# OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

### MINUTES OF A VIRTUAL MEETING HELD JULY 29, 2021

#### Agenda

<u>PUBLIC HEARING: SPECIAL USE, T-SHIRT PRINTING PLUS BUILDING ADDITION</u>
Delta Design Systems, on behalf of the owner, Gary Peshl, was requesting site plan and special use approval to construct a 7,800 square foot addition onto the existing building located at 8608 W. Main Street.

# <u>PUBLIC HEARING: SPECIAL USE, HUNTINGTON RUN MOBILE PARK</u> EXPANSION

Huntington Run Partners LLC was requesting site plan and special use approval to expand the Huntington Run Mobile Home Park onto a neighboring 8-acre parcel to the west. The proposed expansion would provide an additional 31 mobile home units to the park.

A virtual meeting of the Oshtemo Charter Township Planning Commission was held Thursday, July 29, 2021, commencing at approximately 6:00 p.m.

ALL MEMBERS WERE PRESENT: LOCATION

Bruce VanderWeele, Chair
Micki Maxwell, Vice Chair
Kizzy Bradford
Deb Everett
Alistair Smith
Anna VerSalle
Chetan Vyas
Oshtemo
Oshtemo
Oshtemo

Also present were Iris Lubbert, Planning Director, Colten Hutson, Zoning Administrator, James Porter, Township Attorney, and Martha Coash, Recording Secretary. Several guests were present.

### Call to Order and Pledge of Allegiance

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

### Approval of Agenda

Hearing no changes, the Chair let the agenda stand as published.

### Approval of the Minutes of the Meeting of June 24, 2021

The Chair asked if there were additions, deletions, or corrections to the Minutes of the Meeting of June 24, 2021. Hearing none, he asked for a motion.

Mr. Vyas <u>made a motion</u> to approve the Minutes of June 24, 2021, as presented. Ms. Maxwell <u>seconded the motion</u>. The <u>motion was approved</u> unanimously by roll call vote.

Chairperson VanderWeele moved to the next agenda item and asked Mr. Hutson for his presentation.

<u>PUBLIC HEARING: SPECIAL USE, T-SHIRT PRINTING PLUS BUILDING ADDITION</u>
Delta Design Systems, on behalf of the owner, Gary Peshl, was requesting site plan and special use approval to construct a 7,800 square foot addition onto the existing building located at 8608 W. Main St.

Mr. Hutson explained Delta Design Systems, on behalf of the owner, Gary Peshl, was requesting site plan and special use approval to construct a 7,800 square foot addition onto the existing building located at 8608 W Main Street. Currently serving as a multi-tenant building consisting of two businesses, the applicant was seeking to expand their business operations. The expansion will serve as additional space for indoor recreational activities and retail sales.

8608 W Main Street, parcel no. 15-16-180-042, falls within the C: Local Business District zoning classification. The proposed indoor recreational use, a batting cage operation for baseball activities, is a permitted Special Use within the C: Local Business District. The retail sales use of this proposal is a permitted use by right within the C: Local Business District.

When reviewing this Special Use request, two sets of criteria need to be considered: the general Site Plan review criteria outlined in Section 64, and the general Special Use review criteria outlined in Section 65.30. He reviewed each item and indicated overall, most requirements of Section 64 and Section 65.30 have been met.

Mr. Hutson said Planning Department staff recommended approval of the proposed Special Use and Site Plan for the multi-tenant building located at 8608 W Main Street with one condition:

 The applicant shall submit and obtain a Soil Erosion and Sedimentation Control (SESC) permit from the Kalamazoo County Drain Commissioner's Office prior to building permit issuance.

Chairperson VanderWeele determined there were no questions from Commissioners for Mr. Hutson and asked whether the applicant wished to speak.

Mr. Scott Musser indicated if the project is approved, what they would be doing is finishing off the corner of the existing building.

There being no questions for Mr. Musser from Commissioners, the Chair moved to Public Hearing. Hearing no comments from members of the public, the Chair moved to Board Deliberations.

