



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

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Regular Meeting
Thursday, August 22, 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: August 8, 2019
6. **Site Plan Review: Metro Toyota – Revised Site Plan**
Consideration of a revised site plan application from Metro Toyota to allow the existing curb cut along Quail Run Drive to stay in its original location. The site plan approved on March 14th aligned this entrance with the curb cut across Quail Run Drive to the east. Parcel No. 3905-25-305-031.
7. Old Business
 - a. Maple Hill South Overlay Zone – Continued Review
8. Any Other Business
 - a. Draft Flag and Flagpole Ordinance
9. Planning Commissioner Comments
10. Adjournment

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

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

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

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

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

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

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

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

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

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

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Grant Taylor	216-5221	gtaylor@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Deb Everett	375-4260	deverett@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Ken Hudok	548-7002	khudok@oshtemo.org

Township Department Information		
<u>Assessor:</u>		
Kristine Biddle	216-5225	assessor@oshtemo.org
<u>Fire Chief:</u>		
Mark Barnes	375-0487	mbarnes@oshtemo.org
<u>Ordinance Enf:</u>		
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org
<u>Parks Director:</u>		
Karen High	216-5233	khigh@oshtemo.org
Rental Info	216-5224	oshtemo@oshtemo.org
<u>Planning Director:</u>		
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 AUGUST 8, 2019

Agenda

**PUBLIC HEARING: ARTICLE 54 – LIGHTING ORDINANCE
CONSIDERATION OF THE DRAFT LIGHTING ORDINANCE FOR
RECOMMENDATION TO THE TOWNSHIP BOARD**

ANY OTHER BUSINESS

- a. **Planning Commission By-laws – Draft**
 - b. **Keeping of Animals and Bees Ordinance - Draft**
 - c. **Landscape Ordinance – Draft**
-

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, August 8, 2019, commencing at approximately 6:30 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT:
Bruce VanderWeele, Chair
Ollie Chambers
Ron Commissaris
Dusty Farmer, Secretary

MEMBERS ABSENT:
Keisha Dickason
Micki Maxwell
Mary Smith, Vice Chair

Also present were, Julie Johnston, Planning Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. One other person was in attendance.

Call to Order and Pledge of Allegiance

Chairperson VanderWeele called the meeting to order at approximately 6:30 p.m. and invited those present to join in reciting the “Pledge of Allegiance.”

Agenda

The Chair determined no changes were needed and requested a motion.

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

Public Comment on Non-Agenda Items

No one provided comment on non-agenda items.

Approval of the Minutes of July 25, 2019

Chairperson VanderWeele asked if there were any additions, deletions or corrections to the Minutes of July 25, 2019. Hearing none, he asked for a motion.

Ms. Farmer made a motion to approve the Minutes of July 25, 2019 as presented. Mr. Commissaris supported the motion. The motion was approved unanimously.

PUBLIC HEARING: ARTICLE 54 – LIGHTING ORDINANCE CONSIDERATION OF THE DRAFT LIGHTING ORDINANCE FOR RECOMMENDATION TO THE TOWNSHIP BOARD

Chairperson VanderWeele asked Ms. Johnston for her review of the draft Lighting Ordinance.

She said work on the draft Lighting Ordinance began in January after receiving a directive from the Township Board. In September of 2018, the Township Board held a work session on lighting after hearing requests from local business owners on permitting LED string lighting within the Township.

The Planning Commission drafted the Lighting Ordinance over a six-month period, utilizing the Dark Sky Society and Illuminating Engineer Society model ordinances and other township and city lighting ordinances as examples. In addition, the draft Ordinance was reviewed by a lighting provider, Circuit Electric, who assisted with amendments to the ordinance language.

Ms. Johnston said the Ordinance was ready for public review and possible recommendation to the Township Board. Staff sent letters to those businesses that were contacted in 2018 regarding string LED lighting, letting them know the public hearing on the draft Ordinance had been scheduled.

Chairperson VanderWeele opened the public hearing and asked if there were comments from the public.

Mr. Brian DeDoes, 7543 W. G Avenue, asked how intensity and brightness were determined.

Attorney Porter said the determinations were based on the reasonable person standard under Michigan law.

In response to a question from Mr. DeDoes about the prohibition of unshielded luminous tubes under section 54.50 F, Ms. Johnston explained the previous ordinance was silent on that issue and so unshielded luminous tubes were already prohibited.

The Chair noted the ordinance addresses architectural, not signage lighting.

Ms. Johnston explained section 54.50 F addresses what type of lighting is being employed and that unshielded luminescent and fluorescent lighting used to highlight buildings are prohibited.

Hearing no further comments, Chairperson VanderWeele closed the public hearing. He asked whether Commissioners had comments.

Ms. Farmer indicated the public was notified of this public hearing in the July 18 issue of the Kalamazoo Gazette consistent with open meetings and zoning laws. In addition notification was sent to all property owners who received an enforcement letter in 2018 or who came to public meetings to discuss the proposed ordinance.

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

Ms. Farmer made a motion to approve the Article – 54 Lighting Ordinance as presented and to recommend approval to the Township Board. Mr. Commissaris supported the motion. The motion was approved unanimously.

ANY OTHER BUSINESS

There was no other business to address.

OLD BUSINESS

Chairperson VanderWeele asked Ms. Johnston for her presentation on by-laws.

a. Planning Commission By-laws – Draft

Ms. Johnston said at the conclusion of the July 25th meeting, the Planning Commission recommended the amended By-Laws be approved by the Township Board. Staff sent a copy to the Township Supervisor for review. Based on her comments/questions, staff felt some additional changes might be needed to the document. The suggested changes were incorporated.

She said the main change concerned Section 1.6: Secretary. By placing the secretary position under the Officers section of the By-Laws, a person not seated on the Commission could possibly be made an “officer.” The language allowed the Commission to designate a secretary, who could be an employee or contractor of the Township. Instead, the “secretary” position was changed to Recorder of Minutes under

Section 3.0: Minutes. By placing it under this section, the Commission can appoint staff or a contractor without unintentionally making them an “officer.”

She said if the Planning Commission was comfortable with the final changes, a recommendation to the Township Board for final approval was needed.

Chairperson VanderWeele asked for clarification regarding the process for removal of members of the Planning Commission as described under section 6.2.

Attorney Porter explained the process was a statutory requirement. He noted in his 33 years of association with Oshtemo Township, such an issue has never been raised.

He added that a secretary (recorder of minutes) would need to be appointed at the next Planning Commission meeting by vote and that an annual appointment thereafter would be needed when officers are elected.

