	SITE PLAN SUBMITTAL
2019-02-21	SITE PLAN RE-SUBMITTAL

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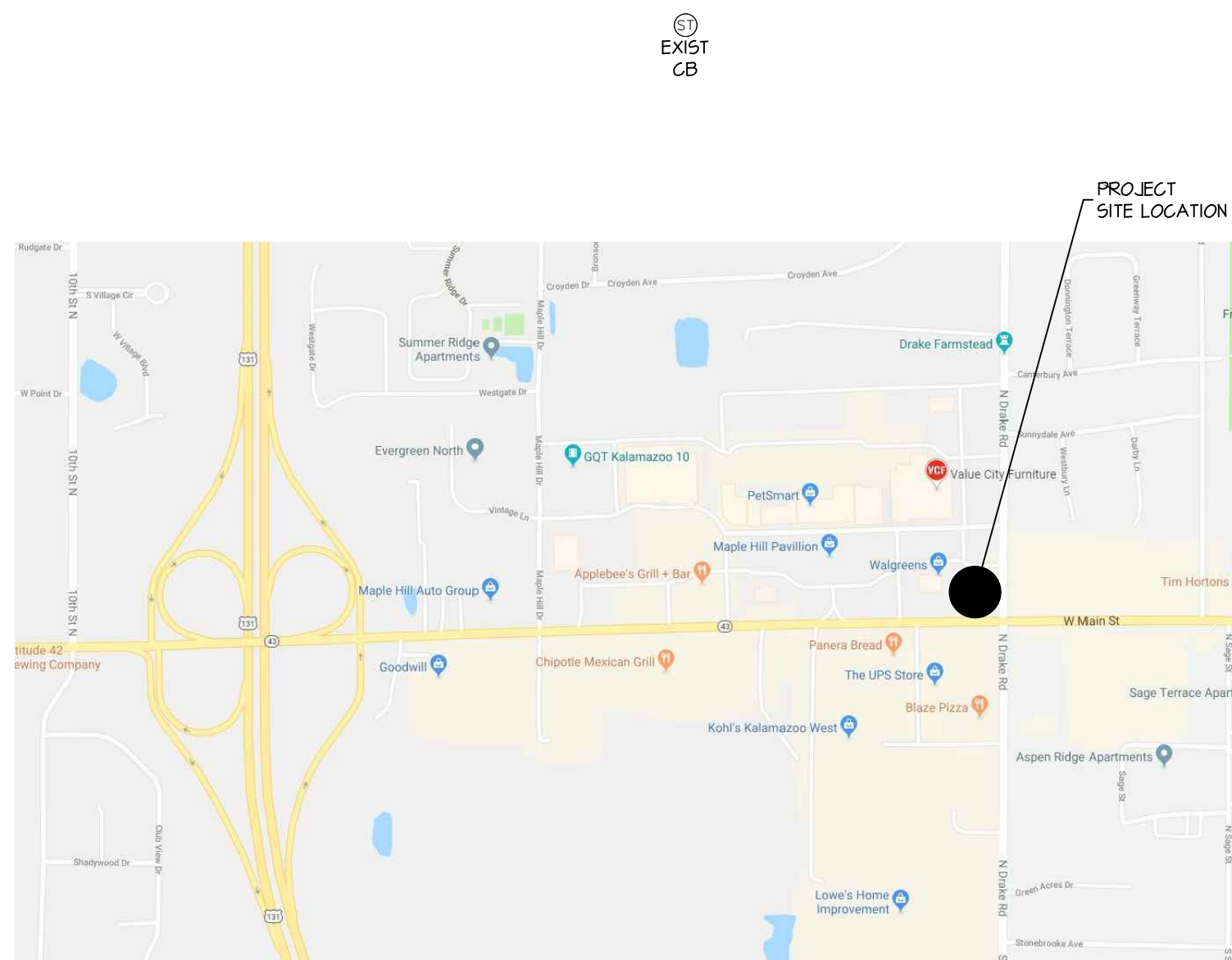
bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8065 Vineyard Parkway
Kalamazoo, Michigan 49009
PH: 268-321-5151
WWW.BOSCHARCH.COM

JOB NUMBER
17068

SITE
DEMOLITION
PLAN
CD001

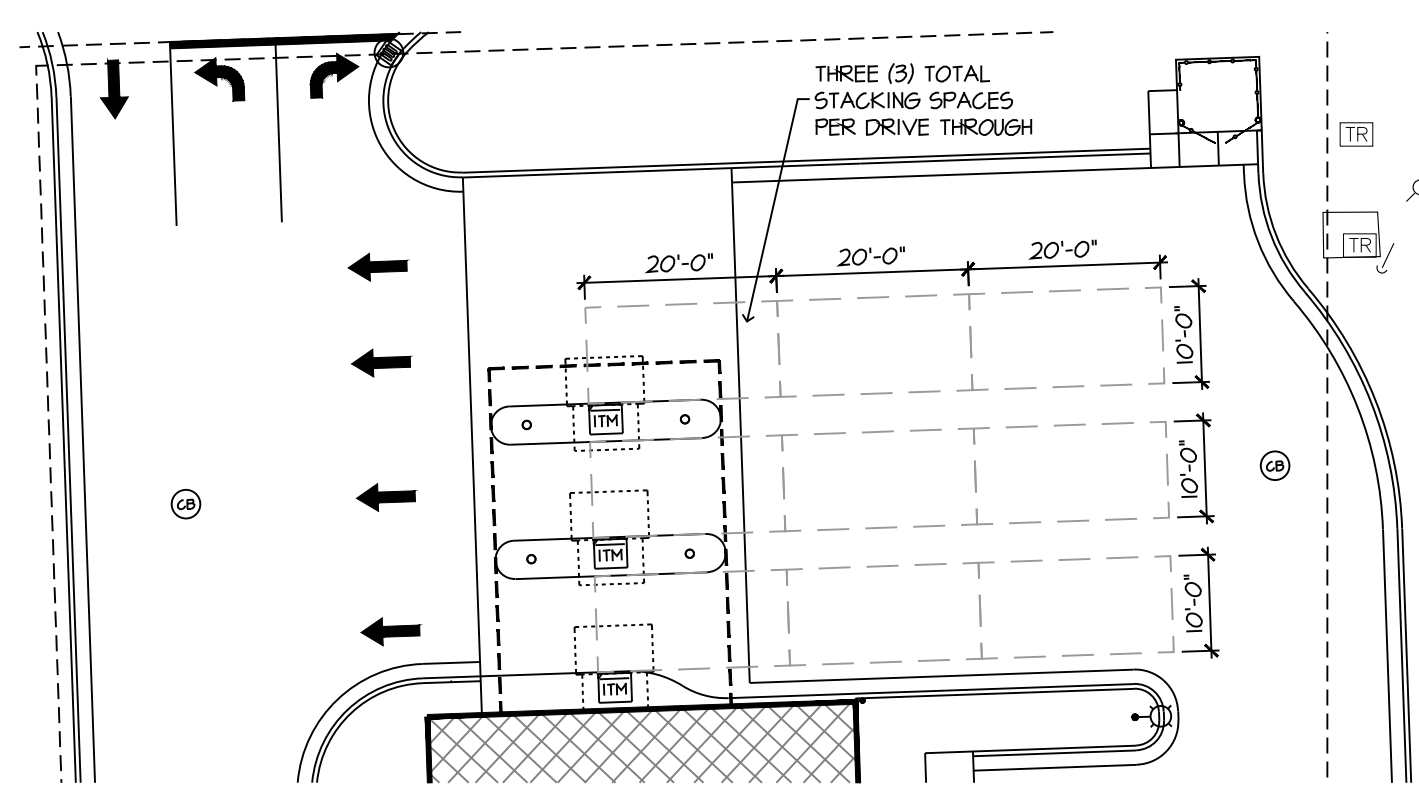


SITE DEMOLITION PLAN
SCALE: 1" = 20'

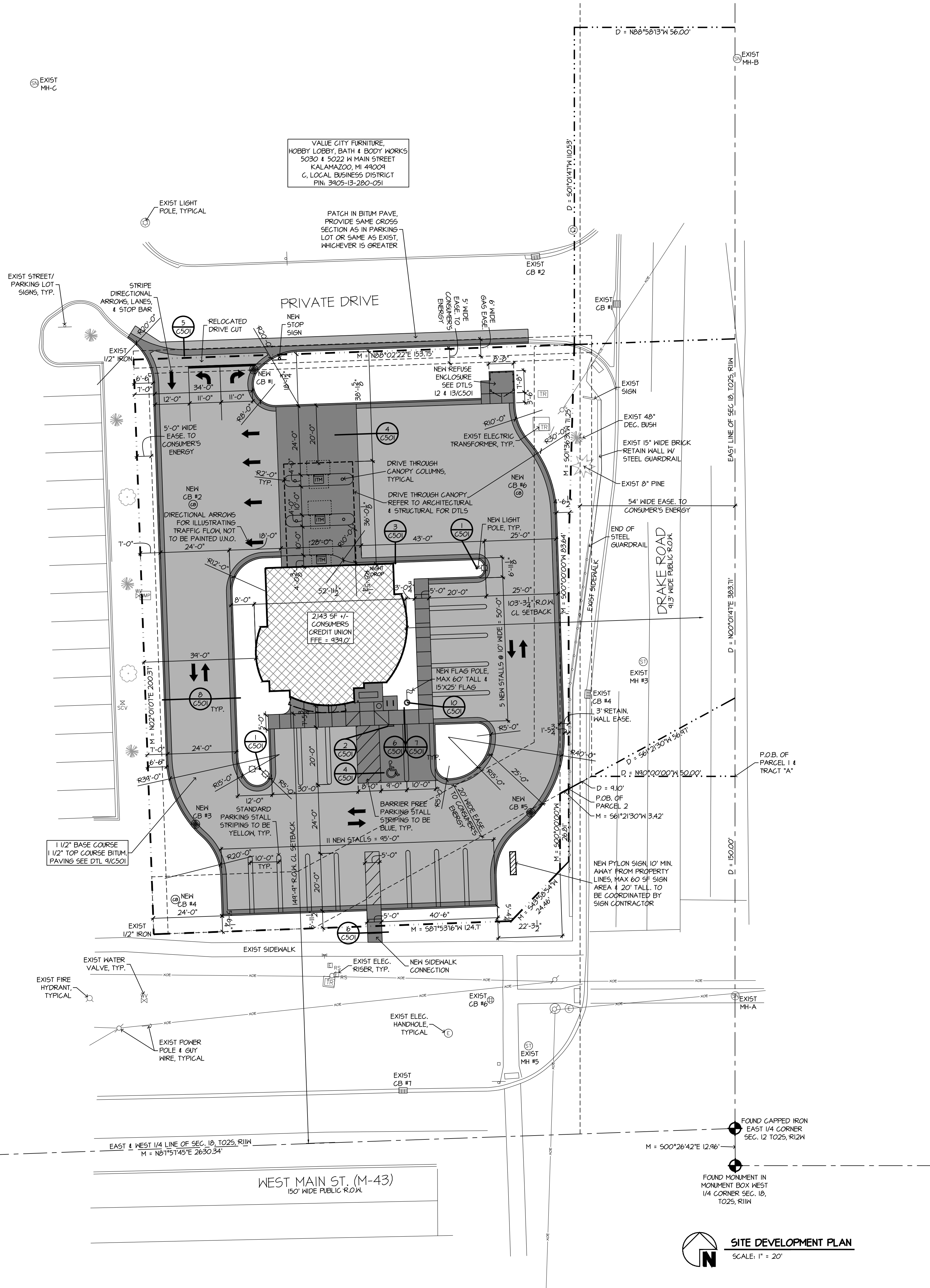


SITE VICINITY MAP
NOT TO SCALE

WALGREEN'S
5020 W MAIN STREET
KALAMAZOO, MI 49004
C. LOCAL BUSINESS DISTRICT
PIN: 3405-13-280-055



DRIVE THROUGH VEHICLE STACKING
SCALE: 1" = 20'



SITE DEVELOPMENT PLAN
SCALE: 1" = 20'

- SITE INFORMATION**
- PARCEL ADDRESS: 5018 W MAIN STREET, KALAMAZOO, MI 49004
 - OWNER: CONSUMER'S CREDIT UNION, 1200 ELM VALLEY DRIVE, KALAMAZOO, MI 49004
 - ARCHITECT: BOSCH ARCHITECTURE, 8065 VINEYARD PKWY, KALAMAZOO, MI 49004 (269) 321-5151
 - SURVEY: DRIESENGA
 - ZONING: C - LOCAL BUSINESS DISTRICT
 - PROPOSED LAND USE: COMMERCIAL - CREDIT UNION
 - SITE AREA: 29,463 SF +/-, 0.68 ACRES +/-
 - LAND USE PERCENT (%): BUILDINGS: 13, PAVEMENTS: 66.6, GREEN: 20.1
 - BUILDING TYPE: 2,143 SF +/-, CREDIT UNION
 - BUILDING HEIGHT: 19' ACTUAL
 - PARKING REQUIRED:
 - BANK OR CREDIT UNION: 1 STALL PER 150 SF NET FLOOR AREA (NFA)
 - 2,143 SF GFA X 0.75 = 1,607 SF NFA
 - 1,607 SF NFA / 150 SF NFA = 11 STALLS REQ.
 - TOTAL = 11 STALLS REQUIRED (1 B.F.)
 - 19 STALLS PROVIDED (2 B.F.)
 - DRIVE THROUGH FACILITY STACKING: 3 STACKING SPACES PER DRIVE THROUGH LANE. STACKING SPACES ARE TO BE A MINIMUM OF 10' WIDE BY 20' LONG.
 - 3 DRIVE THROUGH LANES X 3 = 9 STACKING SPACES
 - 9 + 2 STACKING SPACES PROVIDED
 - LANDSCAPING REQ. SEE L001
 - LEGAL DESCRIPTION: SEE T5001
 - SITE LIGHTING: SEE C004
 - OCC. CLASSIFICATION: B - BUSINESS
 - CONSTRUCTION TYPE: 5B
 - FIRE SPRINKLING: NOT SPRINKLED

- GENERAL NOTES (SITE WORK)**
- SITE PREPARATION:
 - ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PERFORMED BY THE CONTRACTOR IN CONFORMANCE WITH PART 91 OF PUBLIC ACT 451 OF 1994.
 - ORGANIC TOPSOIL SHALL BE STRIPPED FROM THE CONSTRUCTION AREA AND STOCKPILED AS INSTRUCTED BY THE G.C. FOR LATER USE.
 - EARTHWORK:
 - CALL 1656 DIG AT 1-800-482-7171 BEFORE BEGINNING EXCAVATION.
 - EXCAVATION SHALL BE LEVEL TO EXACT DEPTHS AND DIMENSIONS INDICATED ON DRAWINGS.
 - CONSTRUCTION OF FOUNDATIONS AND SLABS-ON-GRADE WILL BE ON COMPACTED FILL IN MOST AREAS. LAYERED COMPACTION SHALL BE PERFORMED TO A MINIMUM DENSITY OF 95% MAXIMUM DRY DENSITY AS DETERMINED BY ASTM DESIGNATION D-1557 VALUES.
 - PLACE A MIN. 6 INCHES OF BANK RUN SAND COMPACTED TO 95% OF MAXIMUM DENSITY UNDER ALL FLOOR SLABS ON GRADE.
 - SOIL TESTING WILL BE CONTRACTED AND PAID FOR BY THE GENERAL CONTRACTOR.
 - SITE SHALL BE FINE GRADED BEFORE PLACING TOP SOIL OR GRANULAR BASE MATERIAL.
 - EXTERIOR SURFACE DRAINAGE SHALL BE AWAY FROM BUILDINGS, 5% 10'-0" OUT FROM BLDGS.
 - ALL TOPOGRAPHICAL INFORMATION WAS FURNISHED BY NIGHTMAN AND ASSUMED CORRECT. THE CONTRACTOR SHALL VERIFY ALL EXISTING AND NEW GRADES PRIOR TO COMMENCEMENT OF ANY WORK. THIS OFFICE SHALL NOT BE HELD RESPONSIBLE FOR ANY MISSING OR ERRONEOUS INFORMATION.

REQUIRED LANDSCAPE IS SHOWN ON LANDSCAPE PLAN. SEE L001 FOR PLANTING DETAILS.

APPROPRIATE PERMITS TO BE OBTAINED FROM OSHTEMO TOWNSHIP.

AN EMERGENCY KNOX BOX FOR FIRE DEPARTMENT ACCESS WILL BE PROVIDED IF REQUIRED. KNOX BOX LOCATION TO BE DETERMINED UPON SUBMITTAL OF BUILDING PLANS, IF REQUIRED.

A FIREFIGHTER RIGHT-TO-KNOW AND HAZARDOUS MATERIALS RIGHT TO KNOW FORMS TO BE SUBMITTED PRIOR TO ISSUANCE OF A BUILDING PERMIT, IF REQUIRED.

GENERAL NOTES:
ALL OUTDOOR LIGHTING WILL BE INSTALLED AND MAINTAINED CONSISTENT WITH OSHTEMO TOWNSHIP ZONING CODE.
IE. LIGHTING DEVICES SHALL BE ADEQUATELY SHIELDED AND SCREENED SO THAT NO LIGHT WILL GLARE DIRECTLY ONTO ANY PUBLIC RIGHT-OF-WAY OR INTO ADJACENT PROPERTY...

ALSO ALL LIGHTING SHALL BE SHIELDED FROM ADJACENT RESIDENTIAL DISTRICTS PER OSHTEMO TOWNSHIP ZONING.

GEN CONTR WILL PROVIDE NECESSARY SOIL BORINGS AS DIRECTED BY OSHTEMO TOWNSHIP.

GEN CONTR WILL ALSO PROVIDE PERMEABILITY TESTS IF REQUIRED, WHICH WILL INCLUDE GROUNDWATER INFORMATION.

ALL PAVEMENT MARKINGS AND TRAFFIC SIGNS MUST CONFORM TO THE STANDARDS SET FORTH IN THE CURRENT EDITION OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

Consumer's Credit Union
5018 West Main Street
Kalamazoo, Michigan 49009

ISSUED

2019-01-22	FOR VARIANCE REQUEST
2019-01-31	SITE PLAN SUBMITTAL
2019-02-21	SITE PLAN RE-SUBMITTAL

bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8065 Vineyard Parkway
Kalamazoo, Michigan 49009
ph: 269-321-5151
www.boscharch.com

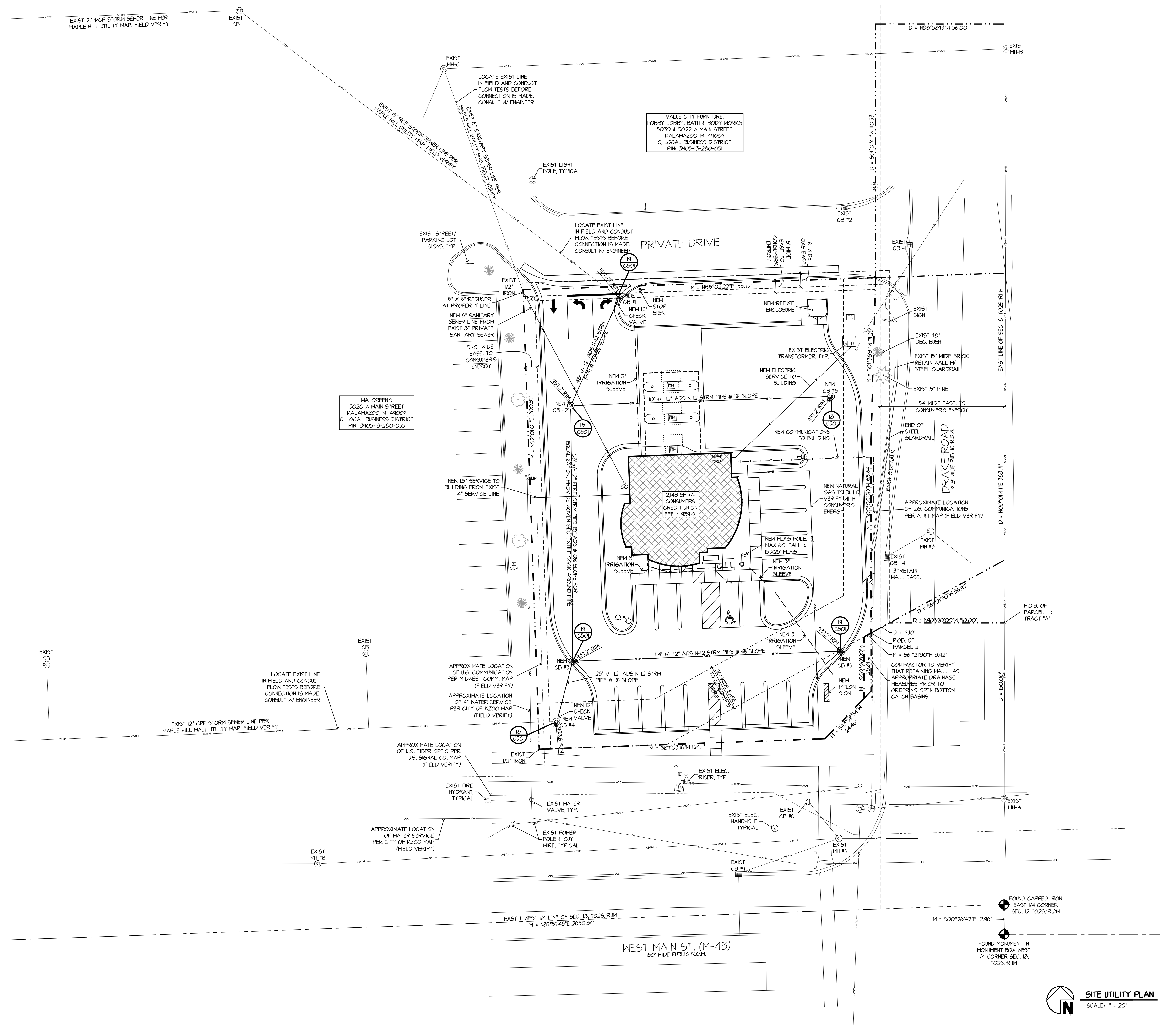
JOB NUMBER
17068

SITE DEVELOPMENT PLAN

C001



Know what's below.
Call before you dig.



STORM WATER DESIGN

1. SITE RISK ZONE DESIGNATION - COMMON STORAGE
2. BUILDINGS RISK DESIGNATION - "LOW RISK"
3. SITE SIZE - LESS THAN 5 ACRES
4. STORM WATER STRATEGY - GROUND WATER DISCHARGE "INFILTRATION" & OVERFLOW TO EXISTING MARBLE HILL RETENTION AREA PER MARBLE HILL MALL UTILITY MAP PROVIDED BY OSHTROM TOWNSHIP.
5. SITE USE:
 - SITE AREA = 24,463 SF
 - BUILDINGS = 2,143 SF
 - NEW OTHER IMPERV. = 14,864 SF

100 YEAR, 24 HOUR STORM EVENT: 5.75 INCHES RAINFALL OVER ALL IMPERVIOUS SURFACES.

TOTAL AREA TO BE DRAINED = 22,071 SF

22,071 SF * 0.90 * (5.75/12) = 9354 CF REQ.