Mr. Vyas wondered if there would be any impact on traffic due to the expansion.

Mr. Musser said there would not be any significant impact, that the project would just provide breathing room within the building.

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

Ms. Maxwell <u>made a motion</u> to grant special use and approve the site plan for expansion of the existing multi-tenant building at 8608 W. Main Street as presented, with the condition that the applicant shall submit and obtain a Soil Erosion and Sedimentation Control (SESC) permit from the Kalamazoo County Drain Commissioner's Office prior to building permit issuance as recommended by Staff. Mr. Vyas <u>seconded the motion</u>. The <u>motion was approved</u> unanimously by roll call vote.

The Chair moved to the next agenda item and asked Mr. Hutson for his presentation.

# <u>PUBLIC HEARING: SPECIAL USE, HUNTINGTON RUN MOBILE PARK</u> EXPANSION

Huntington Run Partners LLC was requesting site plan and special use approval to expand the Huntington Run Mobile Home Park onto a neighboring 8-acre parcel to the west. The proposed expansion would provide an additional 31 mobile home units to the park.

Mr. Hutson said Huntington Run Partners LLC was requesting site plan and special use approval to expand the Huntington Run Mobile Home Park onto a neighboring 8-acre parcel to the west. The proposed expansion, if approved, will provide 31 additional mobile home units to the park. All four parcels are zoned R-5 Residence District.

He explained Huntington Run Mobile Home Park currently spans over 38 acres and has 177 mobile home units. If the expansion were approved, the mobile home park will have 208 mobile home units on an area of approximately 46 acres. The existing portion of the mobile home park is located at 6255 Cranbrook Lane along Atlantic Avenue, with the expansion area adjacent to its immediate west. Mobile home parks are listed as a special use within the R-5 district. Site plans for special exception uses of this nature generally go through a formal review process that begins at an administrative level and then ultimately goes before the Township Board following approval from the Planning Commission.

The 8-acre parcel housing the proposed expansion is within the Village Form Based Code Overlay Zone. Permitted and special uses in the Village Form Based Code

Overlay Zone are designated by the underlying zoning district. As noted above, the expansion area is zoned R -5 Residence District which allows for mobile home parks as a special use. The Overlay does not provide standards for mobile home parks and therefore is not applicable to this request.

Mr. Hutson explained when reviewing a request for Special Use, three sets of criteria need to be considered: 1) the general site plan review criteria outlined in Section 64, 2) the general special use review criteria outlined in Section 65.30, and 3) the specific requirements for special uses outlined in Section 49.150. He provided an analysis of the proposal against these three Sections and indicated overall, most of the requirements of Section 64, Section 65.30, and Section 49.150 have been met.

He said Planning Department staff recommended approval of the proposed Special Use and Site Plan for the mobile home park expansion with the following 12 conditions:

- 1) A permit by the Road Commission of Kalamazoo County authorizing the emergency access drive will be required prior to building permit issuance.
- 2) A permit by the Road Commission of Kalamazoo County authorizing the deceleration lane will be required prior to building permit issuance.
- 3) A photometric plan shall be submitted to the Township for review and approval prior to building permit issuance.
- 4) A revised site plan and landscaping plan shall be submitted and approved by Township staff showing consistency in fencing prior to building permit issuance.
- 5) A revised site plan shall be submitted and approved by Township Staff showing the correct minimum setbacks for all front, side or rear yards prior to building permit issuance.
- 6) A revised site plan shall be submitted and approved by Township staff in which eliminates the annotation describing that an escrow account is to be established for future sidewalk installation prior to building permit issuance.
- 7) All non-motorized facilities on the approved site plan shall be installed prior to issuing a certificate of occupancy.
- 8) A revised site plan shall be submitted showing the configurations and square footages of the individual sites within the entire mobile home park, expansion and existing prior to building permit issuance.
- 9) An updated planning and zoning application be submitted with the signatures of the applicant and owner prior to building permit issuance.
- 10) A Soil Erosion and Sedimentation (SESC) permit is obtained from the Kalamazoo County Drain Commissioner's Office prior to building permit issuance.
- 11) Applicant will be required to produce the mentioned documents and materials outlined in Section 49.150(P) of Oshtemo Township's Zoning Ordinance prior to issuing a certificate of occupancy.
- 12) The subject mobile home park shall comply with the requirements imposed by Michigan Public Act 419 of 1976 and any and all amendments thereto and

