



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, December 12, 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: October 24, 2019
6. **Public Hearing: Third Wall Sign**
Consideration of a third wall sign for a commercial tenant at 5095 Century Avenue, in a Planned Unit Development, for recommendation to the Township Board.
7. **Public Hearing: Landscape Ordinance**
Consideration of the draft Landscape Ordinance, which will repeal and replace the existing Article 53, for recommendation to the Township Board.
8. **Public Hearing: Setback Ordinance - Amendments**
Consideration of the amendments to Section 50.60: Setbacks for recommendation to the Township Board.
9. Old Business
 - a. Livestock and Honeybees Ordinance – draft review
 - b. Lighting Ordinance – discussion
10. Other Business
 - a. BTR 2.0 Design Guidelines – consideration of approval
 - b. Accessory Buildings Ordinance – draft review
 - c. 2020 meeting dates
11. Planning Commissioner Comments
12. 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 REGULAR MEETING HELD OCTOBER 24, 2019

Agenda

**PUBLIC HEARING: VILLAGE THEME DEVELOPMENT PLAN
CONSIDERATION OF THE DRAFT VILLAGE THEME DEVELOPMENT PLAN FOR
RECOMMENDATION TO THE TOWNSHIP BOARD**

Old Business

- a. **Maple Hill South Overlay Zone – draft ordinance review**

Other Business

- a. **Nonhazardous Materials Treatment Facility – draft ordinance review**
-

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, October 24, 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
Dusty Farmer, Secretary
Keshia Dickason
Micki Maxwell
Mary Smith, Vice Chair

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. Five 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.”

Approval of Agenda

The Chair said he would like to change the meeting order by switching item #8: Nonhazardous Materials Treatment Facility – draft ordinance with #7: Maple Hill South Overlay Zone as the Overlay Zone discussion would likely be longer. The group agreed with that change.

Public Comment on Non-Agenda Items

Chairperson VanderWeele asked if anyone in the audience cared to address the Board on a non-agenda item. As no one came forward, he moved to the next item.

Approval of the Minutes of the Meeting of October 10, 2019

The Chair asked if there were additions, deletions or corrections to the Minutes of the Meeting of October 10, 2019. Hearing none, he asked for a motion.

Mr. Commissaris made a motion to approve the Minutes of the Meeting of October 10, 2019 as presented. 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.

PUBLIC HEARING: VILLAGE THEME DEVELOPMENT PLAN **CONSIDERATION OF THE DRAFT VILLAGE THEME DEVELOPMENT PLAN FOR RECOMMENDATION TO THE TOWNSHIP BOARD**

Ms. Johnston said within the Township, the historic Oshtemo Village area developed at the intersection of Stadium Drive and 9th Street. This community was often referred to as a village, although it never incorporated as such.

In 2017, the Downtown Development Authority (DDA) began to become concerned with the lack of new development happening within the Village, which is within the boundaries of the Authority. Development seemed to be occurring in other areas of the Township, but not in the Village. Discussions related to the Village Form-Based Code Overlay and its possible impact on new development was outlined as a primary concern. The Village Form-Based Code Overlay is intended to re-create the Village area based on traditional urban design standards of a walkable, mixed-use community.

She indicated the Village Form-Based Code was a result of the Village Theme Development Plan, which was originally adopted in 2006. The DDA felt that a review of the 2006 Plan was needed due to the public process utilized to create the Plan and ultimately the Village Form-Based Codes. The DDA wanted to give the public, property owners, business owners, etc. from within the Village, as well as throughout Oshtemo Township, the opportunity to weigh in on any possible changes to the Plan.

Ms. Johnston said the draft of the Village Theme Development Plan is intended as an update to the 2006 Plan and represents a critical review of the original Plan and sought to consider and accomplish the following:

1. Gather citizen and stakeholder opinions to confirm the preferred vision for the village and evaluate the effectiveness of the Plan.

2. Investigate the perception that development within the village has been limited, in comparison to development elsewhere in the Township and region, since the original adoption of the Plan.
3. Review changing conditions that may impact development within the village, such as economic trends, demographic/lifestyle preferences, traffic/recent road improvements, and pedestrian connectivity efforts.
4. Recognizing that the local road network is under the jurisdiction of the County, consider the impact that County street design policies have on the existing and planned character of development within the village.
5. Evaluate and outline necessary changes to currently adopted zoning regulations to ensure that such regulations facilitate development which contributes to the desired mixed-use character of the village.

Public input was garnered throughout the review and development of the Plan. A subcommittee of four members from the DDA and four members of the Planning Commission was formed to help guide the public input process, review the draft plans, and make recommendations on changes.

Ms. Johnston noted stakeholder interviews were held in May of 2017. Some of these were one-on-one interview sessions and some were in small groups. The stakeholders represented varying interests, including citizens, township leaders, property owners, business owners, and real estate / development community representatives. The interviews were designed to garner input on the effectiveness of the 2006 Village Theme Development Plan and Village Form-Based Codes.

Two workshops were also held. The first occurred in June of 2017, which was focused on visioning exercises for the Village area. The second was in October of 2017 and provided a series of development/redevelopment scenarios for the Village area, asking participants to evaluate the merits of each scenario.

At the conclusion of the public process in October of 2017, the draft of the Village Theme Development Plan was completed. In order to ensure the Planning Commission and Township Board were up to date on the direction of the Plan, it was presented at a joint Board meeting in February of 2018. At that meeting, there was some concern related to lessening the requirements to construct buildings immediately adjacent to the street right-of-way and allowing parking within the front yard. The current Form-Based Codes require buildings to construct to a build-to line, which is generally the edge of the street right-of-way and parking lots are prohibited in the front yard.

Ms. Johnston said based on the input gathered at the joint Board meeting, there was a difference between those who wanted the original Village theme ideas and those who wished to loosen the regulations to allow some limited front yard parking. This small change in the Plan, and ultimately the Form-Based Code, would alter the desired

appearance of the Village area by permitting some distance between the buildings and the street right-of-way. As is often seen in traditional downtowns, buildings are constructed immediately adjacent to the sidewalk, which is part of the road right-of-way.

At the conclusion of the joint meeting, it was decided that the Village Theme Development Plan should be included in the Planning Commission's work plan. It was determined the subcommittee had taken the Plan as far as it could, and it was time for the Commission to complete their review. Due to work loads, the Plan was not included on the Commissions agenda until now. In July of this year, the DDA specifically requested the Planning Commission review the Plan, make any possible changes or additions needed, and forward it to the Township Board for approval.

The Planning Commission began their review at the September 12th meeting. Discussion was held about the impacts of allowing the Form-Based Code to ultimately be altered if the Village Theme Development Plan was adopted. At the conclusion of the meeting, additional information was requested on the effect of the possible zoning changes recommended by the draft Village Theme Development Plan. This information was provided at the September 26th meeting.

Ms. Johnston said final changes to the draft Village Theme Development Plan based on Planning Commission input were presented at the October 10th meeting, as follows:

- The acknowledgements page was updated.
- Information from the *GO! Green Oshtemo* Plan was included on page 18.
- The DDA streetscape plan information was updated on page 19.
- The zoning amendment recommendations were added to page 49.

Ms. Johnston outlined the recommendations of the Plan, which included incentives for infill development, zoning changes, developing branding for the Village, and investing in a market study. She indicated efforts that should be continued include placemaking, streetscape improvements and the façade development program.

Objectives important to the Steering Committee and integrated into the Plan recommendations included allowance of mixed-use development, high-quality architectural design standards, walkability, and site design flexibility.

Chairperson VanderWeele asked if there were comments from the public on the draft plan.

Mr. Rich MacDonald, DDA and Steering Committee member, part of the Hinman Company, which is an owner of properties within the DDA area, spoke to the Board. He supported the proposed changes as well as the very involved process that was followed to develop the Plan. The Plan simplifies the very long and complex Form-Based Code and will allow modifications without having to seek variances. If approved, he hopes it will lead to some great projects.

Hearing no further comments, the Chair closed the public hearing. After determining there were no Board comments, he requested a motion.

Ms. Dickason made a motion to recommend the Village Theme Development Plan as presented to the Township Board for approval. Ms. Farmer supported the motion. The motion was approved unanimously.

Chairperson VanderWeele asked Ms. Johnston for her presentation on the next agenda item.

OTHER BUSINESS

a. Nonhazardous Materials Treatment Facility – draft ordinance review

Ms. Johnston said Taplin, Inc., an environmental services firm within Oshtemo Township, wishes to add a structure to process nonhazardous materials so that they can become recyclable within their facility located at the corner of Drake Road and Michigan Avenue, just west of Bud and Doug Walter Auto Sales. The owners of the firm met with Township staff in early August to discuss the possibility of constructing this facility.

Staff informed Mr. Taplin the use requested is not permitted within the Township Zoning Ordinance. After discussion of the requested project, Staff investigated the use to determine if ordinance language could be written to allow this development.

Staff conducted internet searches of requirements for nonhazardous material management through Environmental Protection Agency and the Michigan Department of Environment, Great Lakes and Energy. In addition, staff reviewed other treatment companies to determine if special requirements must be met. Finally, a search of ordinance language related to nonhazardous treatment facilities was conducted.

Results of these searches determined the treatment should occur within an enclosed building and a secondary containment system must be provided. This system is designed to ensure results of processing within the facility will not impact ground water.

She said the draft ordinance recommended placing this type of facility within the 1-2: Industrial District as a special use. This would allow Planning Commission an opportunity to ensure all ordinance requirements are being met and any compatibility concerns addressed. She recommended review of the language to determine if its location in the 1-2 District is appropriate, that all concerns have been addressed through the regulatory requirements, and that special use approval should be required.

Ms. Johnston said Taplin, Inc. is an environmental remediation facility and she believes the materials they would like to process are currently shipped elsewhere for treatment.

Board members had several concerns and questions regarding noise, what types of materials would be processed, a definition of non-hazardous materials, what regulations are applicable, and whether approval must be given.

Attorney Porter said if the request is for a lawful use, the Board generally has to try to accommodate the use unless there is no place for it in the community or unless it can be accommodated in another way.

The Board agreed to postpone this item and to invite Mr. Taplin to a future meeting to address the Board and answer their questions.

OLD BUSINESS

a. Maple Hill South Overlay Zone – draft ordinance review

Ms. Johnston said at the September 24th meeting, the Planning Commission discussed the difference between net and gross acreage and its impact on the density and open space requirements of the draft Ordinance. No final decisions were made at the September meeting.

She recommended beginning discussion on residential maximum densities and density bonuses. Extended discussion followed, with a decision that a maximum density not to exceed 8 dwelling units per acre be established for the Ordinance. It was also decided a “sliding” density bonus would be established for densities between 10 and 16 with the inclusion of amenities as follows:

- 10 dwelling units: 4 amenities.
- 12 dwelling units: 4 amenities, including a public option
- 14 dwelling units: 5 amenities, including a public option
- 16 dwelling units: all 6 amenities

Ms. Johnston will make those changes and return the document for further consideration and review.

PLANNING COMMISSIONER COMMENTS

Ms. Johnston informed the Board the Livestock/Honey Bee ordinance will be returned to the Planning Commission from the Township Board for further consideration.

There were no comments from Commissioners.

ADJOURNMENT

With there being no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 8:00 p.m.

Minutes prepared:
October 26, 2019

Minutes approved:
_____, 2019



December 3rd, 2019

Meeting Date: December 12th, 2019

To: Planning Commission

From: Ben Clark, Zoning Administrator

Applicant: RWL Sign, on behalf of Spectrum

Owner: Corner @ Drake E, LLC

Property: 5095 Century Avenue, Suite A
Parcel number 05-25-275-020

Zoning: C: Local Business District; Non-residential Planned Unit Development

Request: Increase number of allowed wall signs

Section(s): 55: Signs and Billboards; 41.50: Planned Unit Development

Project Name: Spectrum Store

OVERVIEW

RWL Sign, on behalf of Spectrum, is requesting Planning Commission consideration to allow three wall signs where only two are permitted by the Zoning Ordinance. The building in question is located within the Corner@Drake Planned Unit Development (PUD), to the east of the outdoor patio area that separates the Trader Joe's building from this multi-tenant structure. Spectrum now occupies one of the two suites in this building and has installed their two allotted wall signs—one facing west and the other north—but would also like a third sign facing Stadium Drive.

The subject building has visibility from three roadways—Stadium Drive, Century Avenue, and Drake Road. The applicant is requesting approval for three wall signs where only two are permitted per Section 55.80: *Commercial and office land uses* of the Oshtemo Township Zoning Ordinance. This section controls signage in commercially-zoned areas and states that multi-tenant commercial structures are only allowed two wall signs per tenant space. In contrast to this, standalone buildings are allowed up to four wall signs.

Section 41.50 of the Zoning Ordinance allows the Planning Commission to consider a departure from the dimensional requirements of the Zoning Ordinance for Planned Unit Developments. To grant such *non-variance* relief, the Commission must find that the proposed departure from the ordinance “meets the purpose of a planned unit development set forth in section 41.60 and 41.70.” These two sections, and indeed the entirety of *Article 41: Planned Unit Development*, discuss how PUDs might benefit from dimensional departures from the ordinance in order to create a more cohesive, unified, and socially beneficial development through the construction of clustered structures, the creation of large open spaces, and other treatments that might not otherwise be possible while observing strict compliance with the Zoning Ordinance. Developers are often attracted to PUDs because of this inherent flexibility, and departures should be beneficial to both the development's patrons and the greater community.

For context, the Planning Commission previously approved the following departures from the Zoning Ordinance, under the standards of section 41.50, at the Corner@Drake development:

- Permission to install 238 9' x 18' parking spaces, where 10' x 20' is typically required. (2/11/2016)
- Allowance of off-site signage in order for the free-standing sign at Drake Road and Century Avenue to advertise PUD properties without frontage on Drake. (2/11/2016)
- Width reduction of side yard landscape buffers within the PUD as well as the buffer strip along Drake Road. (2/11/2016)
- Relief from the 0.1 foot-candle limit for site lighting between properties within the PUD. (2/11/2016)
- Reduced side structure setbacks for properties within the PUD. (2/11/2016)
- Three wall signs for Trader Joe's at 5099 Century Avenue. (9/14/2017)
- Three wall signs for Mod Pizza located at 5099 Century Avenue, Suite 500. (8/9/2018)
- Three wall signs for Olga's Kitchen located at 5095 Century Avenue, Suite D (abutting the Spectrum store in the same building) and an enlarged multi-tenant sign for the PUD. (10/11/2018)

For this request, the applicant has noted that allowing a third sign for their client would be consistent with how other units with three exterior walls in the PUD have been treated.

RECOMMENDATION

The Planning Commission has provided departures from the ordinance for multi-tenant users within the Corner@Drake PUD that have more than two exterior walls, specifically for Trader Joe's, Mod Pizza, and Olga's Kitchen. Township staff feel that approving this request would be in keeping with the Planning Commission's general approach to implementing Section 41.50 of the PUD regulations. Substantial justice will be observed; the public health, safety, and general welfare will not be compromised; and it can be argued that allowing this additional wall sign will make for a more cohesive, user-friendly commercial development.

Given these findings, staff recommend that the Planning Commission approve the request for additional wall signage for the Spectrum store within the Corner@Drake PUD.

Respectfully Submitted,



Ben Clark, Zoning Administrator

Attachments: Application and supporting documents
Minutes for past Corner@Drake PUD allowances



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

PLEASE PRINT

PROJECT NAME & ADDRESS SPECTRUM 5095 CENTURY

PLANNING & ZONING APPLICATION

Applicant Name : JASON HEADLEY

Company RWL SIGN CO.

6185 W. KL AVE

Address KALAMAZOO, MI 49009

E-mail JASON@RWLSIGN.COM

Telephone (269) 372-3629 x6 Fax _____

Interest in Property CONTRACTOR

THIS SPACE FOR TOWNSHIP USE ONLY

OWNER*:

Name AVB (CORNER@DRAKE E,LLC)

Address 4200 W CENTRE AVE

PORTAGE, MI 49024

Email caard-erna@avbincl.com

Phone & Fax (269) 329-3659

Fee Amount _____

Escrow Amount _____

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

- | | |
|---|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input 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 checked="" type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input type="checkbox"/> Other: _____ |

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

SPECTRUM IS REQUESTING A THIRD WALL SIGN
FACING STADIUM DRIVE

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

PARCEL NUMBER: 3905- 05-25-275-029

ADDRESS OF PROPERTY: 5095 CENTURY AVE

PRESENT USE OF THE PROPERTY: SPECTRUM

PRESENT ZONING COMMERCIAL SIZE OF PROPERTY _____


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

Name(s)	Address(es)
_____	_____
_____	_____

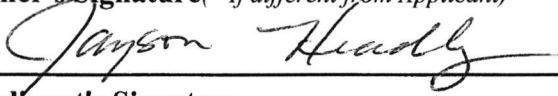
SIGNATURES

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.

*CURT AARDEMA
AVB
329-3659
JASON HEADLEY*


Owner's Signature (* If different from Applicant)

10/21/19
Date


Applicant's Signature

10/21/19
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS



SITE ADDRESS:

5095 Century Ave
Ste. A
Kalamazoo, MI 49006

Exterior Sign
Submittal Package



440.209.6200
800.627.4460
theMCgroup.com

LOCAL CODE:

1 SQ FT PER LINEAL FT OF TENANT SPACE, CANNOT EXCEED 2/3RDS WIDTH OF TENANT SPACE & IS SUBJECT TO LANDLORD REVIEW
ALLOWED 1 WALL SIGN PER TENANT WALL, 2 WALL SIGNS MAX PER BUSINESS

LANDLORD CRITERIA:

WALL SIGNS MUST MEET ZONING REQUIREMENTS
INTERNALLY ILLUMINATED INDEPENDENT CHANNEL LETTERS
ARE REQUIRED

PROPOSED SIGNAGE:

(2) 30" FACE-LIT/HALO-LIT CHANNEL LETTERS - 37.7 SQ FT EA
(1) ROUTED ALUMINUM MONUMENT PANEL

ADDITIONAL INFORMATION:

GENERAL NOTES & PERMIT TIMES:
Wall Material: Multi-Colored Block/Brick
2 - 3 weeks

ELECTRICAL ACCESS:
MC Group will connect electrical within 6' provided that access exists
Spectrum GC is responsible for running all electrical



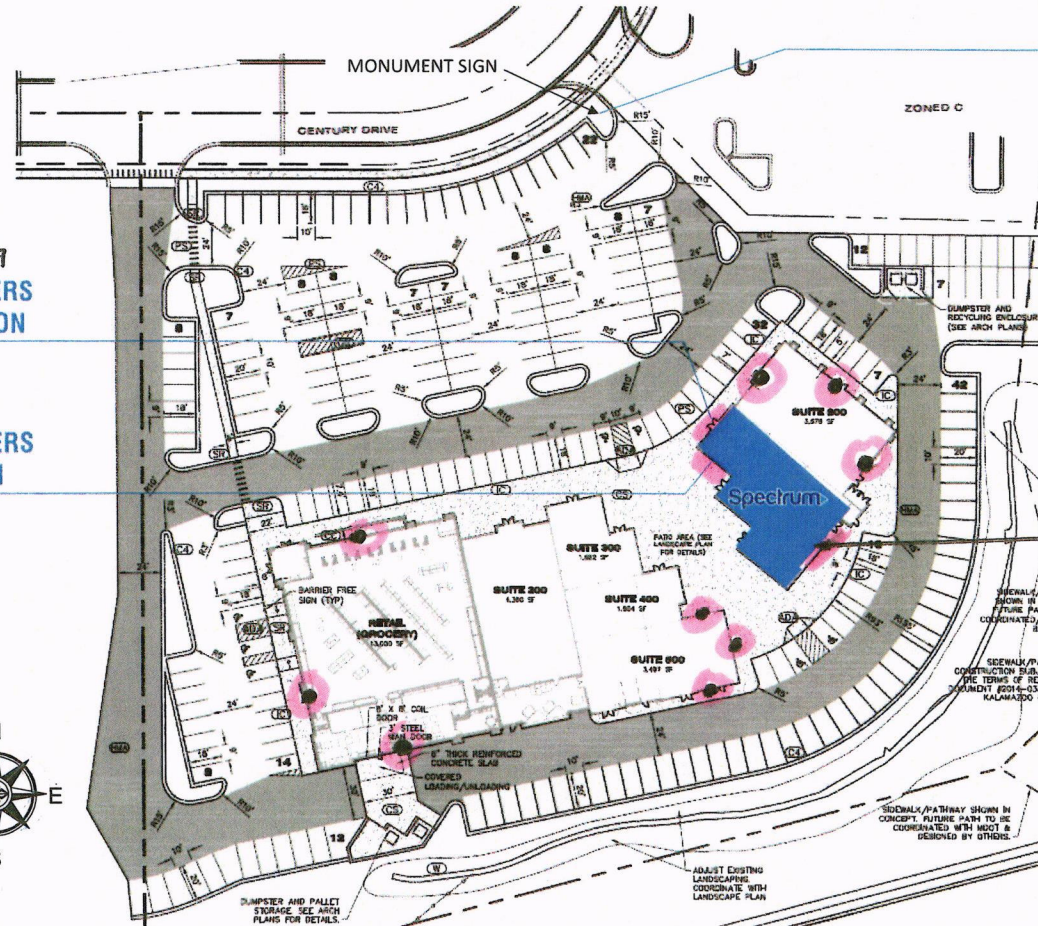
SITE PLAN

Scale: NTS

**S/F MONUMENT
FACE REPLACEMENT**

**EXISTING
CHANNEL LETTERS
FRONT ELEVATION**

**EXISTING
CHANNEL LETTERS
SIDE ELEVATION**



*** REQUESTED
ADDITIONAL SIGN -
FACING STADIUM
DRIVE AND DRAKE.**

*** 3 RD SIGN WOULD BE CONSISTENT WITH OTHER END SUITES IN DEVELOPMENT.**



8959 Tyler Boulevard
Mentor, Ohio 44060

**440.209.6200
800.627.4460**

theMCgroup.com

CLIENT:
Spectrum

ADDRESS:
5095 CENTURY AVE
STE. A
KALAMAZOO, MI 49006

PAGE NO.
2

TICKET NO.:
500571

PROJECT MANAGER:
ELIZABETH MAUER

ELECTRONIC FILE NAME:
CHARTER COMM2019MIKALAMAZOO - CENTURY - EXTERIOR

DATE:
04/09/19

DESIGNER:
DR

REVISION HISTORY:

NO.	DESCRIPTION

CLIENT SIGNATURE:

APPROVAL DATE:

PRINTS ARE THE EXCLUSIVE PROPERTY OF MC GROUP. THIS MATERIAL SHALL NOT BE USED, DUPLICATED, OR OTHERWISE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF MC GROUP.

*** REQUESTED SIGN / TOWARD STADIUM DR. - DRAKE ROAD**



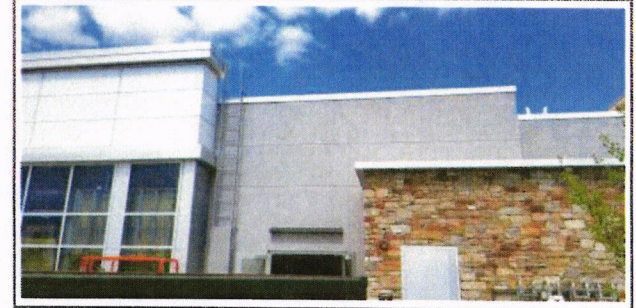
REAR ELEVATION

Scale: 1/4" = 1'-0"

30 INCH

Existing Conditions

For Reference Only



25'-0" Sign Band

C/L

C/L

7'-4"



8959 Tyler Boulevard
Mentor, Ohio 44060

440.209.6200
800.627.4460

theMCgroup.com

CLIENT:



ADDRESS:

5095 CENTURY AVE
STE. A
KALAMAZOO, MI 49005

PAGE NO.

2

TICKET NO.:
548920

PROJECT MANAGER:
AHNI WOLSKI

ELECTRONIC FILE NAME:
CHARTER CD/AM/2019/MN/3803 - KALAMAZOO - REAR

DATE:
8/7/19

DESIGNER:
SI

REVISION HISTORY:

NO.	DESCRIPTION

CLIENT SIGNATURE:

APPROVAL DATE:

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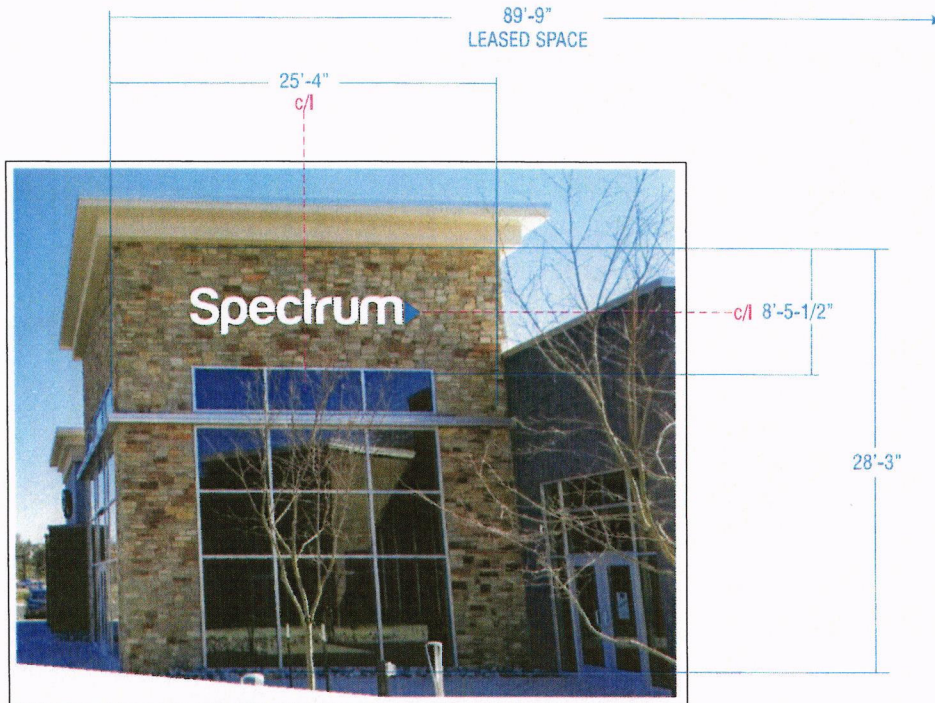
* INSTALLED



SIDE ELEVATION

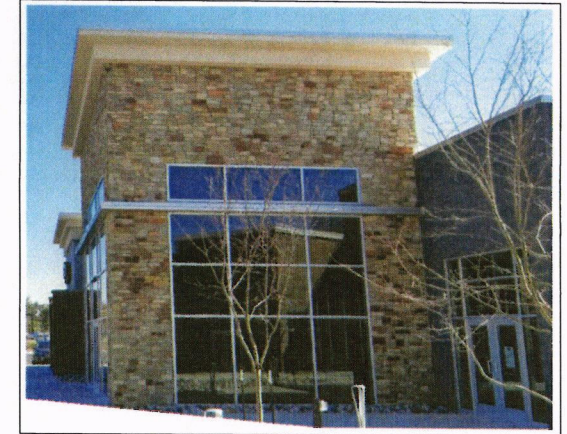
Scale: 1/8" = 1'-0"

30 INCH



All whips to come out at same plane near bottom of letter for ease of wiring

EXISTING CONDITIONS



8959 Tyler Boulevard
Mentor, Ohio 44060

440.209.6200
800.627.4460

theMCgroup.com

CLIENT:



ADDRESS:

5095 CENTURY AVE
STE. A
KALAMAZOO, MI 49006

PAGE NO.