DRAINAGE TO NEW PARKING LOT LEACHING BASIN, CONNECTED BY SOLID OR PERFORATED STORM PIPE WITH OVERFLOW TO EXISTING MARBLE HILL MALL RETENTION AREA PER MARBLE HILL MALL UTILITY MAP PROVIDED BY OSHTROM TOWNSHIP.

108' LF 12" PERF. PIPE = 85 CF

6 CATCH BASINS W/OPEN BOTTOM = 603 CF

TOTAL STORAGE ON SITE = 688 CF

OVERFLOW TO RETENTION AREA = 8,446 CF

6. SITE EVALUATION - INFILTRATION RATE - 1.04 INCHES PER HOUR.

STORM SEWER STRUCTURES

CB #1 RIM = 431.45'
 EXIST NH INV 15" RCP = 433.2' (VF)
 SW INV 12" ADS N-12 PIPE = 433.2'

CB #2 RIM = 431.2'
 NE INV 12" ADS N-12 PIPE = 434.2'
 E INV 12" ADS N-12 PIPE = 433.1'
 S INV 12" PERF. PIPE = 434.2'

CB #3 RIM = 431.2'
 N INV 12" PERF. PIPE = 434.2'
 E INV 12" ADS N-12 PIPE = 433.1'
 SW INV 12" ADS N-12 PIPE = 434.2'

CB #4 RIM = 430.6'
 NE INV 12" ADS N-12 PIPE = 433.8'
 EXIST NH INV 12" CPP = 435.5' (VF)
 (VERIFY EXISTING CONDITIONS AND CONSULT WITH ENGINEER PRIOR TO ORDERING CATCH BASIN)

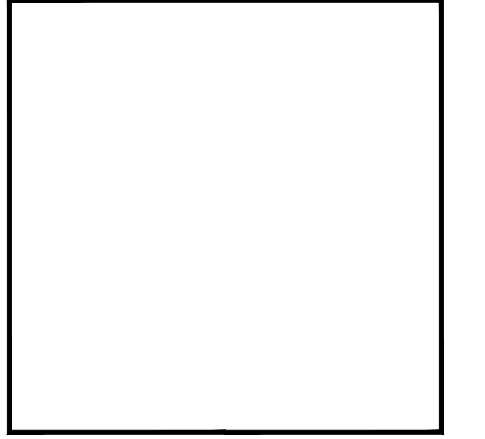
CB #5 RIM = 431.2'
 W INV 12" ADS N-12 PIPE = 434.2'

CB #6 RIM = 431.2'
 W INV 12" ADS N-12 PIPE = 434.2'

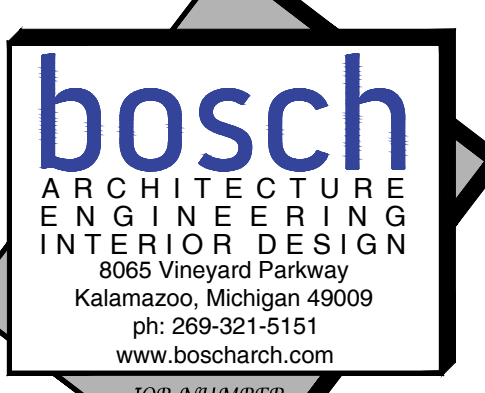
FIRE DEPARTMENT REQUIREMENTS

1. KNOX BOX: THE SIZE SHALL BE 3200 SERIES OR LARGER. THE VAULT SHALL BE MOUNTED UNOBSTRUCTED AND BE VISIBLE APPROX. FIVE FEET FROM THE GROUND LEVEL. NEAR A MAIN ACCESS DOOR. TO BE PURCHASED ONLY AT WWW.KNOXBOX.COM. ONLY IF KNOX BOX REQUIRED BY FIRE DEPARTMENT.
2. FIRE DEPARTMENT CONNECTIONS (FDC): THE FDC SHALL HAVE KNOX 2.5" LOCKING FDC PLUGS WITH SHIELD GUARD, MODEL 3040 OR 3041. FDC SHALL HAVE AN EXTERIOR GATED STROBE & HORN DEVICE ABOVE THE FDC, APPROXIMATELY 10' IN HEIGHT. DEVICE SHALL BE IN CLEAR VIEW TO APPROACHING FIRE APPARATUS. THE HORN AND & STROBE SHALL REMAIN ACTIVE UNTIL MANUALLY RESET. ONLY IF FDC REQUIRED BY FIRE DEPARTMENT.
3. FIRE DEPARTMENT CONNECTION SIGNAGE: THE FDC SHALL BE IDENTIFIABLE TO APPROACHING FIRE APPARATUS AND SHALL BE INDICATED BY AN APPROVED SIGN VISIBLE TO INCOMING FIRE APPARATUS. FDC SIGNAGE SHALL HAVE THE LETTERS "FDC" AT LEAST 6 INCHES HIGH. THE LETTERS SHALL BE A ARABIC OR HELVETIC STYLE FONT. FDC SIGNAGE SHALL BE INSTALLED 10' ABOVE GRADE OR ABOVE OBSTRUCTIONS OVER THE CONNECTION. FDC SIGNAGE SHALL BE REFLECTIVE WITH WHITE LETTERS WITH A RED BACKGROUND. ALL SUCH SIGNS SHALL BE SUBJECT TO THE APPROVAL OF THE FIRE CODE OFFICIAL. ONLY IF FDC REQUIRED BY FIRE DEPARTMENT.
4. FIRE HYDRANTS: AFTER LANDSCAPING, THE DISCHARGE PORTS FOR HYDRANTS SHALL BE 24" FROM THE GROUND MEASURED FROM THE BOTTOM OF THE LOWEST PORT TO THE GROUND. ONLY IF NEW HYDRANT REQUIRED BY FIRE DEPARTMENT.
5. BUILDING ADDRESS: BUILDING IDENTIFICATION SHALL BE PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM ANY STREET OR ROAD FRONTING THE PROPERTY. THOSE PROPERTIES FRONTING MORE THAN ONE STREET OR ROAD SHALL IDENTIFY THE ADDRESS BY BOTH NUMBER AND STREET NAME ON EACH SIDE OF ROAD FRONTAGE. THE ADDRESS NUMBERS AND STREET NAME SHALL CONTRAST WITH THEIR BACKGROUND. THE ADDRESS NUMBERS SHALL BE 12" AND VISIBLE FROM THE FRONT OF THE BUILDING. VERIFY WITH FIRE DEPARTMENT PRIOR TO INSTALLATION.
6. FIRE ACCESS LANES & MANEUVERABILITY: PARKING LOTS, DRIVENAYS AND SERVICE & ACCESS DRIVES SHALL BE DESIGNED AND CONSTRUCTED TO ALLOW THE MANEUVERABILITY AND WEIGHT OF FIRE SERVICE AERIAL DEVICES. PRIVATE STREET NAME SIGNS SHALL MEET THE MINIMUM REQUIREMENTS PERTAINING TO VISIBILITY, REFLECTIVITY AND SIZE AS THOSE ESTABLISHED FOR A PUBLIC ROADWAY. FIRE ACCESS LANES WHEN REQUIRED SHALL BE A MINIMUM OF 20' WIDE AND PROVIDE 13'5" HEIGHT CLEARANCE. SIGNAGE SHALL BE ERRECTED PROHIBITING PARKING, TURNING RADIUS OF PARKING LOTS AND FIRE ACCESS LANES SHALL BE CONSTRUCTED TO ALLOW TURNING AND FULL OPERATION OF FIRE APPARATUS DURING AN EMERGENCY. DEAD END ACCESS ROADS AND PARKING LOTS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH APPROVED PROVISIONS FOR THE APPARATUS TO TURN AROUND. OVERHANGS OR OTHER PORTIONS OF THE STRUCTURE WHICH IS TO BE DRIVEN UNDER SHALL BE APPROVED. BRIDGES WHICH SUPPORT THE HEIGHT OF FIRE APPARATUS OVER VOID SPACES SHALL BE APPROVED. SECURITY GATES, RESTRICTING ACCESS SHALL BE ACCESSED THRU KNOX PADLOCKS OR ACCESS SWITCHES.

Consumer's Credit Union
 5018 West Main Street
 Kalamazoo, Michigan 49009



ISSUED	
2019-01-31	SITE PLAN SUBMITTAL
2019-02-21	SITE PLAN RE-SUBMITTAL



JOB NUMBER
17068

SITE UTILITY PLAN

C002

SITE UTILITY PLAN
SCALE: 1" = 20'

EXIST CB

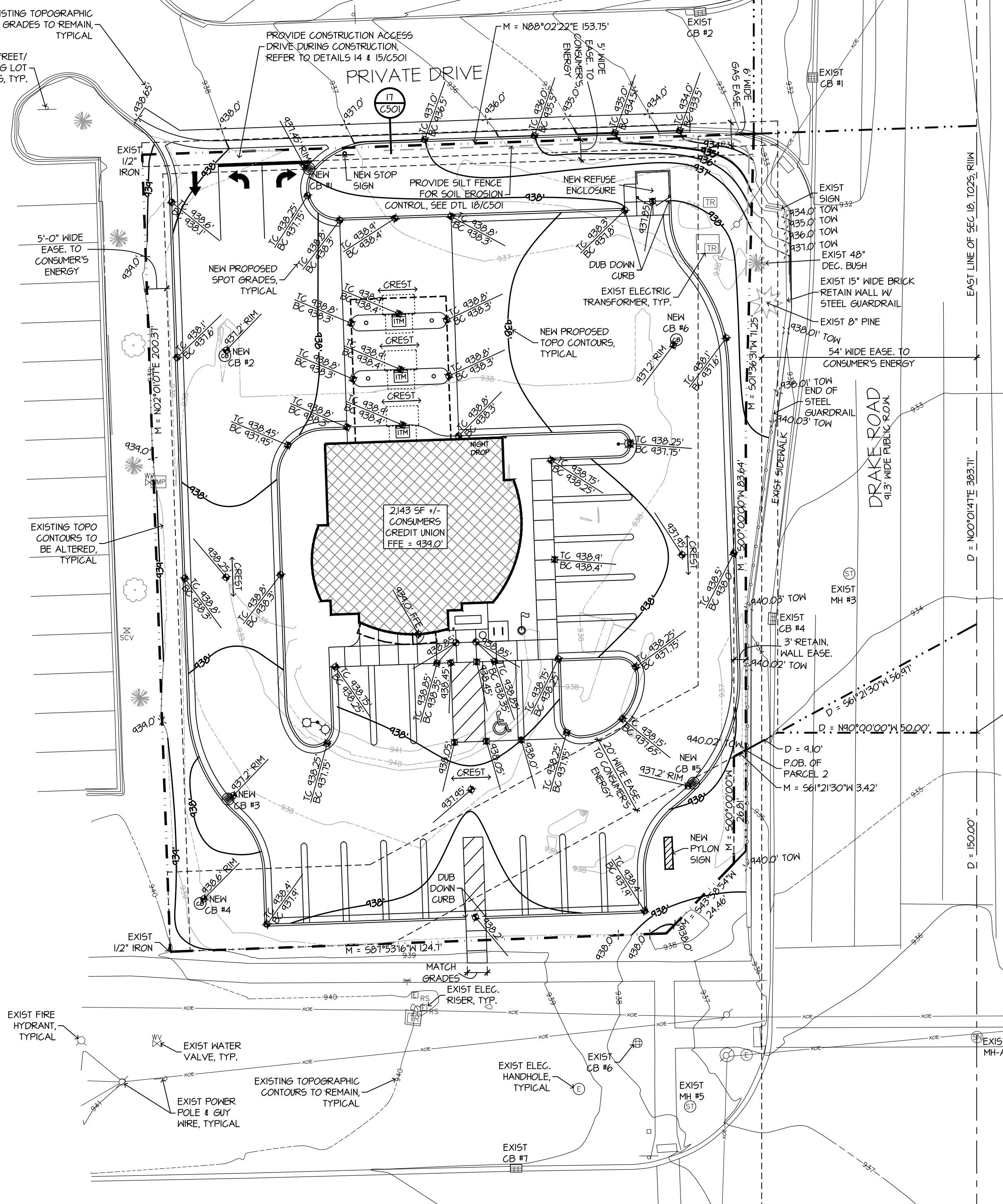
EXIST MH-C

EXIST MH-B

VALUE CITY FURNITURE, HOBBY LOBBY, BATH & BODY WORKS 5030 & 5022 W MAIN STREET KALAMAZOO, MI 49004 C. LOCAL BUSINESS DISTRICT PIN: 3405-13-280-091

WALGREEN'S 5020 W MAIN STREET KALAMAZOO, MI 49004 C. LOCAL BUSINESS DISTRICT PIN: 3405-13-280-095

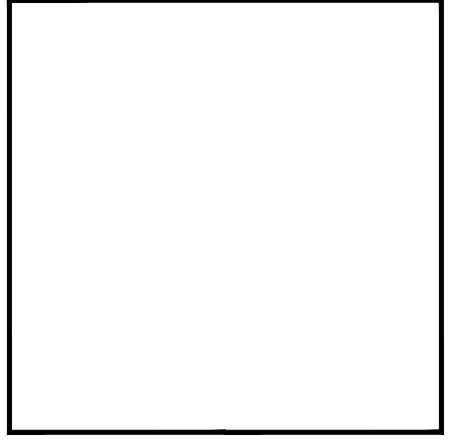
BENCHMARK = 941.26', SQUARE CUT ON SOUTH SIDE OF EXISTING CONC LIGHT POLE BASE ON NORTH SIDE OF PRIVATE DRIVE 41' +/- NORTH OF NA PROPERTY CORNER. REFER TO 15001 FOR OTHER BENCHMARKS



- SOIL EROSION CONTROL NOTES**
1. ALL SITE INFRASTRUCTURE WILL BE CONSTRUCTED AT ONCE. PHASING OF THE OVERALL DEVELOPMENT WILL NOT OCCUR DURING THIS APPROVAL. NO TEMPORARY RETENTION AREAS WILL BE USED ON THIS SITE. DURING CONSTRUCTION, RUNOFF WILL INFILTRATE THROUGH THE GROUND SURFACE.
 2. PERMANENT SPOIL PILES WILL NOT BE NEEDED FOR THIS PROJECT. CONTRACTOR TO VERIFY CUT/FILL WITH EXCAVATOR. ALL CUT TO BE TAKEN OFF SITE AT THE TIME OF EXCAVATION, IF REQUIRED.
 2. EXIST CATCH BASINS #1, #2, #6 AND ALL NEW CATCH BASINS NOTED ON THIS PLAN WILL BE PROTECTED WITH MOVEN GEOTEXTILE FILTER FABRIC DURING CONSTRUCTION. SEE PLAN FOR CATCH BASIN LOCATIONS. REFER TO DETAIL 16/C501.
 3. A SILT FENCE WILL BE USED WHERE ELEVATIONS WITHIN THE PROPERTY LINE WILL TEMPORARILY BE HIGHER OR LOWER THAN NEIGHBORING PROPERTIES IN ORDER TO CONTAIN SOIL. APPROPRIATELY, SEE PLAN FOR APPROXIMATE LOCATIONS. SILT FENCE LOCATIONS TO BE VERIFIED BY ON SITE CONTRACTOR. REFER TO DETAIL 11/C501 FOR SILT FENCE DETAILS.
 4. A CONSTRUCTION ACCESS DRIVE SHOULD BE USED TO ACCESS THE SITE FROM THE EXISTING DRIVEWAY AS TO HELP RETAIN SOIL ON SITE AND REDUCE AMOUNT OF SOIL TRACKED OFF SITE BY CONSTRUCTION VEHICLES. REFER TO DETAILS 14 & 15/C501.

- STORM SEWER STRUCTURES**
- CB #1 RIM = 931.45'
EXIST 18" INV 15' RCP = 933.0' (VIF)
5W INV 12" ADS N-12 PIPE = 933.0'
(VERIFY EXISTING CONDITIONS AND CONSULT WITH ENGINEER PRIOR TO ORDERING CATCH BASIN)
 - CB #2 RIM = 931.2'
NE INV 12" ADS N-12 PIPE = 934.2'
E INV 12" ADS N-12 PIPE = 933.1'
S INV 12" PERF. PIPE = 934.2'
 - CB #3 RIM = 931.2'
N INV 12" PERF. PIPE = 934.2'
E INV 12" ADS N-12 PIPE = 933.1'
SW INV 12" ADS N-12 PIPE = 934.2'
 - CB #4 RIM = 930.6'
NE INV 12" ADS N-12 PIPE = 933.95'
EXIST 18" INV 12" CPP = 935.5' (VIF)
(VERIFY EXISTING CONDITIONS AND CONSULT WITH ENGINEER PRIOR TO ORDERING CATCH BASIN)
 - CB #5 RIM = 931.2'
W INV 12" ADS N-12 PIPE = 934.2'
 - CB #6 RIM = 931.2'
W INV 12" ADS N-12 PIPE = 934.2'

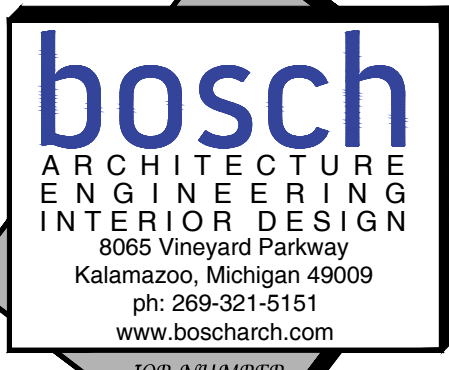
Consumer's Credit Union
 5018 West Main Street
 Kalamazoo, Michigan 49009



ISSUED

2019-01-31	SITE PLAN SUBMITTAL
2019-02-21	SITE PLAN RE-SUBMITTAL

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JOB NUMBER
17068

SITE GRADING PLAN

C003

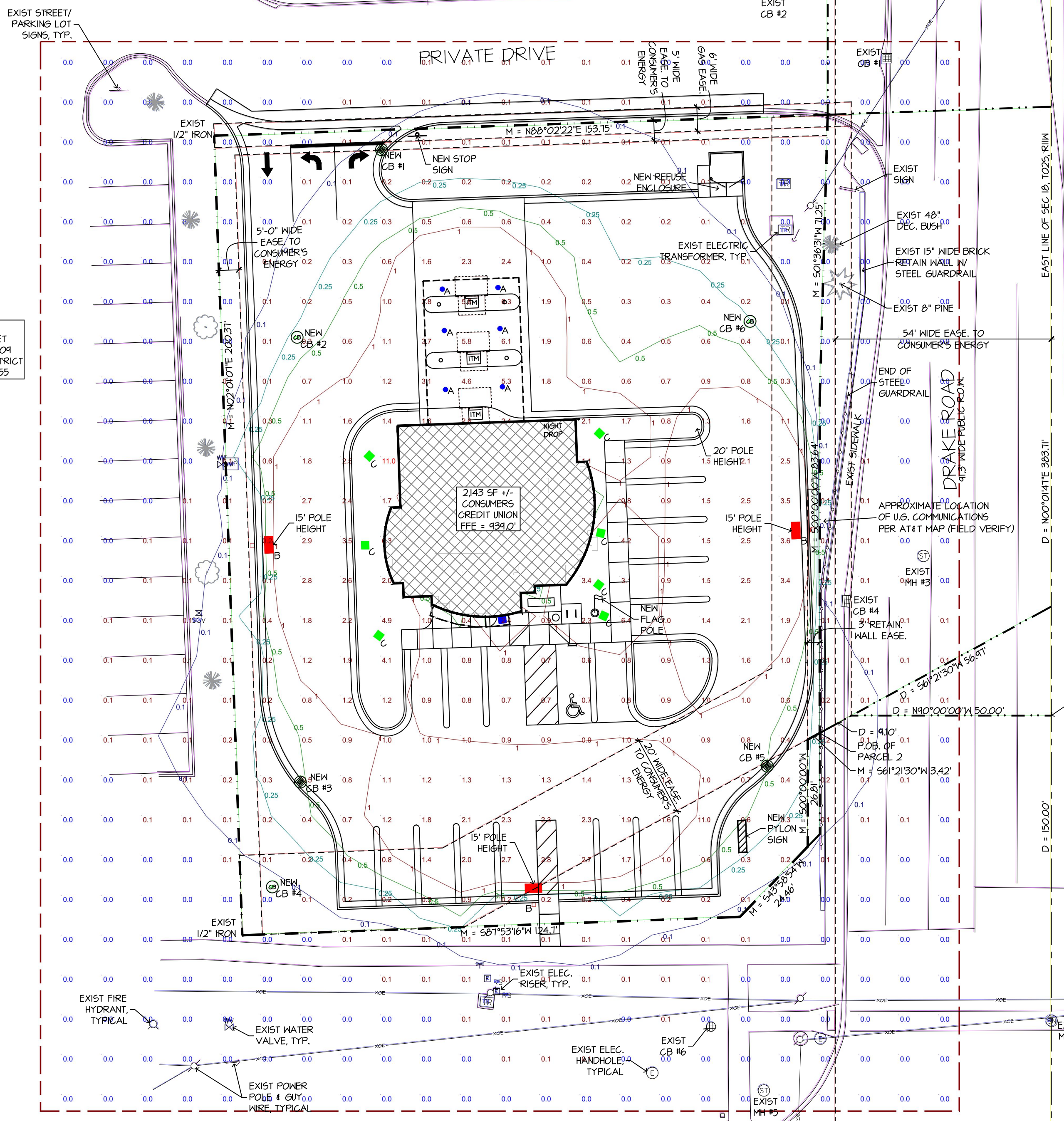
SITE GRADING PLAN
SCALE: 1" = 20'

EXIST
CB

EXIST
MH-C

VALUE CITY FURNITURE,
HOBBY LOBBY, BATH & BODY WORKS
5030 & 5022 W MAIN STREET
KALAMAZOO, MI 49004
C. LOCAL BUSINESS DISTRICT
PIN: 3405-13-280-091

WALGREEN'S
5020 W MAIN STREET
KALAMAZOO, MI 49004
C. LOCAL BUSINESS DISTRICT
PIN: 3405-13-280-095



LIGHTING SCHEDULE							
SYMBOL	LABEL	QUANTITY	DESCRIPTION	MANUFACTURER	LAMPS	VOLTS	WATTS
	A	6	LED LENSED 6" APERTURE RECESSED LED DOWNLIGHT	LITHONIA: WF6-LED-40K-MN	LED 4000K	120V	15W
	B	3	EXTERIOR PARKING LOT POLE LIGHT	LITHONIA: DSKO-LED-F5-40K-BLG-MVOLT PIRH-DBX DARK BRONZE 15" ROUND POLE	LED	120V	
	C	1	GROUND MOUNT BUILDING UP LIGHT	ECOSENSE: RISE F080-15-MO-40-1-40-5-X-A	6000 LUMENS	120V	75W
	D	1	SAL (SCOTT ARCHITECTURAL LIGHTING)	54256-L24-35K-PT(BZ) BRONZE	3200 LUMENS	120V	24W



EXIST
CB

EXIST
CB

EXIST
MH-B

P.O.B. OF
PARCEL 1 &
TRACT 'A'