Ms. Farmer made a motion to approve the Planning Commission By-Laws as amended and to recommend approval to the Township Board. Mr. Chambers supported the motion. The motion was approved unanimously.

Chairperson VanderWeele moved to the next agenda item and asked Ms. Johnston for her presentation.

b. Keeping of Animals and Bees Ordinance - Draft

Ms. Johnston indicated the updated draft Ordinance included changes requested at the July 25th Planning Commission meeting. Amendments included:

- The title of the Section was changed back to “The Keeping of Livestock and Honey Bees.”
- Removed “less than a commercial scale” under subsection A. Commercial scale has not been defined, making this difficult to interpret and enforce. Language was instead included that indicates for animals can be kept for noncommercial purposes.
- Subsection E now includes language that fencing must prohibit animal trespass on neighboring properties.
- A new subsection in Prohibitions was added related to undomesticated and dangerous animals.

After a brief discussion of a minor additional change was made.

Ms. Farmer said she was glad the original purpose for considering updating this ordinance, bee keeping, was addressed.

Mr. Commissaris made a motion to approve 57.80 Keeping of Livestock and Honey Bees as presented and amended and to set a public hearing for the first Planning Commission meeting in September, 2019. Mr. Chambers supported the motion. The motion was approved unanimously.

The Chair moved to the next agenda item.

c. Landscape Ordinance - Draft

Ms. Johnston said in 2016, the Planning Commission worked for several months developing a new Landscape Ordinance. Time was spent in the field reviewing constructed sites to see how landscaping was being developed and other community ordinances were examined for comparisons. A revised draft Landscape Ordinance was developed, which staff applied to existing sites around Oshtemo and reviewed with the Commission. In the end, the attached draft Ordinance was created.

Ms. Johnston stated the Ordinance was never adopted. Now that the reorganized Zoning Ordinance has been approved and codified by the Township, the draft Landscape Ordinance could be reconsidered. She provided a copy for discussion and possible changes.

The group discussed a number of items. Ms. Johnston will make the resulting changes and return the updated document for further discussion at the next work session of the Planning Commission.

PLANNING COMMISSIONER COMMENTS

Ms. Johnston said the Township received a letter from Texas Township informing them of the Master Plan updated they are developing. State statute requires them to provide a copy of the update to surrounding townships for review and comment, once drafted.

Mr. Commissaris referred to the Village Theme Development plan issue and the need for further discussion on that plan, commenting it is easier to plan before the “horse is out of the barn.”

Chairperson VanderWeele added that is why no one is coming forward to develop in the village area, since the restrictions in place are a hindrance.

Ms. Johnston pointed out there is a “sunset” deadline for the DDA and that the only way to encourage new development is to achieve more funding.

ADJOURNMENT

Hearing no further comments, Chairperson VanderWeele adjourned the meeting at approximately 7:40 p.m.

Minutes prepared:
August 10, 2019

Minutes approved:
_____, 2019

August 14, 2019



Mtg Date: August 22, 2019
To: Planning Commission
From: Julie Johnston, AICP
Subject: Metro Toyota Site Plan - Revised

On March 14, 2019, the Oshtemo Township Planning Commission approved the site plan for a new/used car sales lot special use located at 5924 Stadium Drive proposed by Metro Toyota. The approved site plan included the existing curb cut located on Stadium Drive, which was not intended to change, and a modified curb cut on Quail Run Drive. The current curb cut on Quail Run Drive was to be closed and a new curb cut developed that aligned with existing car dealership entrance on the east side of the Quail Run Drive. Please see the attached site plan dated 3-22-2019.

After Planning Commission approval, the project engineer applied to the Road Commission of Kalamazoo County (RCKC) for a right-of-way permit to modify the curb cut on Quail Run Drive. During the application review, the RCKC indicated a desire to close the Stadium Drive curb cut. The applicant and Township staff provided information to the RCKC regarding the Oshtemo's desire for that curb cut to remain open based on resident and public safety concerns.

The Planning Commission may remember that this curb cut was discussed during the site plan review meeting on March 14th. Residents from the Quail Run Condominiums were in attendance requesting the Stadium Drive curb cut to remain open. In addition, Section 51.50.F of the Access Management Guidelines states the following

*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.***

Based on this ordinance language and the concerns from area residents, the Planning Commission approved the site plan with the Stadium Drive curb cut to remain in its existing configuration.

The RCKC has indicated to the applicant that any right-of-way permit, which would be needed for the reconfiguration of the Quail Run Drive curb cut, would allow them to require the closing of the Stadium Drive curb cut. The applicant worked with the RCKC for several months but could not come to a resolution on the Stadium Drive curb cut remaining open.

To keep the Stadium Drive curb cut open, the applicants only recourse is to do no work within either the Stadium Drive or Quail Run Drive rights-of-way. To accomplish this, they are requesting the Planning Commission consider a revised site plan that leaves the two curb cuts in their existing locations. Please see the revised site plan dated 8-13-2019.

Section 51.50.E. states the following about driveway placement:

In order to minimize left turn conflicts at non-signalized locations, driveways shall be offset a minimum of one hundred fifty feet, measured centerline to centerline, or aligned with those across the street.

Unfortunately, the centerline of these two driveways is only about 70 feet apart, not meeting the standards of the Access Management Guidelines. However, this is an existing configuration which has been in existence since at least 1987 when the Rykse's Restaurant was approved on this parcel. In addition, the location of the current curb cut may provide better visibility of traffic moving southbound on Quail Run Drive as the road bends to the north just past this entrance point. Please see the attached aerial.

Section 51.50.G. provides the following regulations for existing sites:

*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 language provides opportunities for the Township to make driveway improvements if a site is being redeveloped, but the ordinance does not mandate these changes. The Planning Commission may consider mitigating circumstances when making their determination regarding any required site changes. The concerns of the neighboring property owners and their desire for the Stadium Drive curb cut to remain open is one such circumstance.

If the Planning Commission wishes to approve the revised site plan, staff would recommend the following condition:

An agreement be signed by both the applicant and the Township that outlines the following:

1. When the Stadium Drive sidewalk project is constructed in 2021, the Township will also construct that portion of the Quail Run Drive sidewalk that is required on the subject parcel addressed as 5924 Stadium Drive, parcel #3905-25-305-031.
2. The applicant agrees to pay all costs associated with the sidewalk construction on Quail Run Drive, as well as the reconstruction of the Quail Run Drive curb cut entrance from asphalt to concrete to meet Township sidewalk standards.
3. The applicant also agrees to pay for the cost of reconstructing the Stadium Drive curb cut entrance from asphalt to concrete to meet Township sidewalk standards.