with any and all regulations promulgated thereunder by the Michigan Mobile Home Commission and the Michigan Department of Public Health, except as said Act and regulations may be modified by the provisions in Section 49.150: Mobile Home Parks and Accessory Buildings, and Uses.

Chairperson VanderWeele thanked Mr. Hutson for his report and asked whether Commissioners had questions for him.

Mr. Smith said he understood Mr. Hutson to say allowing a mobile home park in an R-5 area was against the Master Plan and wondered if that is a conflict.

Attorney Porter said this was a special use accommodation that the Township has already made when this property was zoned R-5, so the land use bridge in this case has already been crossed.

Ms. Maxwell asked if a deceleration lane is included in the plan.

Ms. Lubbert indicated in this case they are concerned the existing one is too small. The Road Commission will make the determination whether it needs to be upgraded or whether one is needed at both entrances.

Attorney Porter noted the park has already received a variance to allow there to be only one entrance into the park, rather than two full access emergency access points.

Ms. Lubbert said the new emergency access curb cut will be looked at by the Road Commission to see what needs to be done. Building will be done to county standards by permit.

Mr. Robb Lamer, Exxel Engineering, indicated a deceleration lane is not a whole traffic lane, it tapers into the site. That is existing. A survey will be done to determine the length and width and to see whether either access needs to be adjusted. He will work with the Road Commission and the Township to provide what is required. He noted 9<sup>th</sup> Street houses are very close to the road making it an undesirable spot for a deceleration lane. The Fire Department has said there is plenty of room for them to turn into the park there, but it is unlikely they would use that access as it will take about the same time to reach any part of the park from the regular boulevard access with two 24 foot wide drives, which provides a lot of access to the site.

Mr. Lamer noted the actual park plans meet 2005 Township requirements, but not the 2017 Master Plan. It has been good to work with Staff on this project and the resulting request is for final approval with conditions. They will comply with all requirements and explained they have been working with staff since December on access and a much longer original list of conditions than the 12 conditions proposed here for approval.

Hearing nothing further, Chairperson VanderWeele moved to Public Hearing.

Mr. Hutson noted comments detailing concerns were received in writing from three different Huntington Run residents after the meeting packet was distributed. He read them into the record. The three letters are attached to these minutes. Issues of concern included increased traffic and traffic safety/speed limits, landscaping, inadequate lift station/sewer capacity (recent overflow) and maintenance, lack of lighting, parking and sidewalks, unused property used for RV parking, and lot line inconsistency with original plans.

Ms. Barbara Mitchell, one of the three correspondents, was present at the meeting and spoke to the group. She indicated she was a 25 year resident of the park, and expressed additional concern about a possible increase in traffic due to this expansion. She noted there was a traffic study done on Atlantic Avenue in 2017 but felt a new study should be done since many new homes have been added in the last few years and there is already a lot of traffic on Atlantic Ave. She indicated there is a long list of things that need to be fixed in the current park. She did not want to stop the project but wants it done right.

Hearing no further comments, Chairperson VanderWeele closed the Public Hearing and moved to Board Comments.

Mr. Vyas said the concerns expressed by residents regarding traffic and sewers are legitimate, but do not fall under the realm of the Planning Commission.

Attorney Porter indicated the Township Engineer does not feel the traffic or sewer complaints reflect a significant issue. Neither should impact on a decision by the Commission.

Ms. Maxwell noted a complaint about sidewalks being added in the addition but not in the existing area is a result of the current area being grandfathered; the new area will have sidewalks per current requirements.