EXIST
MH-A

SITE PHOTOMETRIC PLAN
SCALE: 1" = 20'

Consumer's Credit Union

5018 West Main Street
Kalamazoo, Michigan 49009

ISSUED
2019-01-31 SITE PLAN SUBMITTAL
2019-02-21 SITE PLAN RE-SUBMITTAL

bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8065 Vineyard Parkway
Kalamazoo, Michigan 49009
ph: 268-321-5151
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JOB NUMBER
17068

SITE
PHOTOMETRIC
PLAN

C004

EXIST
CB

EXIST
MH-C

EXIST
MH-B

VALUE CITY FURNITURE,
HOBBY LOBBY, BATH & BODY WORKS
5030 & 5022 N MAIN STREET
KALAMAZOO, MI 49004
C. LOCAL BUSINESS DISTRICT
PIN: 3405-13-280-051

WALGREENS
5020 N MAIN STREET
KALAMAZOO, MI 49004
C. LOCAL BUSINESS DISTRICT
PIN: 3405-13-280-055

EXIST
CB

EXIST
CB

EXIST
MH-D

EXIST
MH-E

EXIST
MH-A

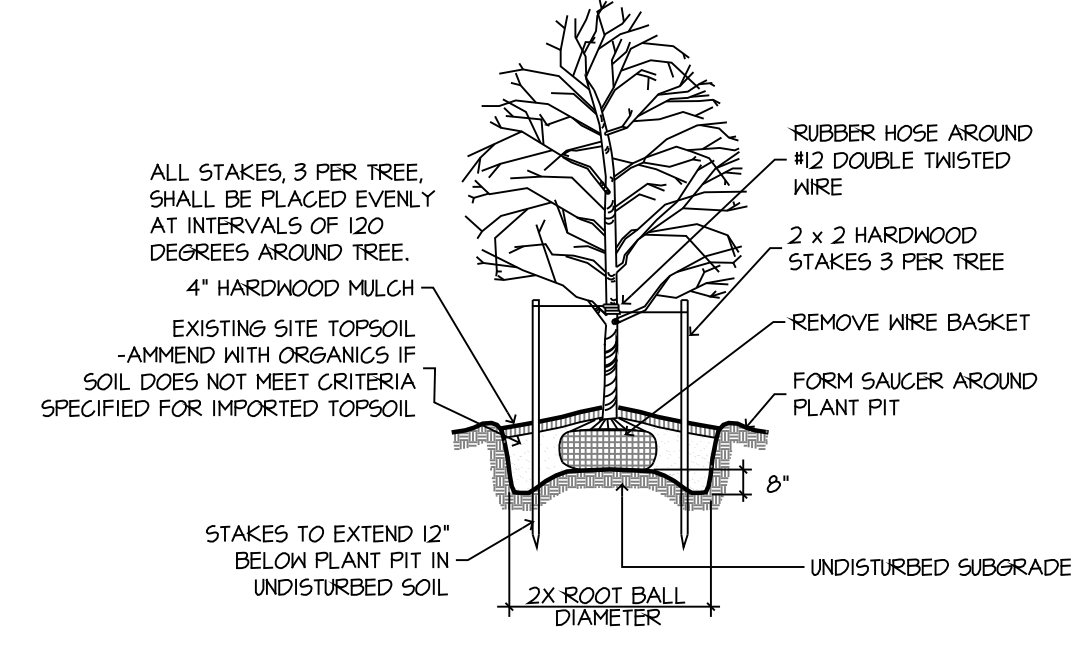
WEST MAIN ST. (M-43)
150' WIDE PUBLIC R.O.W.

LANDSCAPE PLAN
SCALE: 1" = 20'

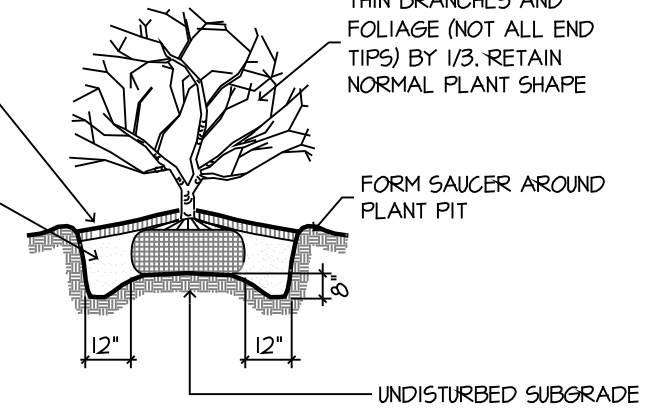
KEY	BOTANIC NAME	COMMON NAME	SIZE	QTY
SHADE TREES:				
AR	ACER RUBRUM 'RED ROCKET'	RED ROCKET RED MAPLE	2' CAL. MIN	6
AS	ACER SACCHARUM 'GREEN MOUNTAIN'	GREEN MOUNTAIN SUGAR MAPLE	2' CAL. MIN	4
TC	TILIA CORDATA 'CORZAM'	CORINTHIAN LINDEN	2' CAL. MIN.	4
UNDERSTORY TREES:				
AA	APELARGHER ARBOREA	RAINBOW PILLAR SERVICEBERRY	2' CAL. SINGLE STEM	5
CF	CORNUS FLORIDA	FLOWERING DOGWOOD	8-10' HT.	1
HM	HEPTACODIUM MICONIODES	SEVEN SON FLOWER	8-10' HT.	3
MS	MALUS 'SPRING SNOW'	SPRING SNOW CRABAPPLE	8-10' HT.	3
EVERGREEN SHRUBS:				
ES	EVUNUS SEMPERVIRENS 'GREEN VELVET'	GREEN VELVET BOXWOOD	18" HT.	17
IM	ILEX X MESSEYAE 'ROYAL FAMILY'	BLUE HOLLY	18" HT.	3
PP	PICEA PLANSIS 'GLOBOSA'	DWARF GLOBOSA SPRUCE	5 GALLON	1
DECIDUOUS SHRUBS:				
RM	ROSA MEISNETDOM	PINK DRIFT ROSE	2 GALLON	22
SB	SPIRAEA X BUMALDA 'GOLD FLAME'	GOLD FLAME SPIREA	3 GALLON	21
VP	VIBURNUM PLICATUM VAR. TOMENTOSUM 'SHASTA'	SHASTA VIBURNUM	24" HT. MIN.	4
WF	WEIGELA FLORIDA 'WINE AND ROSES'	WINE AND ROSES WEIGELA	24" HT. MIN.	5
PERENNIALS/ORNAMENTAL GRASSES:				
HH	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	1 GALLON	43
MM	MISCANTHUS SINENSIS 'MORNING LIGHT'	MAIDEN GRASS	2 GALLON	6
PA	PENNISETUM ALOPECUROIDES 'HAEMEL'	DWARF FOUNTAIN GRASS	1 GALLON	15

LANDSCAPING NOTES

- 6" MINIMUM TOPSOIL DEPTH IN ALL 500 AREA AND 10-12" IN ALL PLANTING BEDS.
- AMEND EXISTING TOPSOIL WITH ORGANICS FOR STANDARD PLANTING MIX.
- SHREDDED HARDWOOD MULCH IN ALL BEDS- 3" DEPTH MINIMUM.
- ONE YEAR WARRANTY ON LAWN AND SHRUBS/TREES.
- 4" X 8" MILL FINISH ALUMINUM EDGING AT ALL PLANTING BEDS AND TREE RINGS. IN ADDITION, IN LOCATIONS WHERE THE PROPERTY LINE FORMS A BED EDGE, EDGING SHOULD BE INSTALLED.
- PROVIDE A COMPLETE SITE LAWN AND PLANTING IRRIGATION SYSTEM. TIE TO PLUMBER SUPPLIED WATER METER IN THE BUILDING- SEE SPEC.
- COMPLY WITH ALL OSHTMHO TOWNSHIP STANDARDS.
- EXISTING TREES TO REMAIN SHALL BE PROTECTED AS PER TOWNSHIP STANDARDS AND PER PLANS. A TREE PROTECTION ZONE SHALL BE ESTABLISHED PRIOR TO BEGINNING CONSTRUCTION AND SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT. THE PROTECTION ZONE SHALL BE INSTALLED AROUND THE DRIFLINE OF THE TREE. THE CONTRACTOR SHALL INSTALL 4" ORANGE SAFETY BARRIER FENCE (SNOW FENCING) WITH A MINIMUM OF 3 ZIP TIES PER POST. POSTS SHALL BE STEEL T-POSTS AND SPACED A MAXIMUM OF 5'.



DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE



SHRUB PLANTING DETAIL
NOT TO SCALE

Consumer's Credit Union
5018 West Main Street
Kalamazoo, Michigan 49009

ISSUED
2019-01-31 SITE PLAN SUBMITTAL
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JOB NUMBER
17068

LANDSCAPE
PLAN

L001

**OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

MINUTES OF A MEETING HELD FEBRUARY 26, 2019

Agenda

PUBLIC HEARING: VARIANCE REQUEST FROM CONSUMERS CREDIT UNION BOSCH ARCHITECTS, ON BEHALF OF CONSUMERS CREDIT UNION, REQUESTED VARIANCES FROM SECTION 64.100: DESIGNATEDS HIGHWAYS TO ALLOW FOR A VARIANCE TO THE BUILDING SETBACKS FROM BOTH WEST MAIN STREET AND DRAKE ROAD, AND TO SECTION 75.130: GREENSPACE AREAS TO ALLOW FOR REDUCED LANDSCAPE BUFFERS. THE SUBJECT PROPERTY ADDRESS IS 5018 WEST MAIN ST., PARCEL NO. 3905-13-280-062.

A meeting of the Oshtemo Charter Township Zoning Board was held Tuesday, February 26, 2019 at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

ALL MEMBERS WERE PRESENT: James Sterenberg, Chair
 Fred Antosz
 Fred Gould
 Micki Maxwell
 Neil Sikora, Vice Chair
 Anita Smith

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney, Martha Coash, Meeting Transcriptionist and three other persons.

Call to Order and Pledge of Allegiance

Chairperson Sterenberg called the meeting to order and invited those present to join in reciting the "Pledge of Allegiance."

Public Comment on Non-Agenda Items

The Chair determined there were no public comments on non-agenda items.

APPROVAL OF THE MINUTES OF JANUARY 22, 2019

Chairperson Sterenberg asked if there were any additions, deletions or corrections to the minutes of January 22, 2019.

Ms. Smith noted a typo on page one.

Ms. Maxwell made a motion to approve the Minutes of January 22, 2019 as presented with the correction noted by Ms. Smith. Mr. Gould supported the motion. The motion was approved unanimously.

Chairperson Sterenberg moved to the next agenda item and asked Ms. Johnston for the Staff report.

Ms. Johnston said Consumer Credit Union (CCU), located at 5018 West Main Street, would like to demolish their existing building to redevelop the site. Based on concerns related to parcel size, the applicant was requesting the following variances associated to both building setbacks and the landscape buffer requirements:

Building Setbacks

- Drake Road (east property line) – a 120-foot setback is required from the centerline of Drake Road. The applicant is requesting a 103-foot setback, resulting in a needed 17-foot variance.
- West Main Street – a 170-foot setback is required from the centerline of West Main Street. The applicant is requesting a 149-foot setback, resulting in a needed 21-foot variance.

Landscape Buffers

- East property line – requires a 20-foot landscape buffer. The applicant is requesting a landscape buffer that tapers from 20 feet down to almost 1 foot as you move from north to the south along the east property line. The maximum variance needed would be 19 feet.
- South property line – requires a 20-foot landscape buffer. The applicant is requesting a five-foot landscape buffer, requiring a 15-foot variance.
- West property line – requires a 10-foot landscape buffer. The applicant is requesting six-foot landscape buffer, requiring a four-foot variance.

She said the current configuration of the property is non-conforming; it meets neither setback nor landscape requirements. The redesign plan for the site, while needing variances to be approved, would bring the site more into compliance with the current setback and buffer standards and would provide more greenspace.

She said the ZBA granted a sign setback variance in 2006 for this property. Per *Section 76.420*, signs are to be setback a minimum of 10 feet from the right-of-way. CCU requested placement of the sign seven feet from the right-of-way of West Main Street. They received approval from MDOT to allow the sign to encroach within the right-of-way. The ZBA granted the variance stating unique circumstances with the loss of property on Drake Road to the improved interchange.

Ms. Johnston listed the Standards of Review principles applied by the Michigan Courts for a dimensional variance, which collectively amount to demonstrating a practical difficulty:

- Special or unique physical conditions and circumstances exist which are peculiar to the property involved and which are not generally applicable to other properties in the same district.
- Strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use; or would render conformity to the ordinance unnecessarily burdensome.
- The variance is the minimum necessary to provide substantial justice to the landowner and neighbors.
- The problem is not self-created.

She said Staff analyzed the request against these principles and offered the following information to the Zoning Board of Appeals.

Standards of Approval of a Nonuse Variance (practical difficulty):

*Standard: Unique Physical Circumstances
Are there unique physical limitations or conditions which prevent compliance?*

Comment: The location as a corner property adjacent to two large rights-of-way provides some unique physical circumstances. The width of the parcel has been made incrementally smaller with the acquisition of right-of-way for Drake Road. Property was acquired in 2005/2006 to allow the expansion of Drake Road from a five-lane interchange to a seven-lane interchange adjacent to this parcel. The “land swap,” which provided additional property to CCU at the immediate southeast corner of their site, did not offer any additional square footage that would assist with building setbacks as they are measured from the centerline of the road.

*Standard: Conformance Unnecessarily Burdensome
Are reasonable options for compliance available?
Does reasonable use of the property exist with denial of the variance?*

Comment: The building setback ordinance has changed over time, which has affected this property. When the site was originally developed in 1973, the setbacks for both West Main Street and Drake Road were 100-feet from the centerline of the road, allowing the building in its current location. Today, the setbacks are 170 feet from the centerline of West Main Street and 120 feet from the centerline of Drake Road. While it is believed the setback ordinance was changed as rights-of-ways increased to help maintain a uniform building line, these ordinance changes have impacted the ability to redevelop this site.

Though the setbacks provide minimal available square footage on the site, a smaller commercial use without the need for drive through lanes could be redeveloped on this site. Building setbacks could be maintained allowing parking and other ordinance requirements to be met within the setback areas.

When this site was originally developed in 1973, there were no landscaping requirements for commercial developments. Since that time, the site has remained relatively unchanged except for the addition of pavement in 2006 when the Planning Commission approved new drive through and ATM lanes. With the redevelopment of the site, the landscaping requirements could be met. But it would be difficult to achieve the other ordinance requirements and have a building that meets the size needs of the credit union, as well as the drive through facility.

In addition, the landscaping requirements on a corner lot have an extra burden. A 20-foot landscape buffer is needed on both West Main Street and Drake Road. If this was an internal commercial lot, the eastern buffer (Drake Road) would be 10 feet.

Finally, the redevelopment of the site is providing an opportunity to increase some of the existing landscape buffers. While still not fully addressing ordinance requirements, the redevelopment will meet the buffer regulations to the north and will provide wider landscape buffers to the west, east and south. However, this does not preclude the site from being redeveloped by a smaller commercial business that may have a better chance of meeting all ordinance requirements.

*Standard: Minimum Necessary for Substantial Justice
Applied to both applicant as well as to other property owners in district.
Review past decisions of the ZBA for consistency (precedence).*

Comment: In researching past Zoning Board of Appeals decisions regarding building and landscape setbacks, Staff found several instances in which the ZBA granted variances for both setbacks and landscape buffers based on these standards.

Some past precedence has been set to allow a certain amount of flexibility for both building setbacks and landscape buffers. Previous Boards have considered the size of the parcels, the impact of larger setbacks on the ability to develop a property, and the substantial rights-of-way that could provide additional greenspace for a project.

Based on the proposed site plan, the applicant has tried to bring the site more into compliance with current setback and landscape buffer standards. In addition, they have worked to accommodate the minimum

variances necessary while still allowing for both a building and drive through facility.

Standard: Self-Created Hardship
Are the conditions or circumstances which resulted in the variance request created by actions of the applicant?

Comment: She said with the redevelopment of the site an argument could be made that the variances needed are self-created. However, the building setbacks for this corner property severely limit the amount of space available for redevelopment. Based on the aerial provided to Board Members, there is only 4,600 square feet available outside the two required setback areas from Drake Road and West Main Street. In addition, the size of the parcel, which has been reduced by acquired right-of-way, makes it difficult to meet all ordinance requirements for a commercial use that also requires a drive through facility. CCU is reducing the size of the building and pavement from its current configuration to accommodate the small size of the parcel. While three of the four landscape buffers are still noncompliant, the applicant has made an attempt to design the site that improves on existing conditions.

In addition to the above principles, she noted the Zoning Enabling Act of Michigan states that when considering a variance request, the Zoning Board of Appeals must ensure the “spirit of the ordinance is observed, public safety secured, and substantial justice done.” Staff believes the applicant has made every attempt to adhere to the spirit of the ordinance by reducing the size of the building and asphalt on the site and increasing the amount landscaping from what is currently existing. If the Zoning Board of Appeals is amenable to granting the requested variances, Township Staff and the Planning Commission will review the site plan to ensure public safety.

Based on the site plan provided by the applicant, she indicated the only other alternate approach Staff can see for this site is to eliminate the drive through lanes and reorient the building to accommodate enhanced setbacks. This would allow more square footage to be dedicated to the landscape buffer requirements. However, current banking practices would make this approach prohibitive to the applicant.

The only alternative would be to redevelop the site for a commercial use that can be successful within a 4,600 square foot building envelop.

Ms. Johnston explained any motion made by the ZBA should include the findings of fact relevant to the requested variance. Based on the staff analysis, she listed findings of fact:

Variance request #1: Reduction in the required building setbacks

Support of variance approval:

- A unique physical circumstance exists for this property as a corner lot adjacent to two significant rights-of-way, which have acquired property from this parcel over time.
- Conformance to the ordinance is unnecessarily burdensome as the enhanced setbacks for West Main Street and Drake Road severely limit the buildable area of this parcel.

Support of variance denial:

- Reasonable use of the property still exists under the C: Local Business District for an allowable commercial use that can utilize the available 4,600 square feet of building envelope.

Variance request #2: Reduction in the required landscape buffer

Support of variance approval:

- The physical condition of a corner property places an extra burden on the parcel to meet landscape buffer requirements.
- Past precedence has allowed smaller landscape buffers adjacent to large rights-of-way where additional greenspace is provided.

Support of variance denial:

- Reasonable use of the property still exists under the C: Local Business District for an allowable commercial use that can utilize the available 4,600 square feet of building envelope.

Ms. Johnston listed possible actions the Zoning Board of Appeals might take:

- Motion to approve as requested (conditions may be attached)
- Motion to approve with an alternate variance relief (conditions may be attached)
- Motion to deny

She also listed possible motions for the Zoning Board of Appeals to consider:

1. Based on the findings of fact, motion to approve the applicants requested variances as presented in their plan dated January 22, 2019:
 - A 103-foot setback from the centerline of Drake Road, resulting in a needed 17-foot variance.
 - A 149-foot setback from the centerline of West Main Street, resulting in a needed 21-foot variance.
 - A landscape buffer variance for the east property line that tapers from the required 20-foot buffer down to a 1-foot buffer, resulting in a maximum 19-foot landscape buffer variance.

- A five-foot landscape buffer for the south property line, requiring a 15-foot variance.
 - A six-foot landscape buffer for the west property line, requiring a four-foot variance.
2. Motion to approve the requested variances with some alternate approach determined acceptable by the Zoning Board of Appeals.
 3. Motion to deny the requested variances because reasonable use of the property is possible under the C: Local Business District.
 4. A combination motion that would approve one and/or deny the other variance request, utilizing the findings of fact and the possible motions outlined above.

Chairperson Sterenberg thanked Ms. Johnston for her review and asked if there were questions from board members.

Mr. Sikora confirmed the 4,600 square feet proposed was just for the building.

Mr. Gould asked if a zero setback had ever been approved by the ZBA.

Ms. Johnston said a zero setback had been approved for a sign.

Attorney Porter added he remembered zero setbacks similar to this request being approved twice in the past. He noted this situation was a “poster child” for ZBA as the project was originally developed in 1973 and standards have changed since.

Chairperson Sterenberg asked when the property became non-conforming.

Attorney Porter said the 1967 ordinance, which was one of the first Township ordinances, was replaced in 1981; they were out of compliance at that point since the property was developed so early and many ordinance changes have been made since.

Ms. Johnston added there was no landscape ordinance in place at all when the property was developed.

The Chair asked how the property would move closer to compliance if the requested variances are approved.

Ms. Johnston said the setback from Drake Road would go from 84 to 103 feet; the setback from West Main would go from 131 to 149 feet. In addition, landscaping will be included where there is currently no landscaping at all.

Hearing no further questions, Chairperson Sterenberg asked whether the applicant wished to speak.

Ms. Cindy McDonald of Consumers Credit Union, residing at 6303 Plainfield Ave., thanked the Board for their consideration. She explained the exterior of the building underwent a full assessment and it was determined it requires major changes. Approval of the variances will allow them to improve the appearance of the corner property and building and improve its functionality. Efficient land use and updating the appearance are goals. She confirmed the new building will consist of only one story.

Chairperson Sterenberg thanked her for her comments, determined there were no members of the public who wished to speak, and moved to Board Discussion.

The Chair reviewed the Standards of Review principles and felt the restrictions on the property were unnecessarily burdensome and that the owners were working to come into compliance as much as possible. He noted the land swap with MDOT had further restricted options. He felt the criteria was in the spirit of the ordinance and said the east wall in itself provides a kind of buffer. He concluded he was inclined to approve both requests for variance.

As there was Board consensus on the Chair's evaluation, and based on the standard that conformance with the ordinance is unnecessarily burdensome, and that the spirit of the ordinance and findings are being complied with as much as possible to improve the property, Chairperson Sterenberg made a motion to approve the applicant's request as follows:

- A 103-foot setback from the centerline of Drake Road, resulting in a needed 17-foot variance.
- A 149-foot setback from the centerline of West Main Street, resulting in a needed 21-foot variance.
- A landscape buffer variance for the east property line that tapers from the required 20-foot buffer down to a 1-foot buffer, resulting in a maximum 19-foot landscape buffer variance.
- A five-foot landscape buffer for the south property line, requiring a 15-foot variance.
- A six-foot landscape buffer for the west property line, requiring a four-foot variance.

Ms. Maxwell supported the motion. The motion was approved unanimously.

Ms. Johnston noted the Planning Commission would consider the site plan at their March 14 meeting and that if they approve, it is expected construction will be completed yet this year.

Any Other Business

Ms. Johnston said there are no issues to come before the Board in March.