The Oshtemo Downtown Development Authority is covering the expenses associated with the Stadium Drive sidewalks, which is why the costs for this sidewalk are not included in the recommended condition.

Thank you.

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
 55% OF SITE IS COVERED WITH PAVEMENT
 0% BUILDING COVERAGE

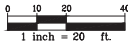
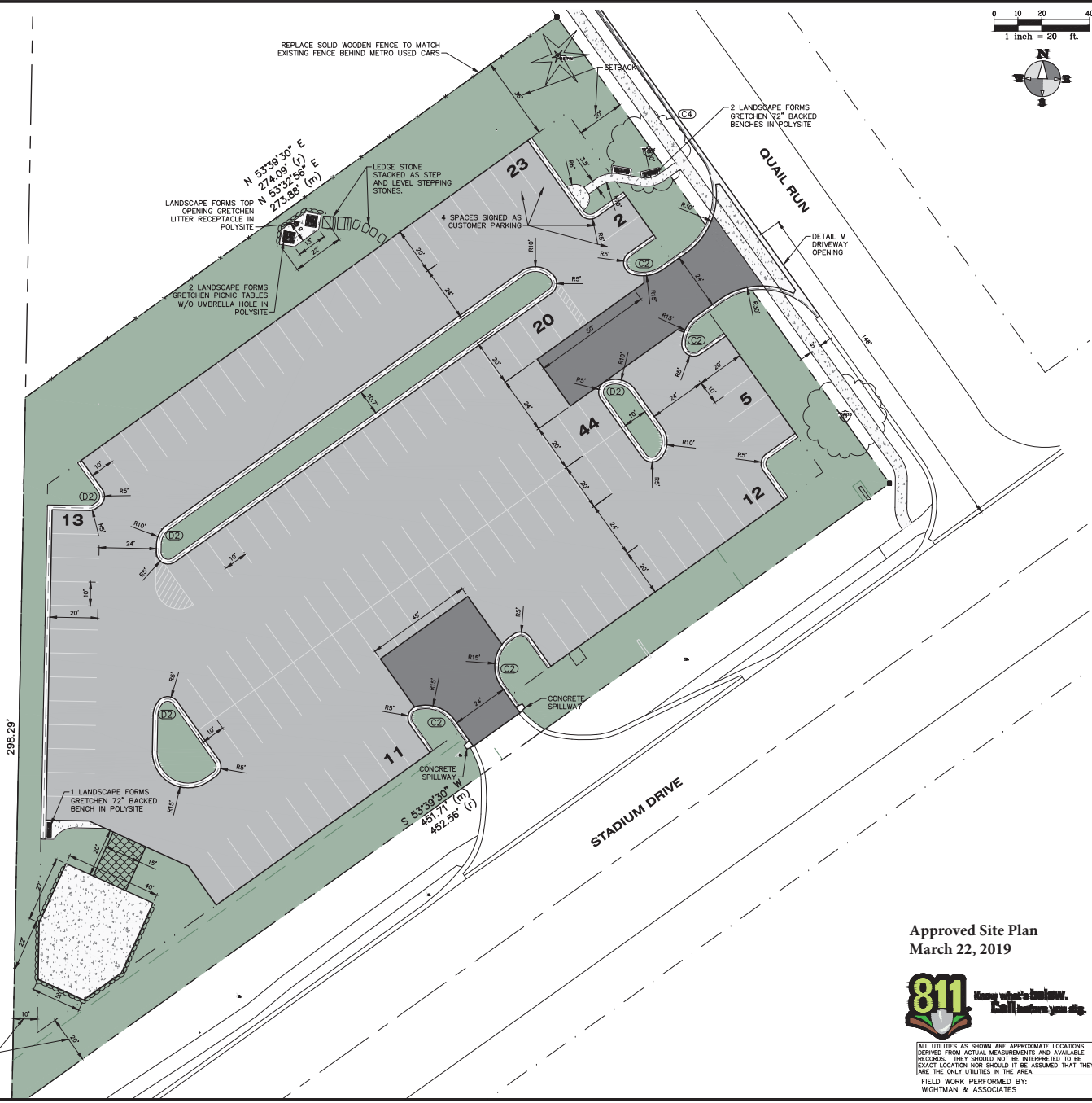
LEGEND:

-  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 REVISION MAY OCCUR.
8. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE 35S (3500PS), 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-GRADEING 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.



Approved Site Plan
 March 22, 2019



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

LAYOUT PLAN
 METRO TOYOTA EXPANDED PARKING
 DENOYER

Sheet Title:
 Project:
 Client:

Sheet
 C-2

Hurley & Stewart, Inc.
 2800 South 11th Street
 Kalamazoo, Michigan 49009
 Phone: 262.4681
 www.hurleyandstewart.com



ISSUED FOR PERMIT: 03/22/19
 1. OWNER REVIEW: 01/10/19
 2. OKTIPHO TOWNSHIP SUBMITTAL: 01/21/19
 3. OKTIPHO TOWNSHIP RESUBMITTAL: 02/21/19
 4. PERMIT: 02/22/19
 PREPARED BY: Hurley & Stewart, Inc.

LEGEND

- 13 Co 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
- WEST PROPERTY LINE:
 1 CANOPY TREE/100 LF = 3 TREES
 1 UNDERSTORY TREES/100 LF = 6 TREES
- INTERIOR LANDSCAPING:
 LANDSCAPING AREA PROVIDED 30 SFT / PARKING SPACE = 3900 SFT
 LANDSCAPING AREA REQUIRED = 4,270 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:

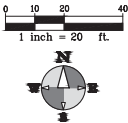
1. TILL ALL LANDSCAPE AREAS TO A DEPTH OF 4" MINIMUM.
2. ALL LAWN AREAS HATCHED AS SEEDED LAWN SHALL BE SEEDED AND MULCHED WITH THE FOLLOWING MIXTURE: 15% IMPROVED PERENNIAL RYEGRASS, 30% FINE FESCUE, 30% KENTUCKY BLUEGRASS, AND 25% ANNUAL RYE AT A RATE OF 8-10 LBS/ 1000 SFT. PROVIDE 19-19-19 STARTER FERTILIZER AT A RATE OF 5-7 LBS/1000 SFT.
3. ALL EDGING SHALL BE STANDARD COMMERCIAL STEEL EDGING 3/4" X 4", ROLLED EDGE, FABRICATED IN SECTIONS OF STANDARD LENGTHS, WITH LOOPS STARTED FROM OR WELDED TO FACE OF SECTIONS TO RECEIVE STAKES IN STANDARD FINISH OF GREEN PAINT.
4. PROVIDE QUALITY, SIZE, GENUS, SPECIES, AND VARIETY OF EXTERIOR PLANTS INDICATED, COMPLYING WITH APPLICABLE REQUIREMENTS IN ANSI Z601 "AMERICAN STANDARDS FOR NURSERY STOCK," MEASURE ACCORDING TO ANSI Z601 STANDARDS.
5. ALL PLANTINGS SHALL BE THOROUGHLY WATERED BY THE LANDSCAPE CONTRACTOR AT THE TIME OF PLANTINGS.
6. WARRANTY 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.
7. 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.
8. 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.
9. BEGIN LAWN MAINTENANCE IMMEDIATELY AFTER EACH AREA IS PLANTED AND CONTINUE UNTIL ACCEPTABLE LAWN IS ESTABLISHED: A MINIMUM OF 60 DAYS AFTER SUBSTANTIAL COMPLETION.
10. MAINTAIN AND ESTABLISH LAWN BY WATERING, FERTILIZING, WEEDING, USING CHEMICAL TREATMENT TO ELIMINATE BROADLEAF AND NOXIOUS WEEDS, MOWING, TRIMMING, REPLANTING AND OTHER OPERATIONS. ROLL, REGRADE, AND REPLANT BARE OR ERODED AREAS AND REMULCH TO PRODUCE A UNIFORMLY SMOOTH LAWN.
11. PROTECT ADJACENT AND ADJOINING STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND PLANTINGS FROM HYDROSEEDING OVER-SPRAY AND DAMAGE CAUSED BY PLANTING OPERATIONS.
12. REMOVE STONES LARGER THAN 1" IN ANY DIMENSION AND REMOVE STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEIOUS MATTER FROM SITE.
13. MAINTAIN LAWN UNTIL A HEALTHY UNIFORM GRASS STAND OF GRASS HAS BEEN ESTABLISHED, FREE OF WEEDS AND SURFACE IRREGULARITIES, WITH COVERAGE EXCEEDING 90% OVER ANY TO SOFT AND BARE SPOTS DO NOT EXCEED 5 BY 5 INCHES.

IRRIGATION NOTES:

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



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



hurlley & stewart, llc
 2800 south 11th street
 kalamazoo, michigan 49009
 phone: 269.332.4681
 www.hurlleystewart.com



ISS. No. 18-088D	PLAN TITLE	DATE	BY	CHK. BY
3	OSHTEMO TOWNSHIP RESUBMITTAL	02/21/19		
3	FINAL TOWNSHIP RESUBMITTAL	03/22/19		
5	REVISED TOWNSHIP RESUBMITTAL	09/05/19		
1	REPROPOSED	02/02/19		

DESIGNED BY: Hurlley & Stewart, LLC

**LANDSCAPE PLAN
 METRO TOYOTA EXPANDED PARKING
 DENOOYER**

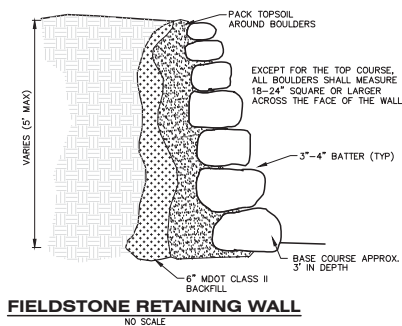
Sheet Title:
 Project:
 Client:
 08/13/19
 Sheet



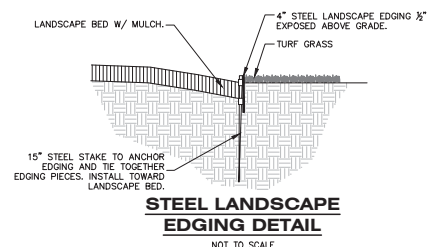
Planting Schedule Trees						
Symbol	Latin Name	Common Name	Size	Container Type	Comments	Number/Plan
Ac	Amenlicher canadensis	Shadblow Service Berry	8' Ht.	B&B		9
Ag	Acer griseum	Paperbark Maple	2" Cal.	B&B	8' min. height	6
As	Acer saccharum 'Commemoration' or 'Legacy'	Commemoration or Legacy Sugar Maple	2" Cal.	B&B		12
Ar	Acer rubrum 'October Glory'	October Glory Red Maple	2" Cal.	B&B		6
Bn	Betula nigra 'Oully'	Heritage Birch	2" min.	B&B	2-3 stems	8
Caa	Cornus alternifolia	Pagoda Dogwood	8' Ht.	B&B		6
Lt	Liriodendron tulipifera	Tulip Tree	2" Cal.	B&B		8
Mt	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
Cat	Cornus stolonifera 'Farrow'	Arctic Fire Red Twig Dogwood	24" Ht.	Cont.		6
Fc	Forsythia x 'Coursatol'	Gold Tide Forsythia	24" Ht.	Cont.		24
Fm	Fothergilla major 'Mt. Airy'	Mt. Airy Fothergilla	30" Ht.	Cont.		5
Ivs	Ilex verticillata 'Spray'	Berry Heavy Michigan Holly	30" Ht.	Cont.	Include 2 Mr. Poppins Winterberry in planting for pollination	11
Iv	Itea virginica 'Henry's Garnet'	Henry's Garnet Sweetspire	24" Ht.	Cont.	Well branched shrubs	6
Jp	Juniperus procumbens 'Nana'	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 'Tauntoni'	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 'Bromwell'	Fine Wine Weigela	24" Ht.	Cont.		4

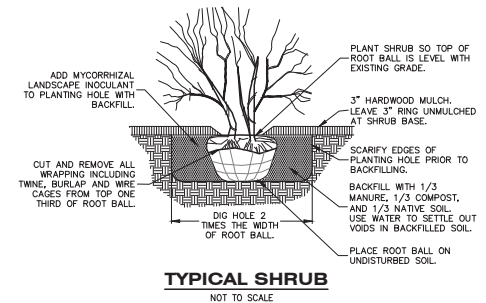
Planting Schedule Perennials						
Symbol	Latin Name	Common Name	Size	Container Type	Comments	Number/Plan
Cak	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#2	Cont.		12
Ls	Liriope spicata	Lily Turf	Cell	32 count flat	18" o.c.	21
Ms	Miscanthus sinensis 'Little Zebra'	Dwarf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