4

TICKET NO.:
500571

DATE:
04/09/19

PROJECT MANAGER:
ELIZABETH MAUER

DESIGNER:
DR

ELECTRONIC FILE NAME:
CHARTER COMM2019\MI\KALAMAZOO - CENTURY - EXTERIOR

REVISION HISTORY:

DATE	DESCRIPTION
04/17/19 DR	Added note for whips out on same plane

CLIENT SIGNATURE:

APPROVAL DATE:

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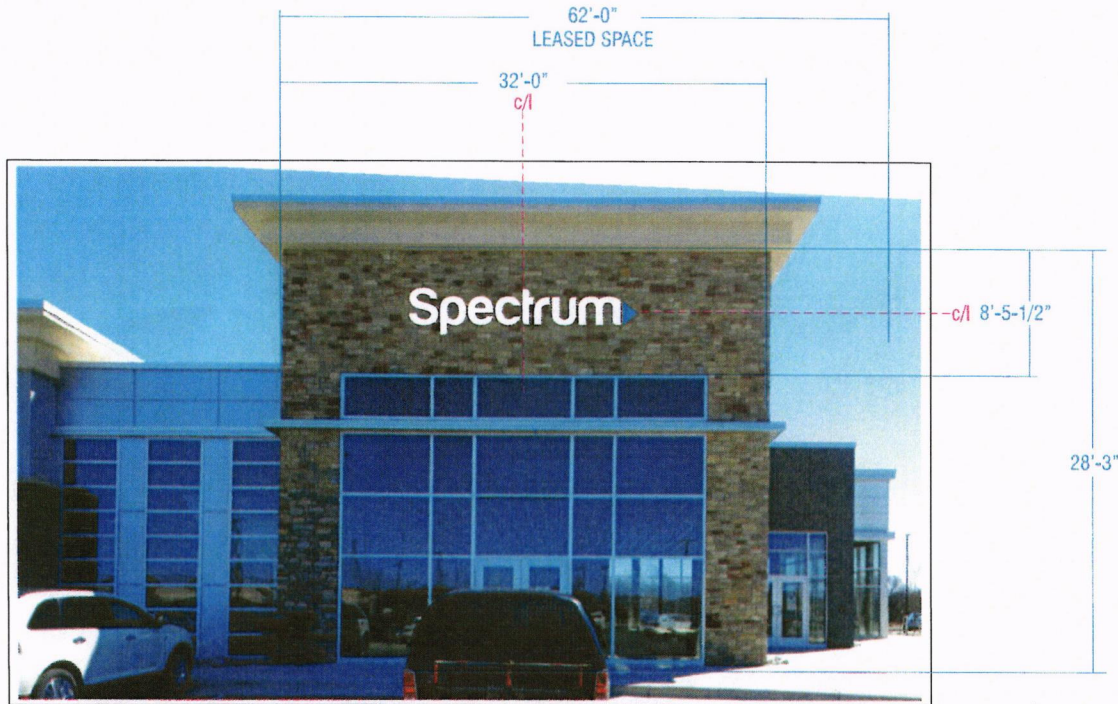
* INSTALLED



FRONT ELEVATION

Scale: 1/8" = 1'-0"

30 INCH



All whips to come out at same plane near bottom of letter for ease of wiring

EXISTING CONDITIONS



8959 Tyler Boulevard
Mentor, Ohio 44060

440.209.6200
800.627.4460

theMCgroup.com

CLIENT:



ADDRESS:

5095 CENTURY AVE
STE. A
KALAMAZOO, MI 49006

PAGE NO.

3

TICKET NO:
500571

PROJECT MANAGER:
ELIZABETH MAUER

ELECTRONIC FILE NAME:
CHARTER COMM\2019\MI\KALAMAZOO - CENTURY - EXTERIOR

DATE:
04/09/19

DESIGNER:
DR

REVISION HISTORY:

DATE	DESCRIPTION
04/17/19 DR	Added note for whips out on same plane

CLIENT SIGNATURE:

APPROVAL DATE:

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* ALL 3 SIGNS ARE TO BE THE SAME.

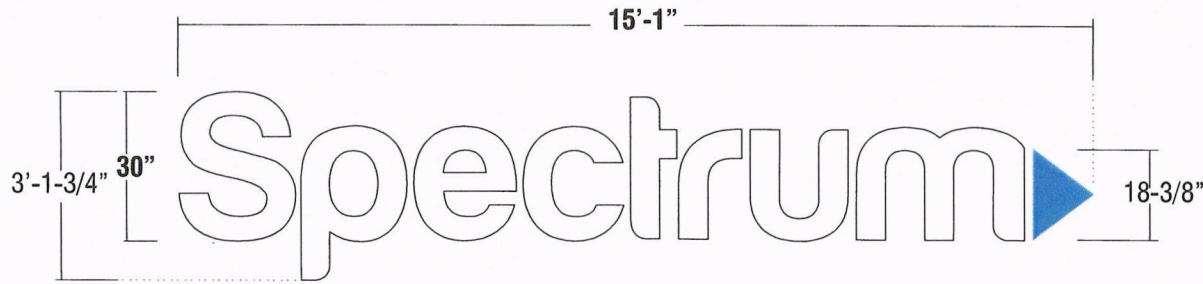


FACE LIT, HALO LIT LED CHANNEL LETTERS

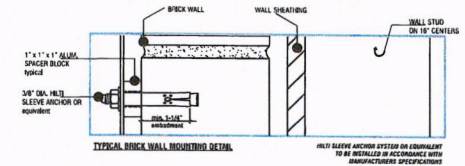
Scale: 1/2" = 1'-0"
37.7 square feet

WHITE DAY/ WHITE NIGHT

30 INCH



SIMULATED NIGHT TIME VIEW

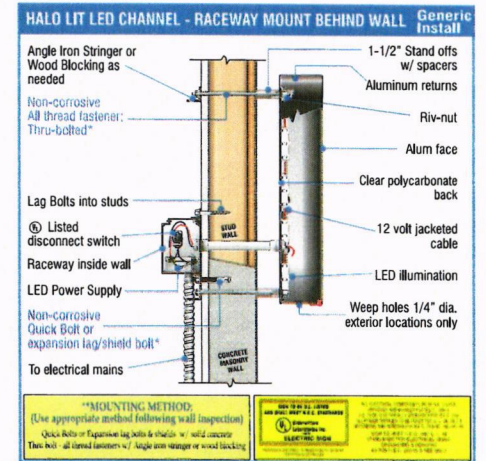


- SPECTRUM FACES:** 3/16" #2406 White acrylic
- PLAY BUTTON FACE:** 3/16" #2406 White acrylic with surface applied trans. Process Blue vinyl overlay
- TRIM CAP:** All trimcap to be 1" jewelite painted White
- RETURNS:** 5" deep .040 alum. returns to match chart
All returns pre-finished White
- BACKS:** .125 Clear Hyzod polycarbonate
- ILLUMINATION:** White LED's (7100K) to halo light copy, Blue LED's to halo light arrow
REMOTE POWER SUPPLIES HOUSED WITHIN 6" X 3" LOW PROFILE RACEWAY (INSIDE WALL)
All whips to come out at same plane near bottom of letter for ease of wiring
- MOUNTING:** Thru bolted with 1-1/2" stand off from wall surface to allow for halo lighting using fasteners to suit wall; Spacers to be provided painted to match sign band
- QUANTITY:** (2) TWO letter sets required for FRONT & SIDE ELEVATIONS

COLOR PALETTE

- White
- 3M 3630-337 Process Blue
Pantone 3005 LL Blue
- SPACERS:
#313 Duranodic Breeze
- RACEWAY (INSIDE WALL):
BM 2124-50 BUNNY GRAY, SATIN

ALL PAINT FINISHES TO BE HIGH GLOSS UNLESS OTHERWISE SPECIFIED!



8959 Tyler Boulevard
Mentor, Ohio 44060
440.209.6200
800.627.4460
theMCgroup.com

CLIENT: **Spectrum**
PROJECT MANAGER: ELIZABETH MAUER
ADDRESS: 5095 CENTURY AVE STE. A KALAMAZOO, MI 49006
PAGE NO. 5

TICKET NO.: 500571
DATE: 04/09/19
DESIGNER: DR
ELECTRONIC FILE NAME: CHARTER COMM2019MIKALAMAZOO - CENTURY - EXTERIOR

REVISION HISTORY:

04/17/19 DR	Added interior wall raceway & note for whips out on same plane
05/15/19 JH	Updated colors

CLIENT SIGNATURE: _____
APPROVAL DATE: _____

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2/11/2016

Mr. Antosz pointed out the Ordinance requires amenities; Ms. Johnston said the Ordinance addresses active recreation areas and since this is a passive area not addressed by the Ordinance, that staff does not feel a need to require them. She agreed that perhaps the Ordinance could be looked at to address active vs. passive.

There were no further questions; Chairperson Loy asked if there were any public comments.

Mr. Bob McCarthy, 8794 KL Avenue, asked if the current gate would remain, whether the open hours would still be 24/7, and whether the limited hunting currently allowed on the site would still be allowed.

Chairperson Loy asked Mr. Lettow to address Mr. McCarthy's questions.

Mr. Lettow said the current gate will be removed. Instead there will be a swinging gate at the turnaround to prevent entering past that point and a sign stating the sunrise to sunset open hours. The limited hunting allowed was a specific agreement with the donor; there will be fall hunting allowed on the property. A sign will be present when active hunting is occurring on the preserve, which consists of 69.5 acres.

Attorney Porter said the posted sign at the gate stating the hours should also state that the Sheriff's Dept. will be called if the hours are violated.

There were no further public comments; Chairperson Loy closed the public hearing.

The Chairperson moved to Board Deliberations. The consensus of the Board was that the passive nature of the preserve is appropriate, no problems were seen with the application, and that this will be a nice addition to the Township.

Ms. Farmer made a motion to approve the application for special exception use and site plan for the nature preserve with a parking lot, public access, and trails as presented. Mr. Antosz supported the motion. The motion passed unanimously.

**COMMERCIAL PLANNED UNIT DEVELOPMENT – CORNER @ DRAKE
CONSIDERATION OF THE APPLICATION FROM GESMUNDO, LLC TO REVIEW A
CONCEPT PLAN THAT WOULD ESTABLISH A COMMERCIAL PLANNED UNIT
DEVELOPMENT FOR 21.7 ACRES WITHIN THE CORNER @ DRAKE COMMERCIAL
CENTER.**

Chairperson Loy moved to the next item on the agenda and asked Ms. Johnston to walk through the application for a Commercial Planned Unit Development (PUD) at the Corner@Drake project surrounding the Costco property.

Ms. Johnston indicated the applicant was requesting the approval of a Commercial Planned Unit Development (PUD), which would include the approximate

21.7 acres within the Corner@Drake project that surround the Costco property. The property is zoned C – Local Business District which allows for the development of commercial PUDs. The development area is located at the northwest corner of Stadium Drive and Drake Road and is also bounded by US-131 and West Michigan Avenue.

She said the process to approve a PUD includes two steps:

- Concept Plan Review – Approval of the layout of the PUD
- Special Exception Use/Site Plan – Detailed site plans that conform to the approved Concept Plan

Currently, she said, three lots within the area planned for the PUD have received site plan approval from the Planning Commission. Based on the concept plan provided, an additional seven building sites are planned. The three developments that have been approved include:

- Field and Stream located in the northwest corner of the site,
- Kellogg Community Federal Credit Union located in the northeast corner of the site, and
- Consumers Credit Union located at the northwest corner of Drake Road and Century Avenue.

Ms. Johnston said the conceptual plan is not required to be publicly noticed for a hearing. However, public hearings are required for the site plans included within the PUD per Section 60.4450.B.3. If the PUD is approved by the Planning Commission and to ensure consistency with this requirement, Planning Staff will request a public hearing be held at the March 10th meeting to incorporate those sites that have already received site plan approval within the PUD.

She said the development area The Century Highfield Sub-Area occupies the better part of what has been referred to as the Century Highfield Sub-Area by the Township in previous planning exercises and indicated the following highlights some of the important elements from those exercises:

- In 1996, the Township conducted a planning review of this area and determined commercial use to be most appropriate, identifying a conference center, hotel, and lifestyle center as target uses.
- In 2011, an update of the Master Plan prompted the Township to conduct this exercise again. Although conditions in the region had altered significantly, the conditions at the site had not changed. The vision remained that the property would be used for commercial uses.
- In October 2013, the Township Board approved the rezoning of the property from R-2 and R-3 residential to C: Commercial, consistent with the Master Plan and Sub-Area Plan.

- In 2014/2015, MDOT replaced the Stadium / 131 interchange, and in conjunction with that project completed significant improvements to the Drake Road / Stadium Drive intersection. The project increased the capacity of the intersection and roads to accommodate the high volume of existing traffic and potential traffic that will likely be generated when this project is complete. In addition, drainage and non-motorized improvements were also included.
- Costco was completed and opened for business in October of 2014.
- Field and Stream, Consumers Credit Union, and Kellogg Community Federal Credit Union were all approved in 2015 and are either under construction or working to begin construction.

She continued, saying from the start of the planning process for this development, it was intended that the individual building sites would function as one larger commercial retail center. The placement of internal access, building sites, landscaping, drainage infrastructure, signage, etc. was designed to be integrated and work as a whole. At the time Costco was developed, only two parcels existed on site – the Costco development and the property that surrounded Costco to the east, south and west. Reviews of the site plans that were previously submitted to the Township were conducted based on this “ring” property as one parcel.

In 2015, the applicant submitted a land division application to the Township for the large parcel that surrounds Costco. The request was to create five new parcels within the development, which was approved by the Township and recorded with Kalamazoo County. Unfortunately, the placement of parcel lines within the development created some conflicts with the Township Zoning Ordinance, specifically setbacks, landscape buffers, signage and lighting requirements at property lines.

She said while the parcels are still under one ownership and the development still functions as a commercial center, the introduction of new parcel lines required Planning staff to re-evaluate the ability to approve new site plans without variances from the code. In addition, existing approvals were now noncompliant. As a way to rectify these concerns, Planning staff recommended the establishment of a commercial PUD. Utilizing this tool allows the Township to continue to review these properties as one development as always intended by the applicant. The approval of the concept plan solidifies the development’s design and provides continuity as new site plans are submitted.

Ms. Johnston said the concept plan has not changed significantly since its original inception in 2013 when Costco was approved. A total of nine building sites (one combined by a pedestrian plaza) are proposed. Century Avenue provides the primary access to the development, which was constructed, along with the adjacent sidewalk, when Costco was completed. Additional vehicular access is provided at the northern portion of the site from Drake Road and along the western boundary to Michigan

Avenue. All drives within the development are private and will be maintained through a shared access easement agreement.

Utilities to the site are provided through public water and sanitary sewer. As site plans are developed, these connections are reviewed and approved by the Township Engineer. Per Section 78.520: Stormwater Management Standards, all stormwater must either be managed by a public system or handled through on-site facilities. The entire Corner@Drake development uses a combination of both public and on-site facilities. While not included in the PUD, Costco manages stormwater on-site. The properties within the PUD utilize the Michigan Department of Transportation's (MDOT) system near US-131 on the west side of the project and the City of Kalamazoo's system on the east side of development. Stormwater management will continue to be reviewed as individual site plans are submitted to the Township.

She said the parking calculations for the concept plan have been developed based on the standard practice of utilizing a net value for building square footage. A total of 952 spaces are planned and the applicant is requesting size reduction for 25 percent of the spaces. Per Section 68.300: Requirements for Parking Spaces and Parking Lots, the Planning Commission may alter parking lot space dimensions for up to 25 percent of the spaces if the lot has more than 100 spaces. The applicant is requesting that 238 spaces be dimensioned at 9' x 18' as opposed to the 10' x 20' generally required.

Ms. Johnston discussed lighting requirements, saying the areas internal to the site should not be required to dim down lighting to 1 foot candle since pedestrians walking in those areas will need more lighting for safety and security; she indicated there is flexibility within the Ordinance to provide for that.

Also, she explained the commercial PUD ordinance requires that landscaping be in accordance with Section 75: Landscaping. This will generally be reviewed as the individual site plans are submitted to the Planning Commission. However, there are two notable deviations from Section 75 related to buffer zones that support of the PUD will approve. First is the required buffer zone along Drake Road, which includes a pedestrian path. According to Section 75.130: Greenspace Areas, the buffer zone C+ (30 feet) is required in this area because the non-motorized facility cannot be accommodated entirely in the public right-of-way. The concept plan shows the buffer zone along Drake Road averaging 20 feet in width, which is a C buffer zone and is typical along public roadways.

Ms. Johnston pointed out the applicant has agreed to allow the paved, non-motorized path to be placed on his property where the right-of-way for Drake Road is too narrow for construction. The applicant has also agreed to cover the cost of a standard 5-foot sidewalk along Drake Road. The Township, however, is considering contributing to these funds to develop a 10-foot multi-use path, which may require additional property from the applicant. It seems overly burdensome to require the applicant to both provide property for a non-motorized path and then to increase that

buffer from 20 to 30 feet because the path cannot be accommodated in the right-of-way. Planning staff would encourage the Planning Commission to approve the buffer zone along Drake Road as presented.

She said the second buffer zone deviation is for the required 10-foot buffer between commercial uses. Section 75.130 requires buffer zone classification A between two C: Commercial zoned properties. Due to the lot splits approved in 2015, this 10-foot buffer is required on both sides of the new parcel lines within the development. As this project is essentially a commercial “center” and not individual parcels, buffering does not seem necessary. Also, placing a 20-foot landscape buffer between parcels does not allow for the possibility of shared parking and makes connectivity between building sites more difficult.

As she stated previously, a non-motorized path is planned along Drake Road. However, the final design of the path is yet to be determined. As currently planned, the path will be a 5-foot sidewalk that meanders along the right-of-way as opposed to simply being located parallel to the curb. Pedestrian circulation within the development is primarily handled through a five-foot sidewalk along Century Avenue. Access points are planned from this sidewalk to various building sites as well as between building sites. There are a few of access points that have either been approved on past site plans or are requested by Planning staff that are not shown on the concept plan. These include the following:

- There is a pedestrian crossing from the southeast corner of the Consumers Credit Union site to the sidewalk planned on Drake Road that was approved as part of the site plan but is not shown on the concept plan.
- Staff would like to see pedestrian access from the sidewalk on Century Avenue to the southwest corner of the building site at the southwest corner of Century Avenue and Drake Road.
- The multi-tenant shops located between Kellogg Community Federal Credit Union and Consumers Credit Union includes a large parking lot to the rear of the buildings. A pedestrian path is planned along the north side of the second building north of Century Avenue. Some type of demarcation is needed to direct pedestrian traffic to this sidewalk. Staff would recommend striping in the parking lot or signage on the sidewalk or some other indication of the pedestrian path presented by the applicant and approved by the Planning Commission.

Ms. Johnston said Section 60.423: Open Space delineates the requirements of open space within the commercial PUD. The applicant has indicated on the Pedestrian Circulation and Open Space plan that 4.40 acres of the site is dedicated to open space. Based on the requirements of 60.423, five percent of the site is required to be dedicated as open space. This equates to 1.1 acres of required open space. The ordinance indicates the following:

Designated open space shall be set aside as common land and either retained in an essentially undeveloped or unimproved state or improved as a central "public gathering place" to serve the following purposes:

- 1. conservation of land and its resources,*
- 2. ecological protection,*
- 3. provide for parkland and passive recreation (which preserve the natural features),*
- 4. protect historic and/or scenic features,*
- 5. shaping and guiding the planned unit development,*
- 6. enhancement of values and safety,*
- 7. provide opportunities for social interaction, and/or*
- 8. provide active recreational opportunities on a neighborhood scale.*

Based on the plan provided, Ms. Johnston said it appears that all the landscaped areas and plaza areas have been counted towards the open space calculation, which does not technically meet the definition provided above. The parking lot islands and landscaping around the buildings should not be included in this calculation. However, Planning staff believes the following features do meet the ordinance requirements and can be counted towards the five percent open space:

- The large open plaza planned between the two buildings which face Stadium Drive would qualify because it provides opportunities for social interaction within the PUD.
- The pedestrian connections and the landscaped buffer zones that surround these connections can be counted as they enhance the value and safety of the PUD, shape and guide the design of the PUD and provide opportunities for social interaction because they afford access to the pedestrian plaza.
- The open space area at the corner of Drake Road and Stadium Drive, which includes the decorative designed retaining wall and landscaping that enhances safety and values and helped to guide and shape the development of the PUD.

Based on Staff's rough estimate of the square footage of these areas, a total of 1.7 acres can be calculated, which would meet the requirements of the ordinance. In addition to the open space areas on site, the applicant has entered into an agreement with MDOT to maintain their acreage of open land adjacent to the development near US-131. This property will remain undeveloped.

Ms. Johnston said according to Section 60.440: Review Criteria, the Planning Commission should consider the following Standards of Approval items, 60.441 – 60.448 when reviewing a commercial PUD concept plan and provided explanations for each item:

60.441: The overall design and land uses proposed in connection with a planned unit development shall be consistent with the intent of the planned unit development concept and the specific design standards set forth herein.

The uses planned within the PUD are retail, office and restaurant uses. These are all compatible with a commercial PUD or commercial "center." The PUD also meets the guidelines for development outlined in Section 60:430 Design Standards. Overall, the uses and design of the PUD are supported by the Zoning Ordinance.

60.442: The proposed planned unit development shall be consistent with the goals, objectives, and development principles identified in the Township Master Plan including applicable Sub-Area Plan contained in the Master Plan.

The proposed PUD is located within the Century Highfield Sub-Area Plan of the Master Plan. This section of the Township was designed as a sub-area of the Master Plan because of the significant opportunities for future development and redevelopment in the area. At the time of the Master Plan, the Corner@Drake project was in its infancy and therefore the site was still being underutilized as residential. The Sub-Area Plan recognizes the significance of this location as a gateway into the Township and therefore recommended some flexibility in uses within the Gateway Commercial North district. A mix of commercial and residential uses at a density greater than existed when the Master Plan was adopted was envisioned for the Gateway Commercial North designation. In addition, the Century Highfield Sub-Area Plan specifically mentions the use of planned unit developments as a way to allow for development flexibility. The Corner@Drake project fits into the outcomes proposed by the Sub-Area Plan.

60.443: The proposed planned unit development shall be serviced by the necessary public facilities to ensure the public health, safety, and welfare of the residents and users of the development.

The PUD is served by both public water and sanitary sewer. Public facilities will also be utilized to handle a portion of the stormwater runoff from the development.

60.444: The proposed planned unit development shall be designed to minimize the impact on traffic generated by the development on the surrounding land uses and road network.

Circulation and traffic impacts from the development were closely scrutinized when Century Avenue was fully constructed for the development of Costco. The developer coordinated with the owners of the property to the east (former Kmart) to consolidate their existing driveways into one that was aligned and signalized with Century Avenue.

The location of this intersection, the lane alignment on Drake Road, and the requirement for the traffic signal were well studied and evaluated by a variety of different agencies and engineers. The applicant submitted a traffic study when Costco was developed to support the commercial center. The study was reviewed carefully by MDOT and the City of Kalamazoo (who maintains Drake Road in this location). The Township worked with these agencies and the developer to design the circulation of the project so that it functioned effectively with the improvements to Stadium Drive and the US-131 intersection completed by MDOT. All agencies were satisfied that the proposed changes would not negatively impact Drake Road or Stadium Drive, and would in fact improve circulation patterns.

60.445: The proposed planned unit development shall be designed so as to be in character with surrounding conditions as they relate to the bulk and location of structures, pedestrian and vehicular circulation, landscaping, and amenities.

The design of the PUD, character of the building facades, pedestrian circulation, landscaping and amenities proposed on the site have all greatly enhanced the character of the area. The retaining wall design feature has considerably improved this gateway point to the Township. Overall the quality of development within the Corner@Drake PUD is a significant improvement to this area of Oshtemo Township.

60.446: The proposed planned unit development shall be designed and constructed so as to preserve the integrity of the existing on- and off-site sensitive and natural environments, including wetlands, woodlands, hillsides, water bodies, and groundwater resources.

Development within the Corner@Drake PUD has already occurred and all on-site grading has been completed. Designing the PUD with the intent to preserve natural features is no longer possible.

60.447: The designated open space shall be of functional value as it relates to opportunities for wildlife habitat, woodland preservation, agricultural use, recreation, visual impact, and access.

The designated open space within the PUD is primarily designed for access and the safety and enjoyment of the PUD by pedestrians, as well as the visual impact it provides outside of the development. The function of a commercial center does not lend itself to the other open space opportunities outlined in Section 60.447.

60.448: The proposed planned unit development shall comply with all applicable Federal, State, and local regulations.

The development has already received any required outside organization approvals. These occurred when Costco and the other sites already approved by the Township were submitted.

Ms. Johnston said staff has worked closely with the applicants and their team for several months as this development project has evolved. The placement of a PUD over these properties will result in a more cohesive development and will allow for some flexibility within the Zoning Ordinance. If the Planning Commission approves the PUD Concept Plan, the following deviations from the Zoning Ordinance will occur:

1. Reduced setbacks, specifically for the financial institutions drive-thru lanes.
2. Relief from 0.1 foot candle light limit between sites.
3. Relief from necessary landscape buffer widths—specifically allow no buffers between some parcels, and reduce necessary buffer width along Drake Road to 20 feet.
4. Allow for an off-site sign for the uses that will be included on the multi-tenant sign located on Drake Road.

