

**OSHEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD APRIL 27, 2017

Agenda

OLD BUSINESS

- a. **MAPLE HILL SUB-AREA PLAN WORKSHOP OUTCOMES**

ANY OTHER BUSINESS

- a. **AXIOM ADVISORY GROUP – CONDITIONAL REZONING DISCUSSION**
 - b. **SECTION 290.000: SUBDIVISION, SITE CONDOMINIUM AND LAND DIVISION ORDINANCE REVIEW**
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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, April 27, 2017, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Wiley Boulding Sr., Chairperson
Fred Antosz, Vice Chairperson
Ollie Chambers
Dusty Farmer, Secretary
Mary Smith
Bruce VanderWeele

MEMBERS ABSENT: Cheri Bell

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

Call to Order and Pledge of Allegiance

Chairperson Boulding, Sr., called the meeting to order at approximately 7:00 p.m., and the "Pledge of Allegiance" was recited.

Agenda

The Chairperson asked if there were any additions, deletions or corrections to the Agenda. Hearing none, he asked for a motion to approve the agenda.

Mr. VanderWeele made a motion to approve the agenda as presented. Ms. Smith supported the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

The Chairperson called for public comment on non-agenda items. Hearing none, he proceeded to the next agenda item.

Approval of the Minutes of April 13, 2017

Chairperson Boulding, Sr. asked if there were any additions, deletions or corrections to the Minutes of April 13, 2017. Hearing none, he asked for motion to approve the minutes.

Mr. Chambers made a motion to approve the minutes of April 13, 2017 as presented. Mr. VanderWeele supported the motion. The motion was approved unanimously.

OLD BUSINESS

a. MAPLE HILL SUB-AREA PLAN WORKSHOP OUTCOMES

Chairperson Boulding, Sr. moved to the next item on the agenda, and asked Ms. Johnston for her presentation.

The purpose of the workshop held on Thursday, March 30, 2017 was to include community members as part of the planning process to determine development preferences for the Maple Hill Drive Sub-area, which will be a component of the updated Master Plan. About 400 interested citizens were invited; more than 50 attended the workshop, most from the single family neighborhood located to the south and east of the subject site. Ms. Johnston summarized the outcomes from the workshop.

She said general results of the group exercises reflected most participants preferred development with lower to mid-density single family homes. Small scale local or mixed use commercial businesses to serve the immediate area were preferred, using higher quality styles and materials for two-story buildings containing commercial/retail on the first floor and other uses on the second floor. The public amenities they were most interested in were sidewalk cafes, bike paths and green space/parks.

A total of eight small groups were formed to work together to complete the evaluation of the study area. The following common key themes or “shared values” emerged across the eight groups.

Land uses:

- A buffer consisting of open space and complementary recreational uses, e.g. playgrounds, parks, trails, etc. should be located along the south property line between the site and the neighborhoods to the south
- Commercial and retail uses, including mixed use buildings, should be located along the north property line
- A mixture of office and mixed use building should be located to the west, adjacent to US-131.

Connections and Mobility:

- All eight plans suggested a street connection to the site from the north (Main Street) through an extension of existing streets and driveways into the site
- The majority of the plans proposed the creation of a large buffer area along the southern boarder
- Half of the plans proposed a street connection to the existing commercial area (and ultimately Drake Road) to the east
- Several plans suggested the creation of pedestrian trails and bicycle lanes on the site, potentially connecting into the existing street network of the neighborhoods to the south.

Chairperson Boulding, Sr. thanked Ms. Johnston for the report and asked if there were Board comments.

Ms. Farmer indicated that there is a gate on the south side of the apartment complex, near the condominium development, which would provide a connection. She also indicated a connection to the adjacent apartment complex.

Ms. Johnston said the Road Commission indicated that when the apartments were developed they need to have two access points. She conjectured that the reason the connection was closed off may be it is between two private complexes with no access agreement. She noted those apartments that connect at Driftwood have a second access through a single-family subdivision. That needs to be looked at as part of the study. She noted many residents who attended the workshop cited the connection issue was their sole reason for participating in the workshop.

