

the site. Mr. Gusmundo and Mr. Aardema provided some information related to their planning efforts with a renowned designer of Town Center developments and their wish for flexibility on the site.

It was decided that staff would make changes to the current Plan to be more narrative in nature as opposed to the prescribed Future Land Use Plan currently provided. In addition, the Plan would be illustrative to help describe the type of development intended. Ms. Johnston stated she would have a draft Plan for review at the August 24th meeting.

Additional discussion was had on the Rural Character Preservation Strategy and the Future Land Use Plan. Ms. Johnston indicated the work done to date on these sections of the Update and felt the drafts were very close to complete. She outlined the additional dates for public input on these documents.

ANY OTHER BUSINESS

Ms. Johnston informed the Planning Commission of what occurred at the Township Board hearing of the Advia Conditional Rezoning request. She indicated that their revised application is expected to be on the September 14th Planning Commission agenda.

ADJOURNMENT

Hearing no other business, Chairperson Boulding, Sr., adjourned the work session at 6:50 p.m.

Agenda

Chairperson Boulding, Sr. 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. Mr. Chambers 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, Chairperson Boulding, Sr. moved to the next agenda item.

Approval of the Minutes of the Regular Meeting of July 13, 2017 and the Work Session of July 27, 2017

Chairperson Boulding, Sr. asked if there were any additions, deletions or corrections to the Minutes of the Regular Meeting of July 13, 2017 or the Minutes of the Work Session of July 27, 2017.

Hearing none, the Chairperson asked for a motion to approve the two sets of minutes as presented.

Mr. VanderWeele made a motion to approve the Minutes of the Regular Meeting of July 13, 2017 and the Minutes of the Work Session of July 27, 2017 as presented. Mr. Chambers supported the motion. The motion was approved unanimously.

PUBLIC HEARING: REZONING – BTR 2.0 **CONSIDERATION OF AN APPLICATION FROM OSHTEMO CHARTER TOWNSHIP TO REZONE APPROXIMATELY 53.4 ACRES OF VACANT LAND LOCATED EAST OF US-131, WEST OF DRAKE ROAD, BETWEEN STADIUM DRIVE TO THE NORTH AND PARKVIEW AVENUE TO THE SOUTH, FROM R-2: RESIDENCE DISTRICT TO THE BRP: BUSINESS AND RESEARCH PARK DISTRICT, IN COMPLIANCE WITH THE GENESEE PRAIRIE SUB-AREA PLAN OF THE TOWNSHIP MASTER PLAN.** **PROPERTY OWNER: WESTERN MICHIGAN UNIVERSITY. PARCEL NO. 3905-25-430-010.**

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

Ms. Johnston said Oshtemo Charter Township was requesting the subject property be rezoned as a step in implementing the Genesee Prairie Sub-Area Plan, which was adopted as part of the 2012 Master Plan. The Sub-Area Plan indicates this parcel as an Enterprise Park with the specific purpose of allowing the expansion of the Western Michigan University (WMU) Business Technology Research (BTR) Park.

She explained the property in question used to be called Colony Farm Orchard and was part of a larger tract of land, which included Asylum Lake, owned by the Kalamazoo State Hospital since the 1880s. The State Hospital farmed the property but gradually abandoned the orchard, and by 1969 had stopped using the land in any capacity. Michigan State University (MSU) began using the orchard for entomological research in 1963 and continued this use even after the property was conveyed to WMU in 1977. After the removal of deed restrictions on the property in 2009, the ability to expand the existing BTR Park came to fruition.

Currently, she said the property is mostly wooded with some remnants of the original orchard still intact. Drake Road is located immediately to the east of the subject site with the Asylum Lake Preserve on the east side of Drake Road. An undeveloped property owned by the WMU Foundation is found to the north of the site and the BTR Park is across Parkview Avenue to the south. US-131 bounds the property on the west.

Ms. Johnston listed the generally recognized factors that the Planning Commission must consider prior to a rezoning decision and indicated the rezoning request met all conditions.