5. Allow 238 parking spaces to be dimensioned at 9' x 18' as opposed to the 10' x 20' generally required.

Ms. Johnston concluded by saying Planning staff recommended approval of the Corner@Drake PUD Concept Plan with the following conditions:

1. Allow the following deviations from the Zoning Ordinance:
 - Allow for a reduction in side and rear yard setbacks within the PUD.
 - Allow a reduction in the front yard setback from Stadium Drive to a minimum of 35 feet.
 - Relief from 0.1 foot candle light limit between sites.
 - Relief from necessary landscape buffer widths—specifically allow no buffers between parcels and reduce the necessary buffer width along Drake Road to 20 feet.
 - Allow for an off-site sign for the uses that will be included on the multi-tenant sign located on Drake Road.
 - Allow 238 parking spaces to be dimensioned at 9' x 18' as opposed to the 10' x 20' generally required.
2. A public hearing be held to establish the Special Exception Use on the approved site plans.
3. The submission of a revised Open Space Plan showing the areas delineated by staff in the 02-03-2016 memo.

Chairperson Loy thanked Ms. Johnston for her presentation and asked if there were questions for her from the Board.

Ms. Smith asked about the nature of other businesses to come within the proposed PUD.

Ms. Johnston said in addition to Kellogg and Consumers Credit Unions and Field and Stream, Old National Bank, two restaurants and 2 – 5 retail shops are expected.

Ms. Jackson asked for clarification on the Drake Road buffer requirement.

Attorney Porter concurred with Staff's belief that requiring a buffer and an additional 10 feet for a path would be punishing the developer.

In answer to a question from Ms. Farmer about why the MDOT agreement is not included in the PUD, Ms. Johnston explained the applicant has agreed with MDOT to maintain the whole area around the perimeter, including MDOT's property.

Attorney Porter pointed out the applicant cannot acquire the MDOT property for five years, but may be able to acquire it at some point.

Ms. Farmer pointed out the 10 foot path developed in concert with the Township goes toward the current Township Board vision of making the Township walkable; the path would be similar to the path in front of the Township Hall and could link both north and south on Drake Road as more pathway is developed.

Attorney Porter said the goal of the Township is to have a walkable path the entire length of Drake Road from Stadium north to the Kal Haven Trail and south to meet with W.M.U.

There were no further Board questions; Chairperson Loy asked if the applicant wished to speak.

Mr. Kurt Aardema, AVB Builders, 1451 W. Maple Street, said although there was no PUD Ordinance in place at the beginning of the Corner@Drake project it was always the vision, and now they are excited to be able to work within this plan, provide new design elements and to cooperate in providing a 10 foot wide path. He appreciated the thorough staff report

Chairperson Loy said since the Township will be responsible for maintaining the 10 foot wide path he would like to see the developer provide an easy way for a plow truck to get on and off the path efficiently and easily. Mr. Aardema said he would work with the Engineer to make sure that will occur.

The Chairperson said the project is well designed and should work well within the PUD.

Mr. Aardema reported the shared tenant sign is underway and will fit well with the character of the development, utilizing much of the same types of building materials.

The Chairperson determined there were no members of the public who wished to address the Board and moved to Board Deliberations. He commended Ms. Johnston on her excellent presentation.

Ms. Jackson liked the plan and that it was made much better with the PUD.

Ms. Farmer expressed her distress over how much space is devoted to pavement for parking. Trees that were on site were too mature and overgrown to preserve and there were contaminants on the site, but natural space was not preserved and there is a lot of concrete, even though Ordinance requirements were met.

Ms. Jackson made a motion to approve the concept plan, including the listed deviations from the Zoning Ordinance, proposed by AVB Builders to establish a commercial planned unit development (PUD) for 21.7 acres within the Corner@Drake commercial center contingent upon the three recommended staff conditions. Ms. Farmer supported the motion. The motion passed unanimously.

Old Business

There was no old business; Chairperson Loy moved to the next item.

Any Other Business

Sign Regulations in the Village Form-Based Code Overlay District

Ms. Johnston indicated there has been some difficulty in enforcing part of the Village Form-Based Code Architectural Design Standards, specifically: "Section 34.670.B.4: internally lit plastic letters or plastic box signs shall be prohibited."

She provided some background on this situation and asked if Commissioners would be open to allow staff to bring a recommendation regarding how to manage the situation and outlined several possible solutions.

After some discussion, the Board agreed it would be appropriate to address the situation and asked Ms. Johnston to return with a recommendation.

PLANNING COMMISSIONER COMMENTS

Ms. Jackson reminded the Board of the joint meeting to be held Tuesday, February 16.

Ms. Johnston said a letter and certificate of appreciation for Mr. Schley's service on the Planning Commission would be mailed to him.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Loy adjourned the Planning Commission meeting.

The Planning Commission meeting was adjourned at approximately 8:35 p.m.

Minutes prepared:
February 15, 2016

Minutes approved:
February 25, 2016

9/14/2017

Ms. Ann Socup, 6338 Sugarbush Trail, pointed out the green space at the back of the property was already clear cut and devastated five years ago. She noted she is a botanist and conservator and hoped they will plant mature oak and maybe Beech trees to fill in the area that abuts the neighborhood to create more of a substantial buffer. She suggested neighbors would plant trees and said water drainage needs to be remembered.

Ms. Jill Jenson felt a parking lot close to the back of the property in the last 70 feet and lighted at night for protection, would be a problem for the neighborhood. She reiterated that two trees per 100 feet is not a buffer, and that it should be the responsibility of Advia to plant the trees.

There were no further comments; Chairperson Bell closed public comment and moved to Board Deliberation.

Ms. Smith asked Ms. Johnston to clarify the language she added to Condition #3.

Ms. Johnston indicated that she believed that condition was to say that development within the first 300 feet of the property, which is zoned C: Local Business under the West Main Overlay Zone would be allowed to be commercial or retail in nature and any buildings outside of that 300 feet would only be allowed to be office. The minor change to the condition was just to clarify this intent.

Attorney Porter said rather than trying to impose that as a condition, clarification from Ms. DeBoer would be welcome.

Ms. DeBoer said yes, that the revised wording Ms. Johnston reviewed is Advia's intent.

Mr. VanderWeele made a motion to recommend the conditional rezoning request with the nine revised conditions to the Township Board. Mr. Chambers supported the motion. The motion was approved 4 – 2, with Mr. Antosz and Ms. Farmer voting no.

Ms. Johnston noted the Township Board will meet in public session on Tuesday, September 19 at 7:00 to hear this issue.

PLANNED UNIT DEVELOPMENT: SIGNAGE ALLOWANCE – TRADER JOE'S GROCERY STORE
CONSIDERATION OF AN APPLICATION FROM CORNER@DRAKE E, LLC FOR AN INCREASE IN SIGN ALLOWANCE FOR THE TRADER JOE'S GROCERY STORE LOCATED AT 5099 CENTURY AVENUE, PER SECTION 60.400 OF THE TOWNSHIP ZONING ORDINANCE. PARCEL NO. 3905-25-275-020.

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston to review the request for the Board.

Ms. Johnston said, currently under construction, the new Trader Joe's grocery store, which received site plan approval from the Planning Commission on September 8th, 2016, is located in the Corner @ Drake non-residential planned unit development (PUD) at Drake Road and Stadium Drive. With the subject building having frontage on two roadways—Stadium Drive to the south and Century Avenue to the north—as well as prominent visibility to US 131 to the west, the future proprietors wish to display what they deem is adequate signage, that is on all three exterior walls. Approving this request would allow a third sign on the west face of the building facing US 131. The structure's fourth wall to the east will be connected to a set of individual suites, making the surface unsuitable on which to locate a sign.

She said preventing the display of three wall signs is section 76.170: *Commercial and office land uses* of the Oshtemo Township Zoning Ordinance, which controls signage in commercially-zoned areas. Per this section, multi-tenant commercial structures, such as the grocery store and its connected suites, allow only two wall signs per constituent tenant space. In contrast to this, if the grocery store was not part of the same structure as the suites to the east, and was instead a standalone building, it would be allowed four wall signs. In order for the grocery store to make use of its three exposed walls, the applicant requests that the Planning Commission grant a *Deviation from dimensional requirements*, as is allowed per section 60.405 of the PUD Ordinance.

Ms. Johnston said given that some flexibility has been granted regarding signage at the Corner @ Drake PUD in the past, Township Staff feel that approving this request would be in keeping with the Planning Commission's general approach to implementing section 60.405 of the Zoning Ordinance: substantial justice will be observed; the public health, safety, and general welfare will not be compromised; and it can be argued that allowing this additional wall sign will make for a more cohesive, user-friendly commercial development. Given these findings, Staff recommended the Planning Commission approve the request for one additional wall sign for this structure.

Chairperson Bell thanked Ms. Johnston for her presentation and asked if there were questions from Commissioners.

Noting that visibility is a key issue, there was discussion about whether or not requirements should be changed to allow three signs in this type of PUD situation that involves multi-tenant buildings.

The Chairperson asked if the applicant wished to speak.

Mr. Curt Aardema, AVB Builders thanked the Commission for their consideration on a unique PUD project. He noted AVB is excited to continue with this high quality product, that Trader Joe's adds more sense of place and being part of a connected building is better than free-standing.

Mr. Rob Perrin, Burkett Signs, 15886 Climax, explained they were working with Trader Joe's to put up a third sign. Three signs on three sides to promote the business on three different roads is the goal.

As Chairperson Bell determined no one from the public wished to comment on this request, and that Board Deliberation yielded no comments, she asked for a motion.

Ms. Farmer made a motion to approve the request for an increase in sign allowance for Trader Joe's as recommended by Staff. Mr. Antosz supported the motion. The motion was approved unanimously.

OLD BUSINESS

b. Off-Street Parking Ordinance

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston for her report.

Ms. Johnston explained that based on the discussion had at the August 24th Planning Commission meeting, Staff made some edits to the requested amendments to the Off-Street Parking ordinance and listed them for Commissioners:

1. Permeable Paving – New language was added to clarify that permeable materials only includes those that are similar to pavement.
2. Accessible Aisles – There was some concern that the language previously provided was not clear with regard to the accessible routes from parking spaces located within lots that are not immediately adjacent to a building. In particular, it was not clear if the amended ordinance would require these routes to also be developed as concrete. After reviewing the International Code Council requirements for accessible routes, staff determined that it was not the intent to require these to be concrete. The revised ordinance language was designed to clarify that the required concrete would be for the parking spaces, the loading aisle between the spaces and the ramp to get to the sidewalk.
3. Drive-Through Windows – New language was added to clarify that the requirements for stacking is per window, regardless of how many windows are located on a subject site.

With these changes, she recommended including the Off-Street Parking Ordinance as part of the public hearing on Ordinance amendments planned for the October 12th Planning Commission meeting. Commissioners concurred.

ANY OTHER BUSINESS

There was no other business to consider.

8/9/2018

Call to Order and Pledge of Allegiance

Chairperson Bell called the meeting to order at approximately 7:00 p.m. and invited those present to join in reciting the “Pledge of Allegiance.”

Agenda

Chairperson Bell asked if there were any additions or deletions to the proposed agenda. Hearing none, she asked for a motion.

Mr. Antosz made a motion to accept the agenda as presented. Mr. VanderWeele supported the motion. The motion was approved unanimously.

Public Comment on Non-Agenda Items

The Chair determined no one in the audience cared to comment regarding non-agenda items and moved to the next agenda item.

APPROVAL OF THE MINUTES OF THE WORK SESSION AND REGULAR MEETING OF JULY 26, 2018

The Chair asked if there were any additions, deletions or corrections to the Work Session or Minutes of the Regular Meeting of July 26, 2018. Hearing none, she asked for a motion.

Mr. VanderWeele made a motion to approve the minutes of the Work Session and the Regular Meeting of July 26, 2018 as presented. Mr. Chambers supported the motion. The motion was approved unanimously.

Chairperson Bell moved to the next agenda item.

**PUBLIC HEARING: CORNER@DRAKE SIGN DEVIATION
TSFR PIZZA, LLC, REQUEST FOR A DIMENSIONAL DEPARTURE FROM
SECTION 76.170 OF THE TOWNSHIP ZONING ORDINANCE, TO ALLOW A THIRD
WALL SIGN WHEN ONLY TWO ARE PERMITTED. THE DEPARTURE IS
REQUESTED UNDER SECTION 60.405 OF THE PLANNED UNIT DEVELOPMENT
ORDINANCE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE
CORNER@DRAKE PLANNED UNIT DEVELOPMENT AT THE NORTHWEST
CORNER OF STADIUM DRIVE AND DRAKE ROAD, KALAMAZOO, MI 49009,
WITHIN THE C: LOCAL BUSINESS DISTRICT. PARCEL NO. 3905-25-075-029.**

The Chair asked Ms. Johnston to present the Staff report regarding this application.

Ms. Johnston reported the building in question is attached to the existing Trader Joe’s store and was developed in the spring of this year as part of the Corner@Drake

Planned Unit Development (PUD). Construction brought the building to a “white box” condition where lease space could then be rented. These individual units are in the process of being leased, which includes the space that will house the applicant, a restaurant called Mod Pizza.

She indicated the subject building has visibility from three roadways—Stadium Drive, Century Avenue, and Drake Road—as well as prominent visibility from the pedestrian plaza located to the east of the structure. The applicant is requesting approval for three wall signs where only two are permitted per Section 76.170: *Commercial and office land uses* of the Oshtemo Township Sign and Billboard Ordinance. This Ordinance controls signage in commercially-zoned areas and indicates multi-tenant commercial structures are only allowed two wall signs per constituent tenant space. In contrast to this, standalone buildings are allowed four wall signs.

Section 60.405 of PUD Ordinance allows the Planning Commission to consider a departure from the dimensional requirements of the Zoning Ordinance. To grant non-variance relief, the Commission must find that the proposed departure from the ordinance benefits the PUD, as well as the development’s patrons and the community.

For context, Ms. Johnston noted the Planning Commission previously approved departures from the Zoning Ordinance, under the standards of section 60.405 at the Corner@Drake development including:

- Allowance of off-site signage in order for the free-standing sign at Drake Road and Century Avenue to advertise PUD properties without frontage on Drake.
- Permission for three wall signs for the Trader Joe’s development.

For this particular request, she said the applicant contends allowing one additional wall sign for the restaurant would yield the following:

1. Increased visibility for motorists passing on all three roadways that have line of sight to the restaurant.
2. Signage visibility for pedestrians accessing the plaza and non-motorized facilities within the PUD.
3. Consistency with past approvals within the Corner@Drake PUD.

Ms. Johnson said that since some flexibility has been granted regarding signage at the Corner@Drake PUD in the past, Township Staff felt approval of this request would be in keeping with the Planning Commission’s general approach to implementing Section 60.405 of the PUD Ordinance. Substantial justice will be observed; the public health, safety, and general welfare will not be compromised; and it can be argued that allowing this additional wall sign will make for a more cohesive, user-friendly commercial development.

She added that while the previous approval for the Trader Joe's sign was specifically limited to that user, Staff would recommend the Planning Commission consider the larger PUD at this time. The "white box" retail buildings located at the southeast corner of the PUD will have multiple users, some of which will have more than two exterior walls for the placement of signs. With the limits on ground mounted signs within the PUD (ground mounted signs are found only along Drake Road), it is very likely other users will be requesting this same allowance, if exterior wall space is available. However, wall signs need to be managed to avoid visual clutter. She noted single use buildings within the PUD are allowed four signs, but multi-tenant buildings are allowed only two signs.

Given these findings, Staff recommended approval of the request for additional wall signage within the Corner@Drake PUD, delineating the following:

Uses located within multi-tenant buildings within the Corner@Drake PUD shall be allowed one wall sign per exterior wall of the tenant premises, for a maximum of three wall signs per tenant.

Chairperson Bell was surprised to find out Costco was not part of the PUD.

Ms. Johnston explained the PUD was formed after Costco was built, that they owned their own property, and did not want to participate in the PUD.

Hearing no further questions, Chairperson Bell asked the applicant to speak.

Mr. Ryan Jones, TSFR Pizza, 9613 Tennyson Drive, Plymouth MI, part of Team Schostak, complimented Planning Staffs' helpfulness and how the process was handled.

In answer to a question from Chairperson Bell, he indicated he was not aware of any plans for a pole sign for Mod Pizza. He expects they also will be providing an "Olga's Kitchen" in the PUD.

There being no further questions for the applicant, the Chair moved to Board Deliberations.

Ms. Smith expressed concern that approving staff's recommendation, allowing three signs per tenant, might lead to visual sign clutter. It might be better to allow only the three signs for Mod Pizza at this time, and use it as a test case, then allow the other "white space" areas of the buildings be leased before extending a three-sign limit to all multi-tenant buildings within the PUD.

There was some discussion of this suggestion. Several Board members felt approving staff's recommendation of three signs per tenant now would not be a problem, but agreed visual blight should be kept in mind and were willing to go either

way. It was noted if an applicant wanted a sign that was larger than permissible, they would have to come before the Planning Commission.

Ms. Smith made a motion to approve the dimensional departure from Section 76.170 of the Township Zoning Ordinance to allow a third wall sign where only two are permitted under Section 60.405 of the PUD ordinance to only TSFR Pizza, LLC at this time. Ms. Farmer supported the motion. The motion was approved unanimously.

PUBLIC HEARING: 6343 STADIUM DRIVE OFFICE CONVERSION
APPLICATION FROM JEFF PAULSON, HURLEY & STEWART ON BEHALF OF
JONAS CRUMP FOR CONSIDERATION OF A SPECIAL EXCEPTION USE AND
SITE PLAN REVIEW TO CONVERT A SINGLE-FAMILY HOME TO A
PROFESSIONAL OFFICE LOCATED AT 6343 STADIUM DRIVE IN THE VC:
VILLAGE COMMERCIAL DISTRICT. PARCEL NO. 3905-26-474-010.

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston to review this item for the Board.

Ms. Johnston reported the applicant was requesting site plan and special exception use approval to convert a 1,440 square foot single-family home to an office use. The structure is situated on a half-acre lot near the intersection of Stadium Drive and Parkview Avenue, immediately to the east of Larue's Restaurant. Along with modifying the ranch-style structure, the applicant also proposed adding a two-space parking garage and a seven-stall parking lot to the rear of the property. Per section 33.300—*Special exception uses in the Village Commercial District* of the Oshtemo Township Zoning Ordinance, such conversions of dwellings to non-residential uses requires special exception use permission from the Planning Commission.

No new site access was proposed with this project, as the applicant intends to use the existing curb cut onto Stadium Drive. On the property, the current driveway leads to an attached garage, which will be converted to an office space. Subsequently, the driveway will be reconfigured to pass around the northeast side of the structure, connecting to a parking area behind the building.

Ms. Johnson explained that per section 68.400—*Minimum Parking Spaces Required* of the Zoning Ordinance, an office of this size requires 11 parking spaces, but the relatively small size of the subject property, coupled with the necessity to add a fire vehicle turn-around to the site, meant two of the originally planned spaces in the southeast corner of the lot had to be eliminated. Section 68.600—*Deviation* of the Zoning Ordinance does allow the Planning Commission to grant *non-variance* relief in such cases where an existing site, in the process of redevelopment, cannot reasonably accommodate all of the necessary spaces. In discussion of options with the applicant, Staff determined the elimination of two spaces will still provide adequate parking for the proposed office, and that the spirit and intent of the ordinance will be met.

10/11/2018

In response to a question from Mr. VanderWeele, Attorney Porter explained maintenance agreements for access roads is usually negotiated between private parties.

Ms. Johnston said if maintenance of a shared access drive becomes a problem, the Township can step in and make needed repairs and assess the parties afterward.

In answer to a question about whether the owners were notified of the application, Ms. Johnston indicated that the Township's application has a place for the owner to sign. She also indicated she would inform of the property owner of the conditions, if the request is approved.

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

Mr. VanderWeele made a motion to approve the special exception use as requested, based on the Staff report and including the two conditions recommended. Mr. Chambers supported the motion. The motion was approved unanimously.

PUBLIC HEARING: CORNER@DRAKE SIGN DEVIATION

Consideration of an application from Intercity Neon, representing Olga's Kitchen, for a dimensional departure from Section 76.170 of the Township Zoning Ordinance, to allow a third wall sign when only two are permitted. The departure is requested under Section 60.405 of the Planned Unit Development ordinance. The subject property is located within the Corner@Drake PUD at the northwest corner of Stadium Drive and Drake Road, within the C: Local Business District. Parcel No. 3905-25-075-029.

Chairperson Bell moved to the next item and asked Ms. Johnston for her report.

Ms. Johnston reported Intercity Neon, on behalf of Olga's Kitchen, was requesting Planning Commission consideration of allowing three wall signs where only two are permitted by the Sign Ordinance. The building in question is located within the Corner@Drake Planned Unit Development, to the east of the outdoor patio area that separates the Trader Joe's building from this structure.

She said the subject building has visibility from three roadways—Stadium Drive, Century Avenue, and Drake Road. The applicant is requesting approval for three wall signs where only two are permitted per Section 76.170: Commercial and office land uses of the Oshtemo Township Sign and Billboard Ordinance. This Ordinance controls signage in commercially-zoned areas and indicates multi-tenant commercial structures are only allowed two wall signs per constituent tenant space. In contrast to this, standalone buildings are allowed four wall signs. Section 60.405 of PUD Ordinance allows the Planning Commission to consider a departure from the dimensional requirements of the Zoning Ordinance.

For context, she said, the Planning Commission previously approved departures from the Zoning Ordinance, under the standards of section 60.405, at the Corner @ Drake development including:

- Three wall signs for Mod Pizza located at 5099 Century Avenue, Suite 500.
- Three wall signs for Trader Joe's at 5099 Century Avenue.

Ms. Johnston said the applicant contends allowing one additional wall sign for the restaurant would yield the following:

1. Increased visibility for motorists passing on all three roadways that have line of sight to the restaurant.
2. Signage visibility for pedestrians accessing the nonmotorized facilities within the PUD.
3. Consistency with past approvals within the Corner@Drake PUD.

Ms. Johnston noted the Planning Commission has provided departures from the ordinance for multi-tenant users within the Corner@Drake PUD that have more than two exposed exterior walls, in particular Trader Joe's and Mod Pizza. Township Staff feel approval of this request would be in keeping with the Planning Commission's general approach to implementing Section 60.405 of the PUD Ordinance. Substantial justice will be observed; the public health, safety, and general welfare will not be compromised; and it can be argued that allowing this additional wall sign will make for a more cohesive, user-friendly commercial development.

Given these findings, Ms. Johnston recommended the Planning Commission approve the request for additional wall signage for Olga's Kitchen within the Corner@Drake PUD.

Chairperson Bell confirmed the request was only for an additional wall sign; a larger size was not requested. As there were no further comments or questions from Commissioners, she moved to public comment.

Mr. Shannon Price, 9613 Tennyson Drive, representing Intercity Neon, said he agreed with Ms. Johnston's review of the application and that the extra sign will help attract customers.

In answer to a question from Ms. Smith, Mr. Curt Ardema, AVB, 4200 Centre St., indicated there will not be a public entrance on the northwest corner of the building because of the Trader Joe's parking. The main entrance will be on the northeast elevation. There will be a service entrance at the southeast of the building.

Mr. Ardema said AVB was in full support of the application for this unique site development. Because of the PUD special attention is needed for signage.

Hearing no further comments; Chairperson Bell moved to Board Deliberations.

Ms. Smith expressed the desire to avoid sign clutter, but supported this particular request since the only visibility for this business from Drake Road is the wall for which the third sign is requested. She also stressed the importance of treating everyone fairly or a need to change the Ordinance.

Ms. Maxwell made a motion to approve the special exception use for a third sign for Olga's Kitchen as requested, based on the Staff report. Ms. Farmer supported the motion. The motion was approved unanimously.

PUBLIC HEARING: CORNER@DRAKE SIGN DEVIATION

Consideration of an application from Corner@Drake E, LLC for a dimensional departure from Section 76.170 of the Township Zoning Ordinance, to allow for greater sign area and height for one new freestanding sign within the Corner@Drake PUD. The departure is requested under Section 60.405 of the Planned Unit Development Ordinance. The subject property is located within the Corner@Drake PUD at the northwest corner of Stadium Drive and Drake Road, within the C: Local Business District. Parcel Nos. 3905-25-075-029 and 3905-25-240-004.

Chairperson Bell moved to the next item and asked Ms. Johnston for her review.

Ms. Johnston reported Corner@Drake E, LLC is requesting consideration from the Planning Commission for the development of a new freestanding ground sign within the Corner@Drake Planned Unit Development (PUD). Specifically, a new monument/pole sign to be placed along Drake Road in front of the Corner Shoppes.

Section 76.000: Signs and Billboards defines ground signs in the following ways:

- Ground Mounted Sign - A sign which extends from the ground or that has a support placing the bottom thereof less than three feet from the ground.
- Pole Sign (or Pylon Sign) - A sign with all parts of the display sign area at a height of eight feet or more, excluding the necessary supports, uprights or braces.

She said the design of the proposed sign has the following characteristics:

- Total height = 22 feet, 6 inches
- Height of sign display area above grade = 8 feet
- Total sign display area = 110.83 square feet
- Two individual ground mounted support structures

Ms. Johnson explained the design of the proposed sign does not easily fit into either of the definitions noted above. The sign face does begin at eight feet above grade, which fits into the definition of a pole sign, but the sign area exceeds the allowable 90 square feet, and the sign height is 2 feet 6 inches taller than the 20 feet permitted. Conversely, the sign does not meet the ground mounted height for the sign face above grade of three feet, is twice as tall as the 10-foot total permitted height, but meets the square footage allowance for sign display area.

Section 60.405 of PUD Ordinance allows the Planning Commission to consider a departure from the dimensional requirements of the Zoning Ordinance. She provided examples of previous Planning Commission approved departures from the Zoning Ordinance for signage under the standards of section 60.405, at the Corner @ Drake development.

Ms. Johnston noted the original sign program provided to the Township in 2014 for the Corner@Drake project worked to limit the number of freestanding ground signs found within the larger PUD. Technically, many of the parcels within the PUD could have more than one ground mounted sign due to frontages on multiple roads. By constructing multi-tenant signs, particularly the entry multi-tenant sign at Drake and Century Ave which advertises the interior PUD tenants, the total number of freestanding signs were significantly reduced. The current request was included in the original sign program for the development, listed as possible future construction.

Also to be noted is that the Corner Shoppes are permitted a freestanding ground sign as this development is located on an individual parcel. The dimensional departure requested by the applicant is to allow the sign to be developed per the illustration provided with their application.