March 6, 2019



Meeting Date: March 14, 2019

To: Planning Commission

From: Julie Johnston, AICP
Planning Director

Applicant: Laurie Davis
Hurley & Stewart, LLC

Owner: Metro Leasing, LLC

Property: 5924 Stadium Drive, parcel number 05-25-305-031

Zoning: C: Local Business District

Request: Site Plan Review

Section(s): 18.40 – Car sales lots in the C District
49.130 – Special Use requirements for car lots
65.30 – Special Use review criteria

Project Name: Metro Toyota

OVERVIEW

Metro Leasing, LLC, located at 5850 Stadium Drive, has purchased the Rykse's restaurant property, addressed as 5924 Stadium Drive, to expand their automotive sales lot. The subject property is located to the west of the existing automotive sales business, across Quail Run Drive. Car sales lots are a Special Use under *Section 18.40* of the C: Local Business District ordinance, which requires Planning Commission approval. On December 13, 2018, the Planning Commission granted Special Use approval for this development with the condition that a site plan be provided.

The Special Use requirements of *Section 18.40.H* state the following:

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, subject to the conditions and limitations:

- A. *No such outdoor sales or activities in connection therewith shall be conducted upon premises which do not contain a sales office in a building.*

- B. Adequate security outdoor lighting shall be provided upon the premises to illuminate any outdoor goods, merchandise or activities located thereon.*
- C. An area shall be provided for customer parking for not less than four vehicles and for such additional vehicles as may be determined to be reasonable and necessary to accommodate the particular business activity which parking spaces shall be constructed of asphalt or other hard-surface, dust-free material.*
- D. All operations and business activities, including the parking or display of sales items and equipment and outdoor sales and display area enclosures, shall comply with the setback requirements for buildings and structures contained in the Ordinance.*
- E. Outdoor display or parking of sales items and equipment shall be maintained on a dust free surface.*
- F. A defined access to the off-street parking areas shall be provided not exceeding 30 feet in width. Such access drive shall be constructed similarly to the parking areas and similarly maintained.*
- G. The size and location of such outdoor sales businesses shall not be such as to unreasonably interrupt or impede pedestrian or vehicular travel by customers or patrons of adjoining commercial businesses.*
- H. Sales and display areas for garden centers must be developed to provide a decorative enclosure such as wrought iron fence and columns or an obscuring wall. Wall materials shall be consistent with the primary building material(s).*
- I. Display of products in an enclosed outdoor sales and display area may not exceed a height of ten feet unless screened from view from outside the area, subject to Planning Commission review and approval.*

The applicant received variances from the Zoning Board of Appeals from Sections 18.40.A and D, as follows:

The sales office at 5850 Stadium Drive to function as the sales office for 5924 Stadium Drive and to allow the following outdoor sales display setbacks, which are the minimum necessary to ensure substantial justice to both the applicant and neighboring residential uses:

- 20 feet from the right-of-way of Stadium Drive.*
- 20 feet from the right-of-way of Quail Run Drive.*
- 35 feet from the rear (north) property line.*
- 10 feet from the side (west) property line.*

This motion also includes the condition that the required landscaping materials outlined in Section 75.130 of the Landscape Ordinance (now Section 53.50) be installed within these required setbacks.

These requirements, as well as the Special Use conditions outlined above, are required on the site plan.

SITE PLAN PACKET

Site Plan

The site plan shows the demolition of the existing building on site and the parcel being redeveloped to accommodate a car sales lot. Per the approved variances, the existing sales office located at 5850 Stadium Drive will function as the sales office for this parcel. In addition, the other Special Use conditions have been met: security lighting has been provided, four parking spaces have been designated and will be signed appropriately for customer parking, the outdoor display of cars will be on an asphalt dust-free surface, access is provided through existing curb cuts, and the outdoor display will not impact neighboring commercial uses as it is fully contained within the parcel boundaries.

Pedestrian access is provided through a five-foot sidewalk along Quail Run Drive, with a connection point internal to the site. The site plan does not include a sidewalk along Stadium Drive, however the Township is working with the Downtown Development Authority (DDA) to construct a sidewalk in this area in 2020/2021. The site plan also provides pedestrian/customer respite areas in two locations; two benches adjacent to the internal sidewalk near the eastern property line and a seating area within the 35-foot landscape buffer along the north property line.

In previous correspondence to the applicant, staff suggested the location of the proposed seating area, while not in violation of the Landscape Ordinance, may cause some concerns for the residential neighbors. The applicant has indicated the elevation of the proposed seating area is below the neighboring residential property and will be screened by a new solid privacy fence. In addition, they indicate the seating area will have minimal use during the day. They wish to keep the seating area in its planned location and have provided an elevation detail (attached to this report) for review. The Planning Commission will need to determine if the proposed location of the seating area is appropriate.

The site plan outlines the existing curb cut on Stadium Drive to remain and a realignment of the curb cut on Quail Run Drive. This realignment will correspond with the current curb cut on the east side of Quail Run Drive to the existing Metro Toyota property. As this is a redevelopment of the site, all Zoning Ordinance requirements are considered as part of staff's review. Staff evaluated *Section 51.50.G* of the Access Management Guidelines related to the Stadium Drive curb cut. *Section 51.50.G* states the following:

In the case of expansion, alteration or redesign of an existing development where existing driveways do not comply with the guidelines set forth herein, the closing, relocation, or redesign of the driveway may be required.

This Ordinance provides the Planning Commission with the authority to close an existing curb cut during site redevelopment if the existing driveway does not comply with the requirements of Article 51: Access Management Guidelines. The Access Management ordinance also indicates the following under *Section 51.50.F*:

Where parcels, lots, or building sites have frontage or access on more than one roadway, access shall be provided from the lesser traveled street. Where spacing requirements can be met, high traffic volumes will be generated, or the subject side street is inappropriate for nonresidential traffic, access onto the main roadway will be considered.

The property in question is a corner lot with existing access to both Stadium Drive and Quail Run Drive. The difficulty with this particular property is the nature of Quail Run Drive. The existing curb cut on this road would suggest that nonresidential traffic is acceptable in this location, which would lead the Planning Commission to close the curb cut on Stadium Drive and adhere to *Section 51.50.G*. However, closing the curb cut on Stadium Drive will increase nonresidential traffic on what is essentially a residential road as outlined in *Section 51.50.F*, suggesting the curb cut on Stadium Drive should remain. The Planning Commission will need to consider both *Sections 51.50.F* and *G*. to determine which should prevail related to this access point.

Landscape Plan

All requirements of the Landscape Ordinance have been met except for one; at least 30 percent of the landscape plantings (other than canopy trees) must be species that are native to Michigan. Based on the number of understory trees, evergreens, and shrubs that are required for this site, a minimum of 50 plants must be native. The landscape plan comes close to meeting this requirement, with 42 of these plantings being native to Michigan. So, at least eight more of the planned understory, evergreen, or shrubs must be changed to a native species.

Photometric Plan

The photometric plan meets all of the requirements of the Lighting Ordinance. However, the note on the plan indicating when light levels will be reduced to security lighting states 11:00 pm to 7:00 am. The Planning Commission may want to consider changing this time period to 10:00 pm to 7:00 am, which is consistent with other recent nonresidential approvals.

Engineering Concerns

If the Stadium Drive curb cut is to remain, the Township Engineer requested that the entrance apron be changed to concrete to be integral to the new six-foot sidewalk planned on Stadium Drive. As this will require MDOT permission and cause an existing condition to be altered, the applicant has requested that this change be made when the sidewalk is actually constructed. They agree to place the cost of this alteration into an escrow account to be used in 2020/2021 when the sidewalk is built. Staff is agreeable to this arrangement if the Planning Commission determines the Stadium Drive curb cut is to remain.

In addition, the Township Engineer has some concerns with the final grading proposed for the site and its impact on storm water management. A condition related to this is recommended to be added to any considered approvals.

Fire Marshal Concerns

No concerns with the proposed site plan.

OUTSTANDING CONCERNS

The following provides a more succinct list of the remaining outstanding items/concerns to be resolved with the site plan:

1. Whether the Stadium Drive curb cut should be closed per *Section 51.50.G* or remain open per *Section 51.50.F*.
2. The placement of the seating area within the landscape buffer.
3. The establishment of an escrow account for the Stadium Drive entrance to be changed to concrete per the Township standards for sidewalks (if this curb cut remains).
4. An updated landscape plan that meets the 30 percent native planting requirement.
5. Consideration of the note on the photometric plan related to the time when lighting would be reduced to security lighting on the site. The note indicates 11:00 pm to 7:00 am.
6. Concerns related to the final contours proposed in the grading plan and its impact on storm water management.

PLANNING COMMISSION POSSIBLE ACTIONS

If the Planning Commission is amenable to approving the site plan, staff recommends attaching the following conditions:

1. A revised landscape plan be provided by March 29, 2019 meeting the percentage of native plantings required by *Section 53.90* of the Landscape Ordinance.
2. An updated photometric plan that changes the security lighting note to read "...the remaining lighting will be off from 10:00 pm to 7:00 am."
3. A revised grading plan that satisfies the Township Engineer's concerns related to final contours and storm water management.

If the Planning Commission determines the Stadium Drive curb cut should remain, staff recommends the following condition:

An escrow account be established by June 30, 2019 for the cost of reconstructing the Stadium Drive entrance to concrete to meet the Township requirements for sidewalks. Cost of construction to be determined by the applicant and reviewed and approved by the Township Engineer.

If the Planning Commission determines the Stadium Drive curb cut should be removed, the following condition should be attached to any approval:

A revised site plan be provided by March 29, 2019 with the Stadium Drive curb cut removed and the right-of-way restored to MDOT standards.

If the Planning Commission determines the proposed seating area should be relocated/removed, a condition to that effect will need to be added to any considered approvals.

Finally, the Planning Commission may also consider postponing approval of the site plan until some or all of the concerns noted above have been resolved.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Julie Johnston". The signature is written in a cursive, flowing style.

Julie Johnston, AICP
Planning Director

Attachments: Application
Stadium Drive Curb Cut Letter
Site Plan
Seating Area Detail
Planning Commission Minutes – December 13, 2018 excerpt



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

PLEASE PRINT

PROJECT NAME & ADDRESS Metro Toyota Expanded Parking 5924 Stadium Dr.

PLANNING & ZONING APPLICATION

Applicant Name : Laurie Davis
Company Hurley & Stewart, LLC
Address 2800 S. 11th Street
Kalamazoo, MI 49009
E-mail ldavis@hurleystewart.com
Telephone (269)492-3303 Fax (269)5524961
Interest in Property Landscape Architect

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

Fee Amount _____
Escrow Amount _____

OWNER*:

Name Metro Leasing, LLC
Address 5850 Stadium Drive
Kalamazoo, Mi 49009
Email jdenooyer@Metro-Toyota.com
Phone & Fax _____

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): _____

Demolish existing site amenities and construct a Parking Lot for the sale of used cars
adjacent to the client's current lot.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

LAND SITUATED IN THE STATE OF MICHIGAN, COUNTY OF KALAMAZOO, TOWNSHIP OF OSHTEMO.
COMMENCING AT A POINT ON THE EAST AND WEST 1/4 LINE OF SECTION 25, TOWN 2 SOUTH, RANGE 12
WEST, 132 FEET EAST OF THE WEST 1/4 POST; THENCE SOUTH PARALLEL TO THE WEST LINE, 479.91 FEET TO
THE BEGINNING; THENCE NORTH 53°39'30" EAST PARALLEL TO THE NORTHERLY LINE OF WEST MICHIGAN
AVENUE, 274.09 FEET; THENCE SOUTH 36°20'30" EAST, 240 FEET TO THE NORTHERLY LINE OF SAID AVENUE;
THENCE SOUTH 53°39'30" WEST, 452.56 FEET; THENCE NORTH TO THE PLACE OF BEGINNING.
PARCEL NUMBER: 3905- 05-25-305-031

ADDRESS OF PROPERTY: 5924 Stadium Dr. Kalamazoo, MI

PRESENT USE OF THE PROPERTY: Restaurant

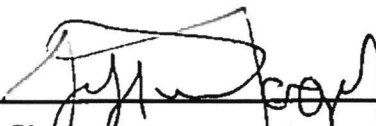
PRESENT ZONING C- Local Business District **SIZE OF PROPERTY** 2.0 Acres

**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)

1-30-19
Date



Applicant's Signature

1/29/19
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS



Radisson Plaza Hotel & Suites
100 West Michigan Avenue
Suite 200
Kalamazoo, MI 49007-3960



MATTHEW B. VAN DYK
Attorney at Law

269.226.2988
269.978.2969 fax
vandykm@millerjohnson.com

March 6, 2019

VIA EMAIL

Oshtemo Township Planning Commission
c/o Julie Johnston, AICP, Planning Director
Email: JJohnston@oshtemo.org

Re: **5924 Stadium Drive, Kalamazoo**
Parcel No.: 3905-25-305-031
Request: Site Plan Review

Dear Chairperson VanderWeele and members of the Planning Commission:

We represent Metro Leasing, LLC, who owns the properties at 5850 and 5924 Stadium Drive. On December 13, 2018, the Planning Commission approved a special exception request for Metro to use the property at 5924 Stadium Drive as a new/used car sales lot. Metro is now asking the Planning Commission to review and approve a site plan for Metro's proposed development of that property for its approved use.

We understand that one of the issues under consideration is the property's curb cut onto Stadium Drive under the Township's Access Management Guidelines, Section 67.000 et seq. Closing the Stadium Drive curb cut, however, would significantly impair the value and utility of the property for Metro's proposed development and any potential future use by Metro as well. Indeed, it may very well stymy the proposal altogether. Were this to happen, the property would most likely continue in its current use which has significantly smaller setbacks and screening as well as significantly increased traffic, resulting in an increased burden to both the neighbors and Stadium Drive traffic than that which is currently being proposed.

Considering that Metro's project has been well received up to this point and would benefit the Township and neighboring property owners far more than the status quo, we are asking the Planning Commission **not** to require closure of the Stadium Drive curb cut.

First, the Access Management Guidelines do **not** require closure of the curb cut. Under Section 67.500 of the Access Management Guidelines:

6. *Where parcels, lots, or building sites have frontage or access on more than one roadway, access shall be provided from the lesser traveled street. **Where spacing requirements can be met, high traffic volumes will be generated, or the subject side street is inappropriate for nonresidential traffic, access onto the main roadway will be considered.***
7. *In the case of expansion, alteration or redesign of an existing development where existing driveways do not comply with the guidelines set forth herein, the closing, relocation, or redesign of the driveway **may** be required.*

The Access Management Guidelines apply to the site plan review of any development on an “arterial” street (e.g., Stadium Drive). Under the Access Management Guidelines, if a redevelopment or expansion fronts on more than one street, then access from the lesser traveled street **may** be required in the Planning Commission’s discretion. However, the Access Management Guidelines also provide that the Planning Commission **must** consider access from the main roadway if the spacing requirements would be met or the subject side street is inappropriate for nonresidential traffic.

Here, the property at 5924 Stadium Drive fronts on both Stadium Drive and Quail Run Drive. Quail Run Drive is the lesser traveled street, and it serves almost exclusively residential traffic. Metro’s proposed redevelopment of 5924 Stadium Drive is an expansion of the existing operations at 5850 Stadium Drive. However, the Stadium Drive curb cut appears to materially satisfy the spacing requirements of the Access Management Guidelines, and as will be discussed in more depth below, the primarily-residential Quail Run Drive is inappropriate for more nonresidential traffic. Therefore, although the Planning Commission has the discretion to determine whether access from Quail Run Drive should be required, it is also obligated to consider whether access from Stadium Drive would be more appropriate. In this case, we think it clearly is.

While we understand the broader planning goals and purposes which underlie the Access Management Guidelines and which recommend diversion of traffic to side streets in general, this site has several unique factors for which diverting access would create more problems than it solves:

Closure of the Stadium Drive curb cut would exacerbate existing Quail Run Drive congestion and conflict points. The most significant factor is the potential congestion and conflict points on Quail Run Drive. As indicated above, Quail Run Drive is primarily a residential street serving the Quail Run condominium development. The existing residential traffic on Quail Run Drive (particularly the traffic turning left onto Stadium Drive) is already an issue for the local residents during peak hours. At the Planning Commission meeting at which Metro’s special exception use was approved, there was some concern raised about whether that congestion would be made worse, especially considering the potential for pedestrian traffic to and from Metro’s existing operations across the street, at this location. This was the single most significant concern raised in connection with the entire project at either the prior Zoning Board of Appeals variance hearing or the Planning Commission special use permit hearing. Considering that Metro’s project would otherwise reduce traffic, increase setbacks, and increase buffering, it makes sense that there would be little objection, but this concern – congestion and conflict at Quail Run Drive – was an exception. And yet, it is this very issue that would be exacerbated, not abated, by closing the Stadium Drive curb cut. In this case, diverting traffic from Stadium Drive onto Quail Run Drive – a side street with existing congestion and conflict points – would actually result in more traffic and safety concerns, not fewer.

Stadium Drive would not be materially benefitted by closure of the Stadium Drive curb cut. The preference for diverting traffic to lesser traveled streets is intended to reduce congestion on the main roadway. In this case, however, diverting traffic to Quail Run Drive would not only exacerbate congestion on a residential street, but it would do so with no meaningful corresponding benefit to Stadium Drive. First, Metro’s use of the Stadium Drive curb cut would be less intense than the prior owner’s use. The previous owner of Metro’s property was Rykse’s Restaurant and Bakery, and Rykse’s customers and employees accessed the property almost exclusively by the Stadium Drive curb cut. Their traffic was not only heavier than Metro’s will be, but concentrated during peak hours. There has been no suggestion that

March 6, 2019

Page 3

there was any problem with Rykse's traffic or that it caused congestion. If there was no problem with Rykse's traffic, then there will certainly be no problem with Metro's traffic, which will be lighter and spread more evenly throughout the day. Second, as indicated above, the spacing requirements under the Access Management Guidelines are materially satisfied, and in this stretch of Stadium Drive, the curb cuts are quite distant from one another. They are extremely spread out and appear to comply with the Access Management Guidelines' spacing requirements, which suggests that the risk of congestion is low. Metro's use of the Stadium Drive curb cut simply does not present a traffic problem.

The unique factors at play on this property suggest that closing the Stadium Drive curb cut and diverting the traffic to Quail Run Drive would be counter-productive. Not only would it significantly exacerbate the existing and potential congestion and conflict points on residential Quail Run Drive, but it would do so without providing even a remotely comparable benefit on Stadium Drive.

We ask that the Planning Commission **not** require the closure of the Stadium Drive curb cut in connection with the site plan approval. The loss of the property's Stadium Drive curb cut would be potentially devastating. If the Stadium curb cut is required to be closed, then Metro's proposed expansion likely becomes cost-prohibitive as it fundamentally changes the value proposition and Metro's reasonable investment-backed expectations. Not only would the closure potentially be fatal to the current proposal, but also any future redevelopment or reuse of the site by Metro. If the project is abandoned altogether, then – so long as that closure remains a condition for future site plan approval – the only practical use of the property would be its current use, which would generate more traffic and impose greater burdens on neighboring property owners than Metro's proposed expansion or future use ever could. Metro's proposed redevelopment of this site is a literal win-win-win – a win for Metro as it expands its business, a win for the Township as it advances development, and a win for the neighbors as they see decreased traffic, increased setbacks, and increased landscaping/buffering. Between the neighbors' burdens, the Township's missed opportunity for development, and Metro's lost investment, requiring the Stadium curb cut closure be literally lose-lose-lose.

Thank you for your consideration of our concerns.

Sincerely,

Miller Johnson



By

Matthew B. Van Dyk

MBV:ges

DRAWING LOCATION: H:\15-060 Metro Toyota - Oshtemo Township - Final Drawings\0-0 TITLE SHEET.dwg LAST SAVED BY: LDRSL ON 3/2/2019

METRO TOYOTA EXPANDED PARKING, ISSUED FOR OSTHEMO TOWNSHIP RESUBMITTAL, 03-06-19

Site Plans

Metro Toyota Expanded Parking

**STADIUM DR.
OSHTEMO TWP.
KALAMAZOO COUNTY, MICHIGAN
03-06-19**

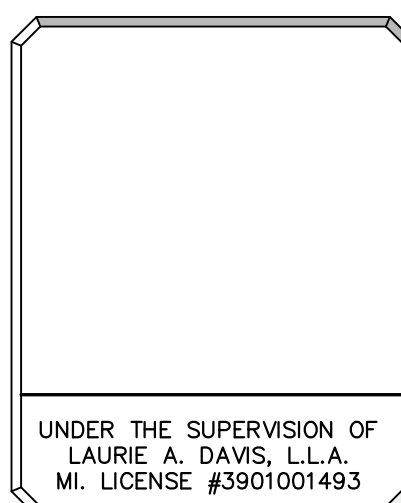
OWNER

Jeff DeNooyer
Metro Leasing, LLC
5850 Stadium Drive
Kalamazoo, MI 49009

PLANS PREPARED BY:

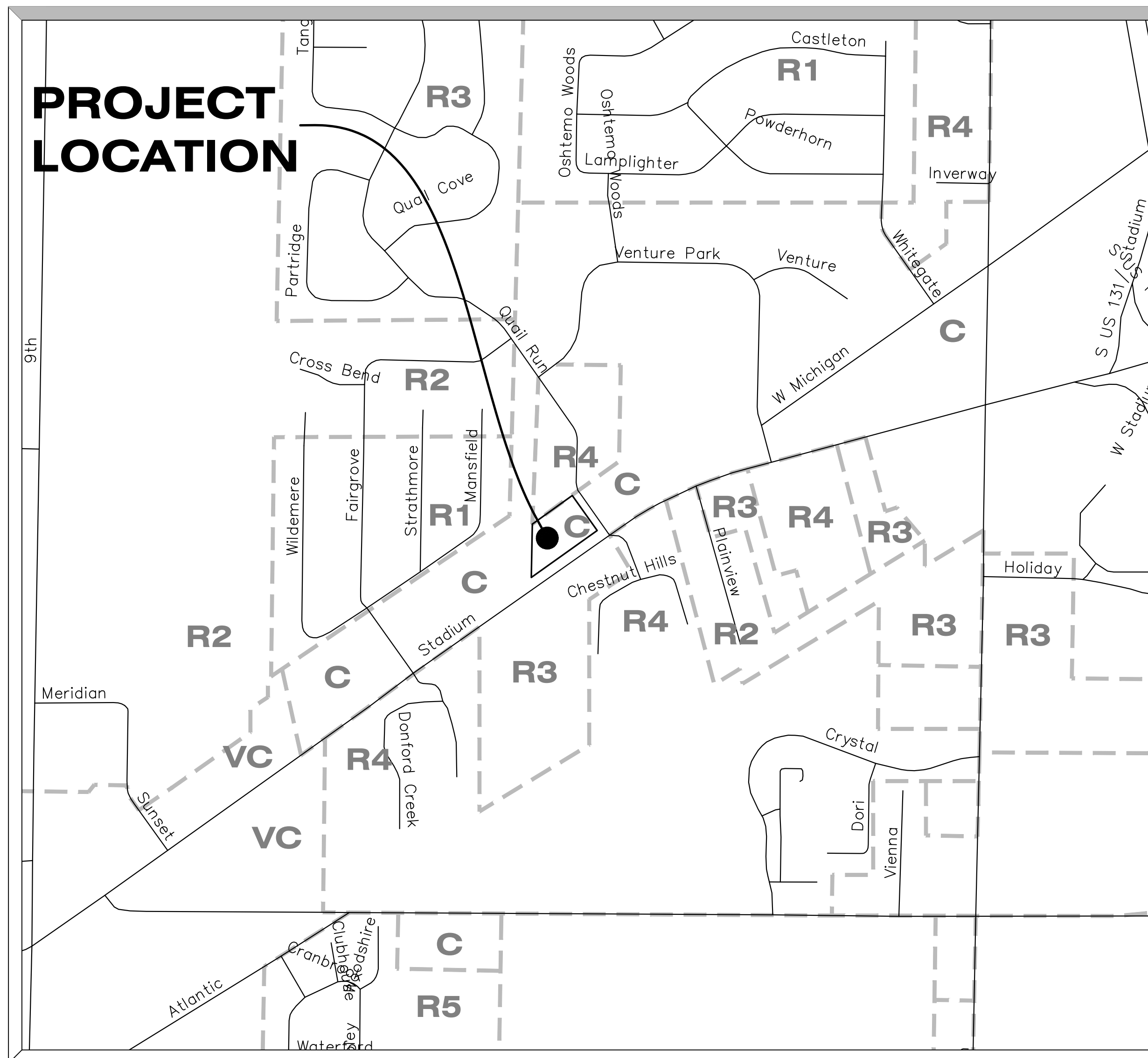


hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 552.4961
www.hurleystewart.com