She recommended the Planning Commission forward a recommendation of approval to the Township Board for the rezoning of the subject property to the BRP: Business and Research Park District for the following reasons:

1. The proposed rezoning is consistent with Genesee Prairie Sub-Area Plan, including the future land use map provided in the Plan.
2. The proposed rezoning is compatible with the surrounding land uses and zoning classifications.

Chairperson Boulding, Sr. thanked Ms. Johnston for her report and asked if Commissioners had questions for her.

In response to questions, Ms. Johnston said any development plans for the BTR Park would need to come back to the Planning Commission for approval, the bee hives kept on the property by the Kalamazoo Bee Club have been removed from the property, WMU expects there will be construction in 2018, but no sites have yet been sold. There are plans for 7 separate parcels, but since development will be a site condominium it will depend upon users' needs. The very north area adjacent to Stadium Drive is not part of the project; the project does not abut Stadium Drive. The area of steep topography at the northern end of the property is being set aside as open space.

Attorney Porter noted the set aside will help protect water quality across the street.

There were no further questions from the Board, nor were there any comments from the public; Chairperson Boulding, Sr. moved to Board Deliberation.

Ms. Farmer noted WMU pulled back initially from their plans for this property when there was outcry from the community, and developed a concept plan in response to public input that limited development from what was first proposed. She noted the proposal includes walkable trails, and green space for the public to use. She added the Township will begin collecting taxes when the sites are sold.

Attorney Porter added that WMU will be looking for buyers whose goals and objectives are compatible with those of the university and who will provide opportunities for students and graduates of WMU.

In response to a question from Chairperson Boulding, Sr., Ms. Johnston said since the property will be developed as a site condominium, common areas will have deeded restrictions. The university will likely keep some land along Drake Road where they have infrastructure, but the majority of land will be sold.

Hearing no further comments from Board Members, the Chair asked for a motion.

Ms. Bell made a motion to forward a recommendation of approval to the Township Board for the rezoning of the subject property to the BRP: Business and Research Park District for the reasons provided by Staff. Mr. VanderWeele supported the motion. The motion was approved unanimously.

**PUBLIC HEARING: REZONING – DRAKE FARMSTEAD
CONSIDERATION OF AN APPLICATION FROM OSHTEMO CHARTER TOWNSHIP
TO PLACE THE HISTORIC OVERLAY ZONE ON APPROXIMATELY 26.35 ACRES
OF LAND KNOWN AS THE DRAKE FARMSTEAD, 927 NORTH DRAKE ROAD.
PARCEL NOS. 3905-13-230-030 AND 3905-13-230-040.**

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

Ms. Johnston explained the Drake Farmstead encompasses 26 acres located on Drake Road just north of West Main Street. In October of 2015, Oshtemo Township approved a development master plan for the adaptive re-use of the historic Farmstead that is consistent with its historic nature and character. The Township and the Oshtemo Historical Society are working to create an active history center supportive of the property's past as a working farm. With that in mind, the final master plan includes things like a carriage and event barn, outdoor event lawn, educational garden and other agriculture related activities that could promote rural education, recreated gardens in an historic style, walking trails with benches and improvements to the historic home.

Due to the current zoning of the property (Local Business District and Residential), she said many of the uses outlined in the Drake Farmstead Master Plan would not be permitted. For example, commercial agricultural uses would not be allowed within the area zoned C: Local Business District. Staff debated the best

approach to address this issue so the Farmstead could move forward as planned. It was determined that due to its historic nature and the intended uses of the park, placing the Historic Overlay Zone generally over the entire property was the best approach. The permitted uses within the Historic Overlay Zone under Section 54.200 are as follows: *Any use significant to the historical purpose or characteristics of the property.*

Ms. Johnston explained this language provides opportunities for the Drake Farmstead to be used in a manner that is historically significant to the property, which would include commercial farming. Section 54.200 also allows any uses permitted by the underlying zoning. The underlying zoning for the Farmstead is predominately C: Local Business District, which would allow for the type activities planned in the event barn. Through the underlying zoning and the placement of the Historic Overlay Zone on the property, all uses and activities outlined in the Drake Farmstead Master Plan would be permitted by right.