She reiterated the Zoning Board of Appeals previously approved a variance for height and size for the existing entry multi-tenant sign. At the time of the application, the PUD had not yet been established and therefore, the request was submitted to the Zoning Board of Appeals. In addition, the Planning Commission has provided departures from the ordinance, both to allow more wall signage and to allow off-site signage at the entry sign.

Township Staff believes approving this request would be in keeping with the Planning Commission's general approach to implementing Section 60.405 of the PUD Ordinance. Allowing the larger multi-tenant signs generally reduces the total number of signs found within the PUD and permitting the greater height allows this new sign to aesthetically resemble the existing signage found within the PUD. In addition, substantial justice will be observed; the public health, safety, and general welfare will not be compromised; and it can be argued that allowing this additional sign will make for a more cohesive, user-friendly commercial development.

Given these findings, Ms. Johnston recommended the Planning Commission approve the request for the ground mounted sign at the Corner Shoppes as presented

in the elevation drawing developed by SignArt dated August 3, 2018, which details a sign that is 22 feet, 6 inches in height and has a sign display area of 110.83 square feet.

Chairperson Bell asked if Commissioners had questions for Ms. Johnston.

Ms. Johnston answered questions, saying the signs would be illuminated internally just like other Corner@Drake signs, and reviewed the dimensions of the proposed sign and how it is a departure from Ordinance.

The Chair asked whether the applicant wished to speak.

Mr. Curt Ardema, AVB, 4200 Centre Street, provided background about signage from the beginning of the 2014 development prior to the development of the PUD and that this sign was always in the plan if it was needed by businesses. Five of five businesses want the sign constructed. It meets the overall theme and tone of the development, consolidates individual business signs onto one sign, and is designed to funnel traffic to the correct places.

Chairperson Bell commented it would be helpful to have documentation in addition to oral reports for requests for sign deviation. She confirmed with Mr. Ardema that ground signs will not be provided for individual users at the Corner Shoppes. She also asked if that covers banks.

Mr. Ardema said the banks land lease of their own parcels for free-standing buildings; they requested their own free-standing signs. They know they will not be allowed to have additional free-standing signs. In addition, this will be the only sign for the Corner Shoppes.

There was also discussion of the increasing difficulties with traffic flow within the PUD, particularly turning left from the Costco gas station and plans AVB has for restriping to provide visible turn lanes and signage to assist departing from the Costco area. When future buildings are constructed west of Trader Joe's, additional methods to handle traffic flow will be considered.

The Chair moved to Board Deliberations.

Several Commissioners voiced their support for approval of the request for an increase in sign height in order to avoid individual signs, too many of which can be confusing to drivers, and to provide drivers on Stadium Drive a quick evaluation of what businesses are in the PUD.

There were no further comments; Chairperson Bell asked for a motion.

Ms. Farmer made a motion to approve the special exception use request for a free-standing ground sign as presented in the drawing developed by SignArt and dated

August 8, 2018, based on the Staff report. Ms. Maxwell supported the motion. The motion was approved unanimously.

OLD BUSINESS

Work Item Updates:

- i. **Zoning Ordinance Re-Organization**
- ii. **Ordinance Amendments: Agritourism, Setbacks, Conditional Zoning, Lighting**
- iii. **GO! Green Oshtemo Plan**
- iv. **Village Theme Development Plan**

Chairperson Bell moved to the next item and asked Ms. Johnston for her review.

Ms. Johnston noted there are only three meetings left in calendar year 2018, the workload on current projects is heavy, and wanted to discuss how to prioritize projects.

After discussion, it was agreed to change the start time to 6:00 p.m. for the meetings of October 25, November 8 and December 13 and priority order was established in order to complete as many of the initiatives as possible by year end.

ANY OTHER BUSINESS

There was no other business to consider.

PLANNING COMMISSIONER COMMENTS

Commissioners had no comments to share.

ADJOURNMENT

Hearing no further comments, Chairperson Bell adjourned the meeting at approximately 9:55 p.m.

Minutes prepared:
October 13, 2018

Minutes approved:
October 25, 2018

December 3, 2019



Mtg Date: December 12, 2019

To: Planning Commission

From: Julie Johnston, AICP
Acting Planning Director

Subject: DRAFT Landscape Ordinance Public Hearing

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.

At the conclusion of the draft ordinance review, staff knew the Planning Commission would be working on revising and reorganizing the entirety of the Zoning Ordinance and therefore, decided to table the new Landscape Ordinance to become a part of that project instead of holding the public hearings for adoption. As time constraints persisted, the revised/reorganized Zoning Ordinance project was reduced to being primarily a "reorganization" project. Sweeping changes to the Ordinance, which were originally envisioned, were tabled until after the reorganization was complete.

The Planning Commission resumed its review of the Landscape Ordinance in July of this year. Several meetings were held where additional amendments were completed. This is a complete rewrite of the current ordinance and therefore does not have the typical red and strikethrough language.

The draft Ordinance presented for public hearing differs from the Township's existing ordinance in the following ways:

1. The draft Ordinance requires an overall percentage of the site be landscaped, which is generally slightly less in square footage than the current ordinance landscaping requirements.
2. The current ordinance is very specific where landscaping must occur – at the property lines and in parking lots. The draft ordinance requires landscaping in the parking lots and along public and private rights-of-way but allows the design professional to determine where the rest of the required landscaping will be planned on the site.
3. The total number of required trees is slightly less than the current ordinance, which will hopefully allow tree species a better opportunity to survive on the site.
4. There are very specific requirements for opaque screening between incompatible land uses in the recommended ordinance, which can include a variety of berms, fences, walls, landscape materials, etc. But the screening must be six feet in height and opaque. The current ordinance

requires larger buffer zones between incompatible uses, but the plant materials are generally trees, which do not provide much screening when the lower branches reach a height beyond five feet.

- For certain landscape plans, the seal of an architect is required in the recommended ordinance. This is to ensure that if someone is requesting tree credits or wishes to submit an alternate approach to the landscaping requirements, a landscape design professional is creating the plans.

Further comparison of the two ordinances is detailed below:

	Current Landscaping Ordinance	Draft Ordinance
Interior Landscaping	No	10 percent
Screening	No	Between nonresidential and residential and between multi-family and single-family. 6-foot opaque visual barrier.
Buffer zones	At every property line. Size dependent on adjacent uses.	30 feet between nonresidential and residential and between multi-family and single-family.
Parking lots	Percentage based on number of spaces. Percentage requirement has tiers. A 50-space lot must have 15 square feet of landscaping for every space.	25 square feet per parking lot space (for lots over 10 spaces).
Street Rights of Way	Part of buffer zone around site	Yes – 20 feet for public, 15 for private.

Two changes have been made to the draft Ordinance since the Planning Commission’s review at their October 10th meeting. The first was a modification within the parking lot landscaping section, returning to the use of canopy trees instead of understory trees within the required landscaped areas. The concern with understory trees was that very small trees could be planted (maximum growth at 8 to 10 feet), which would not give the visual aesthetic we are trying to reach or provide shade within the parking lot areas.

The second change was to the native planting requirements. The amendment increased native plantings for all other landscape material to 50 percent where 30 percent was previously required. The 75 percent native planting requirement for trees remained the same.

After receiving public input, staff would advocate forwarding the draft Landscaping Ordinance to the Township Board for approval.

Thank you.

ARTICLE 53: LANDSCAPING AND SCREENING

53.10 Intent

The intent of this Article is to promote the public health, safety, and welfare and improve the visual appearance of the Township by requiring landscaping for each development for which site plan review is required. It is further the intent of this Article to achieve the following:

- Increase compatibility between uses and provide buffering between dissimilar land uses.
- Improve the overall aesthetics and appearance of public rights-of way.
- Improve air quality and provide shade.
- Decrease wind velocity, reduce soil erosion and increase surface water retention.
- Reduce glare from buildings, cars, night lighting, and other sources.
- Screen unattractive features.
- Reduce noise.
- Define safe access and circulation.
- Enhance or focus attention toward a feature (building, entrance, sign, etc.)
- Provide visual relief from monotonous features such as building walls, large parking lots and streets.
- Add natural color and texture and provide habitat for wildlife.
- Enhance and maintain the natural character and appearance of the community.

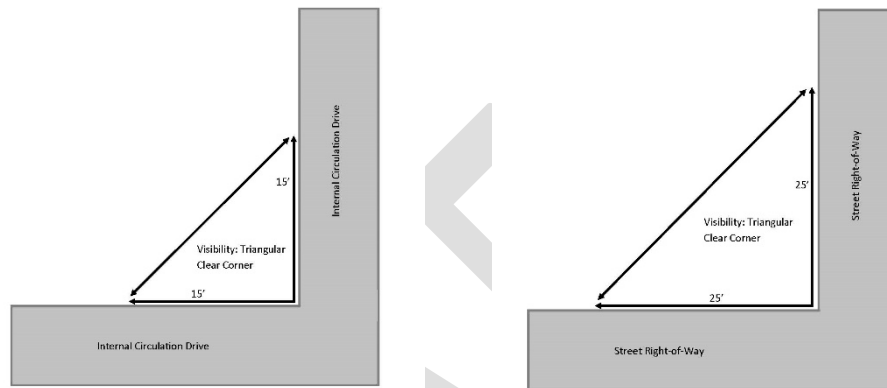
53.20 Application of Requirements

These requirements shall apply to all uses subject to site plan review as defined in Article 64 of this ordinance. No site plan shall be approved unless a landscape plan is provided which meets the requirements set forth herein.

53.30 General Provisions

- A. Minimum Requirements - The requirements in this Article are minimum requirements and shall not preclude the developer and the Township from mutually agreeing to additional landscaping.
- B. Landscape plan preparation – Landscape plans are required for all developments requiring site plan approval. However, site plans that meet one or more of the following must submit a Landscape Plan that is sealed by a landscape architect:
 1. 70 or more parking spaces
 2. Screening between land uses
 3. Request tree preservation credits
 4. Request credits for preserving native vegetation
 5. Request to submit an alternative landscape plan to restore pre-settlement vegetation
- C. Site coverage – Developed portions of the site not devoted to building floor area, parking, access ways or pedestrian use shall be appropriately landscaped with live plant material and maintained in a neat and orderly manner. Developed portions of the site shall mean the physical extension and/or construction of any man-made change or alteration to an improved or unimproved property.

- D. Visibility - Landscaping material and structures shall be placed in such a manner to not interfere with cross-visibility, public safety, or the safe movement of vehicles and pedestrians. A triangular clear view zone area shall be established at the intersections of street rights-of-way and internal circulation drives intended for continued movement within a site and between properties. The clear zone shall be 25 linear feet for street rights-of-way and 15 linear feet for internal circulation drives drawn along each right-of-way from their point of intersection, creating a triangular clear corner. No plant materials above a height of two feet, at maturity, from the established street grades shall be permitted within the clear view zone area.



- E. Land clearing - Land clearing shall be limited to that needed for the construction of buildings, structures, parking lots, street right(s)-of-way, drainage and utility areas, other site improvements, and any grading necessary to accommodate such construction. No grading or removal of the following trees shall be permitted in the area of the parcel, lot or building site not developed:
1. Trees that are native to Michigan with a diameter of 2-inches or greater at 4-feet in height.
 2. Trees that are not native to Michigan with a diameter of 8-inches or greater at 4-feet in height.
- F. Public right-of-way/private easement greenspace – the land area lying between the paved portion of a public right-of-way/private easement and the property line shall be neatly maintained with grass or groundcover.
- G. Maintenance – installation, maintenance, and completion
1. All landscaping required by this Article shall be planted before obtaining a certificate of occupancy or the appropriate financial guarantee such as cash placed in an escrow account, letter of credit, and/or performance bond in the amount of the cost of landscaping to be released only after landscaping is completed.

2. All landscaping and landscape elements shall be planted, and earth moving or grading performed, in a sound workmanlike manner, according to accepted planting and grading procedures.
3. Landscaping required by this Article shall be maintained in a reasonably healthy condition, free from refuse and debris. All unhealthy and dead material shall be replaced within one (1) year of damage or death or the next appropriate planting period, whichever comes first. All landscaped areas shall be provided with a readily available and acceptable water supply.
4. Any areas that become disturbed for any reason shall be restored in accordance with the original landscape plan unless approved otherwise in writing by the Township.

53.40 Screening Between Land Uses

- A. A landscape buffer shall be constructed to create a visual screen between the following land use types:
 1. Nonresidential land use or zoned property along all adjoining boundaries of a residential land use or zoned property.
 2. Multi-family or manufactured home community along all adjoining boundaries of a residential land use or zoned property.
- B. The landscape buffer shall be a minimum of 30 feet in width.
- C. The landscape buffer must create a visual barrier at least six (6) feet in height that provides opacity to the adjacent property owner.
- D. The landscape buffer must contain two (2) canopy trees, two (2) evergreen trees and (2) understory trees for every 100 linear feet of required buffer length. Evergreens may be substituted for canopy and understory trees at a 1:1 ratio.
- E. The landscape buffer must also include a combination of one or more of the following to provide the required 6-foot opaque visual barrier:
 1. Berms – landscaped undulating earthen berms with varying heights as measured from the grade of the abutting property.
 2. Walls or fences – Walls or fences must be a minimum of six (6) feet in height as measured on the side of the proposed wall or fence having the higher grade. A required wall or fence shall be located on the lot line except where underground utilities interfere and except in instances where conformity with front yard setback is required. Upon review of the landscape plan, the reviewing body may approve an alternate location of a wall or fence. The Planning Department shall review and the Zoning Board or Appeals or Planning Commission shall approve the construction materials of the wall or fence which may include face brick, poured-in-place simulated face brick, precast brick face panels, stone, or wood. Chain link fences with opaque slats are not permitted.

3. Plant materials – Landscape planting materials may consist of a variety of materials but must provide opacity to the adjacent property. For plant materials, the height requirement is based upon reasonably anticipated growth over a period of three (3) years.
- F. Where there is a need to provide a greater noise or dust barrier or to screen more intense development as determined by the reviewing body, a solid wall or fence with additional landscape materials shall be required.

53.50 Parking Lot Landscaping

- A. Parking lot landscaping shall include islands or peninsulas to delineate on-site circulation, ensure adequate sight distance at the intersection of aisles and interior roadways, and to prevent diagonal vehicular movement through parking lots. Features shall be designed with sufficient radii to ensure drivers are able to make turns without encroaching upon landscaping or adjacent traffic lanes.
- B. Total parking lot landscaping shall be based on the following:
1. Parking lots with 10 parking spaces or fewer shall be exempt from parking lot landscaping requirements.
 2. Parking lots with 11 spaces or more shall provide landscaping at 25 square feet per parking lot space. Total square footage shall be dispersed into separate landscape features, such as islands or peninsulas, within parking lots so as to break up the broad expanse of pavement, guide the circulation of vehicular and pedestrian traffic, and to provide shade and visual relief from pavement.
- C. There shall be a minimum of one (1) **canopy** tree and two (2) low growing shrubs for every 200 square feet of required parking lot landscaping.
- D. The minimum size of any parking lot landscape feature shall be no less than six (6) feet in any single dimension and no less than 200 square feet in area.
- E. To reduce the impacts of extensive concrete or asphalt, a parking lot landscape feature must be provided at least every 200 linear feet of parking spaces.
- F. All parking lot landscaping shall be neatly maintained with plant material or mulch.
- G. Parking lot landscape features shall be protected by the installation of a raised concrete or asphalt curb, anchored landscape timbers around of the border, or other suitable means. A minimum distance of three (3) feet shall be established between proposed trees and the backside of the protection device.

53.60 Street Rights-of-Way Greenbelts

- A. Greenbelts shall be 20 feet wide along public rights-of-way and 15 feet wide along private rights-of-way, measured from the right-of-way line.

- B. The greenbelt shall be landscaped with a minimum equivalent of one (1) canopy tree and two (2) understory trees for every 100 linear feet, or fraction thereof, of frontage abutting a street right-of-way.
- C. Parking lots adjacent to street rights-of-way shall provide shrubs at a ratio of 1.5 shrubs for every one (1) parking space. Shrubs that reach a mature height of at least three (3) feet shall be utilized and they shall be in groupings spaced at least three (3) feet on center to screen the parking lot from the right-of-way.
- D. In addition to the required plantings within the greenbelt, the remainder of the greenbelt shall be landscaped with grass, ground cover, shrubs, and other organic landscape materials.
- E. Access drives from public rights-of-way through required greenbelts shall be permitted, but such drives shall not be subtracted from the linear dimension used to determine the minimum number of trees required.
- F. The clear view zone outlined in Section 53.30.D must be met for all access drives.
- G. Trees may be placed in groupings within the greenbelt.

53.70 Interior Site Landscaping

- A. In addition to the parking lot and greenbelt landscaping, a minimum of 10 percent of the developed area of the parcel, lot or building site must be landscaped. The developed area of the parcel, lot or building site shall mean the physical extension and/or construction of any man-made change or alteration to an improved or unimproved property.
- B. Interior site landscaping shall be located adjacent to buildings and in at least one side or rear yard distributed throughout the developed area of the parcel, lot or building site.
- C. In addition to the other tree requirements outlined herein, one (1) canopy tree will be required for every 1,500 square feet and one (1) understory tree will be required for every 2,500 square feet of the interior site landscaping.
- D. Interior site landscaping shall be provided to enhance the appearance of the site and screen potentially objectionable site features such as, but not limited to, retention/detention ponds, transformer pads, air conditioning units, and loading areas.

53.80 Loading/Unloading Areas

Loading areas shall be landscaped in such a manner as to screen the area from view of public rights-of-way or private access easements.

53.90 Screening of Trash and Recycling Containers

- A. Outside trash and recycling disposal containers shall be screened on all sides with an opaque fence or wall and gate at least as high as the container, but no less than six (6) feet in height, and shall be constructed of material that is compatible with the architectural materials used

in the site development. The Planning Commission or Zoning Board or Appeals, at its discretion, may approve alternative methods of screening that meet the intent of this Article.

- B. Containers and enclosures shall be located away from public view insofar as possible, and enclosures shall be situated so that they do not cause excessive nuisance or offense to occupants of nearby buildings.
- C. Screening and gates shall be of a durable construction. Chain link fences with opaque slats are not permitted.

53.100 Landscape Elements

A. Native plant materials – At least 75 percent of required trees shall be native to Lower Michigan. At least ~~30~~ 50 percent of all other required landscape material within each Plant Material Type shall be native to Lower Michigan. For information on native plants and lists of trees and shrubs, see the following websites:

1. www.nativeplants.msu.edu
2. www.plant.native.org
3. www.wildflower.org/collections/Michigan

B. Composition -

1. The use of a single species is prohibited. Except for plantings used for evergreen screening, no one species of tree or shrub may make up more than 50 percent of the total amount of required landscaping material.
2. Any species known to have structural weakness or excessive bearing of fruit or nuts shall not be used in areas of vehicular or pedestrian traffic.
3. Species not permitted within street rights-of-way greenbelts and should be used with caution when placed in proximity to any existing or proposed building, structure, walkway, or parking area are listed in the below table:

Botanical Name	Common Name
Acer negundo	Box Elder
Acer saccharinum	Silver Maple
Aesculus hippocastanum	Horse Chestnut
Ailanthus altissima	Tree of Heaven
Catalpa speciosa	Catalpa
Ginkgo biloba (Female)	Female Ginkgo
Populus spp.	Poplars, Cottonwood, Aspen
Liquidambar styraciflua	Sweet Gum

Botanical Name	Common Name
Salix spp.	Willows
Ulmus spp.	Elms
Fraxinus	Ash

4. Invasive species - To protect species indigenous to the Township, the use of invasive species which naturalize are prohibited. Those invasive species not permitted are listed on the Midwest Invasive Species Information Network at www.misin.msu.edu.
 5. Hardy plant materials - All landscaping material shall be hardy to the area and appropriate to the situation in which it is proposed, free of disease and insects, and conform to the American Standard for Nursery Stock of the American Association of Nurserymen.
- C. Minimum size requirements - Where landscaping is required, the following minimum size requirements for representative landscape materials shall be applicable. Height of a plant is measured from the top of the root ball or top of the container soil to the top of the leader, the primary stem of the plant.

Plant Material Type	Size
Canopy Tree - Single Stem	2" caliper*
Canopy Tree - Multi-Stem Clump	10 feet (height)
Understory Tree	8' to 10' (height)
Evergreen Tree	5 feet (height)
Shrub - Deciduous	24 inches (height)
Shrub - Evergreen	18 inches (height)
Shrub - Low Growing	2-gallon pot

*2" caliper as measured in conformance with the American Standard for Nursery Stock.

- D. Berms – Any proposed berms shall be constructed with slopes not to exceed a one to three (1:3) gradient. Berm slopes shall be protected with sod, seed, or other form of natural ground cover.
- E. Coordination with utilities - Provision shall be made to coordinate landscaping with existing and proposed underground and overhead utility lines so as to avoid interference with plant growth.
- F. Storm water retention and detention ponds - The integration of storm water retention and detention ponds in the overall landscape concept is recommended. Ponds with a natural or free form shape, rather than square or rectangular design and appearance, shall be required. If site constraints dictate a more engineered shape, the design and appearance must be approved by the reviewing body. Any fenced areas that are visible from an adjacent property, public right-of-way or private access easement shall be landscaped to screen them from view.

Landscape materials may consist of a variety of plantings that provide generally consistent screening of the fence. For plant materials, the height requirement is based upon reasonably anticipated growth over a period of three (3) years.

53.110 Tree Preservation Credits

- A. Tree preservation credits shall be given for trees preserved within the developed portion of a parcel, lot or building site. The location of preserved trees shall determine which specific landscape requirement shall be reduced.
- B. Credit shall be awarded for preserving canopy trees. The number of credits awarded for tree preservation shall be in accordance with the table presented below. Trees intended to be preserved shall be indicated on the landscape plan and type and size shall be noted.

Tree Preservation Credits	
Diameter of Preserved Tree*	Number of Trees credited
Over 24 inches	4
12 inches to 24 inches	3
8 inches to 11.9 inches	2
2 inches to 7.9 inches	1

*Diameter measured at 4' above ground level.

- C. In the event that healthy trees which are used to meet the minimum requirements of this section or those labeled to remain are cut down, destroyed, damaged, or excavated at the dripline, as determined by the Township, the contractor shall replace them with trees which meet Ordinance requirements.

53.120 Tree Protection prior to and during Construction.

- A. Before any site work begins, the developer or builder shall erect tree protection fencing that will shield and protect all trees designated to be preserved. Fencing should be placed no closer than ten feet from the trunk of a tree or five feet beyond the drip line of a tree or group of trees, whichever is greater.
- B. Fencing shall be a minimum of 48 inches high.
- C. Tree protection fencing shall be maintained during construction and all construction materials, supplies, and equipment shall be kept out of the protected areas.
- D. Paving, or other site improvements, shall not encroach upon the dripline of the existing trees to be preserved.
- E. Location of tree protection fencing must be shown on the approved landscape plan.

53.130 Preservation of Existing Native Vegetation.

Credit shall be awarded for preserving existing vegetation native to Lower Michigan, including shrubs and grassland species. By preserving existing native vegetation, tree and shrub planting requirements can be reduced. The number of credits awarded shall be recommended by Township planning staff and approved by the reviewing body based on a natural features inventory prepared by an environmental professional or landscape architect that describes existing species and the intended function of the required tree and shrub plantings.

53.140 Incentives for Restoring Pre-Settlement Vegetation

- A. Oshtemo Township's pre-settlement vegetation types were primarily Oak Savanna, Oak Forest, and Beech-Sugar Maple Forest, with smaller areas of Prairie, Marsh, Bur Oak Opening, and Southern Swamp Forest. A map of pre-settlement vegetation showing the geographic location of these vegetation types is on file in the Township office. It includes a description of the predominant plant species for each vegetation type.
- B. To encourage restoration of pre-settlement vegetation, all uses subject to site plan review may opt to submit a landscape restoration plan in lieu of a landscape plan. A landscape restoration plan shall use native vegetation types to meet the intent of screening and buffering requirements while at the same time strive to restore the pre-settlement vegetation of the immediate area. Even though the exact number of each landscape element may not be provided, approval of such a plan shall be granted so long as the overall intent is satisfied. Township planning staff shall recommend and the reviewing body shall approve a landscape restoration plan.

53.150 Provisions for Existing Sites

- A. Street rights-of-way greenbelts and screening between land uses shall be required for any existing site where the renovation, expansion or alteration increases the structure by more than 25 percent of the existing floor area or is greater than 2,000 square feet.
- B. Landscape requirements for parking lots shall apply when expansions increase the number of parking spaces by 25 percent or at least eleven (11) parking spaces. Parking lot landscaping requirements shall be based on, and only apply to, the new spaces developed.
- C. If site constraints prevent the application of these requirements, the reviewing body may grant an alternate approach or reduction in the landscape requirements through the site plan review process.

53.160 Modifications or Reductions

If an unusual physical circumstance exists on or affects a property, the reviewing body may approve modifications to the planting material requirements of this Article. These modifications may include the approval of plantings and visual screening such as hedges, fences, walls, and/or combinations thereof, which provides an alternate approach the reviewing body deems appropriate to ensure compliance with the spirit, purpose and intent of this Article.

If existing topography and vegetation are determined by the reviewing body to provide equal or better landscape and buffering effect, reductions in plantings may also be approved if the spirit, purpose and intent of this Article is met.

DRAFT

December 3, 2019



Mtg Date: December 12, 2019

To: Planning Commission

From: Julie Johnston, AICP
Acting Planning Director

Subject: DRAFT Setback Provisions Ordinance – Public Hearing

Recently, there was some concern about how the Township was regulating accessory buildings on residential properties. Specifically, where they were permitted to be located on a parcel, lot, or building site. After a careful review of the Accessory Buildings and Setback Ordinances, it was determined that some amendments were needed to ensure the two regulations worked in concert.

Attached are the recommended changes to *Section 50.60: Setback Provisions, B. Agricultural and Residence Districts*. The majority of the modifications are organizational, allowing the ordinance to be more readable. The main changes are as follows:

- The term “primary structure” was added to the setback requirements. Without this clarification, it was ambiguous as to whether accessory structures would be allowed in the front yard.
- The term “structure” was added to the setback regulations for accessory uses. A structure is clearly defined in the Zoning Ordinance, assisting with clarity.
- A reference to Section 57.100 was added to assist readers with understanding there are additional requirements for accessory buildings.