Ms. Everett said park management should handle internal park traffic issues.

Attorney Porter agreed the Planning Commission has limited jurisdiction if the special use and site plan design proposed meet Township regulations.

Ms. Maxwell asked whether RV storage is allowed.

Attorney Porter said that is not allowed, but is a zoning enforcement issue and needs to be reported to the Township Zoning Enforcement Officer. He noted with new homes being built that will likely not be an issue going forward.

Ms. Everett said the sewer system is private and that diapers and shirts being flushed into the system, as referred to in one residents' letter, cannot be disposed of in that manner.

Mr. Lamer said bigger pumps won't help the situation if diapers and shirts enter the system. He is sure a letter has or will go to residents about proper use. The traffic comments are good feedback for the owners, and they will find ways to improve. He does not think the additional traffic, likely 60 trips a day, will impact the current amount of traffic much, which is what Prein & Newhof indicated in their letter of impact.

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

Mr. Smith <u>made a motion</u> to recommend the approval of the special use and the site plan for expansion of the Huntington Run mobile home park by adding an additional 31 mobile home units as presented, with the following 12 conditions recommended by staff, and to forward the recommendation to the Township Board for approval.

- 1) A permit by the Road Commission of Kalamazoo County authorizing the emergency access drive will be required prior to building permit issuance.
- 2) A permit by the Road Commission of Kalamazoo County authorizing the deceleration lane will be required prior to building permit issuance.
- 3) A photometric plan shall be submitted to the Township for review and approval prior to building permit issuance.
- 4) A revised site plan and landscaping plan shall be submitted and approved by Township staff showing consistency in fencing prior to building permit issuance.
- 5) A revised site plan shall be submitted and approved by Township staff showing the correct minimum setbacks for all front, side, or rear yards prior to building permit issuance.
- 6) A revised site plan shall be submitted and approved by Township staff in which eliminates the annotation describing that an escrow account is to be established for future sidewalk installation prior to building permit issuance.
- 7) All non-motorized facilities on the approved site plan shall be installed prior to issuing a certificate of occupancy.
- 8) A revised site plan shall be submitted showing the configurations and square footages of the individual sites within the entire mobile home park; expansion and existing prior to building permit issuance.
- 9) An updated planning and zoning application be submitted with the signatures of the applicant and owner prior to building permit issuance.
- 10) A Soil Erosion and Sedimentation Control (SESC) permit is obtained from the Kalamazoo County Drain Commissioner's Office prior to building permit issuance.
- 11) Applicant will be required to produce the mentioned documents and materials outlined in Section 49.150(P) of Oshtemo Township's Zoning Ordinance prior to issuing a certificate of occupancy.
- 12) The subject mobile home park shall comply with the requirements imposed by Michigan Public Act 419 of 1976 and any and all amendments thereto and with any and all regulations promulgated thereunder by the Michigan Mobile Home Commission and the Michigan Department of Public Health, except as said Act and regulations may be modified by the provisions in Section 149.50: Mobile Home Parks and Accessory Buildings, and Uses.

Ms. Maxwell **seconded the motion**. The **motion was approved** unanimously by roll call vote.

### PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Curtis DeVries, of Hardings Market, told the group the expected traffic for the drive-thru pharmacy added when Hardings was remodeled did not materialize and that they are interested in including a Biggby's coffee drive-thru in that space. He spoke to the DDA regarding this matter as Hardings is in an overlay zone that does not allow restaurant drive thrus in the front by ordinance.

He said the DDA is in support of an ordinance change to allow a drive thru as requested, and approved a motion to recommend the Planning Commission consider removing language prohibiting drive-thru restaurants from the Village Form Based Code overlay zone if that is consistent with the Master Plan.

Ms. Lubbert said the newly adopted Village Theme Development Plan language is open to that type of use. The Form Based Code recommends flexibility and does not talk about specific use, just design. If the Planning Commission thinks it is appropriate to proceed, it would not go against the adopted plan for the area.