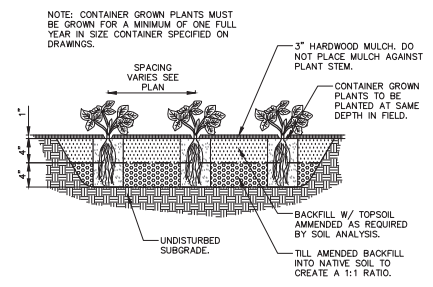
FIELDSTONE RETAINING WALL
NO SCALE



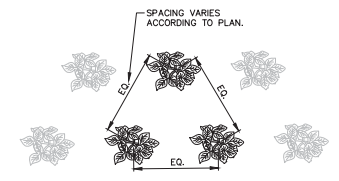
STEEL LANDSCAPE EDGING DETAIL
NOT TO SCALE



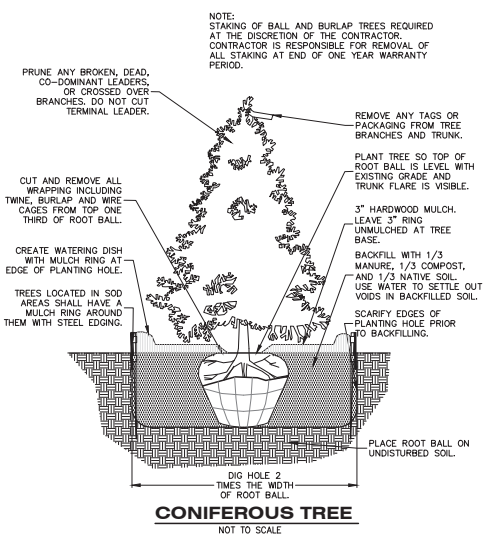
TYPICAL SHRUB
NOT TO SCALE



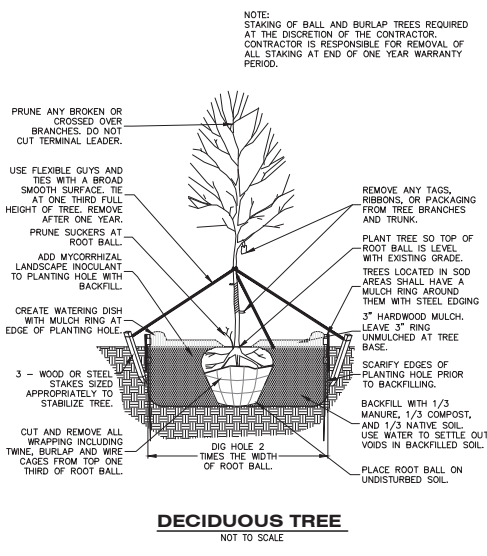
PERENNIAL AND GROUNDCOVER PLANTING DETAIL
NOT TO SCALE



PERENNIAL AND GROUNDCOVER PLANT SPACING DETAIL
NOT TO SCALE



CONIFEROUS TREE
NOT TO SCALE



DECIDUOUS TREE
NOT TO SCALE

hurley & stewart, llc
2800 south 11th street
Kalamazoo, michigan 49009
ph: 268.4661
www.hurleystewart.com



hurley & stewart
02/21/19
03/22/19
06/05/19
07/02/19

LANDSCAPE DETAILS
METRO TOYOTA EXPANDED PARKING
DENOOYER

Sheet Title:
Project:
Client:

06/13/19
Sheet
L-2

Statistics

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

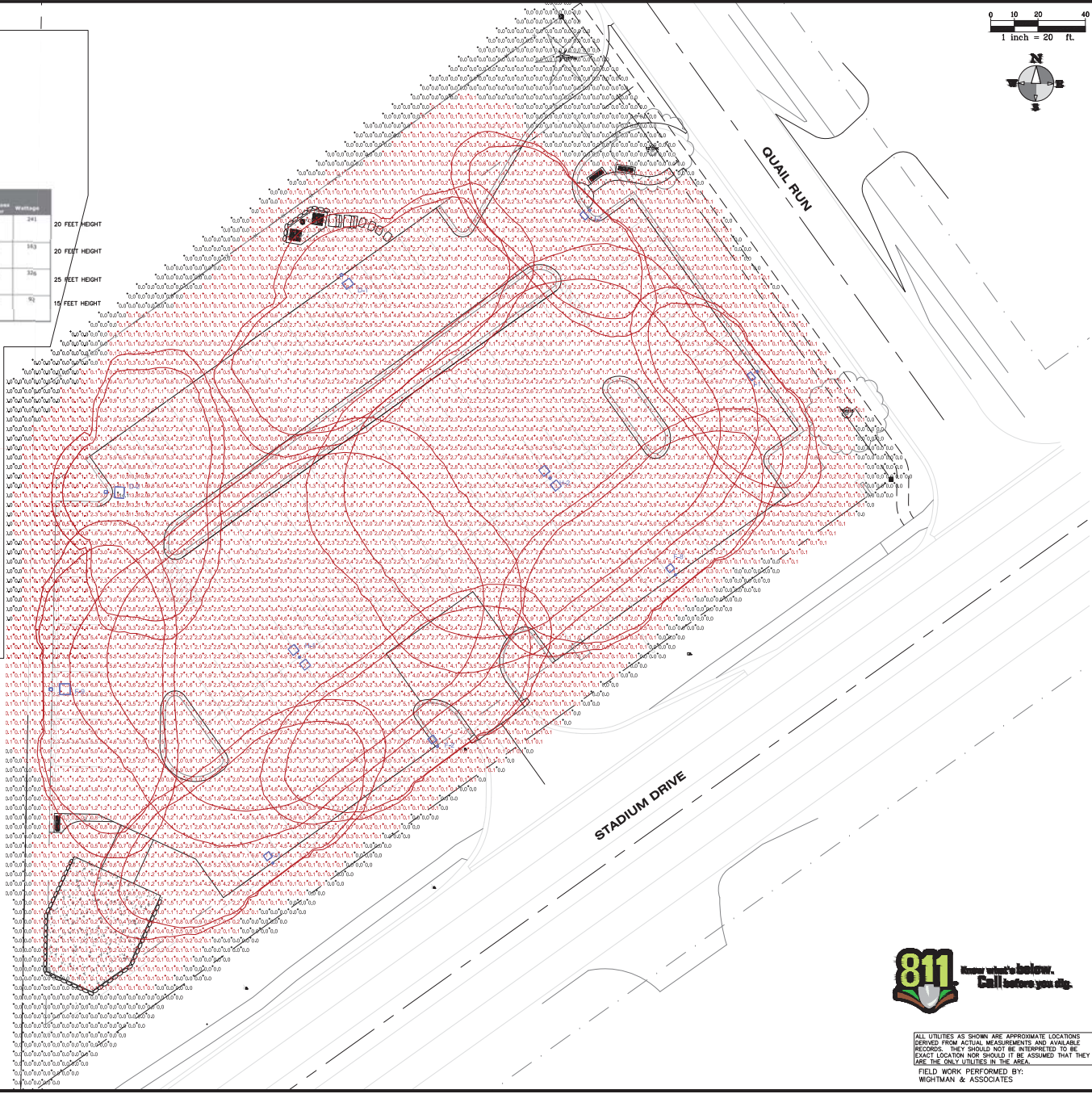
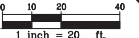
Schedule