The amended ordinance was reviewed by the Township Attorney and Zoning Administrator to ensure the changes resolved the regulatory concerns for accessory buildings. The Planning Commission reviewed the amendments at their October 10th meeting. No additional changes were requested.

At the conclusion of the public hearing on December 12th, the Planning Commission may consider a motion to forward the amended Ordinance to the Township Board.

Thank you.

50.60 SETBACK PROVISIONS

- B. Agricultural and Residence Districts, ~~which shall include the in~~ "AG" Agricultural Districts, "RR" ~~Residence~~ Rural Residential Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, "R-5" Residence Districts, "R-C" Residential, Conservation Districts and ~~with respect to~~ buildings having two stories or less in "R-4" Residence Districts.

1. Front yard setbacks for primary structures.

- a. ~~A setback of 30-feet shall be required there shall be a setback from all street rights-of-way lines and outlots and/or planned future public street extensions of not less than 30 feet for all buildings unless a larger setback is otherwise required. In the Township Zoning Ordinance or the~~
A setback of 30-feet shall be required from all street rights-of-way lines and outlots and/or planned future public street extensions of not less than 30 feet for all buildings unless a larger setback is otherwise required.
- b. ~~If a new building primary structure is constructed within 300 feet of a building existing on the effective date of this Ordinance provision (December 24, 1966) which is closer than the 30-foot setback requirement, in which case such the setback may be decreased according to the schedule set forth in Section 50.60.A hereof.~~
If a new building primary structure is constructed within 300 feet of a building existing on the effective date of this Ordinance provision (December 24, 1966) which is closer than the 30-foot setback requirement, the setback may be decreased according to the schedule set forth in Section 50.60.A hereof.
- c. ~~If the a new building primary structure is constructed within 100 feet of a building existing on the effective date of this Ordinance provision which is further than the 30-foot setback requirement, the minimum setback requirement shall be equal to the average of the closest existing buildings on either side of the new building.~~
If a new building primary structure is constructed within 100 feet of a building existing on the effective date of this Ordinance provision which is further than the 30-foot setback requirement, the minimum setback requirement shall be equal to the average of the closest existing buildings on either side of the new building.

2. Interior side and rear yard setbacks for primary structures.

- a. "AG" Agricultural Districts, "RR" Rural Residential Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, and "R-C" Residential, Conservation Districts:
 - i. ~~The minimum setback distance between any primary structure building, pools, and associated decks whether attached or detached and any interior side property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, and "R-C" Residential, Conservation Districts shall be ten feet for all buildings, pools, and associated decks whether attached or detached unless a larger setback is otherwise required in the Township Zoning Ordinance.~~
The minimum setback distance between any primary structure building, pools, and associated decks whether attached or detached and any interior side property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, and "R-C" Residential, Conservation Districts shall be ten feet unless a larger setback is otherwise required in the Township Zoning Ordinance.
 - ii. ~~The minimum setback distance between any primary structure building, pools, and associated decks whether attached or detached and any rear property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, and "R-C" Residential, Conservation Districts shall be not less than 15 feet unless a larger setback is otherwise required in the Township Zoning Ordinance.~~
The minimum setback distance between any primary structure building, pools, and associated decks whether attached or detached and any rear property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, and "R-C" Residential, Conservation Districts shall be not less than 15 feet unless a larger setback is otherwise required in the Township Zoning Ordinance.
- b. "R- 5" Residence Districts, and, ~~with respect to~~ buildings having two stories or less in "R-4" Residence Districts:
 - i. ~~The minimum setback distance between any building and any rear or interior side property line in the "R- 5" Residence Districts, and, with respect to buildings having two stories or less in "R-4" Residence Districts, shall be ten feet or the height of the abutting side of the building at its highest point as measured from the grade of the property line, whichever is greater.~~
The minimum setback distance between any building and any rear or interior side property line in the "R- 5" Residence Districts, and, with respect to buildings having two stories or less in "R-4" Residence Districts, shall be ten feet or the height of the abutting side of the building at its highest point as measured from the grade of the property line, whichever is greater.

- c. The setbacks for buildings exceeding two stories in the "R-4" Residence Districts are set forth in Section 50.60.C.
- d. The rear and interior side property line setbacks for nonresidential buildings in the above zoning districts shall satisfy the requirements of Section 50.60.C.

3. Accessory buildings

- a. Accessory buildings exceeding 200 square feet shall be set back from interior side and rear property lines a minimum of ten feet or the height of the accessory building at its highest point as measured from the grade of the property line, whichever is greater, unless a larger setback is otherwise required in the Township Zoning Ordinance.
- b. ~~The minimum setback distance between any~~ Accessory building not exceeding 200 square feet ~~in area and~~ shall be set back from any interior side and rear ~~or interior side~~ property lines in the ~~"AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, "R-4" Residence Districts, "R-5" Residence Districts, and "R-C" Residential, Conservation Districts~~ shall be a minimum of three feet, unless a larger setback is otherwise required in the Township Zoning Ordinance.
- c. Reference Section 57.100 for additional accessory building requirements.

- 4. Essential services. In "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, "R-4" Residence Districts, "R-5" Residence Districts, and "R-C" Residential, Conservation Districts there shall be a setback of not less than 25 feet from all street right-of-way lines and outlots and/or planned future public street extensions for all parcels, lots or building sites with buildings or regulator stations for essential services unless a larger setback is otherwise required in the Township Zoning Ordinance.
- 5. Separation between buildings. With respect to residential buildings of four dwelling units or less, there shall be a 20-foot separation between buildings located on the same parcel, lot, or building site (except buildings accessory thereto), unless otherwise required in the Township Zoning Ordinance. Separation shall be measured in the same manner as a building setback.
- 6. Lawful nonconforming residential buildings existing as of the date March 11, 1996. Any residential building constructed as of the date of March 11, 1996, which is set back less than the distance required by Section 50.60.A or Section 50.60.B (whichever is applicable) from the street right-of-way lines shall be considered a lawful nonconforming structure under Section 63.40 for purposes of the application and enforcement of the setback provisions of Sections 50.60.A and 50.60.B. Structures rendered lawfully nonconforming by this section shall not be utilized to decrease the setback required under the reduction schedule contained within Section 50.60.A.

December 3, 2019



Mtg Date: December 12, 2019
To: Planning Commission
From: Julie Johnston, AICP
Acting Planning Director
Subject: Amended Keeping of Livestock and Honey Bees

At the Township Board first reading of the amended Keeping of Livestock and Honey Bees Ordinance, two questions were posed:

1. How large can the bee hives be?
2. Why can't hives be placed in the front yard?

After some discussion amongst the Township Board members, it was decided the draft Ordinance should be returned to the Planning Commission to allow them to consider these questions and any potential amendments.

Staff has made several changes for the Planning Commission to deliberate:

1. The term "colonies" has been inserted to replace "hives" in the acreage requirement for bees. One colony will likely live in three hive boxes, making the use of the term "hive" difficult when determining how many are allowed per property.
2. The acreage requirement for bee colonies was removed from the acreage requirements for animals and given its own subheading. The acreage allowances for animals has minimum requirements for each animal. As an example, a 5-acre parcel would allow 2 acres for 2 horses, 1.5 acres for six sheep, and 1.5 acres for seven chickens. We did not expect bee colonies to fall into these acreage exclusion requirements. On 5 acres, a property owner could have the animals noted above, plus the allotted number of hives.
3. All buildings and structures would now be required to follow the Accessory Buildings Ordinance, which does not permit these types of structures in the front yard, unless approved by the Planning Director or the Zoning Board of Appeals. This would stop someone from placing a chicken coop in the front yard unless it was deemed appropriate by either the Planning Director or the Zoning Board of Appeals.
4. Language has now been added to allow hives within the front yard, but with a 100-foot setback. This number was used to discourage the placement of hives in the front yard of parcels, lots, or building sites that weren't at least an acre in size.

5. Hive size has now been added to the Ordinance. Based on staff research, the Langstroth hive is the most popular hive configuration, which is stacked boxes of various heights that come in three depths: deep, medium, and shallow, and two widths: 10-frame or 8-frame. In order to cover all possible hive configurations, we have included language that would allow a maximum of three 10-frame deep hive boxes per colony.

Staff recommends discussion of these potential changes at the December 12th meeting. After discussion, the Planning Commission may consider a motion to forward the draft Ordinance with any amendments back to the Township Board.

Thank you.

57.80 KEEPING OF POULTRY, SWINE, HORSES, OR LIVESTOCK AND HONEY BEES

The keeping of poultry, swine, livestock, or horses, rabbits, sheep, goats, chickens and other similar animals ~~livestock~~ (collectively referred herein as animals), and bees for noncommercial purposes ~~as pets or for educational purposes~~, is permitted under the following conditions:

- A. Activities shall be ~~conducted on less than a commercial scale~~ for the private enjoyment of the property owners ~~conducted for noncommercial purposes~~.
- B. **Acreeage requirements.** Acreeage requirements are exclusive of each animal size, meaning the property must have the minimum required acreeage for each animal.
 1. **Large animals.** ~~There shall be a minimum of~~ One acre for each large animal (**more than 200 pounds at maturity**), including horses, cattle, and swine, or similar animals.
 2. **Moderate-sized animals.** One-quarter acre for each ~~small~~ moderate-sized animal (~~under 35 to 200 pounds at maturity~~), including sheep, goats, or similar animals.
 3. **Small animals.** ~~exclusive of those set forth above and for chickens, ducks, turkeys, and rabbits (collectively referred [to] herein as specified animals). All parcels, lots, and building sites shall be permitted up to five specified animals; roosters are prohibited. Parcels, lots, and building sites larger than one acre shall be permitted one additional specified animal for each one-quarter acre in excess of one acre.~~ All parcels, lots, and building sites up to one acre shall be permitted up to five small animals (under 35 pounds at maturity), including chickens, ducks, turkeys, rabbits, or similar animals. One additional small animal shall be permitted for each additional one-quarter acre of property.
- C. **Acreeage requirements for honey bees.** All parcels, lots, and building sites up to one-quarter acre shall be permitted two ~~hives~~ colonies to a maximum of six ~~hives~~ colonies for the first acre. One additional ~~hive~~ colony is allowed for each additional one-quarter acre of property in excess of one acre.
- D. **Structure requirements and location.**
 1. ~~At minimum, a fenced in enclosure, other than the residence, shall be placed for the housing of animals~~ A structure or shelter is required based on the Generally Accepted Agricultural Management Practices (GAAMPS) for the care of animals.
 2. All buildings and structures must meet the requirements of Section 57.100: Accessory Buildings.
 3. All buildings, ~~structures~~, or other enclosures, ~~or hives~~ shall be within either the side or rear yards and may not be within the required front setback ~~yard~~ for the subject property. Hives may be placed in the front yard of a parcel, lot, or building site if the hives can be setback a minimum of 100 feet from the public right-of-way.

4. The size of a single bee hive, which shall accommodate one bee colony, shall be a maximum of three 10-frame deep boxes measured at 19 7/8 inches in length, 16 3/4 inches in width, and 9 5/8 inches in depth.

E. Building setbacks. A building, ~~other than the residence,~~ structure, shelter, or hive used to shelter for animals or bees and/or any area used to store, dispose of, or compost manure, ~~other than the primary residential dwelling,~~ shall ~~not be located closer than~~ comply with the following setbacks:

1. **Large animals.** 50 feet ~~for large or small animals~~ from any property line and 150 feet ~~to~~ from any pre-existing dwelling on an adjacent ~~premise~~ property. ~~under different ownership.~~
2. **Moderate-sized animals.** 50 feet from any property line and 100 feet from any pre-existing dwelling on an adjacent property.
3. **Small animals.** ~~and ten feet or the height of the building, whichever is greater, for specified animals to any property line and not nearer than 150 feet for large or small animals and 20 feet for specified animals to any preexisting dwelling on adjacent premises under different ownership.~~ 25 feet from any property line and 50 feet from any pre-existing dwelling on an adjacent property.
4. **Honey bees.** 15 feet from any property line and 50 feet from any pre-existing dwelling on an adjacent property.

F. Fenced enclosure requirements.

~~Large and small animals (excluding specified animals) shall be controlled in a suitable manner to prevent their approaching closer than 100 feet to any preexisting dwelling on adjacent premises under different ownership. Specified animals shall not be allowed free roam, must be contained within a six-foot fence or other fully enclosed structure at all times, and shall be controlled in a suitable manner to prevent their approaching closer than 20 feet to any preexisting dwelling on adjacent premises under different ownership. A sight fence or other screening is required if specified animals are visible from any other residential property or any public rights-of-way. All fences for specified animals shall be within either the side or rear yards and may not be within the required front setback for the subject property.~~

1. **Animals shall not be allowed free roam, but must be contained within a fully enclosed fenced area at all times. Fencing must meet the requirements of Section 57.60.**
2. **Fencing shall prevent animals from approaching any pre-existing dwelling on an adjacent property per the following requirements:**
 - a. Large animals – 100 feet
 - b. Moderate-sized animals – 75 feet
 - c. Small animals – 40 feet
3. **Fencing shall be designed to prevent animal trespass onto neighboring property.**

G. Additional requirements for the keeping of honey bees.

1. Hives shall be placed in such a way that the hive entrance is positioned internal to the property so that bees must fly across the property.
2. A flyaway barrier at least six feet in height shall shield any part of the property line that is within 25 feet of a bee hive. Such flyaway barrier must consist of a solid fence per Section 57.60, dense vegetation, or combination thereof to redirect a bee's flight pattern to be above six feet in height at the property line. The Planning Director may approve an additional barrier type if it meets the intent of assisting the bees to gain altitude before leaving the property.
3. A constant supply of water shall be provided to all hives.

H. Prohibitions.

1. ~~The keeping of poultry, swine, horses, or livestock~~ **Animals** ~~is further~~ **are** prohibited where conditions of maintenance are such to cause:
 - a. Unpleasant odors to be generated sufficiently strong to be discernible upon property of others for continuous periods of longer than six days, ~~or~~
 - b. Noise to be generated sufficiently loud to penetrate indoors upon property of others for continuous periods in excess of four hours, ~~or~~
 - c. Flies, insects or rodents to be attracted to the place where said animals and/or fowl are kept and are thereafter permitted to multiply and escape upon adjoining property.
2. Said animals or fowl, alive or dead, or any refuse therefrom **shall not** ~~to~~ trespass or be carried upon adjoining property.
3. Roosters **that crow** ~~are prohibited~~.
4. **Any undomesticated animal or dangerous animal classified as wild, which includes, but is not limited to alligators, bears, monkeys, wolves, coyotes, venomous or constrictor reptiles, panthers, cougars, tigers, lions, and other wild felines. It shall also include any hybrid between a wild animal and a domesticated animal, such as a dog and a wolf or a cat and a bobcat.**



December 3, 2019

Mtg Date: December 12, 2019

To: Planning Commission

From: Iris Lubbert, AICP
Planning Director

Subject: DISCUSSION Amendments to the Outdoor Lighting Standards Ordinance

Introduction: There has recently been some concern about how the newly implemented Outside Lighting Standards Ordinance (Section 54.60) could be interpreted, specifically the Ordinance's intent and the general usage of outdoor upward lighting. This discussion was triggered by the recently installed blue upward lighting at the Holiday Inn Express at 1315 Westgate Dr, see image to the right. The current Lighting Ordinance permits this type of upward lighting with the Planning Commission's approval. However, this lighting was not part of the approved lighting plan reviewed by the Planning Commission with the Holiday Inn Express' 2017 Site Plan and has accordingly been turned off. While reviewing this case, staff was made aware that the upward lighting standards were unclear and open to subjective interpretation. Please note that prior to the adoption of our current Lighting Ordinance on September 10th, 2019 upward lighting of this nature was strictly prohibited. Before additional cases arise, staff is requesting that the Commission revisit Section 54.60 Outdoor Lighting Standards to clarify the intent of the regulations pertaining to upward lighting and determine if and what amendments may be needed to clarify the intent.



Photo taken by Township Ordinance Enforcement Officer in October 2019

Ordinance Background: As the Planning Commission may remember, 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. After receiving a directive from the Township Board, 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. After discussion and multiple public meetings, the Lighting Ordinance was adopted by the Township Board on September 10th, 2019.

Requested Discussion: Staff is requesting that the Commission revisit Section 54.60 Outdoor Lighting Standards to clarify the intent of the regulations pertaining to upward lighting and determine if and what amendments may be needed to clarify the intent. Staff has drafted three potential options on how the Commission could proceed:

OPTION 1: Eliminates lighting that's sole purpose is to light up a façade and the ability to have upward lighting that is shielded by an architectural feature.

C. Building-Mounted Lighting

1. Pedestrian walkways and doorways

- a. Shall not exceed 14-feet in height.
- b. Each luminaire shall not exceed 8,000 lumens and shall be spaced so the lighting for pedestrian walkways does not exceed 2.0 foot-candles and entryways do not exceed 6.0 foot-candles.

~~2. Luminaires used for the sole purpose of illuminating a building façade:~~

- ~~a. May be up to 1.5 foot-candles averaged over the building façade.~~
- ~~b. May be located on the building or be ground-mounted.~~
- ~~c. Light generated from said fixtures shall be appropriately shielded so that no light is emitted beyond the building façade.~~

~~3. Architectural features. The use of architectural features on the building, such as a canopy, which prevent the projection of light beyond the architectural feature may satisfy the intent of this Section and allow the use of noncut-off fixtures, subject to the approval of the reviewing body.~~

OPTION 2: Eliminates lighting that's sole purpose is to light up a façade but permits architectural features to shield upward lighting with some new restrictions.

C. Building-Mounted Lighting

1. Pedestrian walkways and doorways

- a. Shall not exceed 14-feet in height.
- b. Each luminaire shall not exceed 8,000 lumens and shall be spaced so the lighting for pedestrian walkways does not exceed 2.0 foot-candles and entryways do not exceed 6.0 foot-candles.

~~2. Luminaires used for the sole purpose of illuminating a building façade:~~

- ~~a. May be up to 1.5 foot-candles averaged over the building façade.~~
- ~~b. May be located on the building or be ground-mounted.~~

~~e. Light generated from said fixtures shall be appropriately shielded so that no light is emitted beyond the building facade.~~

3. Architectural features. The use of architectural features on the building, such as a canopy, which prevent the projection of light beyond the architectural feature may satisfy the intent of this Section and allow the use of noncut-off fixtures, subject to the approval of the reviewing body **and if the following requirements can be met:**
 - a. Architectural features used to shield upward directed building mounted lighting shall project from the wall a distance sufficient to completely prevent the light from spilling beyond the projection.
 - b. Any such architectural feature shall be located no higher than ten feet above the luminary which it shields.

OPTION 3: Allows lighting that's sole purpose is to light up a façade and permits architectural features to shield upward lighting with some new restrictions for both regulations.

C. Building-Mounted Lighting

1. Pedestrian walkways and doorways
 - a. Shall not exceed 14-feet in height.
 - b. Each luminaire shall not exceed 8,000 lumens and shall be spaced so the lighting for pedestrian walkways does not exceed 2.0 foot-candles and entryways do not exceed 6.0 foot-candles.
2. Luminaires used for the sole purpose of illuminating a building façade:
 - a. **Shall illuminate a maximum of 25 percent of any building façade.**
 - b. **Shall not exceed** ~~be up to~~ 1.5 foot-candles averaged over the building façade.
 - c. ~~May be located on the building or be ground mounted.~~
 - d. **Shall be downward directed full cut-off luminaires and** light generated from said fixtures shall be appropriately shielded so that no light is emitted beyond the building facade.
3. Architectural features. The use of architectural features on the building, such as a canopy, which prevent the projection of light beyond the architectural feature may satisfy the intent of this Section and allow the use of noncut-off fixtures, subject to the approval of the reviewing body **and if the following requirements can be met:**

- a. Architectural features used to shield upward directed building mounted lighting shall project from the wall a distance sufficient to completely prevent the light from spilling beyond the projection.
- b. Any such architectural feature shall be located no higher than ten feet above the luminary which it shields.

If you have any questions or need additional information, please feel free to contact Planning Department staff. Thank you.

Attachments: Section 54 Lighting – Current Ordinance

ZONING ORDINANCE

ARTICLE 54

54 – LIGHTING

(Amended by ord. no. 614; adopted September 10th, 2019, effective September 19th, 2019)

54.60 OUTDOOR LIGHTING STANDARDS

A. General Provisions

1. Cut-Off Fixtures. All luminaires are required to be cut-off fixtures, unless otherwise permitted in this Article.
2. Security Lighting. Security or flood lighting shall be attached to buildings and controlled by motion sensors, which extinguish within 10 minutes of activation.
3. Direction of Lighting. Lighting plans shall be designed to direct light into the development and away from adjacent property.
4. Light Levels at Property Line. Site and area lighting of nonresidential properties shall be designed such that light levels do not exceed 0.1 foot-candles at any point along the perimeter of the property adjacent to residential zoning or uses and 0.5 foot-candles adjacent to all other zoning and uses.
5. Shared Parking Lots. Lighting designed to illuminate shared parking lots that span two or more parcels shall be exempt from the 0.5 foot-candle requirement at the shared property line only.
6. Parking Lot and Drive Aisle Lighting Ratio. To provide for uniformity of lighting, the ratio of maximum to minimum levels of light within the parking lot and drive aisle areas of a nonresidential property shall not exceed 20:1. Exception shall be made for those areas along the perimeter of the property where a significant reduction in lighting is expected in order to comply with the provisions of the subsection above.
7. Reduced Lighting. Lighting shall be significantly reduced during non-operational building hours, allowing only lighting necessary for security purposes. Lighting installations should include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting that affects urban sky glow. The lighting plan shall note when and how this reduction in lighting will occur.
8. Color Temperature and Rendering. Lighting for all nonresidential developments shall have the following:
 - a. A minimum color rendering index (CRI) of 65.
 - b. A Kelvin rating between 3,000-5,000k.

B. Pole-Mounted Lighting

1. All pole-mounted luminaires shall be affixed horizontally and angled parallel to the ground.

2. No more than two luminaires shall be allowed per pole.
3. Luminaire height of 15 feet or less shall not exceed 12,000 lumens per luminaire and shall be spaced a minimum of 30 feet apart.
4. Luminaire height greater than 15 feet and not exceeding 25 feet shall not exceed 20,000 lumens per luminaire and shall be spaced a minimum of 40 feet apart.
5. Luminaire height exceeding 25 feet shall be subject to approval by the reviewing body. The applicant must prove, to the reviewing body's satisfaction, that pole heights exceeding 25 feet are needed to ensure public health, safety, and welfare. If permitted, such lighting shall not exceed 40,000 lumens per luminaire and shall be spaced a minimum of 50 feet apart.

C. Building-Mounted Lighting

1. Pedestrian walkways and doorways
 - a. Shall not exceed 14-feet in height.
 - b. Each luminaire shall not exceed 8,000 lumens and shall be spaced so the lighting for pedestrian walkways does not exceed 2.0 foot-candles and entryways do not exceed 6.0 foot-candles.
2. Luminaires used for the sole purpose of illuminating a building façade:
 - a. May be up to 1.5 foot-candles averaged over the building façade.
 - b. May be located on the building or be ground-mounted.
 - c. Light generated from said fixtures shall be appropriately shielded so that no light is emitted beyond the building facade.
3. Architectural features. The use of architectural features on the building, such as a canopy, which prevent the projection of light beyond the architectural feature may satisfy the intent of this Section and allow the use of noncut-off fixtures, subject to the approval of the reviewing body.

D. Landscape Features and Green Belt Lighting

1. Landscape luminaires may include uplighting, which is specifically directed at the landscape or plant feature.
2. Shall be equipped with shields to help direct light to the landscape or plant feature and to help eliminate light spillover and glare.
3. Shall not exceed 300 lumens per luminaire.
4. Shall not exceed a height of 18-inches above grade.

E. Special Uses

1. Service station/fuel sales canopy structure
 - a. Luminaires shall be recessed so that the lens cover is flush with the lower surface of the canopy and shielded by a fixture or the edge of the canopy so that light is directed downward.
 - b. As an alternative, indirect lighting may be used where uplighting is reflected from the underside of the canopy. When this method is used, luminaires must be shielded so that direct light is focused exclusively on the underside of the canopy.
 - c. Luminaires shall not be mounted on the top or sides (fascia) of a canopy.
 - d. Internally illuminated signs in compliance with the Sign Ordinance may be placed on the fascia of the canopy.

- e. The total light output directly below the canopy shall not exceed 30foot-candles.
2. Outdoor dining areas
- a. Decorative unshielded lighting may be used in outdoor dining areas as long as the lighting does not exceed 1.5 foot-candles and is designed to control light spillover and reduce glare to adjacent properties.
 - b. Lighting in outdoor dining areas adjacent to residentially zoned or used land must be extinguished by 11:00 pm or when the business closes, whichever is first.

December 3, 2019



Mtg Date: December 12, 2019
To: Planning Commission
From: Julie Johnston, AICP
Acting Planning Director
Subject: BTR 2.0 Design Guidelines

The BRP: Business and Research Park District requires a set of design guidelines be created for any coordinated development on property zoned this classification. The Western Michigan University (WMU) Business Technology and Research Park (BTR 2.0) located at the northwest corner of Drake Road and Parkview is zoned under this District.

Throughout much of 2016 and 2017, WMU worked with the Township and interested citizens to create the development plan for BTR 2.0. This plan was not required to be approved by the Township due to state laws related to property owned by universities. However, the University worked closely with Township staff to ensure a plan that met Ordinance requirements.

To comply with Section 20.50.B of the BRP District, WMU has provided a set of design and maintenance standards for the park. Staff has the following recommendations:

1. Consider adding the Township Planning Director to the membership of the Design Review Committee. This should be an ad-hoc position as the Planning Director has no authority to approve plans which will ultimately be presented to the Planning Commission. However, by allowing the Planning Director on the Committee, they can be informed on upcoming projects, provide information on zoning related requirements, provide insight on any potential concerns, but not vote on the plans directly.
2. The Site Design Standards section, which begins on page 8, has a section related to Landscaping (page 11). The first standard includes language that native plant materials shall be used to the greatest extent practical to minimize water and fertilizer requirements. The Landscape Ordinance has specific requirements related to native landscaping as follows:

"At least 75 percent of required canopy trees shall be native to lower Michigan. At least 30 percent of all other required landscape material within each Plant Material Type shall be native to lower Michigan."