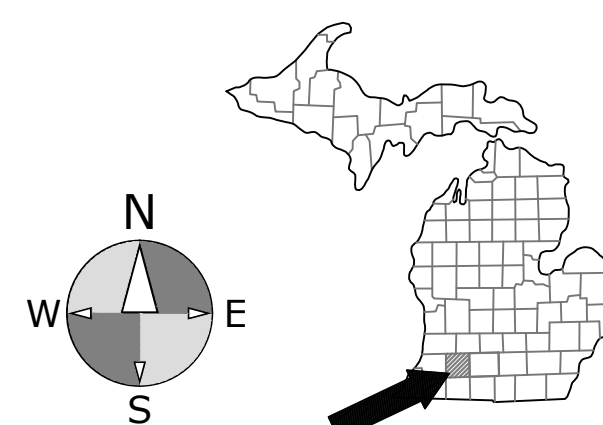
UTILITY CONTACTS:

- CONSUMERS ENERGY CO.
JESSE BURNS
2500 E. CORK STREET
KALAMAZOO, MI 49001
269.337.2311
ELECTRIC
- CONSUMERS ENERGY CO.
TERRY FIELDS
2500 E. CORK STREET
KALAMAZOO, MI 49001
269.337.2270
GAS
- CITY OF KALAMAZOO
STEVE SKALSKI/MATT JOHNSON
415 STOCKBRIDGE AVENUE
KALAMAZOO, MI 49001
269.337.8002
WATER/SANITARY
- CHARTER
JEFF LAKE
2919 MILLCORK ST.
KALAMAZOO, MI 49001
269.625.7403
TELEPHONE/CABLE
- COMCAST
1(800)391-3000
CABLE TV
- OSHTEMO TOWNSHIP
GREG MILLIKEN
7275 W. MAIN ST
KALAMAZOO, MI 49009
TOWNSHIP



SITE LOCATION MAP

SCALE: 1" = 500'



DRAWING INDEX

- | SHT # | DESCRIPTION |
|-----------------------------|-----------------------|
| C-1 | DEMOLITION PLAN |
| C-2 | LAYOUT PLAN |
| C-3 | GRADING AND SESC PLAN |
| C-4 | UTILITY PLAN |
| C-5 | DETAIL SHEET |
| C-6 | STORM CALC DETAILS |
| L-1 | LANDSCAPE PLAN |
| L-2 | LANDSCAPE DETAILS |
| L-3 | LIGHTING PLAN |
| ALTA/NSPS LAND TITLE SURVEY | |

**PRELIMINARY
NOT FOR CONSTRUCTION**

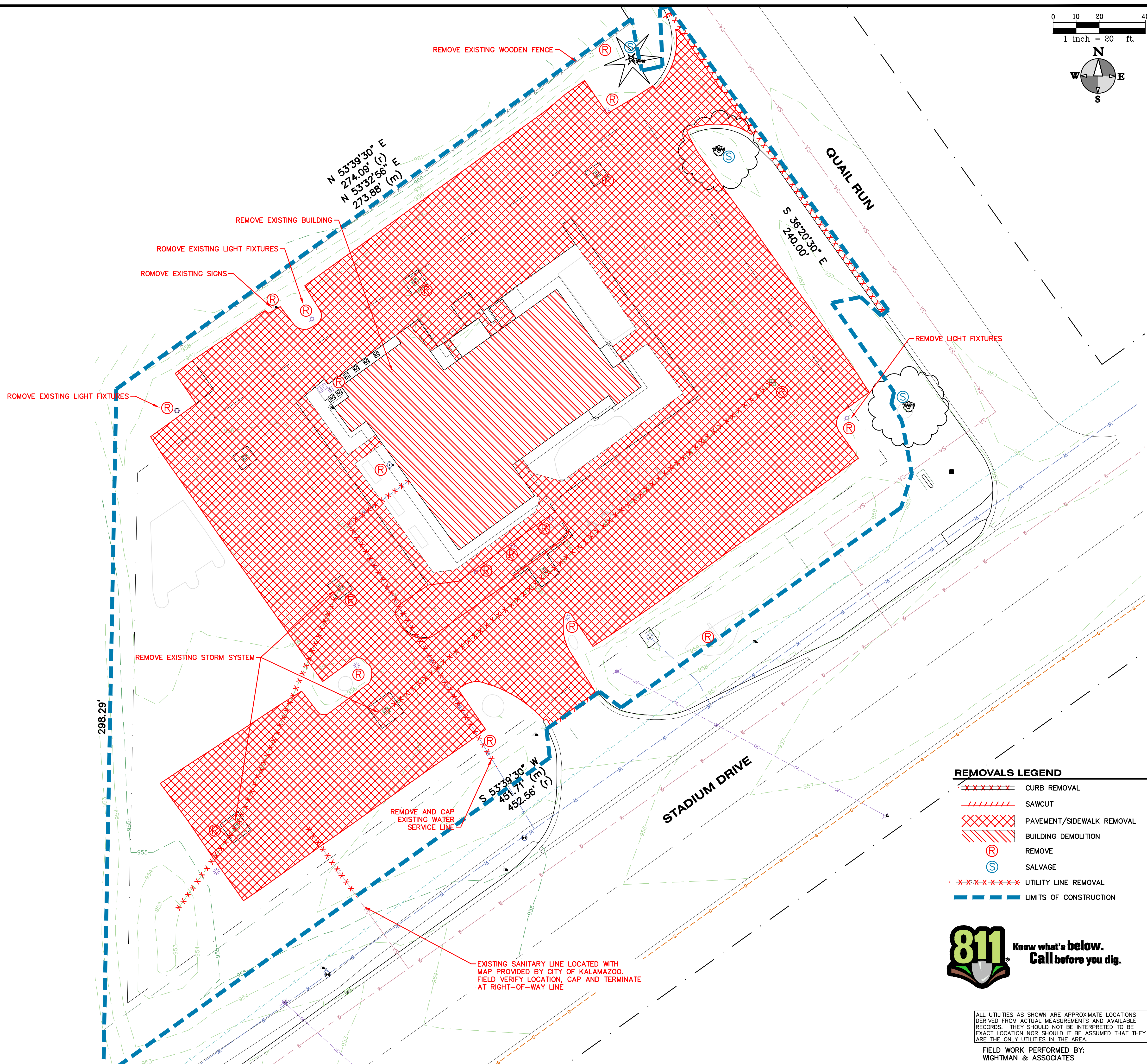
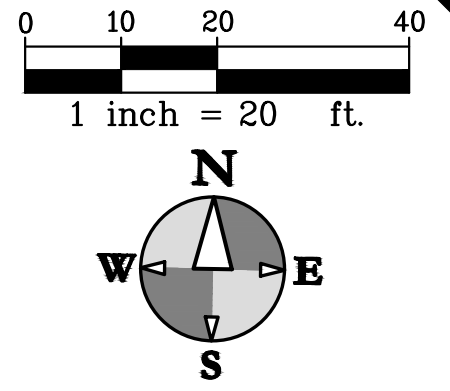


EXISTING TOPOGRAPHY PROVIDED BY CARR AND ASSOCIATES LAND SURVEYING. ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

ISSUED FOR:
OSTHEMO TOWNSHIP RESUBMITTAL
03-06-19

REMOVAL NOTES

1. REVIEW ALL THE REMOVALS AND PROTECTION WITH OWNER PRIOR TO COMMENCING CONSTRUCTION. INSTALL TEMPORARY SNOW FENCE AROUND ALL TREES REQUIRING PROTECTION. SNOW FENCE SHALL BE PLACED AT EDGE OF DRIP LINE.
2. SAWCUT ALL CURB, SIDEWALK, AND PAVEMENTS PRIOR TO REMOVAL. ADDITIONAL SAWCUT MAY BE NECESSARY PRIOR TO REPLACEMENT TO ENSURE CLEAN EDGE.
3. ALL REMOVALS SHALL BE TAKEN OFF-SITE AND DISPOSED OF. NO STOCKPILE OR BURNING OF DEBRIS IS ALLOWED.
4. COMPLY WITH ALL ASPECTS OF THE SOIL EROSION CONTROL PERMIT AS ISSUED BY KALAMAZOO COUNTY. ALL TEMPORARY CONTROL MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING CONSTRUCTION.
5. ALL REMOVALS SHALL BE TO THE LIMITS INDICATED ABOVE UNLESS OTHERWISE DIRECTED BY THE ENGINEER. UNAUTHORIZED REMOVALS AND SUBSEQUENT REPLACEMENT SHALL BE AT THE CONTRACTOR'S EXPENSE.
6. REMOVE, STORE, AND RESET ANY EXISTING SIGNS AS DIRECTED BY THE ENGINEER/OWNER.
7. REMOVE ALL TREES TO THE CLEARING LIMITS AS SHOWN. REMOVE ALL EXISTING TREES, STUMPS AND BRUSH FROM THE SITE AS NECESSARY TO CONSTRUCT THE IMPROVEMENTS.
8. REVIEW CLEARING LIMITS WITH OWNER PRIOR TO COMMENCING WORK. PRESERVE TREES WHERE INDICATED.
9. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
10. FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.



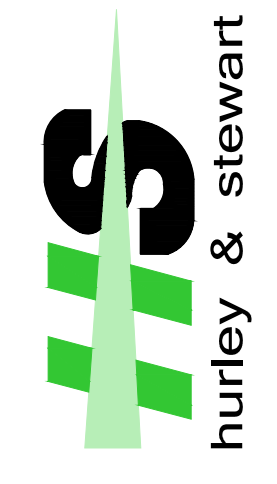
REMOVALS LEGEND

	CURB REMOVAL
	SAWCUT
	PAVEMENT/SIDEWALK REMOVAL
	BUILDING DEMOLITION
	REMOVE
	SALVAGE
	UTILITY LINE REMOVAL
	LIMITS OF CONSTRUCTION



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:
WIGHTMAN & ASSOCIATES

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



Job No. 18-066D - P.M.-T.H. - Drt. - - - - - 04/02/19

ISSUED FOR REVISIONS:	01/10/19
1. OWNER REVIEW	01/31/19
2. OSTHEMO TOWNSHIP SUBMITTAL	02/21/19
3. OSTHEMO TOWNSHIP RESUBMITTAL	
4.	

COPYRIGHT © of Hurley & Stewart, LLC

DEMOLITION PLAN
METRO TOYOTA EXPANDED PARKING
DENOYER

Sheet Title:
Project:
Client:

03-06-19
Sheet
C-1

ZONING REQUIREMENTS

ZONING
 THE SITE IS ZONED C - LOCAL BUSINESS DISTRICT
 SETBACKS:
 FROM STADIUM DRIVE ROW = 20'
 FROM QUAIL RUN DRIVE ROW = 20'
 FROM NORTH PROPERTY LINE = 35'
 FROM WEST PROPERTY LINE = 10'






PROPOSED USE
 CAR SALES LOT




PARKING
 TOTAL PARKING SPACES PROVIDED: 130
 TYPICAL PARKING SPACE DIMENSION = 10'x20'

INTERIOR LANDSCAPING
 LANDSCAPING AREA REQUIRED 30 SFT/ PARKING SPACE = 3900 SFT
 LANDSCAPING AREA PROVIDED = 4,440 SFT

SITE COVERAGE
 58% OF SITE IS COVERED WITH PAVEMENT
 0% BUILDING COVERAGE

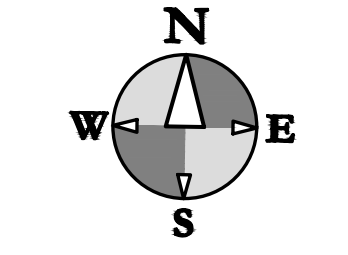
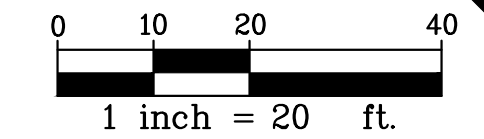
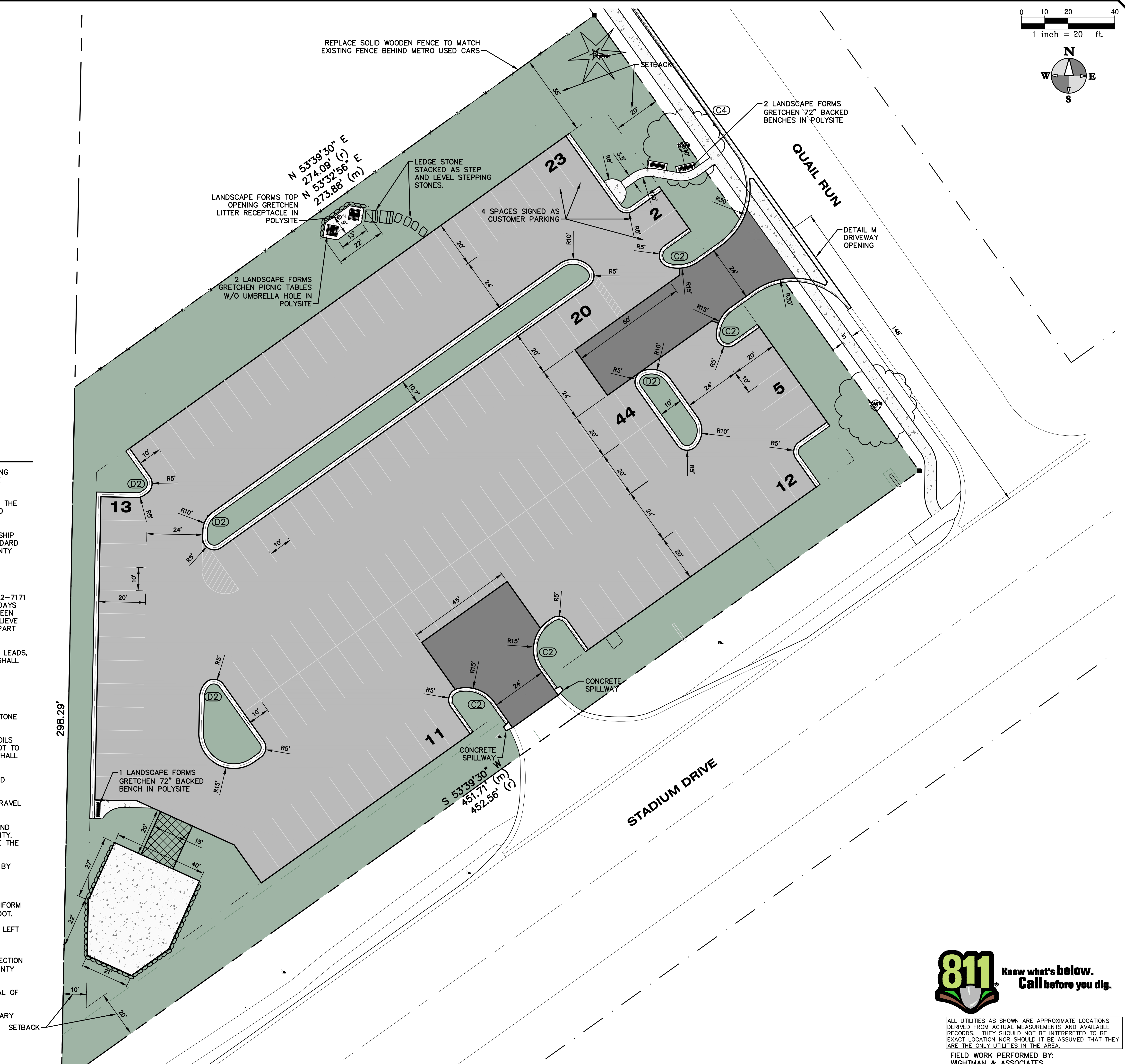
LEGEND:

-  STANDARD-DUTY BITUMINOUS PAVEMENT
-  HEAVY-DUTY BITUMINOUS PAVEMENT
-  CONCRETE PAVEMENT AND SIDEWALK
-  TURF REINFORCEMENT GRASS PAVERS (NDS TUFFTRACKS OR EQUAL)
-  FIELDSTONE WALL RETAINING WALL

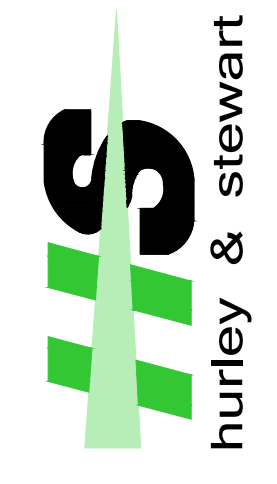
-  D2 MOUNTABLE CURB
-  C2 CURB
-  C4 CURB

GENERAL NOTES

1. THE CONTRACTOR SHALL LOCATE ALL ACTIVE UNDERGROUND UTILITIES PRIOR TO STARTING WORK AND SHALL CONDUCT HIS OPERATIONS IN A MANNER AS TO ENSURE THAT THOSE UTILITIES NOT REQUIRING RELOCATION WILL NOT BE DISTURBED.
2. ALL REQUIRED FILL FOR THIS PROJECT SHALL BE SELECTED EXCAVATED MATERIAL FROM THE SITE APPROVED BY THE ENGINEER OR CLASS II GRANULAR MATERIAL FROM BORROW AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
3. EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2011 EDITION, AND THE KALAMAZOO COUNTY ROAD COMMISSION REQUIREMENTS AND SPECIFICATIONS.
4. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
5. FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.
6. ANY BITUMINOUS OR CONCRETE PAVEMENT, SANITARY SEWER, SANITARY SEWER SERVICE LEADS, OR STORM SEWER, WHICH IS DAMAGED BY THE CONTRACTOR DURING HIS OPERATIONS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AND AT THE CONTRACTOR'S EXPENSE.
7. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
8. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE 35S (3500PSI), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL.
9. SITE CONTRACTOR SHALL REMOVE AND STOCKPILE ALL TOPSOIL AND BLACK ORGANIC SOILS ON-SITE TO BE USED IN THE RE-GRADING OF LANDSCAPE AREAS. THIS MATERIAL IS NOT TO BE USED FOR FILL OR PAVEMENT SUBBASE. REMOVAL OF ANY EXCESS SOIL OFF-SITE SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
10. THE CONTRACTOR SHALL BE RESPONSIBLE TO REMOVE ALL EXISTING TREES, STUMPS AND BRUSH FROM THE SITE AS NECESSARY TO CONSTRUCT IMPROVEMENTS.
11. ALL GRANULAR FILL UNDER THE INFLUENCE OF THE ROADWAY AND PROCESSED ROAD GRAVEL SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.
12. ALL COMPACTION SHALL BE ACCOMPLISHED BY PLACING THE FILL IN 12" LOOSE LIFTS AND MECHANICALLY COMPACTING EACH LIFT TO AT LEAST THE SPECIFIED MINIMUM DRY DENSITY. FIELD DENSITY TESTS SHOULD BE PERFORMED ON EACH LIFT AS NECESSARY TO ENSURE THE ADEQUATE MOISTURE CONDITIONS AND COMPACTION ARE BEING ACHIEVED.
13. REMOVE AND REPLACE WITH CONTROLLED FILL ANY AREAS THAT HAVE BEEN SOFTENED BY RAINS, FREEZING, CONSTRUCTION EQUIPMENT, ETC.
14. ALL CURB RADII AND DIMENSIONS ARE TO EDGE OF METAL.
15. ALL CONSTRUCTION SIGNING TO BE IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. REGULATORY SIGNAGE (IF SPECIFIED) SHALL BE PER THE MDOT.
16. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
17. ALL WORK SHALL COMPLY WITH THE PROVISIONS OF PART 91 OF THE EROSION AND SEDIMENTATION CONTROL ACT OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (P.A. 451 OF 1994, AS AMENDED) AND AS ADMINISTERED BY THE KALAMAZOO COUNTY DRAIN COMMISSIONER.
18. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
19. MATCH EXISTING CURB & GUTTER SECTIONS WHEN CONNECTING TO THEM. CONDITIONS VARY THROUGHOUT PROJECT.



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Job No.: 18-066D - P.M.-TDR - DRH - OSTHEMO-03-01/28/19

ISSUED FOR/REVISION	DATE	BY
1. OWNER REVIEW	01/10/19	DRH
2. OSTHEMO TOWNSHIP SUBMITTAL	01/31/19	DRH
3. OSTHEMO TOWNSHIP RESUBMITTAL	02/21/19	DRH
4.		

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LAYOUT PLAN
METRO TOYOTA EXPANDED PARKING
DENOYER

Sheet Title:
 Project:
 Client:

03-06-19
 Sheet

C-2



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:
 WIGHTMAN & ASSOCIATES

GRADING NOTES

1. MATCH EXISTING GRADES AROUND PERIMETER WITH SLOPES AS SHOWN.
2. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
3. ALL SPOT ELEVATIONS ARE TOP OF PAVEMENT GRADES AT EDGE OF METAL (EOM) UNLESS OTHERWISE NOTED.
4. ALL SOIL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO MASS GRADING.
5. ALL EXISTING ELEVATIONS ARE TO BE VERIFIED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
6. REMOVE AND REPLACE WITH CONTROLLED FILL ANY AREAS THAT HAVE BEEN SOFTENED BY RAINS, FREEZING, CONSTRUCTION EQUIPMENT, ETC.
7. ALL REQUIRED FILL FOR THIS PROJECT SHALL BE SELECTED EXCAVATED MATERIAL FROM THE SITE APPROVED BY THE ENGINEER OR CLASS II GRANULAR MATERIAL FROM BORROW AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
8. ALL GRANULAR FILL UNDER THE INFLUENCE OF THE ROADWAY AND PROCESSED ROAD GRAVEL SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.
9. ALL COMPACTION SHALL BE ACCOMPLISHED BY PLACING THE FILL IN 12" LOOSE LIFTS AND MECHANICALLY COMPACTING EACH LIFT TO AT LEAST THE SPECIFIED MINIMUM DRY DENSITY. FIELD DENSITY TESTS SHOULD BE PERFORMED ON EACH LIFT AS NECESSARY TO ENSURE THAT ADEQUATE MOISTURE CONDITIONS AND COMPACTION ARE BEING ACHIEVED.
10. SITE CONTRACTOR SHALL REMOVE AND STOCKPILE ALL TOPSOIL AND BLACK ORGANIC SOILS ON-SITE TO BE USED IN THE REGRADING OF LANDSCAPE AREAS. THIS MATERIAL IS NOT TO BE USED FOR FILL OR PAVEMENT SUBBASE. REMOVAL OF ANY EXCESS SOIL OFF-SITE SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
11. CONTRACTOR RESPONSIBLE FOR VERIFYING EARTHWORK CALCULATIONS PRIOR TO COMMENCING WORK. NO EXTRA EARTHWORK WILL BE PAID FOR ONCE EARTHWORK HAS BEGUN. ANY DISCREPANCIES WITH THE EARTHWORK CALCULATIONS SHALL BE REVIEWED WITH THE OWNER AND ENGINEER PRIOR TO CONSTRUCTION.
12. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.