Symbol	Label	Quantity	Manufacturer	Ceiling	Description	Lamp	Number	Fixture	Lumens Per	Light Loss	Watts
D	D	2	LED Lighting	40K TMR	DSK1 LED P8 40K TMR HVOLT HSI	LED	1	DSK1_LED_P8_40K_TMR_HVOLT_HSI	20951	0.8	241
F	F	4	LED Lighting	40K RLC	DSK1 LED P8 40K RLC HVOLT HSI	LED	1	DSK1_LED_P8_40K_RLC_HVOLT_HSI	15608	0.8	143
H	H	2	LED Lighting	40K T3H	DSK1 LED P8 40K T3H HVOLT HSI	LED	1	DSK1_LED_P8_40K_T3H_HVOLT_HSI	18952	0.9	336
I	I	2	LED Lighting	40K RLC	DSK1 LED P8 40K RLC HVOLT HSI	LED	1	DSK1_LED_P8_40K_RLC_HVOLT_HSI	8554	1	92

Luminaire Locations

No.	Label	Location			MH	Orientation	Tilt	Aim		
		X	Y	Z				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	329.00	299.41	25.00	25.00	321.44	0.00			
1	I	224.00	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 10PM TO 7AM.



hunley & stewart, llc
 2800 south 11th street
 kalamazoo, michigan 49009
 phone: 269.332.4681
 www.hunleyandstewart.com

hunley & stewart
 llc

JOB No. 18-040 S.W. FILE DATE: 04/06/2018
 3. COSTUME TOWNSHIP RESUBMITTAL 02/21/18
 4. METRO TOYOTA RESUBMITTAL 03/22/18
 5. FINAL TOWNSHIP RESUBMITTAL 06/07/18
 6. REVISED TOWNSHIP RESUBMITTAL 9/07/18
 7. APPROVAL 9/07/18
 APPROVED BY: [Signature] APPROVED BY: [Signature]

811 *know what's below. Call before you dig.*

Sheet Title:
LIGHTING PLAN
 Project:
METRO TOYOTA EXPANDED PARKING
 Client:
DENOYER

08/13/18
 Sheet
L-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



JAIL RUN DRIVE

STADIUM DRIVE

Quail Run Condominiums

Quail Run Condominiums

479.91'

776.68'

274.09'

031

452.56'

711.65'

240.59'

048

240'

90.05'

66'

100.43'

137.65'

287.92'

040

56.52'

289.79'

11.25'

469.67'

743.8'



August 14, 2019

Mtg Date: August 22, 2019
To: Planning Commission
From: Julie Johnston, AICP
Subject: DRAFT Maple Hill South Overlay Zone

The attached document is the fifth DRAFT of the new Maple Hill South Overlay Zone. The main changes from the July meeting are within the Development Requirements table. For the Planning Commission's consideration, **red** is new language and ~~strikethrough~~ is language to be removed.

The intent at the August 22nd meeting is to continue the systematic review of this draft Ordinance for possible additions or changes.

Thank you.

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

August 22nd Draft

XX.10 INTENT AND APPLICABILITY

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

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

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

XX.20 CONTEXT ZONES

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

[Insert Context Zones Map]

XX.30 USES PERMITTED BY CONTEXT ZONE

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

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

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

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

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

XX.40 DEVELOPMENT REQUIREMENTS

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

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

Footnotes to the Development Requirements Table:

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

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

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

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

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

C. Residential Maximum Density and Density Bonus.

1. ~~For the purposes of this Article, net acreage shall be defined as the gross acreage of the development, minus public/private rights of way and stormwater detention areas. However, stormwater detention areas may be included within the net acreage if they are designed as functional open spaces, are accessible to pedestrians, and do not require safety fencing.~~
2. The maximum residential density shall not exceed six (6) dwelling units per net acreage of the development.
3. The inclusion of certain amenities or design options may result in an allowed increase in residential density, referred to as a density bonus. However, the total density bonus shall not result in a residential density of more than eight (8) dwelling units per net acreage of development. The Planning Commission may determine the density bonus upon a finding that the proposed development would accomplish at least four (4) of the below amenities or design options. If the development is proposed in phases, the Planning Commission may, at its discretion, approve density bonuses for one or more phases, commensurate with the amenities or design options proposed for each phase.

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

D. Road Design.

- 1. The development shall be serviced by an interior street system. If some or all of the interior street system is private, it shall be built in conformance with the standards and requirements of Section 49.160 of the Township Zoning Ordinance. Exceptions to the standards and requirements of Section 49.160 may be permitted by the Planning Commission, where deemed necessary to achieve the intent and eligibility criteria of this Article.

E. Open Space.

- 1. Designated open space shall be set aside as common land and either retained in an essentially undeveloped or unimproved state or improved as a "public gathering places" to serve the following purposes:
 - a. Conservation of land and its resources
 - b. Ecological protection

- d. Protect historic and/or scenic features
 - e. Shaping and guiding the development
 - f. Enhancement of values and safety
 - g. Provide opportunities for social interaction
 - h. Provide parkland and active recreational opportunities on a neighborhood scale.
2. Designated open space shall be under common ownership or control, such that there is a single entity having proprietary responsibility. Sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions shall be provided.
 3. Designated open space shall be set aside through an irrevocable conveyance approved by the Planning Commission, such as:
 - a. Recorded deed restrictions
 - b. Covenants that run perpetually with the land
 - c. A conservation easement
 - d. Land trusts.
 - e. Such conveyance shall assure that the open space is protected from development, except as approved by the Planning Commission. Such conveyance shall also:
 - 1) Indicate the proposed allowable use(s) of the designated open space;
 - 2) Require that the designated open space be maintained by parties who have an ownership interest in the open space;
 - 3) Provide standards for scheduled maintenance of the open space;
 - 4) Provide for maintenance to be undertaken by the Township in the event that the dedicated open space is inadequately maintained or is determined by the Township to be a public nuisance, with the assessment of costs upon the open space ownership.