We recommend this section be changed to *"Native trees, shrubs, plants, and low maintenance turf grasses must, at a minimum, meet Oshtemo Township Zoning Ordinance requirements for native plantings, and be used to the greatest extent practicable to minimize water and fertilizer requirements."*

3. The landscape standards go on to say that one tree shall be required for every 10 parking spaces. Staff is not sure if this condition is in addition to the parking lot landscaping required by the Township Zoning Ordinance. If not, then the guideline will not meet Ordinance requirements, which are one canopy tree and two shrubs for every 200 square feet of required landscaping. Please consider the following calculations:

Township Zoning Ordinance Requirements:

50 space parking lot = 1,250 square feet of parking lot landscaping
1,250 square feet of landscaped area = 6 canopy trees and 12 shrubs

BTR 2.0 Design Guidelines:

50 space parking lot = 10 trees and no shrubs

Language should be added to this section clarifying whether the parking lot trees required by the Guidelines are in addition to the Township Zoning Ordinance, or the language should be changed to reflect Township Landscape Ordinance requirements.

4. In the Site Design Standards there are guidelines for items that have Zoning Ordinance implications. In most of these sections, language has been added that the Oshtemo Township Zoning Ordinance requirements must be met. This language is not found in the Landscaping section. We would recommend adding “*Landscaping shall conform to the requirements of the Oshtemo Township Zoning Ordinance*” to the end of the Landscaping section.
5. The Architectural Design Standards (beginning on page 17) has a section related to mechanical and electrical equipment (page 19). The language reads:

“Mechanical and electrical equipment, whether on a roof or next to a building, should be screened from view...”

We would recommend strengthening this language to “shall be screened.” The term “should” indicates that it is not required. If mechanical equipment is placed on the ground, we would recommend some landscape screening, at minimum.

6. Page 23 of the Design Guidelines has requirements for Step 3 approval. Staff recommends the following amendments:

*“After approval of the Preliminary Plan, a refined plan shall be prepared to illustrate greater detail; two copies shall be submitted to the BTR Park Phase 2 Representative on the Design Review Committee. Because Site Plan Review and approval will be required from Oshtemo Township, this plan shall contain all information required **for site plan submittal per** ~~in the Site Plan, Landscape, and BRP District chapters~~ of the Oshtemo Township Zoning Ordinance...”*

With these recommended changes, staff would advocate the Planning Commission approve the BTR 2.0 Design Guidelines.

Thank you.

WESTERN MICHIGAN UNIVERSITY

Business, Technology & Research Park
Phase 2

BTR 2.0

Design and Maintenance Standards

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INTRODUCTION

The Western Michigan University Business, Technology and Research Park – Phase 2 is the second phase of a mixed-use project that integrates technologically sophisticated business, technology development and research with the various Colleges of the University in a sustainable, environmentally sensitive site design. The University will actively seek out prospective BTR Park Phase 2 users whose research and development programs can establish mutually beneficial linkages within the University.

The Master Plan (see Appendix) sets a coherent basis for development of the BTR Park Phase 2. It is important that a unified image be maintained throughout the Park. Development throughout the Park will be expected to enhance and contribute to a positive image for the Park. The overall character of the Park and its natural setting is supportive of high technology businesses. It shall be the design intent of each proposed project to maintain and strengthen this character as well. With the advent of independent generation of electricity by wind or solar means, special attention will be given to the installation of generating equipment to maintain the intent of these Design Standards.

While it is important that the Park be perceived as a unit, a ‘whole’ within the Kalamazoo Community, it is equally important that individual expression of specific users within the Park not be precluded. A balanced approach of providing unity and flexibility in development control is the goal. The design philosophy to achieve this goal dictates that treatment affecting the common areas of the Park be well defined while those dealing with individual building and site design are more flexible.

To achieve a unified Park image, **Site Design and Maintenance Standards** have been developed for those design elements which are exposed to public view and have the greatest impact on the overall Park image. **Architectural Design Guidelines** are proposed for the individual sites and buildings that recommend an approach for cohesion with overall Park character but allow individual expression.

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1. DESIGN REVIEW

A Design Review Committee and a design review process have been established to ensure that development within the BTR Park Phase 2 is consistent with all applicable standards, guidelines, restrictions, and with existing uses within the Park, and that adjoining properties will not be adversely affected.

A. Membership of the Design Review Committee:

1. An At-large Member of the University; appointed by the University President.
2. Licensed or retired licensed Architect or Engineer, recommended by the University Architect; appointed by the University President.
3. Licensed or retired licensed Architect or Planner, recommended by the University Architect; appointed by the University President.
4. Licensed or retired licensed Landscape Architect, recommended by the University Architect; appointed by the University President.
5. BTR Park Phase 2 Representative (see “Declaration” for selection guidelines).

B. Function of the Design Review Committee:

- i. To ensure that projects are developed that fit the BTR Park Phase 2 concept, the Design Review Committee will have primary responsibility for interpretation of the standards and guidelines.
- ii. The Design Review Committee is authorized to review and act on all development proposals in accordance with the review procedures, applying its judgement in accordance with criteria set forth by the Declaration of Restrictions, Covenants and Design Standards (“Declaration”).
- iii. Administrative Responsibility: At its discretion, the Committee may retain the services of professional or technical advisers such as Engineers, Architects, Landscape Architects, or Planners to assist in evaluating submissions based on design and other technical considerations.

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C. Design Review Process:

The Design Review Process is a three-step process that shall be followed by all applicants. The steps are:

1. Pre-design Conference.
2. Preliminary Plan Review.
3. Final Design Development Plan Review and Approval.

See Appendix for a detailed explanation of the process.

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2. SITE DESIGN STANDARDS

The following Design Standards, guidelines, and site considerations have been created to establish the basis for a cohesive character throughout the BTR Park Phase 2. It is intended that this document serve as a general introduction. Its purpose is twofold. The first is to complement the Declaration of Restrictions, Covenants and Design Standards and Oshtemo Township zoning ordinances for use by individual tenants of the Park during their site planning and development process. Secondly, the Design Standards establish criteria for use by the Review Committee when considering approval of any Park development.

In addition to compliance with these Design Standards, Site Plan Review and approval will be required from Oshtemo Township for all development in BTR Park Phase 2. The BTR Park Phase 2 is zoned *BRP – Business and Research Park District* in Oshtemo Township. All development shall comply with the requirements of the Oshtemo Township Zoning Ordinance.

A. Entries

The Park Road in the BTR Park Phase 2 has been created to provide common access to all privately developed sites. The following Development Standards for site entrance drives off the Park Road are intended to help create a high-quality image for the entire development, and to simplify 'way finding.'

1. No access drives will be permitted from Drake Road or Parkview Avenue.
2. Access to all individual sites will occur off the internal BTR Park Phase 2 Road. Adjacent sites are encouraged to share entry drives.
3. Entry points shall be coordinated with and approved by the Design Review Committee and in accordance with the Road Commission of Kalamazoo County (RCKC) regulations
4. A commercial driveway permit will be required from the RCKC.
5. Spacing between drive ways must be a minimum of 130 feet center to center of drives to comply with RCKC guidelines.
6. Each entry drive shall utilize the same curb and gutter design as the Park Road, at least to the Park Road right-of-way.

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B. Signage/Entity Identification

Identification of individual entities on site represents a very important visual design element that has a significant impact on the image and perceived quality of the Park. Signs are the obvious means to identify individual site occupants along the Park Road. They are required to be uniform in size, shape, location, and material as defined in these standards. Buildings will be identified by the approved BTR Park monument sign (See Appendix for details).

The building, not the tenant(s) shall be named on the monument sign, although in the case of a single occupant the name can be the same. All other signs shall be located on the buildings.

Additionally, the design of site specific signs for direction and information shall conform to the following standards:

1. Back lighted signs will not be permitted.
2. The use of graphic corporate logos is encouraged on informational, directional, and regulatory signs.
3. Not more than one identification sign per site will be permitted along the Park Road.
4. The business identification sign on the Park Road shall be incorporated into landscaping.
5. Business entities are encouraged to share signs.
6. All signs must also conform with the specific standards for signage in the **Oshemo Township Zoning Ordinance**.

C. Site Lighting

Site lighting for parking lots, entry drives, and general area lighting shall match the appearance and performance of the standard pole, fixture, and luminaire selected for the BTR Park Phase 2 internal Park road. The location of the site lighting shall be designed to avoid glare, spill light, and poor color rendition of objects in the landscape. (See Appendix for detailed standards.)

The following standards define the requirements for site lights:

1. Sharp cut-off down lights are required in all areas.
2. Exterior lighting shall be provided by light emitting diode (LED) products and shall be oriented to pedestrians as well as to vehicles.
3. Bollard lighting, (under 6' high), low-wattage garden or pathway lighting is recommended for pedestrian areas.

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4. While safety is the responsibility of the individual site owner, a minimum light intensity of ½ foot candle is required in all use areas and an average light intensity value of no more than one foot-candle is recommended.
5. Pole heights should be selected appropriately to match the context of the site. Pole heights must be a minimum of 15-feet in compliance with the Township Zoning Ordinance.
6. The public roadway lighting systems comply with Sustainable SITES Certification – HHWB Credit 6.8: Reduce Light Pollution. Site lighting for new developments should be consistent with this approach.
7. See also specific standards for lighting in the **Oshtemo Township Zoning Ordinance**.

D. Building Siting and Open Spaces

Western Michigan University has committed to preserve an open, natural character and maintain a rate of stormwater runoff into the adjacent Asylum Lake not greater than currently exists as undeveloped land.

The BTR Park Phase 2 is organized to have individual sites developed along the Park Road and that drain to a common stormwater management system. The individual private sites shall be developed to visually and physically link with the Park Road and the Park stormwater management system.

The following site development standards shall be observed:

1. The total impermeable lot coverage (buildings, drives and parking) shall not exceed 80%. The maximum coverage allowed for buildings is 40%, while the minimum open space required is 20%.
2. Buildings shall be placed so that building and landscaping together visually buffer parking areas from US-131, Parkview Avenue and Drake Road.
3. Buildings shall be designed so that loading docks and service areas will not be easily visible from US-131, Parkview Avenue and Drake Road.
4. Buildings shall be sited to respect the existing and/or created land forms and drainage patterns.
5. Existing individual and grouped trees are important features and shall be preserved and maintained in all building placement. No existing tree shall be removed without the written approval of the review committee.

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E. Landscaping

For many decades, the site was part of the working Colony Farm operated by the State of Michigan Kalamazoo State Hospital. Trees and tree masses at the perimeter and on the steep slope in the north part of the site that separates the developable area of the Park from the drainage-way into Asylum Lake and its floodplain represent significant vegetation features that have been retained.

Oak savannah plant community comprised of native plants, shall be the predominant landscape type. A free-flowing strip of varying width along the right-of-way of the Park Road has been planted with low maintenance grass (fescue) and will be mowed on a regular basis. Native oak savannah trees, forbs, and grasses have been planted within the buffer zone and shall be retained. Near the Park road rain gardens have been established to filter stormwater runoff; the rain gardens have been planted with native plants suitable to the water regime expected in this location and shall be maintained for this purpose.

The vision for the development of the individual and collective sites is to develop and utilize natural systems in the landscape as much as possible.

1. Native trees, shrubs, plants, and low maintenance turf grasses shall be used to the greatest extent practical to minimize water and fertilizer requirements.
 2. Planting design near buildings can utilize a broader palette of ornamental species, but the plants shall be selected for low water and fertilizer requirements as well as their ornamental value.
 3. One tree (minimum 3-1/2" diameter) will be required for each ten parking spaces on a site. Tree islands and edge planting that creates low capacity parking rooms are desired (See Section 'J' 'Parking Lots').
 4. Providing shade (within 15 years) for a minimum of 25% of parking surface area is encouraged. See Appendix - Parking Lot Shading Guidelines and Calculations for the technique for calculating shaded areas.
 5. The use of fertilizer, herbicides, and pesticides shall be avoided, especially outside the buildable area of each site.
 6. Turf areas that are to be mowed shall be planted with low maintenance low nitrogen-dependent turf grasses such as a combination of wet and dry tolerant fescues which require 50-60% lower water, fertilizer and pesticide applications than most turf grasses.
-

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7. Grassed swales and turf filter strips shall be mowed regularly to maintain vigorous growth.
8. A partial list of recommended plants and a list of invasive plants that are not permitted is included in Appendix.

F. Irrigation

Within those portions of a developed site needing irrigation, maximize the efficiency of the irrigation system to reduce water consumption and infiltration of water into soils.

1. Irrigation systems shall be limited to turf areas.
2. Any irrigation system shall utilize high efficiency irrigation technologies.

G. Drainage

Stormwater management for the entire BTR Park Phase 2 has been integrated within the plan for development. Provisions for accommodating stormwater for each individual parcel in the BTR Park have been considered in the Stormwater Management Plan based on the following concepts:

Three infiltration basins have been provided for the future development of the BTR Park Phase 2. Each basin has an allocated area and total amount of imperviousness which is allowed to drain to each specific basin. The drainage area for each basin is shown on the Overall Stormwater Management Plan provided in Appendix. Each basin was sized to accommodate parcel development to 80% impervious cover. Any areas draining to the basin which exceed this 80% or contribute storm water from an adjacent drainage divide must provide onsite infiltration for the excess amount. The onsite infiltration basin must be sized for 100-year storm and in accordance with the Kalamazoo County Drain Commission storm water regulations.

1. To the greatest extent possible, all stormwater from impervious surfaces (roofing and paving) should be directed over the ground surface across vegetated surface areas and into vegetated swales.
2. The vegetated swales shall be directed to the common stormwater management basins constructed in strategic locations within the Park.

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3. All stormwater is to be routed to the basins allocated for each drainage area. No stormwater is allowed to be connected to the Park Road storm sewer system.
 4. Any excess stormwater runoff routed to the Park infiltration basins that they were not sized for shall comply with the following design specifications:
 - a. In accordance with the Kalamazoo County Drain Commission.
 - b. Onsite retention basin sized for the 100-year storm.
 - c. Velocities, capacities, and friction losses shall be based on Manning's formula.
 - d. A minimum "n" value of 0.035 shall be used as the roughness coefficient for open channels, unless special treatment is given to the bottom and sides (riprap or paving).
 - e. Minimum bottom width for grassed waterways shall be one foot. Minimum bottom slope shall be 0.50%.
 - f. Side slopes shall be no steeper than 3:1 (H:V).
 5. Use erosion control blanket and/or rock linings where concentrated flow shear stresses exceed the strength of the vegetated channel under 10-year design storm conditions. The maximum 10-year design storm velocity shall be four feet per second (4 ft/s) for grass lined channels. Riprap protection or equivalent erosion control measures shall be used where velocity exceeds 4 ft/s, up to a maximum velocity of 8 ft/s. The minimum velocity of vegetated channels shall be 1.5 ft/s.
 6. Where maximum velocities are exceeded due to channel slope, rock check dams, or grade control structures shall be used to reduce overall flow velocities.
 7. Erosion control blankets shall be used to protect bare channels.
 8. A minimum vertical clearance of 4 feet is required between vegetated swale, ditch inverts, and water and sanitary utilities unless special provisions are approved. In no case, will less than 2 feet of clearance be allowed.
 9. Vegetated filter strips shall be used whenever possible to treat stormwater runoff. Size of filter strips shall be based on the following criteria:
 - a. Percent of the ½-year frequency storm that can be infiltrated based on the soil permeability.
 - b. Sediment trapping efficiency: The slope and length of filter strips are critical as they largely determine the pollutant capabilities.
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- i. For 70% sediment trapping efficiency, 15 linear feet of grass filter strip per one percent of slope is required (i.e., slope=2%, use a 30 linear feet filter).
 - ii. For 90% sediment trapping efficiency, 45 linear feet of filter strip per one percent of slope is required (i.e., 2% slope, 90 linear feet filter length).
12. The minimum width-to-percent slope ratio should be 4:1. (i.e., for a 2% slope the minimum width shall be 8 feet).
13. Concentrating the flow into a channel across the filter strip shall be avoided. Level spreaders are to be used in most instances to prevent concentration of flow.
14. Grass filter strips used for parking lot runoff are to be planted with seed mixtures that are salt tolerant.

H. Soil Erosion and Sedimentation Control

During construction, and until areas are permanently vegetated, erosion control measures will be enforced to prevent sedimentation from entering the Park Road rain garden area.

I. Topography

Work has been completed along the Park Road to enhance the character of the typically gentle gradients of the individual sites. Berms were installed along the south and west edges of the Park property. These berms contain contaminated soils and are capped and protected from surficial contact and are not to be disturbed.

Topography and grading Development Standards:

1. Utilize the standards provided in Drainage, Section G of these standards.
 2. Follow these gradient standards:
 - a. Parking lots: Minimum 1.5%, maximum - follow barrier free development standards to comply with Americans with Disability Act requirements.
 - b. Walks: 5% maximum without handrails; 8.33% with handrails; 2% maximum cross slope.
 3. Meet adjoining property lines at grade.
 4. Establish all grading limits and excavations at existing tree masses (or individual trees) to be saved a distance equal to one (minimum) to two (preferred) times the distance from the trunk to the drip line.
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J. Parking Lot Design/Location

Parking lots are an important functional element in the BTR Park Phase 2. They must be convenient, efficient, and safe. Development within the Park should be designed to reduce or mitigate the heat island effect that develops when large expanses of dark, non-reflective surfaces are used for parking. Breaking up parking areas reduces the cumulative heating effect of large expanses of dark pavement. The planted areas between parking lots provide wildlife habitat and enhance the area.

The design philosophy of the Park is to maintain a naturalized character to the greatest extent possible. Parking lots therefore should be designed to have a minimal visual impact and a stormwater handling plan that can be managed within the total BTR Park Phase 2 system. To achieve this end, the following standards are required.

1. Parking lots shall be subdivided into a collection of smaller parking “rooms” by tree canopy, planting islands, and pedestrian ways.
2. Each individual parking area shall not have a capacity over 50 cars; a 30-car capacity is preferred.
3. Parking lots shall be located in such a manner on individual sites that buildings and landscaping together visually buffer the lot from the Park Road, Drake Road, and US-131.
4. Providing shade (within 15 years) for a minimum of 25% of parking surface area is encouraged. See Appendix - Parking Lot Shading Guidelines and Calculations for the required technique for calculating shaded areas.
5. Landscaping, drainage, and lighting have been addressed in separate sections of the standards. They are all factors that must be carefully followed in the design of parking facilities.

Parking lot design, including dimensions and number of parking spaces provided, shall conform to the requirements of the **Oshtemo Township Zoning Ordinance**.

K. Fencing and Walls

The vision for the BTR Park Phase 2 is to create a cohesive environment with high quality spaces. To accomplish this, the design within individual sites shall recognize that property boundaries are legal definitions that shall not be reinforced by fencing, walls, or any three-dimensional barriers. Specifically, the following standards apply:

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1. Fencing may be used for specific purposes as an extension of a building or to enclose a secure area, but fencing shall not be used to define property lines.
2. No wood rail, rustic wood fences, or chain link fences shall be used unless they are immediately adjacent to, built as part of, or reflect the character of the primary use structure on site.
3. Dumpsters, utilities, and service areas shall not be located on a street frontage. They shall be screened from view and separated from pedestrian use areas (see also Building Guidelines).

L. Utilities/Park Road R.O.W. Corridor

A utility corridor has been established as part of the construction of the Park Road and described within the dedicated street right-of-way. All utility service currently available to the BTR Park Phase 2 sites has been assigned a specific path within this corridor. All Park utilities have been installed underground; all utilities for individual parcels shall also be installed underground.

M. Sustainable Products

- A. As required by Oshtemo Township zoning, one or more of the following sustainable products and/or methodologies shall be incorporated into each property within the BTR Park Phase 2:
 - a. Installation of green roof systems;
 - b. Development in compliance with Sustainable SITES-certification or LEED-certification standards;
 - c. Installation of renewable energy (solar, wind, etc.) technology;
 - d. Other products or methodologies proposed to and approved by the Oshtemo Township Planning Commission.
- B. While compliance with Sustainable SITES Certification or LEED Certification is not mandatory, designs consistent with those programs are encouraged. The BTR Park Phase 2 is expected to be Sustainable SITES Certified and set up for LEED Certification.

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3. ARCHITECTURAL DESIGN GUIDELINES

A. Building Design Intent and Context

The design intent for the BTR Park Phase 2 is to maintain a cohesive appearance that supports a high technology environment for the Park and its users, and to enhance and contribute to a positive image for the Township. “State-of-the-art,” “cutting-edge,” and “21st Century” are terms that reflect this intent.

In order to reduce the size of the building “footprint” and increase the size of open green space, building design is encouraged to utilize multi-story floor plans. A maximum of four stories shall be permitted.

To give the Park a degree of consistency, the design of individual buildings shall take into consideration the existing development within the Park. Buildings are to be contextual, succeeding not because they stand apart, but because they add to the coherence of the entire BTR Park, Phase 1 and Phase 2.

Compatible architectural features, fenestration (window) patterns, and building proportions help integrate buildings into context. “Contextual Patterns” are established through:

- Similar articulation.
- Similar scale and proportion.
- Similar or complementary architectural style.
- Similar building details and fenestration patterns.
- Similar or complementary materials.

B. Architectural Concept

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Details and features shall relate to the structure and not appear as add-ons.

Building design, whether part of an individual or a multiple-site development, shall reinforce the BTR Park image. Clustered or otherwise articulated and differentiated forms will be recommended over monolithic forms.

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C. Building Articulation

The pattern and proportion of a building's windows and doors and the modulation of its form are important in determining a building's architectural character as well as adding visual interest. Following the proportion and pattern of neighboring buildings will increase the consistency of the Parkscape.

Facade modulation, stepping back or extending forward a portion of the facade can add character and scale. Changes in roof lines help to modulate a building's form.

Large expanses of blank walls with little or no articulation are discouraged.

D. Building Materials

The selection and use of exterior materials is a key ingredient in determining how a building will look. Some materials, such as masonry, can give a sense of permanence or can provide texture and scale to a building facade. Other materials, such as glass and metal panels or siding, can help give a "high tech" image appropriate to the BTR Park.

Building exteriors are to be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Materials that are often used to look like something they are not, such as EFIS Systems, are discouraged.

In general, colors should be natural or muted with bright colors used only as accents. Glass with low reflectance is preferred.

E. Building Entries

Building entries are very important for visitor orientation. A well-designed entry gives a welcoming impression and contributes to a positive image.

1. Buildings shall have at least one formal entry, visible from the site entrance off the Park Road.
2. Entries shall be clearly defined and attractive. A canopy or protective element is preferred.
3. Liberal use of glass will help make the entry inviting.

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F. Mechanical and Electrical Equipment

Mechanical and electrical equipment, whether on a roof or next to a building, should be screened from view unless it is a well-coordinated design element and supports the architectural design intent for the building and site.

G. Service Areas

Dumpsters, utilities, and service areas shall not be located on a street frontage. They shall be screened from view and separated from pedestrian use areas.

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4. Design and Plan Review Procedures

A. Design Review Committee Membership

- i. “At-large” Member of the University; appointed by the President of the University.
- ii. Licensed or retired licensed Architect or Engineer recommended by the University Director of Planning; appointed by the President of the University.
- iii. Licensed or retired licensed Architect or Planner recommended by the University Director of Planning; appointed by the President of the University.
- iv. Licensed or retired licensed Landscape Architect recommended by the University Director of Planning; appointed by the President of the University.
- v. BTR Park Phase 2 Representative (see “Declaration” for selection guidelines).

B. Function of the Design Review Committee

- i. To ensure that projects are developed that fit the BTR Park Phase 2 concept, the Design Review Committee will have primary responsibility for interpretation of the standards and guidelines.
- ii. The Design Review Committee is authorized to review and act on all development proposals in accordance with the review procedures, applying its judgment in accordance with criteria set forth by the Declaration of Restrictions, Covenants and Design Standards (“Declaration”).
- iii. Administrative Responsibility: At its discretion, the Committee may retain the services of professional or technical advisers such as Engineers, Architects, Landscape Architects, or Planners to assist in evaluating submissions based on design and other technical considerations.

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C. Plan Compliance

No improvement shall be commenced, erected, or constructed, nor shall any addition thereto, or change or alterations therein be made (except the interior of a building), until there has been full compliance with the plan review procedures as set forth in this document.

D. Plan Submittal and Approval

All required plans shall be submitted to the Design Review Committee for review at least ten working days prior to any meetings scheduled to review the drawings. The Committee reserves the right to approve or disapprove, in writing, the plans relative to all particulars therein including, but not limited to, the location and method of construction of any improvement; the quality, type of materials, and colors used; harmony of external design with adjacent existing or planned improvements and landscaping; and location as the same relates to existing vegetation, topography, setbacks, grade, driveways, parking lots, and size of building(s).

Digital copies of all plans shall be provided on suitable media, e.g., CD-ROM, flash drive, or via email. All plans must also be submitted on 24" x 36" sheets at a scale of no smaller than 1" = 50' for site plans, landscape and irrigation plans, and building plans at a scale of ¼" = 1'-0" (or other similar, mutually agreed upon scale), with printing capable of being reduced by 50% while retaining legibility. In instances where the required scale will not fit on the sheet size noted the next larger standard size sheet may be mutually agreed to.

E. Design Review Process

The Design Review Process is a three-step process that shall be followed by all applicants. The steps are:

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Step 1 - Pre-design Conference.

Step 2 - Preliminary Plan Review.

Step 3 - Final Design Development Plan Review and Approval.

Step 1 – Pre-Design Conference

Prior to committing to any site plan or building design and as a method of project orientation, it is required that the applicant and a representative from the applicant's design team participate in a Pre-Design Conference. It is expected that the applicant will outline the project in terms of land use, approximate building size, number of potential employees, business operations, hours, and products produced, project budget, and a preliminary timeline for development and construction. Preliminary, rough sketch plans of the proposed project to facilitate discussion are strongly recommended but not required.

The Design Committee shall explain its role as Park liaison, provide a copy of the Development Standards, review the covenants and guidelines, and indicate the proper procedure to follow through the design review process.

Step 2 –Preliminary Plan Review

The applicant or his/her representative shall transmit two copies of Schematic Design Plan drawings of the proposed building(s) and site improvements to the BTR Park Phase 2 Representative on the Design Review Committee. Drawings shall be submitted at least ten working days prior to scheduled review meeting. The Schematic Design Plans shall illustrate the relationship of new building(s), parking, and other site improvements to existing topography, vegetation, adjacent buildings, and off-site views, including the following:

1. Building location(s).
2. Future expansion area(s).
3. Proposed exterior architectural treatment, including building height, use, materials, and colors.