SOIL EROSION AND SEDIMENTATION CONTROL MEASURES

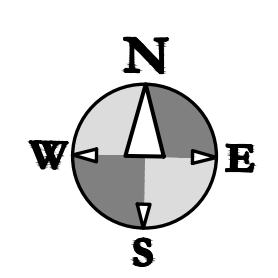
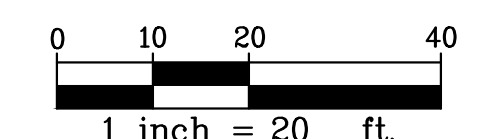
KEY	BEST MANAGEMENT PRACTICES	SYMBOL	WHERE USED
E8	PERMANENT SEEDING		Stabilization method utilized on sites where earth change has been completed (final grading attained).
E11	VEGETATED CHANNELS		For use in created stormwater channels. Vegetation is used to slow water velocity and reduce erosion within the channel.
S51	SILT FENCE		Use adjacent to critical areas, to prevent sediment laden sheet flow from entering these areas.

EROSION CONTROLS

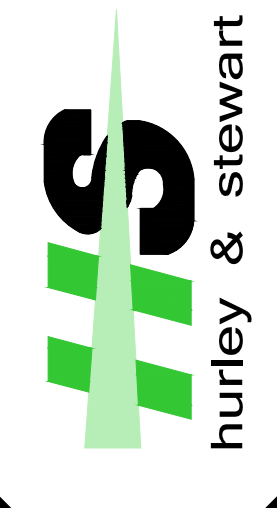
SEDIMENT CONTROLS

SESC NOTES

1. ALL WORK WILL COMPLY WITH THE PROVISIONS OF THE SOIL EROSION AND SEDIMENTATION CONTROL ACT (PA 347 OF 1972 AS AMENDED) ADMINISTERED BY THE COUNTY DRAIN COMMISSIONER.
2. AVOID UNNECESSARY DISTURBING OR REMOVING EXISTING VEGETATED TOPSOIL OR EARTH COVER. THESE AREAS ACT AS SEDIMENT FILTERS.
3. CONTRACTOR SHALL AT ALL TIMES COMPLY WITH THE SOIL EROSION CONTROL PERMIT FROM THE KALAMAZOO COUNTY DRAIN COMMISSIONER.
4. ALL TEMPORARY SOIL EROSION PROTECTION SHALL REMAIN IN PLACE UNTIL REMOVAL IS REQUIRED FOR FINAL CLEANUP AND APPROVAL.
5. CONTRACTOR TO PROVIDE STRAW BALE DAMS OR SILT FENCES ACROSS ALL DITCHES, SWALES, AND ROUGH CUT ROADS WHICH EXIST FROM THE SITE TO ELIMINATE SEDIMENT RUNOFF. PROVIDE STRAW BALE DAMS, SILT FENCES OR INSTALL FILTER FABRIC UNDER INLETS AT ALL STORM SEWER STRUCTURES DURING CONSTRUCTION.
6. NO SITE WORK SHALL BEGIN UNTIL THE SILT FENCE AND ACCESS ROAD ARE INSTALLED.
7. ALL SOIL PILES SHALL BE SURROUNDED BY SILT FENCE IF ALLOWED TO REMAIN IN PLACE FOR MORE THAN 7 DAYS. TOPSOIL PILES SHALL BE SEEDDED IF ALLOWED TO REMAIN IN PLACE FOR MORE THAN 20 DAYS. SPOIL PILES SHALL NOT BE PLACED WITHIN 50' FROM ANY TEMPORARY OR PERMANENT WATERCOURSE.
8. THE CONTRACTOR SHALL COMPLY WITH THE WEEKLY RECOMMENDATIONS OF THE CERTIFIED STORM WATER OPERATOR.
9. ALL INLETS IN PAVED AREAS SHALL HAVE SILT SAVER SEDIMENTATION REDUCERS DURING CONSTRUCTION.
10. COORDINATE TOPSOIL STOCKPILE WITH OWNER.
11. PLACE TRACK MATS AT THE ENTRANCE OF SITE TO REDUCE MATERIAL TRACKED OFF SITE.
12. PLACE "DO NOT ENTER CONSTRUCTION ZONE" SIGNS AT ALL ENTRY POINTS TO PROJECT.
13. PROVIDE SILT SACKS IN EACH CATCH BASIN UNTIL SITE IS STABILIZED.
14. ALL SOIL EROSION MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING WORK.
15. PLACE SILT FENCES ALONG THE TOE OF TOPSOIL STOCKPILES AND OTHER FILL AREAS. SEED TOPSOIL STOCKPILE AND MAINTAIN SILT FENCES UNTIL SITE IS STABILIZED.
16. MAINTAIN A VEGETATIVE BUFFER WHEREVER POSSIBLE.
17. SEE LANDSCAPING PLAN FOR FINAL SLOPE TREATMENTS.
18. PLACE TOPSOIL AND SEED ACCORDING TO THE LANDSCAPE PLANS AS SOON AS AREAS ARE BROUGHT TO GRADE.
19. CLEAN ADJACENT ROADWAYS WHEN NECESSARY.
20. WATER SITE WHEN NECESSARY TO PREVENT AIR BORNE SEDIMENT TRANSFER.
21. PLACE MULCH BLANKET AN ALL SLOPES 1 ON 3 OR STEEPER.



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Job No.: 18-066D P.M.T.P.H. D.R.H. --- QA/QC: 01/28/19

ISSUED FOR/REVISIONS:	DATE
1 OWNER REVIEW	01/10/19
2 OSTHEMO TOWNSHIP SUBMITTAL	01/31/19
3 OSTHEMO TOWNSHIP RESUBMITTAL	02/21/19
4	

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GRADING AND SESC PLAN
METRO TOYOTA EXPANDED PARKING
DENOYER

Sheet Title:
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03-06-19
Sheet

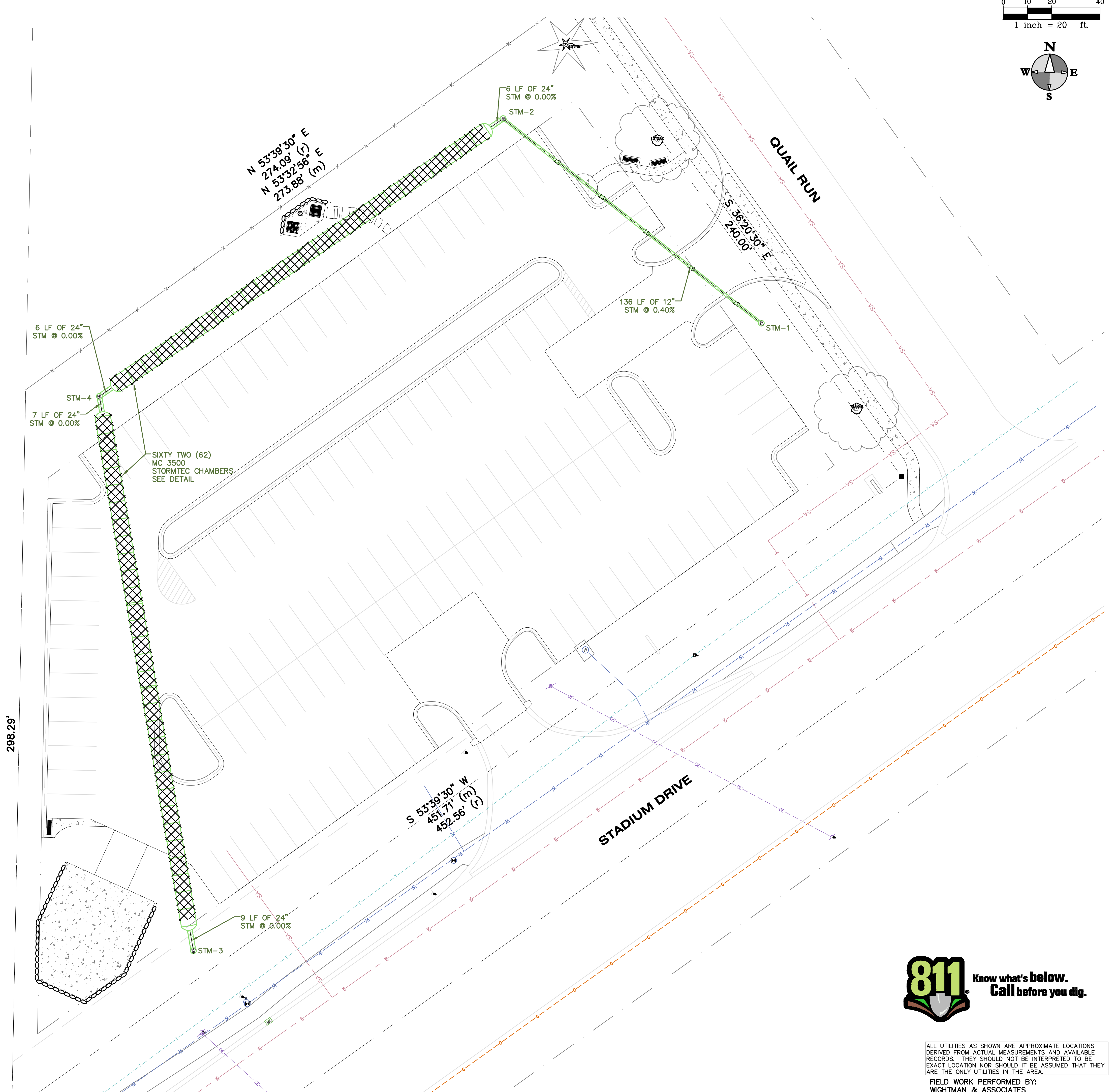
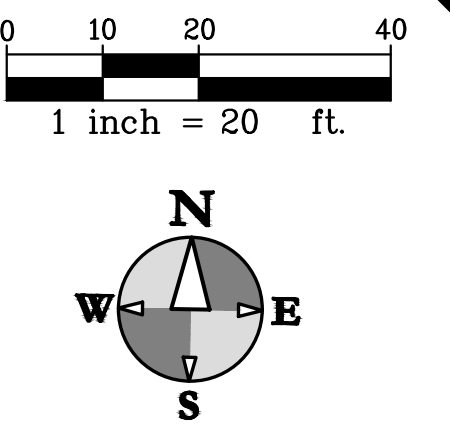
C-3



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:
WIGHTMAN & ASSOCIATES

UTILITY NOTES

1. ALL STRUCTURE CASTINGS TO BE EAST JORDAN IRON WORKS OR APPROVED EQUAL. SEE STRUCTURE TABLE FOR SPECIFIC CASTING AT EACH STRUCTURE.
2. STORM SEWERS SHALL BE ADS N-12 RIGID PIPE MEETING AASHTO M-294, TYPE S, OR APPROVED EQUAL INSTALLED PER THE REQUIREMENTS OF MDOT AND OSTHEMO TOWNSHIP. MANDREL TESTING SHALL BE PERFORMED PRIOR TO PAVING.
3. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
4. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
5. DEWATERING MAY BE REQUIRED TO INSTALL OR REMOVE SOME UTILITIES. REFER TO SPECIFICATIONS FOR SPECIFIC REQUIREMENTS. REFER TO GEOTECHNICAL REPORT FOR MORE INFORMATION.
6. REMOVE SEDIMENT FROM ALL STRUCTURES ONCE PAVING IS COMPLETE AND REMOVE SILT SACKS.



STORMTECH MC-3500 DATA

TOP OF STONE = 951.00
 TOP OF CHAMBERS = 950.00
 BOTTOM OF CHAMBERS = 946.25
 BOTTOM OF STONE = 945.50
 ALL CHAMBERS LAID FLAT
 62 TOTAL CHAMBERS

ISOLATOR ROW

STORM SEWER STRUCTURE SCHEDULE

STR. NO.	IRM ELEV.	DIAM.	CASTING	PIPES IN:	PIPES OUT
STM-1	953.00	4'	6008	12" NW: 950.60	
STM-2	953.41	4'	6008	12" SE: 950.00	24" SW: 946.42
STM-3	952.00	4'	6008	24" S: 946.42	24" NE: 946.42
STM-4	952.00	4'	6008	24" S: 946.42	24" NE: 946.42

Job No. 18-066D P.M.-T.H. Drt. --- QA/QC: 01/28/19

ISSUED FOR/REVISIONS:

1	OWNER REVIEW	01/10/19
2	OSTHEMO TOWNSHIP SUBMITTAL	01/31/19
3	OSTHEMO TOWNSHIP RESUBMITTAL	02/21/19
4		

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UTILITY PLAN

METRO TOYOTA EXPANDED PARKING

DENOYER

Sheet Title:
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03-06-19
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C-4



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:
 WIGHTMAN & ASSOCIATES

DRAWING LOCATION: H:\18-066D (Metro Toyota) - (Ramesh Prasad) - FINAL DRAWINGS\C-4 Utility Plan.dwg LAST SAVE BY: LICH ON 2/27/2019

LEGEND

- NUMBER AND TYPE OF PLANTS TO BE PROVIDED AND INSTALLED.
- SEEDED LAWN.
- PERENNIAL.
- PROPOSED DECIDUOUS TREE.
- PROPOSED EVERGREEN TREE.
- PROPOSED SHRUBS, EVERGREEN AND DECIDUOUS.
- PROPOSED ORNAMENTAL GRASS.
- STEEL LANDSCAPE EDGING.

EXISTING SOIL CONDITIONS

USDA SOIL SURVEY SHOWS ENTIRE SITE AS KALAMAZOO LOAM 2-6% SLOPES

OSHTEMO TOWNSHIP PLANTING REQUIREMENTS

- ALONG STADIUM DRIVE AND QUAIL RUN:
 2 CANOPY TREES/100 LF = 14 TREES
 3 UNDERSTORY TREES/100 LF = 21 TREES
 4 SHRUBS/100 LF = 28 SHRUBS
- NORTH PROPERTY LINE:
 4 CANOPY TREES/100 LF = 12 TREES
 2 UNDERSTORY TREES/100 LF = 6 TREES
 18 SHRUBS/100 LF = 54 SHRUBS
 6 EVERGREEN TREES/100 LF = 16 TREES
- WEST PROPERTY LINE:
 1 CANOPY TREE/100 LF = 3 TREES
 2 UNDERSTORY TREES/100 LF = 6 TREES
- INTERIOR LANDSCAPING:
 LANDSCAPING AREA REQUIRED 30 SFT/ PARKING SPACE = 3900 SFT
 LANDSCAPING AREA PROVIDED = 4,440 SFT
 1 CANOPY TREE AND 2 LOW GROWING SHRUBS/ 200 SFT OF REQUIRED INTERIOR LANDSCAPING = 20 TREES AND 39 SHRUBS
- TREE PRESERVATION CREDITS:
 2 DECIDUOUS TREES 12-24" CAL = 6 TREE CREDITS
 1 EVERGREEN TREE 12-24" CAL = 3 TREE CREDITS

LANDSCAPE NOTES:

- TILL ALL LANDSCAPE AREAS TO A DEPTH OF 4" MINIMUM.
- ALL LAWN AREAS HATCHED AS SEEDED LAWN SHALL BE SEEDED AND MULCHED WITH THE FOLLOWING MIXTURE: 15% IMPROVED PERENNIAL RYEGRASS, 30% FINE FESCUE, 30% KENTUCKY BLUEGRASS, AND 25% ANNUAL RYE AT A RATE OF 8-10 LBS/ 1000 SFT. PROVIDE 19-19-19 STARTER FERTILIZER AT A RATE OF 5-7 LBS/1000 SFT.
- ALL EDGING SHALL BE STANDARD COMMERCIAL-STEEL EDGING 3/8" X 4", ROLLED EDGE, FABRICATED IN SECTIONS OF STANDARD LENGTHS, WITH LOOPS STAMPED FROM OR WELDED TO FACE OF SECTIONS TO RECEIVE STAKES IN STANDARD FINISH OF GREEN PAINT.
- 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.
- ALL PLANTINGS SHALL BE THOROUGHLY WATERED BY THE LANDSCAPE CONTRACTOR AT THE TIME OF PLANTINGS.
- 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.
- 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.
- MAINTAIN TREES, SHRUBS, AND PERENNIALS 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.
- BEGIN LAWN MAINTENANCE IMMEDIATELY AFTER EACH AREA IS PLANTED AND CONTINUE UNTIL ACCEPTABLE LAWN IS ESTABLISHED: A MINIMUM OF 60 DAYS AFTER SUBSTANTIAL COMPLETION.
- 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 UNIFORM, SMOOTH LAWN.
- PROTECT ADJACENT AND ADJOINING STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND PLANTINGS FROM HYDROSEEDING OVER-SPRAY AND DAMAGE CAUSED BY PLANTING OPERATIONS.
- REMOVE STONES LARGER THAN 1" IN ANY DIMENSION AND REMOVE STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER FROM SITE.
- 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.

IRRIGATION NOTES:

- ALL LANDSCAPE AREAS AND LAWNS ARE TO BE FULLY IRRIGATED.
- IRRIGATION SYSTEM TO INCLUDE ALL SPRAY HEADS, VALVES, CONTROLLERS, AND A RAIN SENSOR.
- A SEPARATE METER AND BACKFLOW PREVENTER WILL BE REQUIRED.
- LOCATE HEADS A MINIMUM OF 2'-0" FROM EDGE OF PAVEMENT/ CURB.



811 Know what's below. Call before you dig.

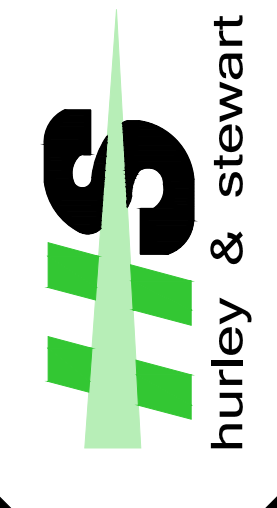
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FIELD WORK PERFORMED BY:
WIGHTMAN & ASSOCIATES

0 10 20 40
1 inch = 20 ft.

N
W E
S

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 www.hurleystewart.com



Job No.: 18-066D P.M.T.P.H. Drt.: QA/QC: 01/28/19

ISSUED FOR/REVISIONS:	DATE
OWNER REVIEW	01/10/19
OSHTEMO TOWNSHIP SUBMITTAL	01/31/19
OSHTEMO TOWNSHIP RESUBMITTAL	02/21/19
	4

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LANDSCAPE PLAN
METRO TOYOTA EXPANDED PARKING
DENOYER

Sheet Title:
 Project:
 Client:

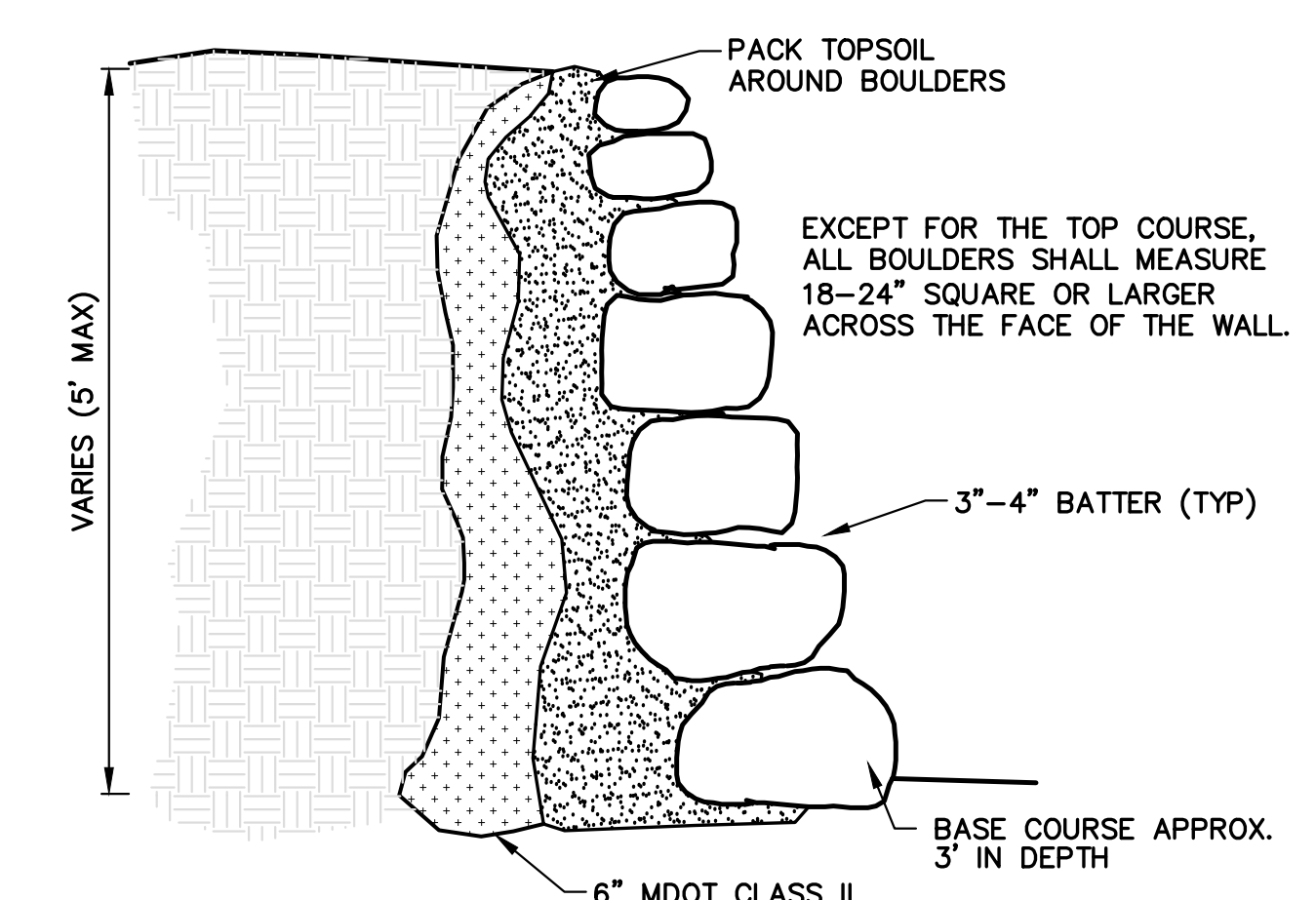
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DRAWING LOCATION: H:\18-066D Metro Toyota - (Bases Property) - FINAL DRAWINGS-2 Landscape Details.dwg LAST SAVE BY: LBH ON: 2/19/2019