The group agreed to look at this if it does not cause delay in addressing other Planning Commission priorities.

Ms. Lubbert indicated such a change might be a simple text amendment to the zoning code and could be discussed at an upcoming meeting.

Chairperson VanderWeele told Mr. Curtis that, if approved, it would likely take several months to accomplish an ordinance change given timing of public notice requirements.

### OTHER UPDATES AND BUSINESS

Ms. Bradford asked, on behalf of the Township Board, where the Planning Commission stands on several issues, including 5G, marijuana, and the Maple Hill Subarea Plan.

Ms. Lubbert indicated progress has been delayed due to staffing issues. She has been speaking with the Township Supervisor regarding the possibility of adding staff, consultant, and engineering assistance to work toward addressing those and other issues.

Ms. Lubbert told the group the Township Board is discussing the possibility of returning to in person meetings, but as yet there is no directive.

Attorney Porter commented meetings will likely remain virtual through the end of the year. When there is a change there will likely be at least two weeks' notice.

## **ADJOURNMENT**

With there being no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 7:26 p.m.

Minutes prepared: July 31, 2021

Minutes approved: August 12, 2021 I live in Hunlington Kun off atlantic Cive - Ostherio mi I hear they wish to add on to the communically 30+ new homes as I stand out on my front lawn on W. Wenbley and watch 9 out of 10 cars sun the Stop sign 6 out of 10 don't even slow down, and they never go the speed limit. I don't see how adding 60+ more care well help at the Cross section of W. Weerbley and Suffield. and I hope you can look into This befor someone is hent on a Child Kieled. Shank you

From: Iris Lubbert

To: Colten Hutson

Subject: FW: Huntington Run

**Date:** Thursday, July 29, 2021 8:07:07 AM

Another public comment for Huntington Run.

#### Iris Lubbert, AICP

Planning Director for Oshtemo Charter Township 7275 W. Main Street, Kalamazoo MI 49009

Phone: (269) 216-5232 Fax: (269) 375-7180

From: Barb Mitchell <mitchellb1956@gmail.com>

**Sent:** Wednesday, July 28, 2021 6:09 PM **To:** Iris Lubbert <ilubbert@oshtemo.org>

Subject: Huntington Run

#### **CAUTION: External Email**

Oshtemo Township Planning Commission 7275 West Main St Kalamazoo MI 49009

28 July 2021

To Whom It May Concern:

I have been a resident at Huntington Run for about 25 years. When I bought my house, one-third of the existing community had not been built. I've see managers come and go, and now we're seeing owners come and go.

It should be noted the filings for the new section were all submitted by an employee of Four Leaf Properties. Effective 23 July 2021, Four Leaf Properties sold Huntington Run to Sun Communities. Perhaps Sun will need to file under their name to keep it all on the up and up.

I have several concerns about the proposed expansion:

Increased traffic in the existing community on both West and East Wembley. You can easily figure at least two cars for every new house - that's 62 more cars in a community that already has more than it can handle. As just an FYI - speeding through here is worse than ever, which makes it even more dangerous for people out for a walk or riding a bike.

(School will be starting soon and most of the kids walk to the office to catch their bus.)

The lift station. It sits on my lot so I've been extremely interested in it and its

workings. It gets clogged and backed up because people flush things they shouldn't. I think a t-shirt was responsible for the most recent back-up. This resulted in untreated sewage water coming up in a neighbor's yard and running down the street into the storm sewer and into the retention pond next to me. It was never cleaned up from the street, and there was certainly a foul odor for a couple days. I have never seen preventive maintenance done on a regular basis. All that being said, the plans call for adding the 31 new houses into the current lift station. It also calls for a larger pump to handle the volume. PLEASE, please, please have them add the larger pump right now at the beginning. I would also suggest a mandatory maintenance schedule with the results sent to the Township. I would also like to see an annual inspection required to be completed by a company that works on lift stations with those results also going to the Township. If a resident asks for a copy of the report, one should be supplied in a timely manner.