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4. Tabulation of square footage for all construction.
5. Location of entrance drive(s).
6. Location and preliminary layout of parking lots, service areas, and drives.
7. Proposed grading concept and erosion control measures.
8. Proposed drainage concept, including methods of conveying site stormwater to overall BTR Park Phase 2 stormwater system.
9. Proposed utility locations, including easements.
10. Proposed landscape concept.
11. Sustainable Design Strategies
12. Construction timetable.
13. Any other information as may be required to determine the acceptability or appropriateness of the proposal.

Once Preliminary Plan approval is given, the project Site Plan Review documents shall be prepared by the applicant.

Step 3 - Site Plan Review and Approval

After approval of the Preliminary Plan, a refined plan shall be prepared to illustrate greater detail; two copies shall be submitted to the BTR Park Phase 2 Representative on the Design Review Committee. Because Site Plan Review and approval will be required from Oshtemo Township, this plan shall contain all information required in the Site Plan, Landscape, and BRP District chapters of the Oshtemo Township Zoning Ordinance. In addition to the above, and in compliance with these Development Standards, plans shall include:

1. Applicant/Developers name, address, and telephone number; the name, address, and telephone number of the firm(s) preparing the

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- plan; the lot designation; scale and north arrow; the date of submission; property legal description; and site statistics including lot calculations as indicated by the covenants and Design Standards.
2. Layout plan of the proposed improvements, dimension of front, side, and rear yards and other related site development information and calculations including the following.
 - i. Right-of-way lines of existing and proposed streets immediately adjoining and within the proposed lot, and the names of all proposed streets and all property set back lines for the proposed site and those adjacent.
 - ii. Location of curb cuts off public the roadway.
 - iii. Location, dimension and proposed use of all paved areas.
 - iv. Location of all building entrances.
 - v. Site improvement locations such as walls, steps, fences, walks, bike racks, pedestrian benches, site lights, etc.
 3. Grading and drainage plan showing existing and proposed topographic contours at one-foot intervals, spot elevations at important points on the site, and a soil erosion and sedimentation control plan with appropriate measures indicated. The plan shall also indicate the proposed method of handling stormwater runoff from buildings and paved areas via overland flow. Existing plant materials of significant value shall be shown, with an indication of whether they will remain or are to be removed.
 4. Stormwater drainage calculations by a qualified professional.
 5. Utilities plan showing sanitary sewer, water, gas, electric, telephone, cable television, fiber optics, industrial waste disposal method, and lighting for the building exterior, parking lot, and landscaping. The final submissions shall include catalog cuts with photometric distribution and mounting details for all exterior light fixtures.
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6. Landscape plan and irrigation intent indicating existing and proposed plant material, including quantity, species, and sizes of plant material, and water sources for all areas to be irrigated. Plan shall identify vegetation to be preserved as well as vegetation proposed to be removed.
7. Drives and parking lots indicating parking stalls, including required barrier free parking spaces, access isles, service drives, service areas, and loading drives and docks, and refuse container locations.
8. The site plan should clearly show the relationship of all proposed site improvements to those of adjacent sites as it relates to the buildings, parking, landscaping, and stormwater conveyance system. Location of all proposed site and immediately adjacent existing lighting facilities, fences, street furniture, and directional signs as well as common areas should also be indicated.
9. Where appropriate, cross sections of the applicant's site (and those adjacent sites containing improvements) at a scale of 1" = 20' in longitudinal and transverse directions, indicating the relationship of the buildings and parking lots and major grading to the street and major landscaping. The plan and sections shall be sufficiently accurate to permit analysis of building mass, visual screening, erosion control, drainage, tree protection, and landscape architectural design.
10. Drawing(s) showing the proposed layout of the internal floor plan, location of all building entrances, loading and service areas, and mechanical equipment.
11. Elevations of buildings from all sides at an appropriate scale sufficient to clearly indicate the placement and massing of the buildings. The following improvement details shall also be provided:

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- a. Heights of all improvements. The final submission shall indicate, by a two-dimensional drawing and graphic representation, the mounting heights of all lighting fixtures.
 - b. Windows, doors, and other fenestration.
 - c. All exterior materials and colors.
12. Samples or accurate representations in color of all exterior building materials to be utilized showing textures, colors, fenestration, and other detailing necessary to accurately depict the finished building and its lot.
13. Roof Plan: At an appropriate scale indicating the location and sizes (including height) of all roof mounted equipment and proposed method for screening all equipment.
14. Drawings of the signage system, showing all sign locations and details, including elevation, dimension, materials, lettering, color and lighting.
15. A plan for project traffic, showing anticipated number and types of vehicles and how they will be routed. Include estimated number of employees, vehicles, and expected types and times of service delivery.
16. A site landscape maintenance plan indicating the schedule and methods for the establishment and care of the landscape plant materials indicated on the landscape design plan(s) submitted.
17. Pedestrian pathway connections to the building and adjacent common areas.
18. Outline specifications for the proposed construction.
19. A report describing the proposed operation relative to environmental questions of noise, odor, glare, vibration, smoke, dust, ashes, radiation, hazardous or noxious wastes, hazardous materials or chemicals to be used at the site, and any other impact factors

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requested by the Design Review Committee.

20. Such other reasonable information as may be required by the Design Review Committee.

F. Approval of Plans

1. All plans and specifications, including grading and landscaping plans, for the construction of any building, the exterior alteration of any building, and all exterior uses or improvements, including type and color of construction materials and landscaping and screening, shall be submitted to and be approved by the Design Review Committee prior to commencement of construction.
2. The Design Review Committee may reject all or any portion of plans submitted or require the modification or resubmission of any such plans. The Design Review Committee shall have the right to refuse to approve any such plans and specifications, including type and color of construction materials, and grading and landscaping plans, which are not suitable, in its opinion, for aesthetic or other reasons. In so passing upon such plans and specifications, the Design Review Committee shall have the right to take into consideration the suitability of the proposed improvements and the harmony thereof with the natural features of the Property and with any other improvements that have been constructed on other portions of the Property. Alteration or expansion of a previously approved plan requires review and approval.
3. Prior to beginning construction of any building or site improvements, Site Plan Review and approval must be obtained from Oshtemo Township.

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G. Basis for Approvals

1. Operation is consistent with covenants and restrictions and existing uses in the Park.
2. Project will create no negative impacts on adjoining property.
3. Site and building plans are complementary to other development, on and off site.
4. Site and building plans are consistent with Park Development Standards, Master Plan, and are in compliance with covenants and restrictions.

H. Variances

The Design Review Committee may grant alterations or changes from the standards set forth herein, so long as the general intention of these standards shall be substantially achieved. In addition, the Oshtemo Township Zoning Board of Appeals must approve any proposed variance from the Oshtemo Township Zoning Ordinance.

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5. LANDSCAPE AND SITE MAINTENANCE STANDARDS – COMMON AREAS

The common areas of the BTR Park – Phase 2 will be maintained by the Property Owners Association (Association). The goal is to establish in the common areas a landscape similar to the pre-European settlement vegetation believed to have occupied the site: a bur oak savanna analogous to that being established at the Asylum Lake Preserve (ALP) east of Drake Road from the BTR Park Phase 2. To meet this goal, the remaining old fields and wooded portions of the common areas will be managed with the goal of creating a reasonable likeness of the original bur oak savanna and the woodlot on the slope at the north end of the property will be managed in a fashion similar to the management practices in the woodlot on the ALP. While invasive species will be removed to prevent their spread, these maintenance standards are not intended to accomplish the recreation of an exact replica of the bur oak savanna. Rather these standards are intended to help create and maintain the image of a high-tech business park set within the character of a bur oak savanna. The following areas shall be maintained as described below.

A. Woodlots

1. **Goals:** To promote ecosystem services, passive recreation, and opportunities for education and research. In addition to plant health, work in woodlots must address public safety concerns including sight lines and hazards from falling limbs. The policy shall be to leave standing dead timber that poses no immediate public hazard as assets for wildlife habitat that provide aesthetics, shade, screen, and wind block.
2. **Tasks:** Woodlots shall be surveyed for trash and falling limb hazards on a regular schedule. Fallen timber shall also be left in place unless this poses an obstacle to pedestrian or motorized traffic. To maintain ecosystem health periodic removal of herbaceous and woody invasive species shall be scheduled. Pruning to maintain sight lines along roads and paths and to protect site improvements and infrastructure from damage by falling limbs

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shall be evaluated by a certified arborist. As trees fail or are removed new trees shall be selected to meet the desired goals of biodiversity and habitat improvement. An arborist should evaluate and schedule all major tree related issues.

B. Landscape Trees

1. **Goals:** Individual trees intentionally planted in common areas of the BTR Park Phase 2 add to the landscape for aesthetics, shade and design intent. These trees are to be maintained at a higher resource level than woodlot trees that are considered natural features. An arborist shall be consulted on all issues related to landscape trees prior to application of any management treatments.
2. **Tasks:** Plant new trees of similar species when landscape trees have failed. Water as needed until new tree is established. Prune dead or dying branches to maintain health and natural character of landscape trees.

C. Bur Oak Savanna

1. **Goals:** As stated above, the goal is to create and maintain a reasonable likeness of the original bur oak savanna. The savanna is designed to create an aesthetic, require low maintenance, assist with stormwater runoff and erosion control and provide wildlife habitat. The intent is to create a vegetation community with a diverse population of native species, a limited number of trees and shrubs, and limited populations of invasive exotic species. While fire is an integral component of the natural bur oak savanna landscape, in the context of the BTR Park Phase 2 fire will be replaced by mowing (and possibly grazing) to control the species mix of the savanna.
2. **Tasks:** The bur oak savanna shall be mowed (and possibly grazed or treated with prescribed burns) to encourage grasses and forbs native to the savanna community. Burning will require permit from Oshtemo Township Fire Department and the Design Review Committee. Only trees and

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shrubs native to the savanna community shall be encouraged, while trees, shrubs, and other plantings not adapted to savanna management shall be removed. Invasive woody and herbaceous vegetation shall be managed by mowing, using hand and/or power tools, and limited herbicides in specific applications. To maintain biodiversity and health of the savanna community, exotic plants, shrubs and trees shall be selectively cut or spayed to limit seeding.

Controlling weeds is the biggest priority the first three years following planting of the bur oak savanna. The following schedule will be implemented during this period.

First Year: Mowing is the primary tool to control weeds the first year. Vegetation shall be mowed to a height of 4"-6" when the vegetation reaches a height of 10"-12". The savanna shall be mowed about once each month during the growing season, depending on rainfall. No mowing shall occur after the end of the growing season (September). Hand pulling of weeds is not recommended; spraying herbicides is discouraged. If aggressive weeds such as Canada thistle or spotted knapweed are found, spot treatment with herbicides may be required. Careful spot spraying may be performed by a person with experience in the use of herbicides and knowledge in the identification of all the plant species present. For some plant species, hand wicking with herbicide may be most effective.

Second Year: Mowing is the primary tool to control weeds in the second year as well. Vegetation shall be mowed to a height of about 8" when the vegetation reaches a height of 12"-18". While some native plants may be up and blooming, it is worth sacrificing their flowers at this stage to achieve successful establishment of the oak savanna community in the long term. Common competitive weeds in the second year include spotted knapweed, Canada thistle, burdock, wild parsnip, sweet clover, and Queen Anne's lace.

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Mowing shall be scheduled when they are in full bloom to set them back and prevent them from setting and dropping seed. Hand pulling weeds and spot treating with herbicide shall be performed as needed to control these most competitive weeds.

Third Year and Beyond: Beginning the third year and each year thereafter, oak savanna areas shall be mowed annually. Vegetation shall be mowed to a height of about 6" in early spring (February thru April). Note that some ground nesting grassland birds nest as early as April, so the earlier the better. Spot treating with herbicides shall be performed as needed to control weeds that persist.

D. Low Mow Turf Areas

1. **Goals:** The low mow turf areas at the BTR Park Phase 2 are planted in strips adjacent to the Park road, walks, and paths; they are cool season low maintenance turf grass areas that shall be periodically mowed shorter to maintain a controlled appearance. They serve as transitional spaces between the oak savanna and rain garden plantings and other landscape types.
2. **Tasks:** Remove all woody vegetation (except as planted for design purposes) and cut all tall grasses and weeds that grow above the low mow turf species. Spray broadleaf herbicide as needed to reduce populations of unwanted species. Woody and invasive species shall be removed as needed to maintain the low mow turf monoculture. Cutting of invasive species shall focus on preventing seeding and shading caused by taller weeds. Cut invasive plants at onset of flowering or prior to seed set. Mow with high setting of deck (6"-8") one to three times per year to encourage cool season turf grass: first mowing shall occur at end of winter (March-April); second mowing to occur in late summer or early fall (August-September). Care shall be taken to avoid irrigation infrastructure when mowing.

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E. Irrigation System

1. **Goals:** The irrigation system at the main entrance drive into the BTR Park Phase 2 is important to establish and maintain long term health of the plants in that area. on-going use of the system may be expected to decrease in future years following successful establishment.
2. **Tasks:** An irrigation specialist shall be responsible for the repair and maintenance of the irrigation system who shall be responsible for adjustments to the system. Care shall be taken to avoid irrigation infrastructure when mowing. All valves, hydrants, back-flow preventers and other infrastructure shall be located and exposed by mowing or pruning back obstructing vegetation.

F. Hardscapes

1. **Goals:** Hardscape improvements – walks, decorative pavements, decks, interpretive signage – shall be maintained to allow safe use by pedestrians.
2. **Tasks:** Hardscapes shall be kept clear of snow and ice, branches, the accumulation of leaves and other debris. Interpretive signage shall be maintained to be accessible to pedestrians, interpretive information legible, and sign frames kept free of rust and periodically painted.

G. Parking Lots

1. **Goals:** Parking lots shall be maintained to allow safe use by vehicles or pedestrians.
 2. **Tasks:** Parking lots shall be kept clear of snow and ice, branches, the accumulation of leaves and other debris. The use of rock salt (sodium chloride) is discouraged. Alternative materials (e.g., beet juice, pickle brine, sand) and methods are encouraged to help protect water quality in nearby Asylum Lake. Directional and informational
-

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signage shall be maintained to be accessible, information legible, and sign frames kept free of rust and periodically painted.

H. Enforcement

The Association shall be responsible to implement the Landscape and Site Maintenance Standards. The Association shall contract with appropriate individuals, firms or organizations who have the experience and expertise to implement the Standards for each of the above components. In all cases, compliance with the Oshtemo Township Zoning Ordinance, including but not limited to the BRP – Business Research Park District standards, is required. In addition, the DRC shall monitor compliance by the Association to ensure the common areas are maintained in a manner consistent with these Standards.

APPENDIX

- BTR Park Phase 2 Master Plan
- Overall Stormwater Management Plan
- Landscape Materials
- Parking Lot Shading Guidelines and Calculations
- Signage Standards
- Lighting Standards

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BTR Park Phase 2 Master Plan

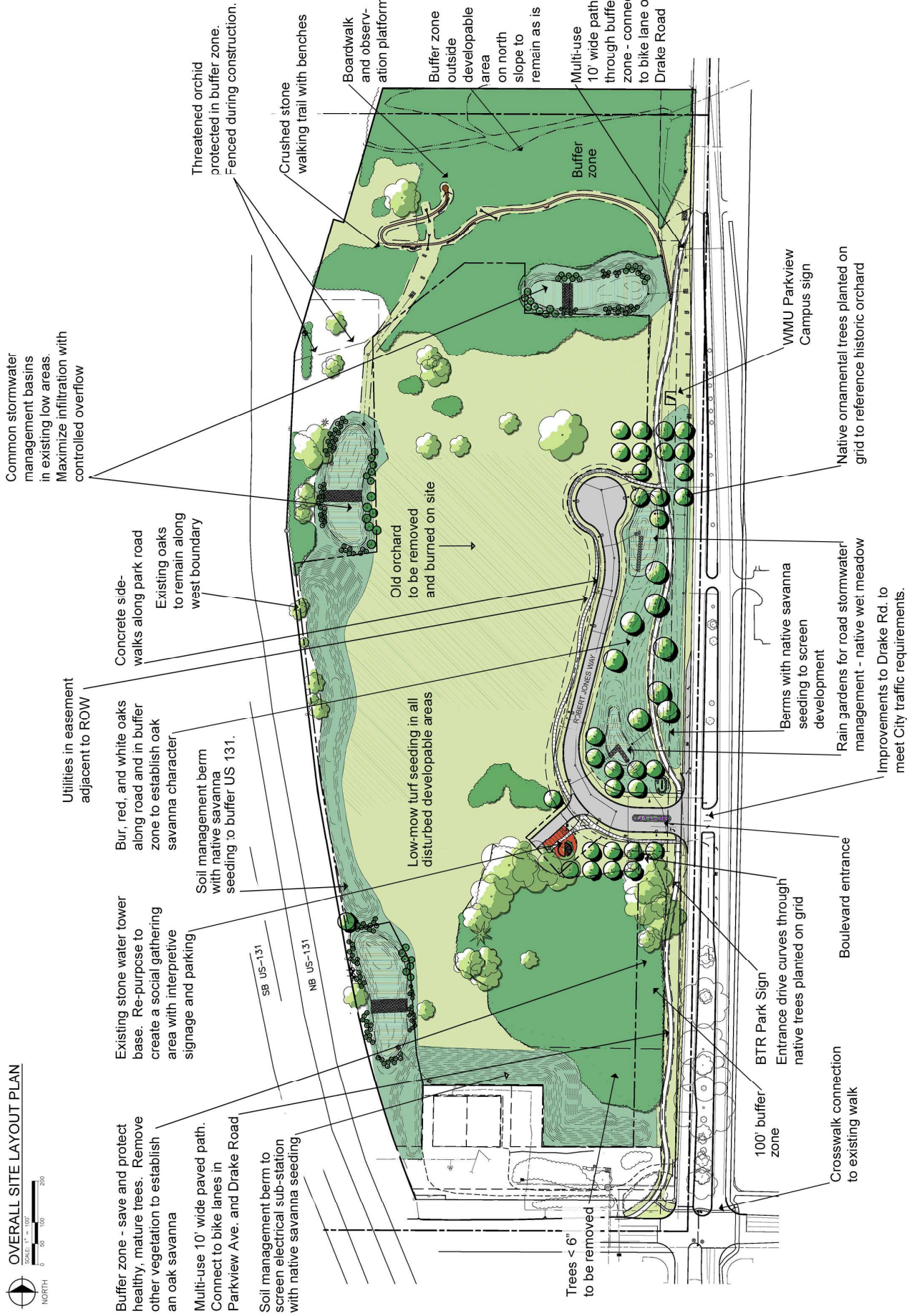
- Following is the Master Plan for BTR Park Phase 2 development.

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Business Technology and Research Park Phase 2

OVERALL SITE LAYOUT PLAN



Hard copy is intended to be used for construction. All dimensions and graphic quality may not be accurate for any other size.

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Overall Stormwater Management Plan

- Following is the Overall Stormwater Management Plan for BTR Park Phase 2 development.

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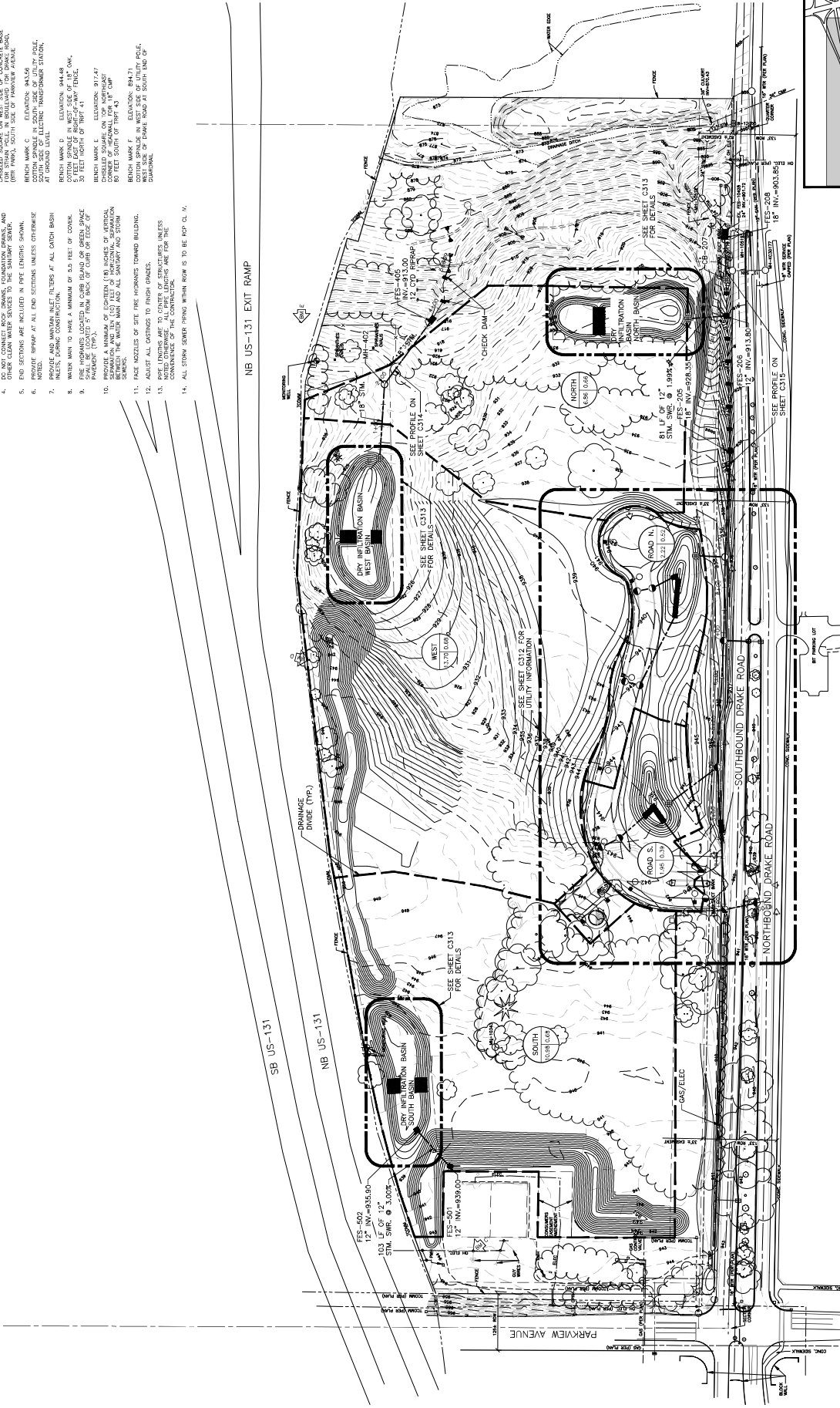
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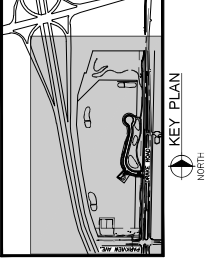
- EXISTING UTILITIES LOCATIONS SHOWN ARE APPROXIMATE.
- EXISTING UTILITIES ARE TO REMAIN UNLESS NOTED OTHERWISE.
- PROTECT AND MAINTAIN SERVICE OF OTHER UTILITIES AT CROSSINGS.
- SEE NOTES REGARDING EXISTING UTILITIES AND OTHER CLEAN WATER SERVICES TO THE SANITARY SEWER.
- END SECTIONS ARE INCLUDED IN PIPE LENGTHS SHOWN.
- PROVIDE WRAP-UP AT ALL END SECTIONS UNLESS OTHERWISE NOTED.
- PROVIDE SAND WASHMAN INLET FILTERS AT ALL CATCH BASIN MANHOLES.
- WATER MAIN TO HAVE A MINIMUM OF 5.0 FEET OF COVER.
- FIRE HYDRANTS LOCATED IN CURB ISLAND OR GREEN SPACE TO HAVE A MINIMUM OF 9" FROM EDGE OF CURB OR EDGE OF PAVED AREA (TP).
- PROVIDE A MINIMUM OF EIGHTEEN (18) INCHES OF BERRILLUM BETWEEN THE WATER MAIN AND ALL SANITARY AND STEAM MAINS.
- ADJUST ALL CENTERLINES TO BENCH MARKS.
- PIPE LENGTHS ARE TO CENTER OF STRUCTURES UNLESS OTHERWISE NOTED.
- MINIMUM COVER OVER ALL UTILITIES AS SHOWN FOR THE ENTIRE PROJECT.
- ALL STORM SEWER PIPING WITHIN ROW IS TO BE RCP 60, 8" COVER.

BENCH MARKS

- BENCH MARK A: ELEVATION: 94.229
EAST END OF DRIVE MAIN, CROSS FROM, EXHIBIT TO UTM
- BENCH MARK B: ELEVATION: 94.848
TOP OF CONCRETE BASE OF STAIN WALL IN BULLHEAD OF DRIVE MAIN, NORTH SIDE OF DRIVE MAIN
- BENCH MARK C: ELEVATION: 94.848
TOP OF CONCRETE BASE OF STAIN WALL IN BULLHEAD OF DRIVE MAIN, SOUTH SIDE OF DRIVE MAIN
- BENCH MARK D: ELEVATION: 94.448
COTTON SPINDLE IN WEST SIDE OF 18" OAK, 50 FEET NORTH OF TRIP 41
- BENCH MARK E: ELEVATION: 91.747
COTTON SPINDLE IN WEST SIDE OF 18" OAK, 80 FEET SOUTH OF TRIP 43
- BENCH MARK F: ELEVATION: 84.773
COTTON SPINDLE IN WEST SIDE OF 18" OAK, WEST SIDE OF DRIVE ROAD AT SOUTH END OF PARALLEL



OVERALL STORMWATER MANAGEMENT PLAN



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Landscape Materials

The following is a partial list of native trees, shrubs, and groundcovers that are acceptable for landscaping. The design intent is to promote the establishment of the historic bur oak savanna native plant communities as the dominant landscape type.

Native plants not listed in the Site Design Standards may be approved by the Design Review Committee.

Foundation plantings or plants near buildings can be as described in Section 2 “Site Design Standards” paragraph E., subject to approval by the Design Review Committee.