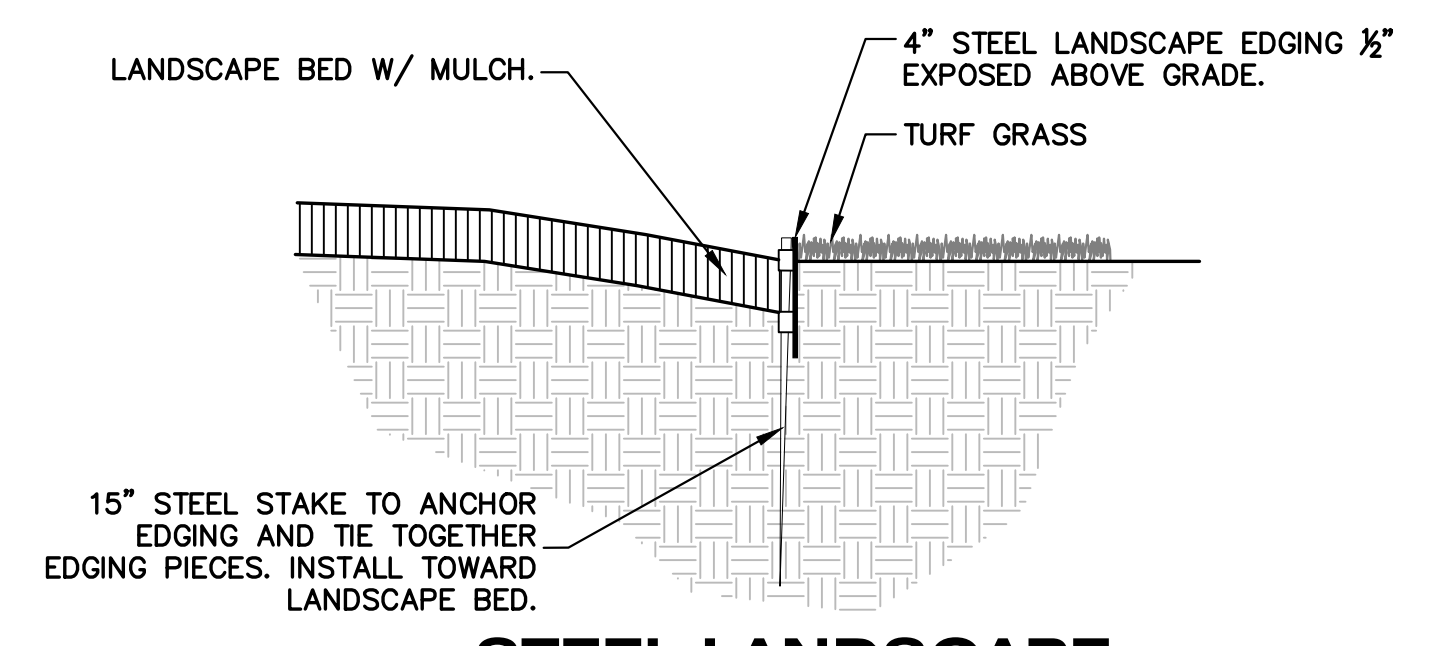
Planting Schedule Trees						
Symbol	Latin Name	Common Name	Size	Container Type	Comments	Number/Plan
Ac	Amelanchier canadensis	Shadblow Service Berry	8' Ht.	B&B		9
Ag	Acer griseum	Paperbark Maple	2" Cal.	B&B	8' min. height	6
As	Acer saccharum 'Commemoration' or 'Legacy'	Commemoration or Legacy Sugar Maple	2" Cal.	B&B		12
Ar	Acer rubrum 'October Glory'	October Glory Red Maple	2" Cal.	B&B		6
Bn	Betula nigra 'Cully'	Heritage Birch	2" min.	B&B	2-3 stems	8
Coa	Cornus alternifolia	Pagoda Dogwood	8' Ht.	B&B		6
Lt	Liriodendron tulipifera	Tulip Tree	2" Cal.	B&B		8
Mi	Malus 'Indian Magic'	Indian Magic Crabapple	8' Ht.	B&B		6
Pg	Picea glauca	White Spruce	6' Ht.	B&B		3
Po	Picea omorika	Serbian Spruce	6' Ht.	B&B		5
Ps	Pinus strobus	Eastern White Pine	6' Ht.	B&B	Sheared well shaped	5
Qc	Quercus coccinea	Scarlet Oaks	2" Cal.	B&B		9
Sr	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	2" Cal	B&B	Tree Form 8' min. height	6

Planting Schedule Shrubs						
Symbol	Latin Name	Common Name	Size	Container Type	Comments	Number/Plan
Cla	Clethra alnifolia 'Ruby Spice'	Ruby Spice Summersweet	30" Ht.	Cont.		3
Csp	Chaenomeles speciosa Texas Scarlet	Texas Scarlet Flowering Quince	24" Ht.	B&B or Cont.		13
Cst	Cornus stolonifera 'Farrow'	Arctic Fire Red Twig Dogwood	24" Ht.	Cont.		6
Fc	Forsythia x 'Courtasol'	Gold Tide Forsythia	24" Ht.	Cont.		24
Fm	Fothergilla major 'Mt. Airy'	Mt. Airy Fothergilla	30" Ht.	Cont.		5
Hp	Hydrangea paniculata 'Little Lamb'	Little Lamb Hydrangea	36" Ht.	Cont.		11
Iv	Itea virginica 'Henry's Garnet'	Henry's Garnet Sweetspire	24" Ht.	Cont.	Well branched shrubs	6
Jp	Juniperus procumbens 'Nano'	Dwarf Japanese Garden Juniper	24" spread	Cont.		7
Pa	Pyracantha angustifolia 'Monon'	Yukon Belle Pyracantha	24" Ht.	Cont.		12
Ra	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	30" Spr.	Cont.		13
Sp	Syringa patula 'Miss Kim'	Miss Kim Lilac	36" Ht.	B&B		1
Tm	Taxus x media 'Tauntonii'	Tauntoni's Yew	24" Ht.	B&B or Cont.		4
Vb	Viburnum x burkwoodii	Burkwood Viburnum	36" Ht.	Cont.		6
Vc	Viburnum carlesii	Korean Spice Viburnum	36" Ht.	Cont.		8
Wf	Weigela florida 'Bramwell'	Fine Wine Weigela	24" Ht.	Cont.		4

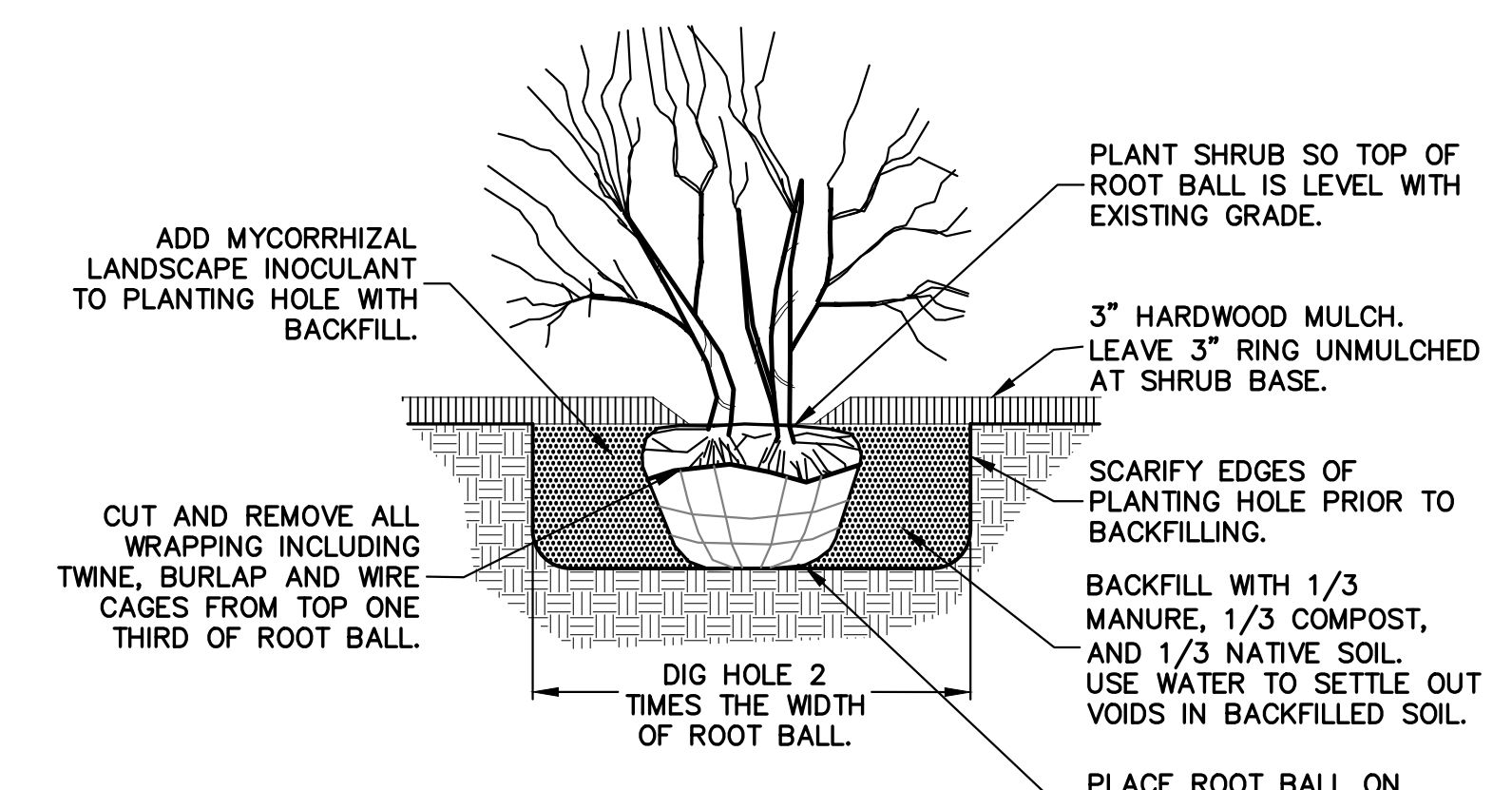
Planting Schedule Perennials						
Symbol	Latin Name	Common Name	Size	Container Type	Comments	Number/Plan
Cak	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#2	Cont.		12
Ls	Liriope spicata	Lily Turf	Cell	32 count flat	18" o.c.	21
Ms	Miscanthus sinensis 'Little Zebra'	Dwarf Zebra Grass	#2	Cont.		608



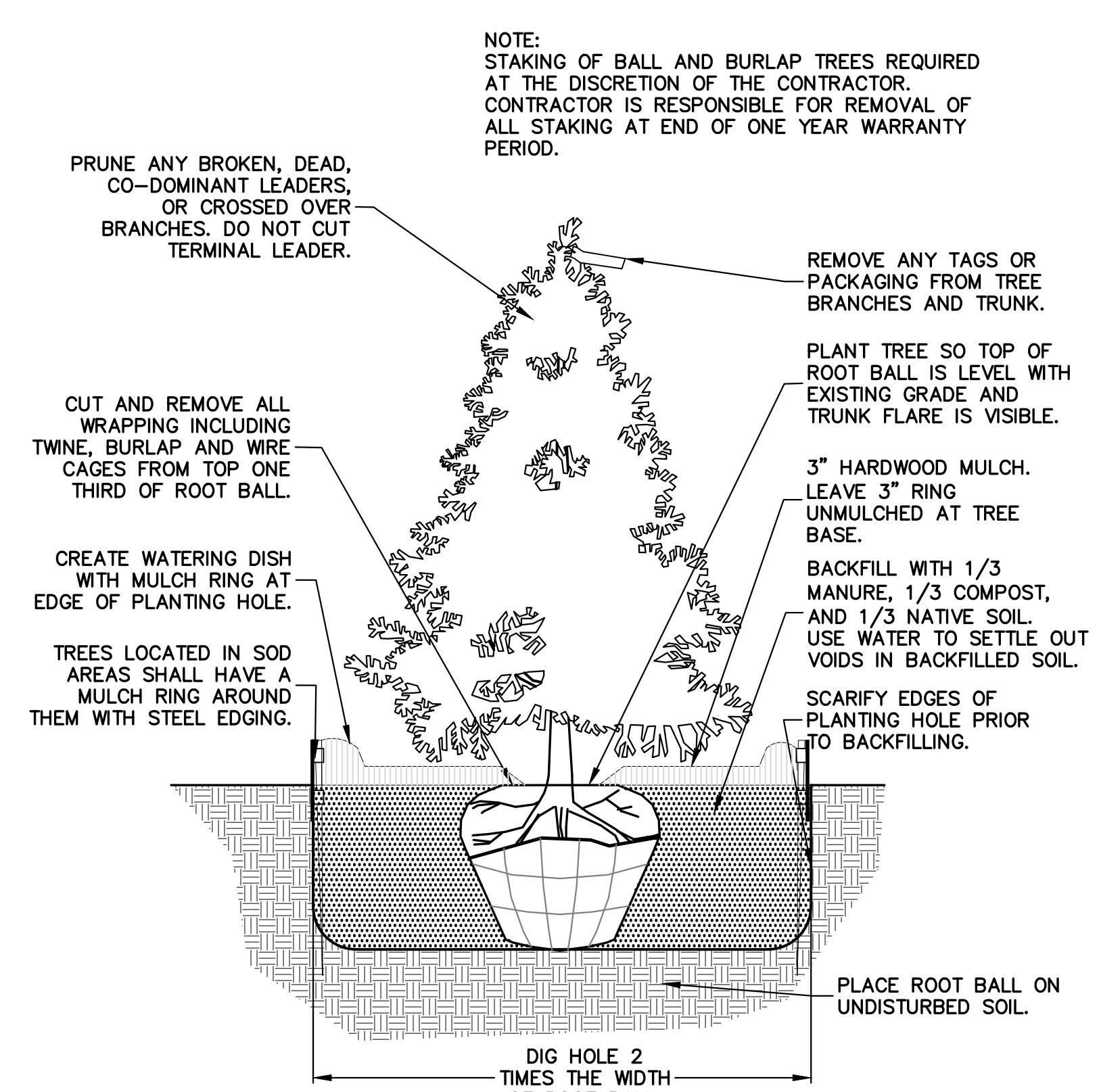
FIELDSTONE RETAINING WALL
NO SCALE



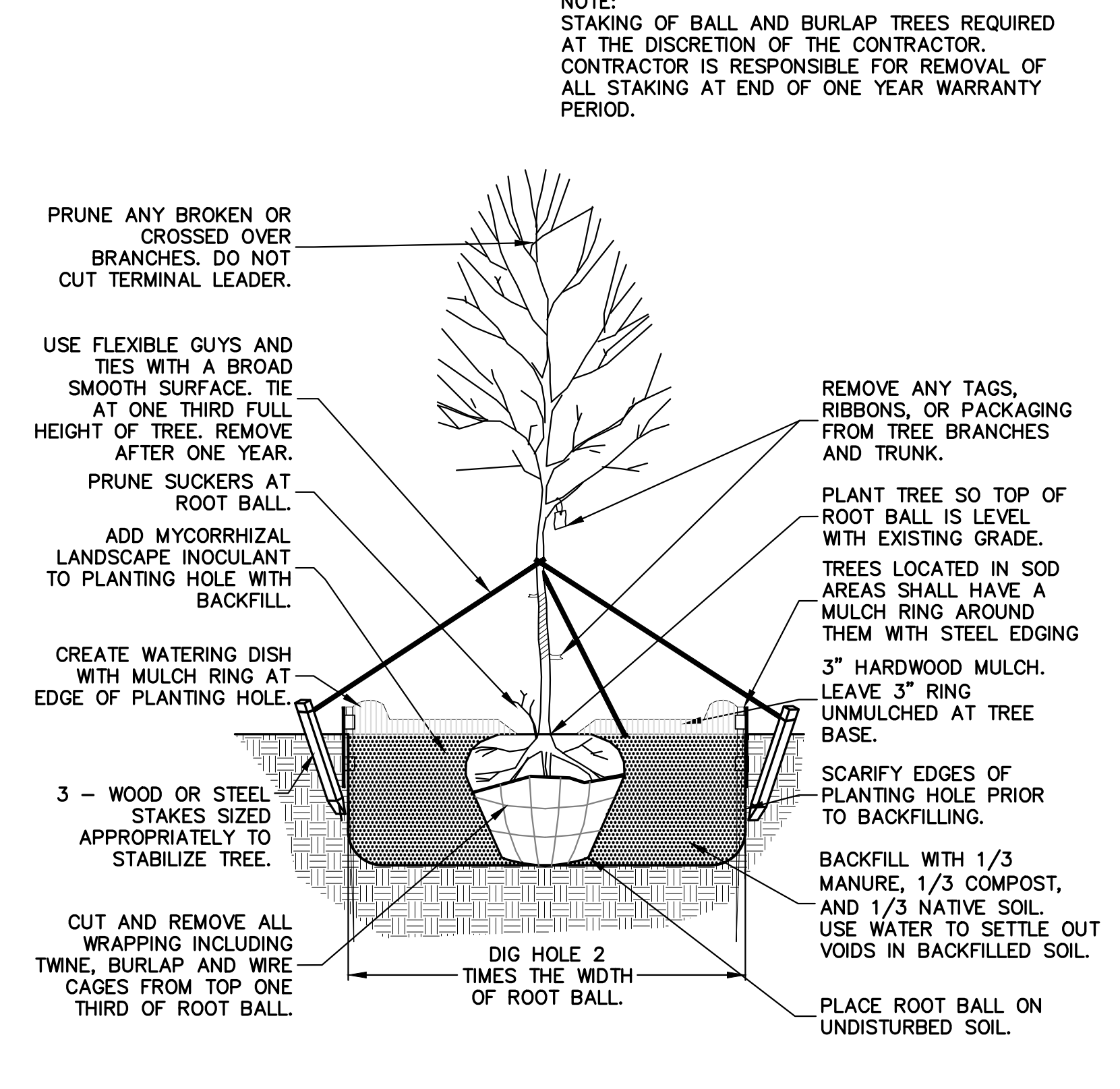
STEEL LANDSCAPE EDGING DETAIL
NOT TO SCALE



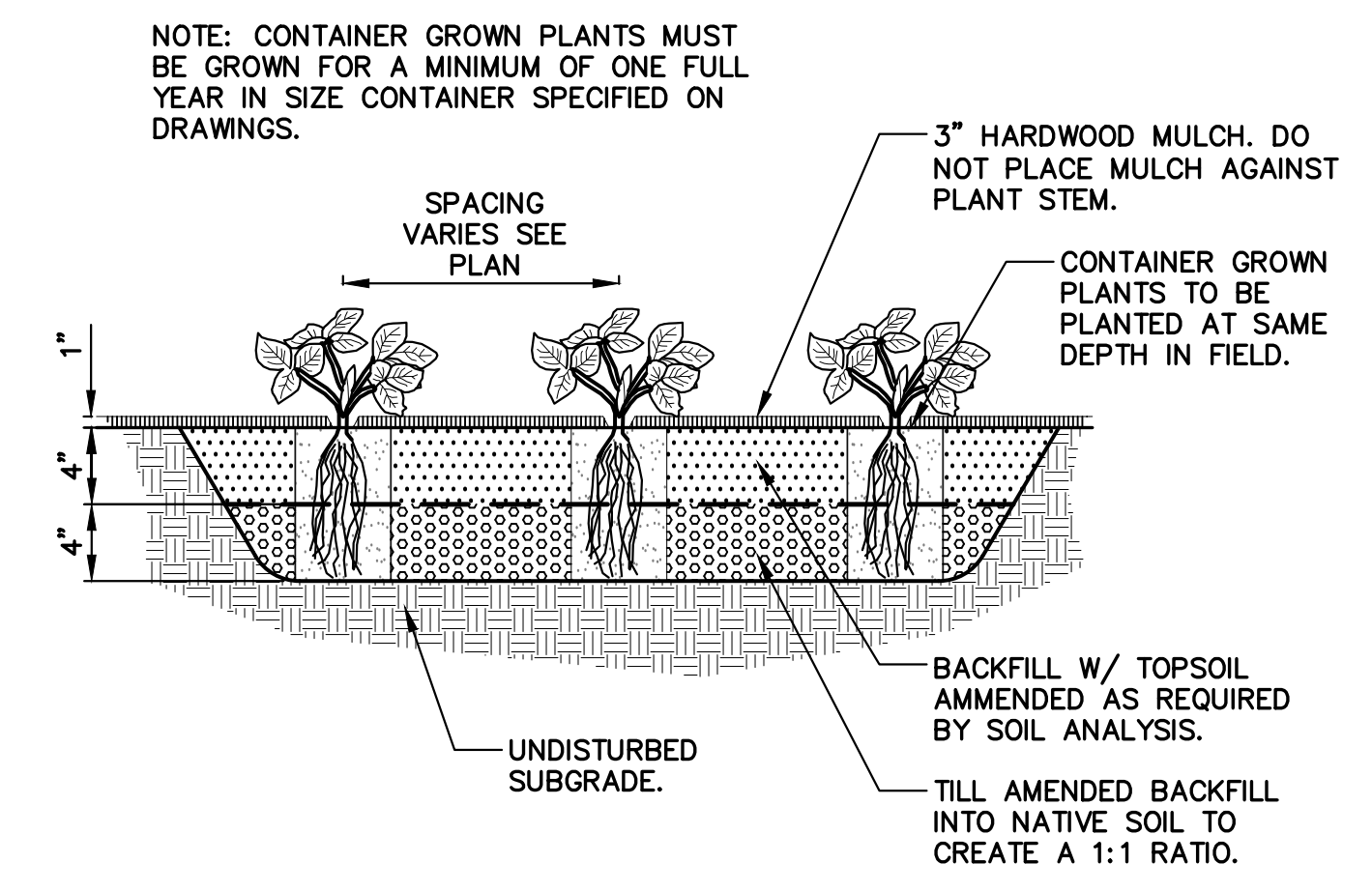
TYPICAL SHRUB
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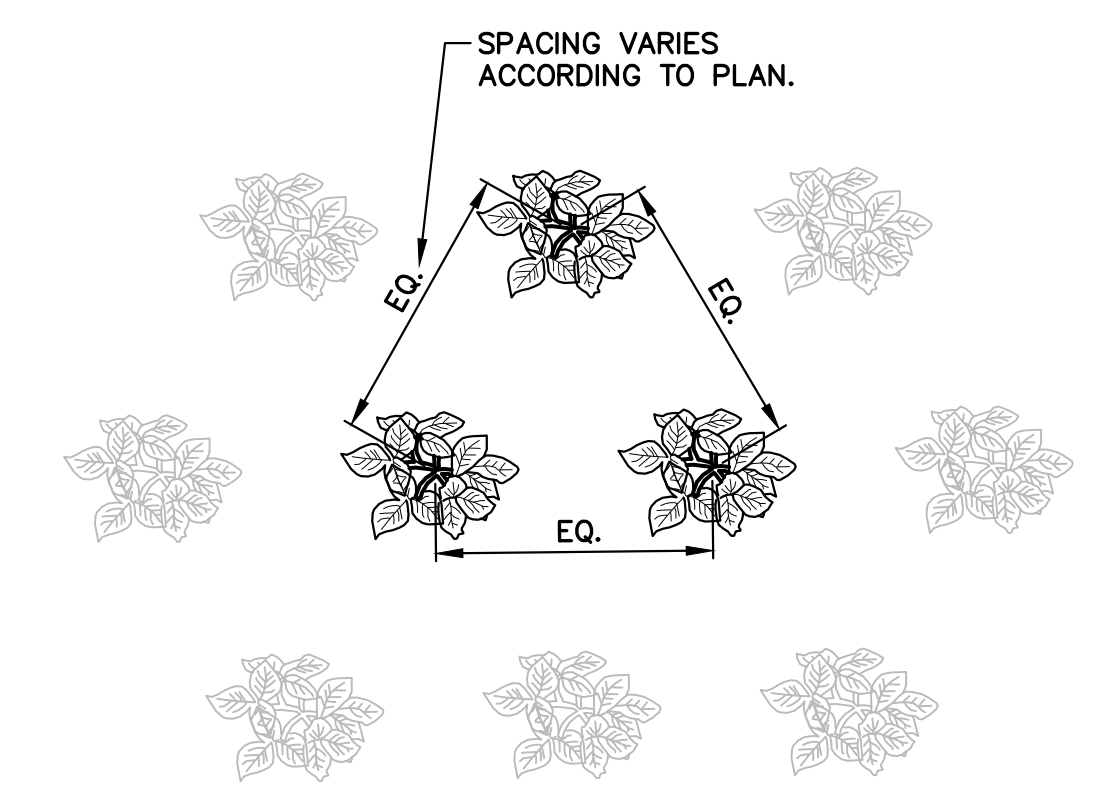
CONIFEROUS TREE
NOT TO SCALE