F. Buffer from Adjacent Residential Uses.

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

G. **Access.**

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

XX.50 AUTHORITY TO WAIVER DEVELOPMENT REQUIREMENTS.

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

XX.60 APPLICATION AND APPROVAL PROCEDURES

A. Optional pre-application review(s). Informal pre-application review(s) is encouraged and may be scheduled with the Planning Department and/or Planning Commission, at which the project concept may be reviewed by the applicant, Township staff, and Township consultants.

B. General Development Plan.

1. An application proposing the development of land within the MHS-Overlay District shall first be made through the submittal of a general development plan (GDP). An application for review and approval of a GDP may be made by the owners of record or by any persons acting on behalf of the owners of record of the subject parcel. The applicant shall have a substantial interest in the subject property prior to filing; such filing shall be in the name of and signed by all owners. The applicant shall provide evidence of full ownership all land in the proposed project area, such as legal title or execution of a binding sales agreement, prior to approval of the GDP by the Township.

2. Information required. The general development plan shall consist of a plan of the entire area carried out in sufficient detail as to show topography, land uses proposed, the densities and scale of development, the system of pedestrian and vehicular circulation, including off-street parking areas, and the relationship to adjacent properties and uses. Further, the GDP shall contain all the following information:

- a. A property survey of the exact acreage proposed to be developed, prepared by a registered land surveyor or civil engineer (Scale: 1" = 50');
- b. The intent of nonresidential development, type and gross and net square feet for each area of the site;
- c. The number and type of residential units and residential density for each area of the site;

- d. Location, size, and uses of common open space and recreation areas;
- e. General landscape concept showing woodlands, wetlands and vegetation to be preserved or added, topography, and similar features;
- f. Delineation of areas to be subdivided, if applicable;
- g. General description of proposed water, sanitary sewer, and storm drainage system;
- h. A unified plan for wayfinding and signage within the development;
- i. A plan delineating the location and area of the proposed phases of the development;
- j. A written statement containing the following supporting documentation:
 - 1) A full description as to how the proposed development satisfies the eligibility requirements and design principles of Section XX.10.C;
 - 2) If applicable, evidence of how the proposed development meets the criteria for qualifying for a density bonus outlined in Section XX.40.B;
 - 3) A description of the expected schedule of development including progressive time schedule for each phase of the development;
 - 4) General description of the organization to be established, to own and maintain common open space;
 - 5) General description of covenants, grants, easements, or other restrictions to be imposed upon land or buildings, including easements for public utilities, bylaws, and articles of incorporation for any homeowners' association or cooperative association;
 - 6) Description of applicant's intentions regarding selling or leasing of all or portions of land in the development and of dwelling units;
 - 7) Description of all proposed nonresidential uses, including types of stores and offices;
 - 8) The number and type of residential units and calculations of the resultant population;
 - 9) Average initial sales prices of dwelling units for sale and/or average initial rents of rental dwelling units;
 - 10) A draft Development Agreement which establishes the formal rights and

obligations of the property owner and Oshtemo Township regarding the future development of the site. The Development Agreement shall, at a minimum, specify: the parties to the agreement; the obligations of the property owner; a term or duration within which the action and obligations of the agreement must be fulfilled by the property owner; vested rights; procedures for determining compliance with the conditions included in the agreement; default remedies; provisions guiding the transfer of rights and obligations to subsequent property owners; and enforcement procedures;

- C. Public Hearing. The Planning Commission shall, upon receipt of a general development plan in proper form, schedule and hold a hearing upon the request and shall notify the applicant and all owners of all contiguous parcels of such hearing.
- D. Standards for Review of the GDP. The general development plan and supporting information shall be reviewed by the Planning Commission. The Planning Commission shall base its determination as to whether the plan meets the following standards:
 - 1. The general development plan shall generally conform to the Intent of this Article as outlined in Section XX.10.A.
 - 2. The general development plan shall generally conform to the Eligibility Criteria and Design Principles of Section XX.10.C.
 - 3. The general development plan shall generally conform to the review criteria for special land uses as outlined in Section 65.30.
- E. Decision of the Planning Commission. The Planning Commission shall deny, approve, or approve with conditions the general development plan and supporting documentation. The Planning Commission shall record its conclusions, its decisions, the basis for its decision, and any recommended conditions to be imposed in conjunction with an affirmative decision.
- F. Effect of Approval of the General Development Plan. Approval of the GDP shall indicate the Planning Commission's acceptance of uses, building location, layout of streets, dwelling unit count and type, floor areas, densities, and all other elements of the plan. The approval shall authorize the applicant to then submit, within ninety (90) days, a final draft Development Agreement for review and approval by the Township, with assistance from the Township Attorney.
- G. Development Agreement. For any project involving a financial obligation on the part of Oshtemo Township, approval of the GDP by the Township Board shall be required. The Development Agreement shall attest that the approved GDP and any conditions attached to the approvals, shall be binding on the property owner and upon their heirs, successors, and assigns. Upon approval by the Township, the executed Development Agreement shall be recorded with the Kalamazoo County Register of Deeds Office by the property owner within thirty (30) days of its signing. The property owner shall immediately thereafter provide a certified copy of the recorded Development Agreement with the Township Clerk for record keeping purposes.

- H. Site Plan. Execution of the Development Agreement shall authorize the applicant to file applications for site plan approval for all or phases of the development consistent with the approved GDP phasing schedule and Development Agreement. All site plans shall conform to the approved GDP and shall include the information required by Section 64.60.C. The Planning Department shall have the authority to deny, approve, or approve with conditions all site plans submitted for review under this section. The Planning Department shall record its conclusions, its decisions, the basis for its decision, and any recommended conditions to be imposed in conjunction with an affirmative decision.
- I. Amendments. A property owner may request an amendment to an approved GDP.
1. Minor modifications to an approved GDP may be administratively approved by the Planning Department. Modifications to be considered minor shall include, among other similar modifications, the following:
 - a. A change in residential floor area;
 - b. A change in nonresidential floor area of ten percent or less;
 - c. Minor variations in layout which do not constitute major changes; and/or
 - d. A change in lot coverage of the entire GDP of five percent or less.
 2. Major modifications to an approved GDP shall follow the procedures and conditions required for the original submittal and review in full. Modifications to be considered major changes shall include one or more of the following:
 - a. Change in concept of the development;
 - b. Change in use or character of the development;
 - c. Change in type of dwelling units as identified on the general development plan;
 - d. Change in the number of dwelling units;
 - e. Change in nonresidential floor area of over ten percent;
 - f. Change in lot coverage of the entire GDP of more than five percent;
 - g. Rearrangement of lots, blocks, and building tracts;
 - h. Change in the character or function of any street;
 - i. Reduction in land area set aside for common open space or the relocation of such area; or,
 - j. Increase in building height.