Deciduous Trees

Oak savanna Dominant species:

White Oak *Quercus alba*

Oak savanna Co-dominant species:

Bur Oak *Quercus macrocarpa*
Chinkapin Oak *Quercus muehlenbergii*

Oak savanna Canopy associates:

Red Oak *Quercus rubra*
Black Oak *Quercus velutina*
Pignut Hickory *Carya glabra*
Shagbark hickory *Carya ovata*

Other Native Trees:

Red Maple *Acer rubrum*
Common Paw Paw *Asimina triloba*
Serviceberry *Amelanchier spp.*
Alternate Leaf Dogwood *Cornus alternifolia*
Hackberry *Celtis occidentalis*
Black Gum *Nyssa sylvatica*
American Hophornbeam *Ostrya virginiana*

Evergreen Trees

Eastern Red Cedar *Juniperus virginiana*
Eastern White Pine *Pinus strobus*

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Shrubs

Oak savanna common species:

Lead plant	<i>Amorpha canescens</i>
American Hazelnut	<i>Corylus americana</i>
New Jersey Tea	<i>Ceanothus americanus</i>
Gray dogwood	<i>Cornus racemose</i>
Wild plum	<i>Prunus americana</i>
Smooth sumac	<i>Rhus glabra</i>

Other Native Shrubs:

Red Chokeberry	<i>Aronia arbutifolia</i>
Red Stem Dogwood	<i>Cornus sericea</i>
Bush Honeysuckle	<i>Diervilla lonicera</i>
Ninebark	<i>Physocarpus opulifolius</i>
Fragrant Sumac	<i>Rhus aromatica</i>
Blackhaw Viburnum	<i>Viburnum prunifolium</i>
American Cranberry Bush	<i>Viburnum trilobum</i>

Grasses / Ornamental Grasses

Oak savanna common grasses:

Big Bluestem	<i>Andropogon gerardii</i>
Little Bluestem	<i>Schizachyrium scoparium</i>
Indian Grass	<i>Sorghastrum nutans</i>

Other Native Grasses:

Sedges	<i>Carex spp.</i>
Tumble Grass	<i>Eragrostis spectabilis</i>
Bottlebrush Grass	<i>Hystrix patula</i>
Switch Grass	<i>Panicum virgatum</i>
Prairie Dropseed	<i>Sporobolus heterolopsis</i>

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Forbs

Oak Savanna Prevalent Forbs:

Hog Peanut	<i>Amphicarpaea bracteata</i>
Thimbleweed	<i>Anemone cylindrica</i>
Butterflyweed	<i>Asclepias tuberosa</i>
Smooth Aster	<i>Aster laevis</i>
Frost Aster	<i>Aster pilosus</i>
Prairie Coreopsis	<i>Coreopsis palmata</i>
Showy Tick Trefoil	<i>Desmodium canadense</i>
Daisy Fleabane	<i>Erigeron annuus</i>
Flowering Spurge	<i>Euphorbia carollata</i>
Northern Bedstraw	<i>Galium boreale</i>
White Gentian	<i>Gentiana flavida</i>
False Boneset	<i>Kuhnia eupatorioides</i>
Veiny Pea	<i>Lathyrus venosus</i>
Bush Clover	<i>Lespedeza hirta</i>
Wild Bergamot	<i>Monarda fistulosa</i>
Mountain Mint	<i>Pycnanthemum virginianum</i>
Black-eyed Susan	<i>Rudbeckia hirta</i>
Starry Campion	<i>Silene stellata</i>
Early Goldenrod	<i>Solidago juncea</i>
Yellow Pimpernel	<i>Taenidia integerrima</i>
Horse Gentian	<i>Triosteum perfoliatum.</i>
Culvers Root	<i>Veronicastrum virginicum</i>
Golden Alexandra	<i>Zizia aurea</i>

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Prohibited Plants

List of plant species that will not be accepted by the Design Review Committee. Non-native plants, invasive species, plants susceptible to diseases, and plants deemed not to be in character with the Oak savanna. Plants not listed may also be rejected by the Design Review Committee.

Deciduous Trees

Amur Maple	Acer ginnala
Box Elder	Acer negundo
Norway Maple	Acer platanoides and cultivars
Silver Maple	Acer saccharinum
Tree-of Heaven	Ailanthus altissima
Black Alder	Alder glutinosa
Russian Olive	Elaeagnus angustifolia
Ash	Fraxinus spp and cultivars
Mulberry	Mulberry spp.
Poplar	Populus spp.
Black locust	Robinia pseudocacia
Mountain Ash	Sorbus spp.
Chinese Elm	Ulmus parvifolia
Siberian Elm	Ulmus pumila

Evergreen Trees

Norway Spruce	Picea abies
Colorado Blue Spruce	Picea pungens glauca

Shrubs

Japanese Barberry	Berberis thunbergii
Autumn Olive	Elaeagnus umbellata
Burning bush	Euonymus alata
Wintercreeper	Euonymus fortunei
Privet	Ligustrum spp. and cultivars
Exotic Bush Honeysuckles and their cultivars	Lonicera maacki
	Lonicera x bella
	Lonicera tatarica
	Lonicera morrowii
	Lonicera japonica
Buckthorn	Rhamnus spp.
Black Jetbead	Rhodotypos scandens
Multiflora Rose	Rosa multiflora
Japanese Spirea	Spiraea japonica
Japanese Yew	Taxus cuspidata

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Vines

Bittersweet	Celastrus spp.
English Ivy	Hedera helix and cultivars
Halls Honeysuckle	Lonicera japonica ‘Halliana’
Boston Ivy	Parthenocissus tricuspidata
Periwinkle	Vinca spp.

Herbaceous Perennials and Grasses

Garlic Mustard	Alliaria petiolate
Smooth Brome	Bromus inermis
Asiatic Sand Sedge	Carex kobomugi
Spotted Knapweed	Centuarea stoebe
Lilly of the Valley	Convallaria majalis
Crown Vetch	Coronilla varia
Oxe-eye Daisy	Chrysanthemum vulgare
Queen Anne’s Lace	Daucus carota
Tall Fescue	Festuca arundinacea
Baby’s Breath	Gypsophila paniculate
Dames Rocket	Hesperis matronalis
Common St. John’s Wort	Hypericum perforatum
Purple Loosestrife	Lythium salicaria
Japanese Stiltgrass	Microstegium vimineum
Wild Parsnip	Patinaca sativa
Mile-a-Minute Weed	Persicaria pefoliata
Kudzu	Pueraria montana var. lobate
Reed Canary Grass	Phalaris arundinacea
Giant Knotweed	Polygonum sacalie

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Parking Lot Shading Guidelines and Calculations

The parking lot standard requires that all new parking lots include tree plantings designed to result in 25% shading of parking lot surface areas within 15 years.

Shading Calculations:

1. If a site has two or more unconnected parking areas, shade is calculated separately for each area.
2. The amount of shade provided by a given tree is determined by using the appropriate percentage and area of the tree crown. Shading credit is given in 25% increments based on the amount of the tree crown that shades the parking area as shown in Exhibit A in this Appendix.
3. Overlapping shade does not count twice.
4. Street trees and existing onsite trees that shade parking lots will be given credit.
5. Parking areas under covered stalls (carports) and in garages may be counted toward the amount of required shading provided if these areas are included as part of the total square footage of the surfaced area to be used in the shading calculations. Calculations of how these areas meet shade requirements must be shown, and all areas and their dimensions used in shading calculations must be shown on the shading and/or landscaping plan.
6. Provide shade calculations and shade legend. The planting plan may be used as the shade plan provided all required information is listed and the trees are drawn to scale.
7. Shade calculations should indicate:
 - a. Tree type.
 - b. Tree quantity.
 - c. Surfaced area (including carports, garages, etc.).
 - d. Shade area required.
 - e. Shade area proposed.
 - f. Shading credit accorded to each tree (100% = 491 square feet (sq. ft.), 75% = 368 sq. ft., 50% = 246 sq. ft., or 25% = 123 sq. ft.).

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Sample Parking Lot Shade Calculation Table:

A = Area of the pavement only (the area of islands is not included) = 19,840 **Sq. Ft.**

25% of A = **4,960 Sq. Ft.**

Use a 25-foot diameter tree and calculate provided shading as follows:

3 trees at 25%, 123 sq. ft. =	369 sq. ft.
11 trees at 50%, 246 sq. ft. =	2706 sq. ft.
4 trees at 100%, 246 sq. ft. =	<u>1964 sq. ft.</u>
Total	5,039 sq. ft

Thus, 79 sq. ft. more shading is provided than required (4,960 sq. ft.).

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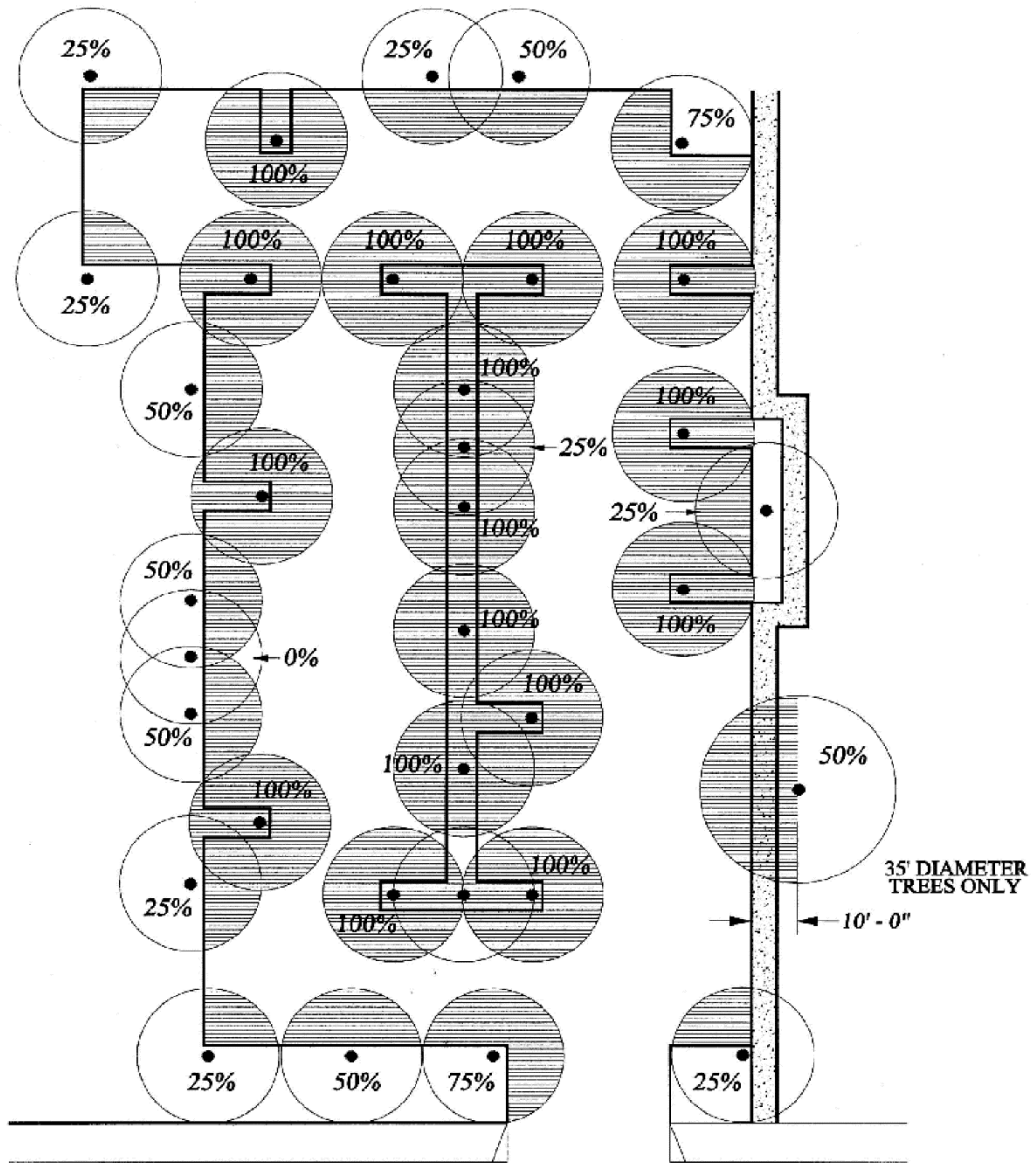


Exhibit A – Shaded Parking Lot

Notes: Trees may receive 100%, 75%, 50%, or 25% credit as shown. Shade overlap is not counted twice. This diagram is intended to reflect the manner in which shade is credited under various conditions. It is not necessarily an illustration of 25% shading or limiting parking area to 50 spaces per lot.

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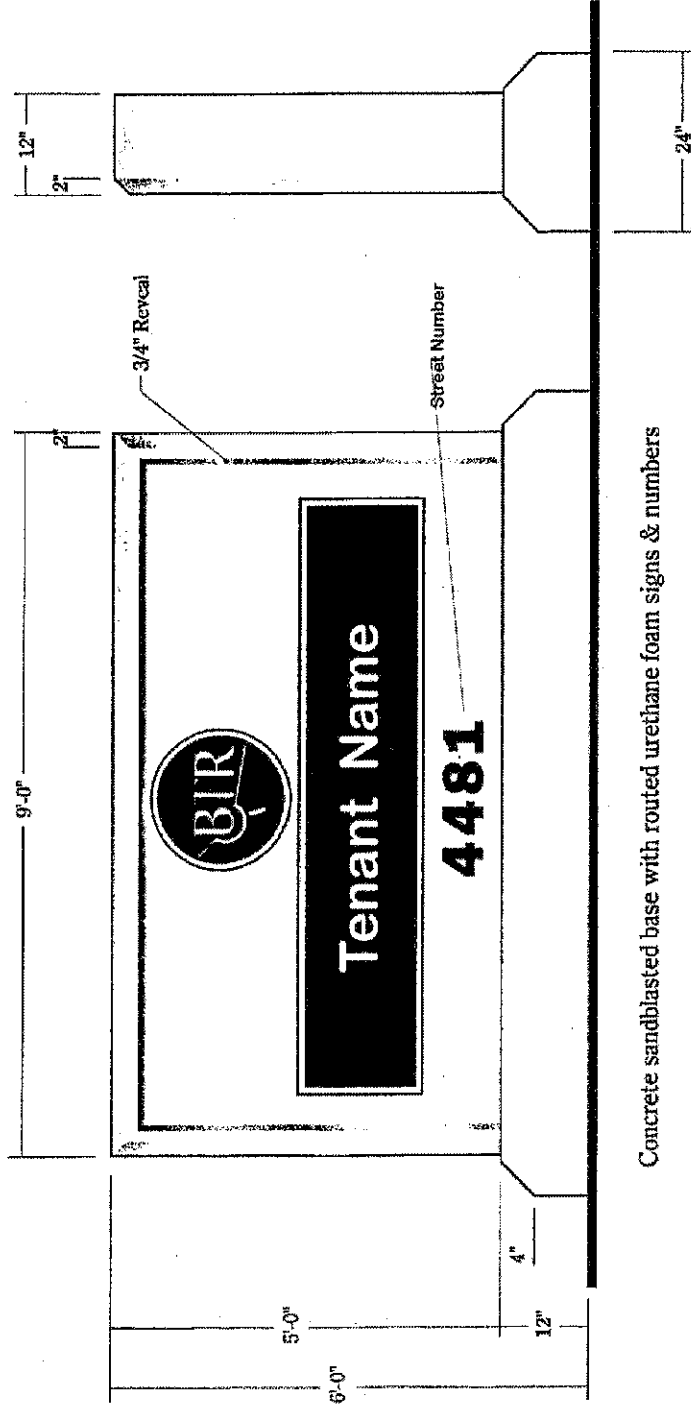
Signage Standards

- Following are the signage standards for identification of individual entities BTR Park Phase 2 development.

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MONUMENT TENANT SIGNS 1 SIDED



Concrete sandblasted base with routed urethane foam signs & numbers



Simulated Stone Products

3306 Mindi Lane Kalamazoo, MI 49001
 (269) 226-9100 fax (269) 226-9976

TYPICAL SIGN

Approved for: _____

By: _____ Date: _____

Western Michigan University

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Lighting Standards

- Following are the site lighting standards for lighting of individual entities in BTR Park Phase 2 development. Lighting standards throughout the BTR Park Phase 2 shall be developed in coordination with the lighting standards established for the new park road, Robert Jones Way. Final selections shall be made in conjunction with Consumers Energy, the University and Oshtemo Township. All lighting design, selection and installation shall follow Oshtemo Township zoning ordinance requirements and all related guidelines found in these Design and Maintenance Standards.

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December 3, 2019

Mtg Date: December 12, 2019
To: Planning Commission
From: Julie Johnston, AICP
Acting Planning Director
Subject: DRAFT Accessory Buildings Ordinance

Recently, there was some concern about how the Township was regulating accessory buildings on residential properties. Specifically, where they were permitted to be located on a parcel, lot, or building site. After a careful review of the Accessory Buildings and Setback Ordinances, it was determined that some amendments were needed to ensure the two regulations worked in concert. The Planning Commission has already reviewed the Setback Ordinance amendments and will be holding a public hearing at the November 14th meeting.

Attached are the recommended changes to *Section 57.100: Accessory Buildings*. The primary changes to this section relate to where accessory building shall be permitted on the parcel, lot, or building site; when accessory buildings require an extra level of review through a required plan; and, the criteria in which those accessory buildings will be reviewed. The intent of the amendments is to assist staff with approval procedures for those accessory buildings which do not fit the norm or exceed ordinance standards.

The amended ordinance was reviewed by the Township Attorney and Zoning Administrator to ensure the changes resolved the regulatory concerns of placement of accessory structures. At this time, staff is requesting Planning Commission review of the recommended changes.

Thank you.

Attachments: Section 57.100: Accessory Buildings – original ordinance
Section 57.100: Accessory Buildings – recommended changes

ZONING ORDINANCE

ARTICLE 57

57 – MISCELLANEOUS PROTECTION REQUIREMENTS

57.100 ACCESSORY BUILDINGS

All references to accessory building in this Section shall apply only to residential accessory buildings exceeding 200 square feet in area, including private garages, pole buildings, carports and barns/stables. This section does not apply to agricultural uses meeting the requirements of Section 4.10.

A. No accessory building shall:

1. Be used for human habitation unless the provisions of Section 50.20.A and the Building Code are satisfied.
2. Be used for purposes other than those accessory and customarily incidental to permitted residential use of the property by the owner or occupant of same.
3. Be used for any business use or home occupation unless approval is granted pursuant to Section 48.60 or 49.110.
4. Violate the setback requirements of Section 50.60.
5. Exceed a height of 20 feet on lots, parcels or building sites of 30,000 square feet or less, or a height of 25 feet on lots, parcels or building sites larger than 30,000 square feet unless approval for same is granted by the Zoning Board of Appeals pursuant to Section 57.100.B. Height shall be measured from the abutting grade to the highest point of the building.
6. Precede the dwelling upon the subject property unless approval for same is granted by the Zoning Board of Appeals pursuant to Section 57.100.B.
7. Have a width greater than one-third of the lot, building site or parcel width or 24 feet, whichever is greater.

B. Accessory Buildings Subject to Site Plan Review and Approval of the Planning Director or Designee:

1. Property is vacant.
2. Aggregate floor area of accessory buildings exceeds ground floor area of dwelling, excluding attached garages, covered porches, and breeze ways.
3. Total floor area of all buildings exceeds 20 percent of lot, building site or parcel area.
4. Accessory building is placed between the dwelling and the front property line. For purposes of this Section, corner properties shall be considered to have two front property lines.
5. Height exceeds the provisions of Section 57.100.A.5.

To ensure harmonious relationships and to minimize conflicts between adjacent uses, the Planning Director or designee shall consider the proposed characteristics and uses of the building in relation to the following: size of property, size of dwelling, proposed placement on property, existing land uses in area and future land uses as reflected in the Master Land Use Plan.

The Planning Director or designee may attach requirements to such accessory building and use when it deems necessary to avoid or mitigate adverse impacts on surrounding properties which may include a reduction in the size of the building.

The Planning Director or designee shall have the right to refer any proposed accessory building to the Zoning Board of Appeals for Site Plan review and approval.

All applications requiring Site Plan review and approval shall be accompanied by a drawing of the subject property, drawn to scale, containing the following information:

- a. A North arrow and graphic scale.
- b. All property lines and their dimensions.
- c. Location and dimensions of all existing and proposed structures (including height of all proposed accessory buildings) on the subject property and any existing buildings on adjacent properties within 50 feet of the subject property.
- d. Building elevations including building and roofing materials and color.

An application hereunder shall also include a signed statement setting forth the purpose(s) for which the proposed accessory building(s) will be used and a completed Acknowledgment of Zoning Restriction, signed by the property owner(s), on a form provided by the Township, indicating that the building may not be used for commercial purposes. The Township shall record said Restriction following construction of the building. No accessory building allowed pursuant to this subsection shall be used for a purpose other than that approved by the Planning Director, Planning Commission or Zoning Board of Appeals as appropriate.

57.100 ACCESSORY BUILDINGS

All references to accessory building in this Section shall apply only to residential accessory buildings ~~exceeding 200 square feet in area~~, including private garages, pole buildings, carports and barns/stables. This section does not apply to agricultural uses **accessory buildings** meeting the requirements of Section 4.10.

- A. **Accessory building restrictions.** No accessory building shall:
1. Be used for human habitation unless the provisions of Section 50.20.A and the Building Code are satisfied.
 2. Be used for purposes other than those ~~accessory and~~ customarily incidental to **the** permitted residential use of the property by the owner or occupant of same.
 3. Be used for any business use or home occupation unless approval is granted pursuant to Section 48.60 or 49.110.
 4. Violate the setback requirements of Section 50.60.
 5. Exceed a height of 20 feet on lots, parcels or building sites of 30,000 square feet or less, or a height of 25 feet on lots, parcels or building sites larger than 30,000 square feet unless ~~approval for same is granted by the Zoning Board of Appeals pursuant to Section 57.100.B.~~ Height shall be measured from the abutting grade to the highest point of the building.
 6. ~~Precede the dwelling~~ **Be located within the front yard of** ~~upon~~ the subject property unless approval ~~for same is granted by the Zoning Board of Appeals pursuant to Section 57.100.B.~~
 7. **Be constructed on any property prior to the construction of the primary dwelling, unless building permits are obtained for both structures concurrently.**
 8. Have a width greater than one-third of the lot, building site or parcel width or 24 feet, whichever is greater.
- B. Accessory buildings **may be approved by the Planning Director of their designee under the following conditions** ~~subject to site plan review and Approval of the Planning Director or designee:~~
1. Property where no primary dwelling is present or for which a building permit has been issued.
 - a. **Only permitted on parcels for an agricultural purpose.**
 - b. **Must meet all building setback requirements.**
 2. Aggregate floor area of accessory buildings exceeds ground floor area of dwelling, excluding attached garages, covered porches, and breeze ways.
 - a. **Total floor area does not exceed 20 percent of the total parcel, lot, or building site.**
 - b. **If approved for placement in the front yard, front yard setbacks for the primary dwelling must be observed.**
 - c. **For lots or building sites, the total height of the accessory structure may not exceed the height of the primary dwelling.**

3. Total floor area of all buildings exceeds 20 percent of ~~the parcel, lot, or building site. lot, building site, or parcel area.~~
 - a. The parcel, lot, or building site must be at least 22,000 square feet.
 - b. For each percentage of floor area in excess of 20 percent, an additional 10 feet of setback for every yard must be provided.
 - c. For lots or building sites, the total height of the accessory structure may not exceed the height of the primary dwelling.
4. Accessory building is placed between the dwelling and the front property line. For purposes of this Section, corner properties shall be considered to have two front property lines.
 - a. Prohibited on lots or building sites.
 - b. Permitted on parcels of at least 1.5 acres in size.
 - c. Must, at a minimum, meet front yard setback requirements for the primary dwelling. The Planning Director or their designee may require a larger front yard setback to ensure compatibility with adjacent properties.
5. ~~Height exceeds the provisions of Section 57.100.A.5.~~

C. Application requirements.

1. All applications requiring plan review shall be accompanied by a drawing of the subject property, drawn to scale, containing the following information:
 - a. A North arrow and graphic scale.
 - b. All property lines and their dimensions.
 - c. Location and dimensions of all existing and proposed structures (including height of all proposed accessory buildings) on the subject property and any existing buildings on adjacent properties within 50 feet of the subject property.
 - d. Building elevations including building and roofing materials and color.
2. Use statement. A signed statement setting forth the purpose(s) for which the proposed accessory building(s) will be used.
3. Acknowledgement of Zoning Restrictions. A completed Acknowledgment of Zoning Restriction, signed by the property owner(s), on a form provided by the Township, indicating that the building may not be used for commercial purposes. The Township shall record said Restriction following construction of the building.

- D. **Plan Review considerations.** To ensure harmonious relationships and to minimize conflicts between adjacent uses, the Planning Director or designee shall consider the proposed characteristics and uses of the building in relation to the following: size of property, size of dwelling, proposed placement on property, existing land uses in area and future land uses as reflected in the Master Land Use Plan.

The Planning Director or designee may attach requirements to such accessory building and use when it deems necessary to avoid or mitigate adverse impacts on surrounding properties which may include a reduction in the size of the building.

E. Appeal to the Zoning Board of Appeals. If the Planning Director or their designee denies an accessory building based on the considerations outlined in Section 57.100.D noted above, the property owner shall have the right to refer appeal this decision any proposed accessory building to the Zoning Board of Appeals. The Zoning Board of Appeals shall hold a public hearing at their next available meeting, complying with all noticing requirements for a public hearing. for Site plan review. and approval. All applications requiring Site Plan review and approval shall be accompanied by a drawing of the subject property, drawn to scale, containing the following information:

1. ~~A North arrow and graphic scale.~~
2. ~~All property lines and their dimensions.~~
3. ~~Location and dimensions of all existing and proposed structures (including height of all proposed accessory buildings) on the subject property and any existing buildings on adjacent properties within 50 feet of the subject property.~~
4. ~~Building elevations including building and roofing materials and color.~~

~~An application hereunder shall also include a signed statement setting forth the purpose(s) for which the proposed accessory building(s) will be used and a completed Acknowledgment of Zoning Restriction, signed by the property owner(s), on a form provided by the Township, indicating that the building may not be used for commercial purposes. The Township shall record said Restriction following construction of the building.~~

F. ~~No accessory building allowed pursuant to this subsection shall be used for a purpose other than that approved by the Planning Director, Planning Commission or Zoning Board of Appeals as appropriate.~~



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

Planning Commission

Second and Forth Thursday of every month @ 6PM

2020 Meeting Dates

<i>2nd Thursday of the Month</i>	<i>4th Thursday of the Month</i>
01/09	01/30*
02/13	02/27
03/12	03/26
04/09	04/30
05/14	05/28
06/11	06/25
07/09	07/30*
08/13	08/27
09/10	09/24
10/08	10/29*
11/12	11/25*
12/10	12/23*
01/14/21	01/28/21

*Dates shifted to avoid holidays or for consistency with the Development Schedule of Applications.