She said the placement of the Historic Overlay Zone should have minimal impact on adjacent properties. The principal encumbrance to the Overlay Zone is the enhanced setbacks required for any adjacent buildings or structures. Section 64.710 of the Setback Ordinance states that any adjacent property zoned commercial, industrial or the R-3 or R-4 Residence Districts, are required to have buildings setback 100 feet from the boundary of the Historic Overlay Zone. In an effort to address this issue and ensure no resulting nonconforming buildings, she said Staff recommended placing the Overlay Zone 50-feet from the southern property line.

Ms. Johnston said apartment buildings located to the north of the subject site are approximately 170 feet from the property line, outside of the needed 100-foot setback. This is not the case for the commercial building to the south of the Farmstead. This building is located 65 feet from the property boundary of the subject site. By moving the Historic Overlay Zone 50 feet north of the property boundary, the burden of the enhanced setback is equally shared by both the subject site and the adjacent properties. In addition, this placement avoids the Gordon Food Service building at 827 North Drake Road from becoming nonconforming.

Ms. Farmer wanted to be sure the placement of the Overlay Zone 50 feet north of the southern property line would be clearly documented for future reference.

Attorney Porter said this action should mitigate any negative impacts on neighbors and felt it was commendable to include half the set back on the Township's own property.

Mr. Antosz suggested including the wording for the setback in a motion for approval.

Ms. Johnston recommended the Planning Commission forward a recommendation of approval to the Township Board to place the Historic Overlay Zone on the Drake Farmstead property as proposed. She said the recommendation was

based on the following considerations as well as to allow the Township to follow its own rules and regulations:

1. The placement of the Historic Overlay Zone will allow the Drake Farmstead Master Plan to be realized.
2. The proposed rezoning is compatible with the surrounding land uses and zoning classifications and will have no impact on adjacent properties.

The Chair opened the meeting for public comment. Hearing no public comments or Board comments, the Chairperson asked for a motion.

Mr. Antosz made a motion to recommend approval to the Township Board approval to place the Historic Overlay Zone on the Drake Farmstead property as proposed based on considerations described by Staff, and that the Historic Overlay Zone be placed 50 feet north of the Township's southern property line. Mr. VanderWeele supported the motion. The motion was approved unanimously.

OLD BUSINESS

There was no old business to consider.

ANY OTHER BUSINESS

Ms. Johnston noted she received a letter from Kathleen Garland Rike, who attended the recent Future Land Use open house; the letter outlined her concerns and will be included as part of the public input in the Master Plan update.

PLANNING COMMISSIONER COMMENTS

Ms. Farmer asked Attorney Porter to clarify wording to be used when the Chair requests a motion.

Attorney Porter said it is typical for a chair to limit the request to "entertain a motion" or "entertain a motion to accept or deny" a request, in order to allow the person making the motion to provide the wording.

Chairperson Boulding, Sr. thanked Attorney Porter for the clarification.

Ms. Farmer noted Movies in the Park, Music in the Park and Oshtemo Fun Days are all coming up.

Ms. Bell made three comments, 1) she recommended Commissioners attend the Drain Commissioner's Water Educational Session, which is schedule for next week Thursday; she attended the last one and found it very worthwhile, 2) she wondered if

there is anything in place to allow the Township to identify and be proactive in acquiring large parcels of land in the Township; and 3) she announced the County's Community Action Agency has extra funding for low income residents for utilities and asked that the information be passed on to anyone who could utilize the assistance.

ADJOURNMENT

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

The Planning Commission meeting was adjourned at approximately 7:45 p.m.

Minutes prepared:
August 12, 2017

Minutes approved:
August 24, 2017