Ms. Johnston said the next steps in this process will be to prepare a final draft of the Sub-Area Plan for the Commission to consider at the second meeting in June.

OTHER BUSINESS

a. AXIOM ADVISORY GROUP – CONDITIONAL REZONING DISUSSION

Ms. Johnston told the Board that Mr. John Salsberry of the Axiom Advisory Group wanted to speak with them regarding a possible conditional rezoning of the 37-acre property immediately east of 6660 West Main Street, which is the Meijer store. The request would be to conditionally rezone to C: Local Business District to allow for an office “campus” use and possible small scale retail near West Main Street.

She said the current zoning of the property is R-2: Residence District with the optional West Main Overlay Zone. The Overlay allows for commercial uses to be developed within the first 330 feet of property immediately adjacent to West Main Street. Unfortunately, the limited size of the commercial property within the West Main Overlay would not allow for the scale of development desired by the potential applicants and office uses are not permitted within the R-2 District.

A conditional rezoning would allow restrictions to be voluntarily placed on the property to help alleviate any concerns that the rezoning might cause. The applicant provides a list of conditions which can be related to both the use and development of the land.

Prior to making a formal submittal, the Axiom Advisory Group would like to discuss with the Planning Commission the concerns that might be raised as part of a conditional rezoning application. Their intent is to ensure that any conditional rezoning application would alleviate concerns with voluntary conditions placed on the project.

In response to questions from the Board, Attorney Porter said the four corners at West Main and 9th Street have been zoned commercial for decades, since they were 2-lane roads.

Ms. Johnston said the West Main overlay, put in place in 2012, was to allow commercial development on West Main but prevent any more big box retail stores. She noted the overlay is optional.

Chairperson Boulding, Sr. asked if the applicant wished to speak to the Board.

Mr. John Salsberry, of Axiom Advisory Group, said he represents a client who has the 37-acre property under contract. What is being considered is a multi-story office building to be used as a corporate headquarters with some retail on the first floor which may include a coffee shop and other uses that might service on office development. The multi-story building, likely consisting of 3-4 stories, would total about 150,000 square feet. The desire is for conditional rezoning of the entire site to allow for future growth; the entire building will not likely be used at the beginning of the project; plans are to “grow” into the space. There is no desire for multi-family dwellings or for big box retail.

He said his client wished to hear comments and concerns from Commissioners and wants to address any conditions established. He explained this development would bring around 300 to 400 jobs and people to the site.

In response to a question from Ms. Smith, Mr. Salsberry indicated they would want to build close to West Main Street and would abide by set back and height restrictions. He said the building would be about the size of some of the office buildings along I-94 in Portage.

Ms. Johnston addressed questions regarding traffic concerns saying it is hoped all properties could be connected by a new road and that there may be a different traffic configuration, possibly relocating a drive and adding a traffic light. A solution requires negotiations with MDOT and the Road Commission.

Ms. Farmer expressed her concern for neighboring residential property owners and the desire to maintain a transitional area between commercial and residential zones.

Ms. Johnston said she thought a condition for the project would be that all retail and commercial uses comply with the overlay zone as it is intended to be developed.

Attorney Porter said under conditional rezoning the applicant has to develop their project complying with specific conditions, which is why Mr. Salsberry is talking with the Board. They are looking for ways to buffer the residential zone and can offer things to the Board on which they would base any development.

Ms. Smith was concerned about traffic increase in general and specifically onto Westlins Avenue.

Ms. Johnston said from a staff perspective office space is a great use for this property and could provide a nice transition. The goal is to protect the residential neighborhood so they see this as a positive development.

Mr. Antosz suggested the developers talk with close residents to see what their concerns might be and Mr. Boulding, Sr. noted the last time this property was considered for development there was concern regarding a sufficient buffer.

Mr. Salsberry explained there has been significant discussion regarding a buffer and that the plan is to provide a very good buffer, possibly including a natural walking path. His client will look at that. They will also do a traffic flow study. He reiterated that they want to address concerns.

Ms. Johnston suggested lighting may be an issue for residents and that berming with evergreen trees would provide a good year-round buffer.