3. The Planning Department shall have the authority to determine whether a requested change is major or minor, in accordance with this section. The burden shall be on the property owner to show the reasons for any requested change owing to changed physical or economic factors, or consumer demand.
- J. Expiration, Extension and Revocation. The Development Agreement approved by the Township shall designate the timeframes and terms for the expiration, extension and revocation of plan approvals under this Article.



August 14, 2019

Mtg Date: August 22, 2019
To: Planning Commission
From: Julie Johnston, AICP
Subject: DRAFT Flag and Flagpole Ordinance

The current Township Zoning Ordinance manages flags and flagpoles within the Sign Ordinance, which is not how most flags are utilized in Oshtemo. Often, property owners wish to fly the American or State of Michigan flag, not an advertisement flag. Therefore, Sign Ordinance is an awkward location to manage flags. In addition, the ordinance language which regulates signs provides very little regulatory control over the placement of flagpoles. At this time, the only requirement for placement would be ensuring the flagpole is outside of the road right-of-way.

To better regulate flags and flagpoles, staff suggests adding a section to Article 57: Miscellaneous Protections Ordinance. In developing Section 57.140: Flags and Flagpoles, staff reviewed other community ordinances, as well as websites of flag manufacturers for typical sizes for residential and commercial uses. Finally, the attached draft ordinance was reviewed by the Township Attorney, Zoning Administrator, and Ordinance Enforcement Officer.

In addition to adding Section 57.140: Flags and Flagpoles, the following sections of the Sign Ordinance will need to be removed/amended:

55.70: Agricultural and Residential Land Uses

- B. All Agricultural and Residential uses shall also be permitted the following:
 - 1. ~~Flags~~

55.80: Commercial and Office Land Uses

- B. All Commercial and Office uses shall also be permitted the following:
 - 1. ~~Flags. A lot, building site or parcel shall be limited to three flags. For lots, building sites and parcels with public street frontage in excess of 200 feet, three additional flags are permitted for every additional 200 feet of continuous public street frontage. Flag pole height may not exceed 60 feet. Maximum flag size shall be 15 feet x 25 feet.~~

55.90: Industrial Land Uses

B. All Industrial uses shall also be permitted the following:

1. ~~Flags. A lot, building site or parcel shall be limited to three flags. For lots, building sites and parcels with public street frontage in excess of 200 feet, three additional flags are permitted for every additional 200 feet of continuous public street frontage. Flag pole height may not exceed 60 feet. Maximum flag size shall be 15 feet x 25 feet.~~

55.130: Signs not requiring a Permit

~~H. Flags~~

55.140: Maintenance

All signs, ~~flags, and flag poles~~ shall be properly maintained. Exposed surfaces shall be clean and painted, if paint is required. Defective or damaged parts shall be replaced.

Thank you.

Article 57: Miscellaneous Protections

Section 57.140: Flags and Flagpoles

- A. Purpose. The purpose of this Section is to allow the display of noncommercial flags while furthering the substantial interest of the Township through:
- Maintenance and improvement of the community's appearance,
 - Elimination of visual clutter,
 - Ensuring traffic and property safety, and
 - Preserving property values.
- B. Scope. The regulations set forth in this Section shall apply to flags and flagpoles in all zoning districts.
- C. Prohibited.
1. Flags designed for, or in effect serve as, advertising for a nonresidential use shall be considered signage and shall be regulated by Article 55.
 2. Banners, feathers, pennants, spinners, streamers, or other similar devices are not permitted by this Section.
- D. Number of Flags and Flagpoles.
1. No more than three flags may be mounted vertically or flown from any flagpole. Furcated poles with multiple mounting structures shall not be allowed.
 2. Residential District.
 - a. A total of three (3) flagpoles, but not more than three (3) flags in total, shall be permitted as part of the overall residential development or apartment complex.
 - b. A total of two (2) flagpoles, but not more than two (2) flags in total, shall be permitted as part of a single-family parcel, lot, or building site.
 3. Nonresidential District.
 - a. A total of three (3) flagpoles, but not more than three (3) flags in total, shall be permitted per parcel, lot, or building site.
 - b. For parcels, lots, or building sites with public street frontage in excess of 200 feet, one additional flagpole and flag is permitted for every additional 200 feet of continuous street frontage.
 - c. For multi-tenant nonresidential establishments, one (1) flag may be displayed per establishment through a wall-mounted stanchion located near the entrance of that tenant space.

E. Size of Flags.

1. The maximum flag size allowed shall be based on the height of the flagpole, as follows:

Height of Flagpole	Size of Flag
Under 20	4 feet X 6 feet or 24 square feet
20 – 29 feet	5 feet X 8 feet or 40 square feet
30 – 39 feet	6 feet X 10 feet or 60 square feet
40 – 49 feet	8 feet X 12 feet or 96 square feet
50 – 59 feet*	10 feet X 15 feet or 150 square feet
60 feet*	12 feet X 18 feet or 216 square feet

*Nonresidential uses only.

2. Flags displayed through a wall-mounted stanchion shall not exceed 4 feet X 6 feet or 24 square feet.

F. Flagpole Location.

1. Flagpoles may be located within any front yard. Flagpoles are not permitted in rear or side yards.
2. Flagpoles must be setback a distance to allow the flag to fly fully open within the subject property. Flags may not encroach upon adjacent properties or rights-of-way.

G. Flagpole Height. Flagpoles may not exceed 60 feet in height.

H. Maintenance. Flagpoles and flags must be maintained in good condition, free of significant corrosion, peeling paint, tears, fraying, or other damage or deterioration.

I. Illumination. Flagpoles may be illuminated per the requirements of Article 54.

J. Manner of Display. Flags and insignia of any government shall be displayed in an approved manner pursuant to federal guidelines in Title 4, United States Code, Chapter 1 (the Federal Flag Code).

K. Building Permit. Any necessary building permits, if required by State building code, must be obtained prior to the installation of a flagpole.