DECIDUOUS TREE
NOT TO SCALE



PERENNIAL AND GROUNDCOVER PLANTING DETAIL
NOT TO SCALE



PERENNIAL AND GROUNDCOVER PLANT SPACING DETAIL
NOT TO SCALE

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Kalamazoo, michigan 49009
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Job No.: 18-066D - P.M. TYP. - Draft - QA/QC: 01/28/19
ISSUED FOR REVISIONS:
1 OWNER REVIEW 01/10/19
2 OSTHEHO TOWNSHIP SUBMITTAL 01/31/19
3 OSTHEHO TOWNSHIP RESUBMITTAL 02/01/19
4
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LANDSCAPE DETAILS
METRO TOYOTA EXPANDED PARKING
DENNOYER

Sheet Title:
Project:
Client:

03-06-19
Sheet
L-2

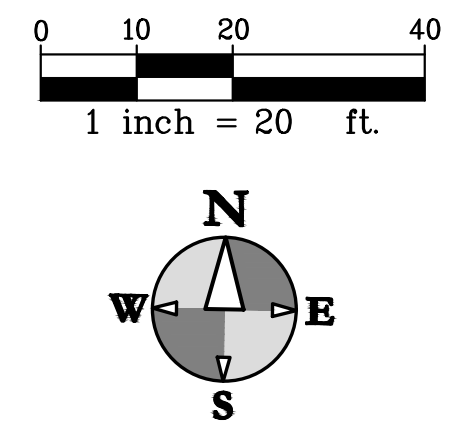
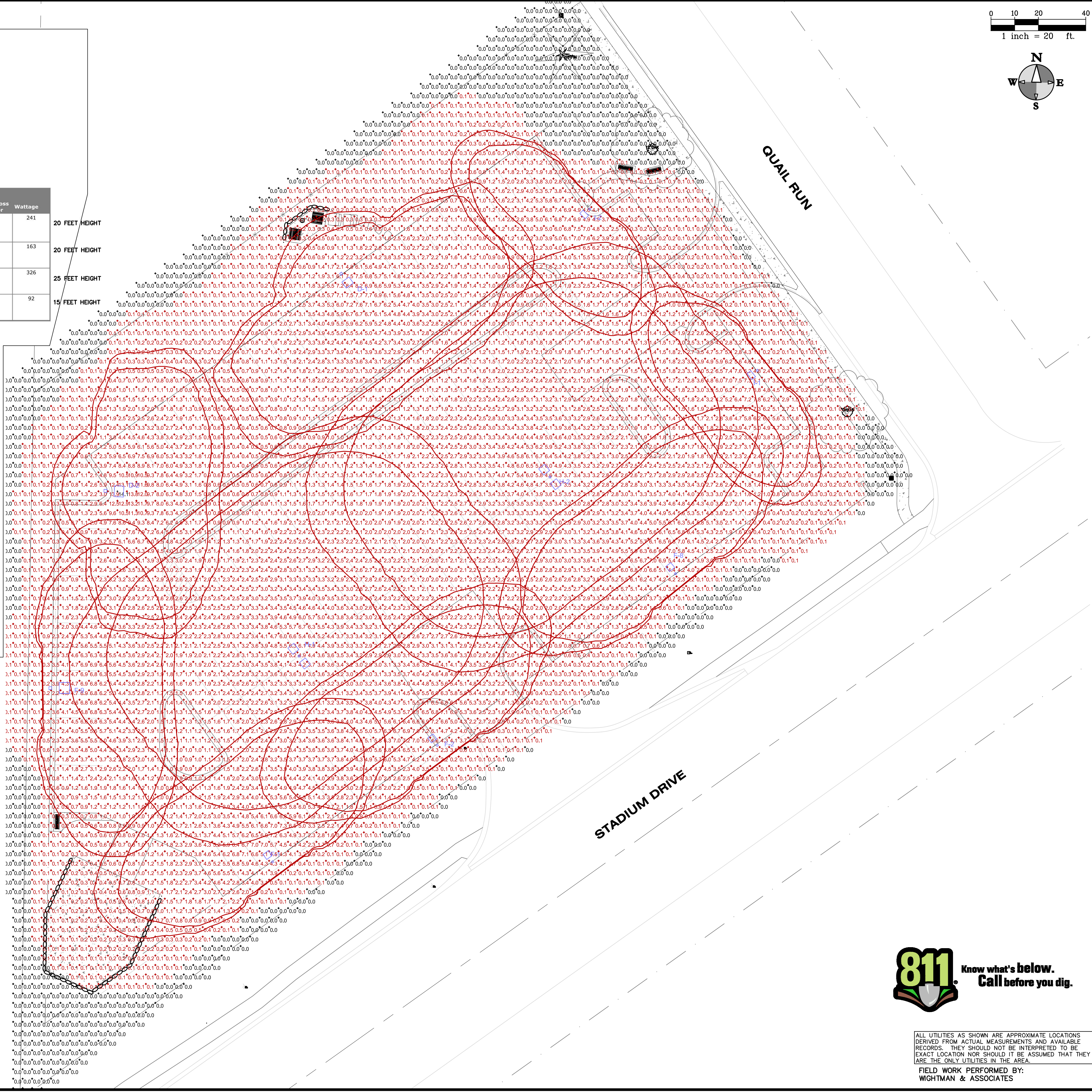
DRAWING LOCATION: H:\18-066D - P.M.T.H. - (Phase Property) - FINAL DRAWINGS - 3 Lighting Plans LAST SAVED BY: JLDLH ON: 3/6/2010

Statistics						
Description	Symbol	Avg	Min	Max/Min	Max	Avg/Min
Property Lines	+	1.7 fc	0.0 fc	N/A	15.0 fc	N/A

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	D	2	Lithonia Lighting	DSX1 LED P9 40K T4M MVOLT HS	DSX1 LED P9 40K T4M MVOLT with houside shield	LED	1	DSX1_LED_P9_40K_T4M_MVOLT_HS.iES	20951	0.9	241
	F	4	Lithonia Lighting	DSX1 LED P6 40K BLC MVOLT	DSX1 LED P6 40K BLC MVOLT	LED	1	DSX1_LED_P6_40K_BLC_MVOLT.iES	15608	0.9	163
	H	2	Lithonia Lighting	DSX1 LED P6 40K T3M MVOLT	DSX1 LED P6 40K T3M MVOLT	LED	1	DSX1_LED_P6_40K_T3M_MVOLT.iES	18492	0.9	326
	I	2	Lithonia Lighting	DSX0 LED P4 40K BLC MVOLT	DSX0 LED P4 40K BLC MVOLT	LED	1	DSX0_LED_P4_40K_BLC_MVOLT.iES	8656	1	92

Luminaire Locations										
Location										Aim
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Y	Z
1	D	149.00	376.31	20.00	20.00	143.93	0.00	149.67	375.39	0.00
2	D	49.00	285.19	15.00	15.00	92.34	0.00	50.14	285.14	0.00
1	F	119.00	129.19	20.00	20.00	323.56	0.00	118.29	130.14	0.00
2	F	189.00	177.81	20.00	20.00	323.56	0.00	188.29	178.77	0.00
8	F	289.00	250.91	20.00	20.00	321.04	0.00	288.25	251.83	0.00
9	F	29.00	201.59	20.00	20.00	89.24	0.00	30.19	201.61	0.00
1	H	129.00	226.19	25.00	25.00	141.73	0.00			
2	H	229.00	299.41	25.00	25.00	321.44	0.00			
1	I	324.00	336.00	15.00	15.00	231.34	0.00	323.16	335.33	0.00
2	I	250.00	406.00	15.00	15.00	225.00	0.00	249.24	405.24	0.00

LIGHT FIXTURES WILL BE ON A PHOTO-CELL SYSTEM TO COME ON AT DUSK AND TURN OFF AT DAWN. LIGHTING WILL BE REDUCED WITH TIMING TO MATCH EXISTING SITE. ONLY LIGHT FIXTURES H-1 AND H-2 WILL REMAIN ON AS SECURITY LIGHTING THROUGHOUT THE NIGHT AND THE REMAINING LIGHTS WILL BE OFF FROM 11PM TO 7AM.



Job No.: 18-066D P.M.T.H. Drawn: QA/QC: 01/28/10

ISSUED FOR REVISIONS:

1	OWNER REVIEW	01/10/10
2	OSTHEMO TOWNSHIP SUBMITTAL	01/31/10
3	OSTHEMO TOWNSHIP RESUBMITTAL	02/21/10

Sheet Title: LIGHTING PLAN METRO TOYOTA EXPANDED PARKING DENOOYER

Project: 03-06-19

Client: L-3

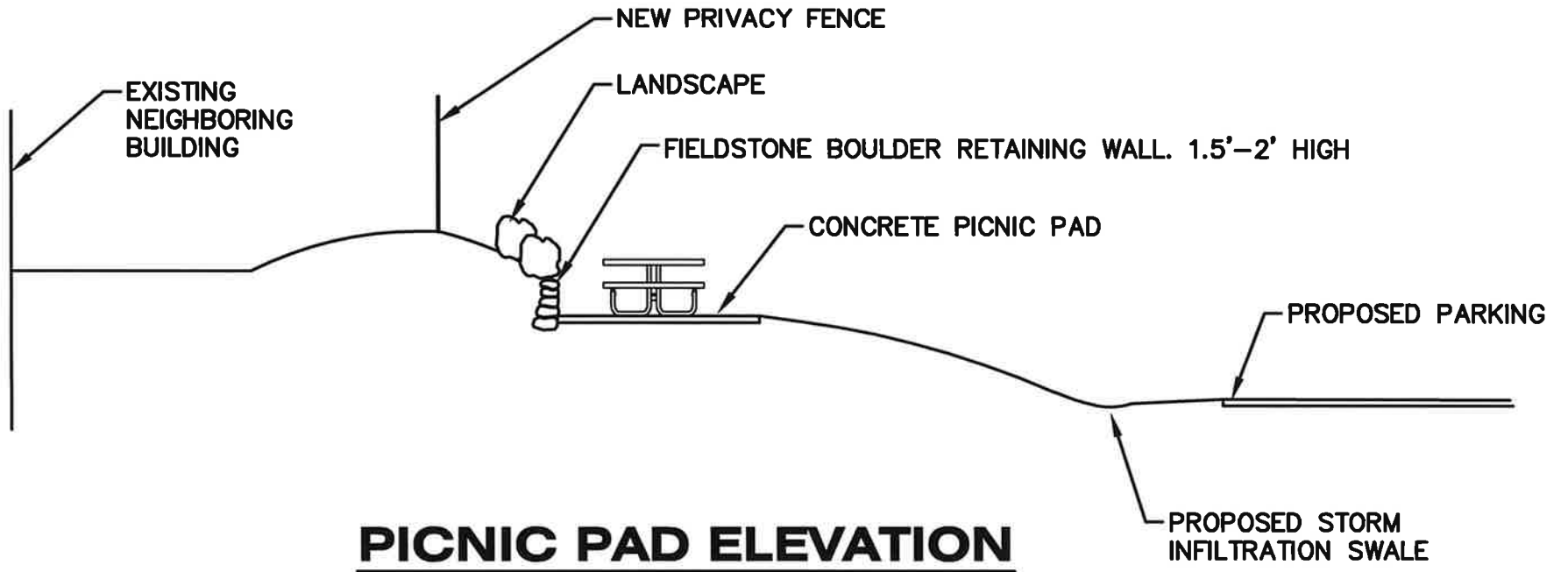
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ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

FIELD WORK PERFORMED BY: WIGHTMAN & ASSOCIATES



Chairperson Bell asked for a motion.

Ms. Farmer made a motion to approve the Meeting Schedule for 2019 as presented. Mr. VanderWeele supported the motion. The motion was approved unanimously.

**PUBLIC HEARING: SPECIAL EXCEPTION USE
CONSIDERATION OF AN APPLICATION FROM METRO LEASING, LLC FOR A
SPECIAL EXCEPTION USE TO DEVELOP A NEW/USED CAR SALES LOT AT 5924
STADIUM DRIVE IN THE C: LOCAL BUSINESS DISTRICT, PURSUANT TO
SECTION 30.409 OF THE TOWNSHIP ZONING ORDINANCE. PARCEL NO. 3905-25-
305-031.**

Chairperson Bell moved to the next agenda item and asked Ms. Johnston to review the application.

Ms. Johnston said Metro Leasing, LLC, located at 5850 Stadium Drive, is interested in purchasing the Rykse's restaurant property to expand their automotive sales lot. The subject property is located to the west of the existing automotive sales business, across Quail Run Drive, at 5924 Stadium Drive. Car sales lots are a special exception use under Section 30.409 of the C: Local Business District ordinance, which requires Planning Commission approval.

She explained the Zoning Board Authority granted variances to the following two requirements of Section 30.409:

- a. *No such outdoor sales or activities in connection therewith shall be conducted upon premises which do not contain a sales office in a building.*
- d. *All operations and business activities, including the parking or display of sales items and equipment and outdoor sales and display area enclosures, shall comply with the setback requirements for buildings and structures contained in the Ordinance.*

The Zoning Board of Appeals approved the following:

To allow the sales office at 5850 Stadium Drive to function as the sales office for 5924 Stadium Drive and to allow the following outdoor sales display setbacks with the required landscaping outlined in Section 75.130 of the Landscape Ordinance (alternate approach):

- 20-foot setback from the right-of-way line of Stadium Drive
- 20-foot setback from the right-of-way of Quail Run Drive
- 35-foot setback from the rear (north) property line
- 10-foot setback from the side (west) property line

She said at this time, the applicant is not requesting site plan approval, but Staff wanted to inform the Planning Commission of the variances granted. If the use is approved by the Planning Commission, a site plan, to be reviewed by this body, will be required that complies with all of the regulations of the Zoning Ordinance.

Ms. Johnston reviewed additional review criteria from Section 60.100 of the Zoning Ordinance for consideration when reviewing a special exception use request:

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

The C: Local Business District is the most use permissive in the Zoning Ordinance. It allows office, retail, hospitality, and commercial uses from small retail stores, to large big-box/multi-tenant structures, to 24-hour convenience uses. A new/used car sales lot is a special exception use included with other outdoor sales activities like recreational vehicle, boat, equipment, and mobile home sales lots. The conditions attached to the special exception use approval are designed to help with compatibility of neighboring uses and other uses permitted within the district.

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

As this is a request to increase an existing condition on Stadium Drive, the change from restaurant to new/used car sales lot should have minimal impact on properties fronting the road right-of-way. The C: Local Business District is located on properties fronting the north side of Stadium Drive from 11th Street west to the Oshtemo Village (east of 9th Steet). The uses along this side of the right-of-way are a mix of office, convenience uses, restaurants, and the large car dealerships – DeNooyer Chevrolet, Metro Toyota, DeNooyer Jaguar, and Metro Used.

The south side of Stadium Drive is a mix of R-3 and R-4: Residence District zoning, which includes office and multi-family developments. Chestnut Hills Apartments, Borgess Ambulatory Care center, and Oshtemo Family Dentistry are south of the subject site, across the Stadium Drive right-of-way. Within Chestnut Hills, the closest apartment building is approximately 160 feet south of the Stadium Drive right-of-way. Attractive mature landscaping helps with screening. Extension of the outdoor sales lot should have minimal impact on these uses.

The neighboring condominium complex to the north of the subject parcel, Quail Run Condominiums, is likely to be the most affected by the change in use. The farthest south condominium building is located approximately 25 feet north of the subject property. At the Zoning Board of Appeals meeting, the applicant requested a reduction in the rear yard setback to allow the use of the existing parking lot for the outdoor sales. This would have placed the display of cars

within approximately 9 feet of northern property line, which is currently legal nonconforming to the Landscape Ordinance.

The Zoning Board of Appeals did not approve this request, but did grant a variance that would allow cars to be parked within 35 feet of the property line, which is the required landscape setback between a residential and commercial use. In addition, they conditioned the variance that the landscape materials required in Section 75.130 be met. Based on the length of the shared property line, this would require 11 canopy trees, 6 understory trees, 50 shrubs, and 16 evergreen trees to be planted on the subject property. The ZBA felt the landscape setback with required materials offers more utility on the lot for the applicants intended use while still protecting residential neighbors to the north.

In addition, the Zoning Ordinance provides other regulatory restrictions that will assist with compatibility. For example, the lighting ordinance will require the site to meet the 0.1 footcandles at the north property boundary. This restriction combined with the landscaping materials requirement will assist with light intensity to the neighboring residential use.

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

Outside of good planning for traffic and access, Staff has no other concerns related to public health, safety and welfare. Any other issues associated with general public safety will be examined through site plan review.

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

The proposed use will be compatible with the character of uses along Stadium Drive, particularly the existing car dealerships in the area. The C: Local Business District is intended to provide locations within the Township where more intense commercial uses can be appropriately located. The outdoor nature of the use is what requires the special review by the Planning Commission.

Ms. Johnston said the proposed use is consistent with the uses found along Stadium Drive and effectively meets the review criteria for a special exception use. Strict compliance with ordinance regulations that will assist with compatibility between the proposed use and the residential property to the north will need to be carefully considered during site plan review. She recommended the Planning Commission approve the special exception use, as follows:

“Approval of the special exception use request for a new/used car sales lot at 5924 Stadium Drive, conditioned on Planning Commission approval of a site plan that meets the requirements of the Section 30.409 and all other Zoning Ordinance regulations.”

Chairperson Bell thanked Ms. Johnston for her review and asked whether Commissioners had questions for her.

In response to a question from Ms. Farmer, Ms. Johnston said the variances granted by the Zoning Board of Appeals will come into play when a proposed site plan is considered. The variances cannot be changed by the Planning Commission. She noted that without the setbacks granted, the usable land available to the dealership would only be about 1/3 of the lot size. That is why the variances were considered first. 35 feet was established at the north boundary in order to provide screening to the neighbors.

Chairperson Bell wondered if the two properties could have been merged.

Ms. Johnston said that was considered but Quail Run is a dedicated road, the properties do not abut and the 66-foot right of way eliminates the possibility of combining the two properties. That made the variance process necessary for this application.

In answer to a question from the Chair, Ms. Johnston indicated if the parcel were sold in the future to another dealership, the two properties will still have to use the existing sales office. If a different type of business wanted to purchase the property, they would need to build a sales office.

Hearing no further questions from Commissioners, Chairperson Bell asked if the applicant wished to speak.

Mr. Matt VanDyke, Miller Johnson Law Firm, 100 W. Michigan Ave., indicated Mr. Jeff DeNooyer, owner of Metro Toyota and Mr. Mark Rykse, owner of the property being considered, were in attendance to answer any questions.

Chairperson Bell asked what the vision is for expansion.

Mr. Jeff DeNooyer, 1426 Edgemoor, said future growth is in used cars and associated service; the goal is to expand the used car display area to accommodate at least 100 additional used cars. He said he is excited about the opportunity and plans to maintain the property well.

There was some discussion regarding hours of operation and evening and overnight lighting/dimming possibilities.

Ms. Johnston said those issues would be addressed if the use is approved and a site plan is considered.

The Chair moved asked if audience members wished to speak.

Mr. Paul MacIntire, 4102 Quail Run Drive, said he felt positive overall about the project but was concerned about how lighting at night would affect his property, noting current lighting on the east side is bright all night long. He wondered what the buffer would entail and was also concerned about access to Stadium Drive, particularly where there is no traffic light. Increased pedestrian traffic will likely affect public safety and cause extra congestion that would increase the time to access Stadium Drive.

With no further public comment, Chairperson Bell moved to Board Deliberation.

Ms. Farmer said since the Planning Commission's only concern at this meeting was to decide if the proposed use is appropriate, she would vote yes, reserving further consideration until a site plan is brought before the Commission. She wondered if removal of a curb cut might be considered at that point.

Ms. Johnston said traffic and access will be looked at during site review to be sure it will be managed appropriately by the dealership. She said the Commission could consider removal of a curb cut at that time.

Ms. Smith confirmed there is a light at Venture Park and Stadium.

Ms. Maxwell noted there is already restaurant traffic at the site.

Chairperson Bell said the car business may see a similar amount of daily traffic to the restaurant but it may be spread out instead of at peak breakfast and lunch times.

Ms. Farmer pointed out there is no cross-access between the properties for pedestrians or vehicles.

Ms. Johnston agreed the drives between the lots do not line up and that the Commission may want to address that later.

Hearing no further comments, Chairperson Bell asked for a motion.

Ms. Smith made a motion to approve the special exception use request for a new/used car sales lot at 5924 Stadium Drive, conditioned on Planning Commission approval of a site plan that meets the requirements of the Section 30.409 and all other Zoning Ordinance regulations. Mr. VanderWeele supported the motion. The motion was approved unanimously.

**PUBLIC HEARING: ZONING ORDINANCE RE-CODIFICATION
COMPLETE RE-CODIFICATION OF THE TOWNSHIP'S ZONING ORDINANCE, TO
INCLUDE THE FOLLOWING AMENDMENTS:**

- a. **Amendment of Article 5, Section 5.40, Subsection A to delete "motorized vehicle roadways" in the special exception uses allowed in the Rural Residential District.**