Mr. VanderWeele noted the northwest corner of that area provides drainage for Meijer and due to the clay there it does not work well; that may be a significant issue.

Ms. Johnston suggested making the building shorter and bigger vs. narrow and taller and using existing topography to keep the height down.

Mr. Salsberry assured the Board the corporate headquarters would be a beautiful building.

In response to a question from Ms. Smith, Mr. Salsberry said Axiom is a real estate consultant that helps clients acquire sites and help them through the process. For now, the owner wants to remain confidential.

Hearing no further discussion; the Chairperson moved to the next agenda item.

b. SECTION 290.000: SUBDIVISION, SITE CONDOMINIUM AND LAND DIVISION ORDINANCE REVIEW

Ms. Johnston said recent subdivision and site condominium developments submitted to the Township brought clarity to a disconnect between the Township's Master Plan and development regulations, particularly within areas zoned Rural Residential. Several amendments and/or projects were initiated consecutively to help address this inconsistency.

She noted the changes recommended here are for the general ordinance, not the zoning ordinance. The subdivision and site condominium ordinances were combined into one for ease of use, to streamline the process and to ensure both development types are treated similarly.

Ms. Johnston said changes included an updated Definitions section, a more clearly described outline of the approval process, and an update of the required information on plan sets for each step.

The main change is to Section 290.008, which outlines the development requirements. The old language was nebulous. Specific language was created for how development should occur. The biggest change in 290.008 is the Natural Features and the Natural Features Protection District sections. The intent is to protect natural features, to varying degrees, depending on the location of development within the Township and the sensitivity of the natural features. There is a higher standard of protection in undeveloped areas. WMU mapped the natural features within AG and RR districts. Depending on the location of the project, there are requirements for additional protections for each property to help developers determine where to preserve and where to develop. Within the district, up to 40 percent of the land must be preserved depending on the percentage of land included within the Natural Features Protection District. These regulations help to balance public and private property rights.

In answer to a question about enforceability, Ms. Johnston said if the Board adopts the revisions proposed they must be followed.

Attorney Porter said he reviewed the changes with Ms. Johnston and appreciates the balance reflected. The new wording is not so restrictive that it will not withstand scrutiny from a legal standpoint. It contains specific limitations on specific areas. He said he saw nothing that would be in conflict with federal regulations. In the past there was a purpose statement but it was not connected to specific criteria. These changes will help maintain the integrity and character of the Township. He complimented Ms. Johnston on her planning and writing expertise.

There was discussion of the moratorium currently in effect until June 1st and the desire to implement these changes in a timely way.

Ms. Johnston pointed out the implementation of the revisions will help to create habitat corridors or green ways, by connecting similar areas at their edges. She also noted an out has been provided that would be based on an assessment report from a licensed landscape architect or a professional trained in environmental biology.

She added that she has requested OCBA to create a subdivision plan based on the new requirements and hopes to have it for the next Planning Commission meeting. She noted Staff has worked on this for six months and finally feel it is at a point for the Board to review.

Attorney Porter said Staff did a tremendous job on this project and he hoped the revised document would be in place before the moratorium expires a second time.

It was the consensus of the Board that they would like to see the subdivision plan from OCBA come to the Board at the May 11 meeting and that a Public Hearing be scheduled for the meeting on May 25.

As there was no other business to discuss, Chairperson Boulding, Sr. moved to Planning Commissioner Comments.

PLANNING COMMISSIONER COMMENTS

The Chairperson asked if Commissioners had comments to share.

Ms. Farmer noted a special issue of the *Oshtemo Newsletter* was published in order to include an invitation to participate in a survey regarding the Master Plan update, the Memorial Day weekend Oshtemo Rotary Family Festival, and the update on the Oshtemo Township Sewer Update. She said she hopes to publish the Newsletter more often than in the past.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Boulding, Sr. asked for a motion to adjourn.

Mr. Antosz made a motion to adjourn the meeting. Mr. Chambers supported the motion. The motion passed unanimously.

The Planning Commission meeting was adjourned at approximately 8:20 p.m.

Minutes prepared:
April 29, 2017

Minutes approved:
May 11, 2017