It certainly appears more money is going to be spent on the addition, specifically good lighting and sidewalks, than is spent on the existing community. (We're still waiting for several streetlights to get new bulbs - it's dark out there!)

I am also wondering why if this was all approved in 2005, there's such a long list they have yet to do. Seems to me it would have been prudent to be chipping away at that list so when they filed again, all their duckies would be in a row.

My final concern is for the environment and the major loss of habitat for our wildlife friends. We have small herds of deer, flocks of wild turkeys, rabbits, and coyotes, among others. What is to become of them? Can more of their existing habitat be preserved to save them?

Many of the residents here care very much about our home community. I, for one, don't want to try to stop the expansion. I just want it done right so it's a win-win for everyone.

Thank you for your consideration.

Barbara J. Mitchell 3934 W. Wembley Ln Kalamazoo MI 49009

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Oshtemo Township Planning Commission July 26, 2021

I would like to address the impact of the proposed expansion of Huntington Run Manufactured Home Park, by Four Leaf Properties. BUT I just received a letter stating that Four Leaf Properties SOLD our community to Sun Communities, Inc. effective July 23, 2021. I do not know how this application can be considered being ownership has changed, but here are my concerns and how I see the impact for future development.

- 1. Sewer/Water ... The current sewer system has had several overflows/clogs over the years. The most recent was approximately July 6, 2021. A tee shirt and diapers were removed from the lift station next to 3954 West Wembley. There is a manhole in the back of yard 6212 Chesterfield Court, there was raw sewage the saturated the yard and ran to West Wembley and down the storm drains. (pictures of the yard and staining of the pavement near the storm drain, attached) I would like to suggest that the proposed expansion have a lift station and connection going to S. 9th street via the emergency entrance area.
- 2. Parking.... parking is inadequate in the existing community. Looking at the proposed parking in the new expansion, it still will not address the issue. New residents will think all three spots are theirs. This will not allow for visitors to park in the third spot without causing issues between neighbors unless visitor signage is indicated on the third spot.
  I would like to suggest that one homesite be turned into all parking or instead of L shaped parking as proposed, that it all be at street adjacent for all three spaces.
  - Will all the new homesites be considered garage lots? Will the top of the L shaped parking that abuts to the home serve as a driveway?
- 3. Sidewalks... in the original development of Huntington Run, there are no sidewalks. I feel with increased traffic it will present more safety concerns for our residents that walk and children that ride bikes. The posted 15 mph speed limit is rarely observed. Originally, there were speed bumps on West Wembley Lane, when the road was replaced/resurfaced several years ago the speed bumps were not replaced. There are still speed bumps throughout the community except for the section of West Wembley that this increased traffic will impact. I have been told that speed bumps that can be removed will be added, but to date they have not. The STOP sign at the entrance of the community is rarely observed. The STOP sign near the corner that will lead to the new development is rarely observed at all. According to the proposed plans a sidewalk is planned to run from the new development to S. 9<sup>th</sup> Street adjacent to the emergency entrance and will run on the south side of the emergency entrance. This will be directly next to the S. 9<sup>th</sup> street resident's garage. I would like to suggest that it be placed on the north side of the emergency entrance.
- 4. Landscaping.... It states in the proposed plans that trees will be planted in front of every new homes. When the homes that were brought in to Lot 2 and Lot 14 this last year, trees were cut down and never replaced.
  - My observation, planting a tree in front of a home could mean that when a home is removed (these are mobile homes) a tree would be cut down to accommodate the move.
- Lighting... there are several areas of darkness in the existing development.
   To improve the safety of our community it is important to have adequate lighting.

- 6. Currently, the "unused property" is being used for RV parking year-round and the owners have been receiving "storage rent" for the use.
- 7. **FYI Regarding Lot Lines....** Lot lines have changed from original lines. We have lived here since April 1, 1995, I have the original drawings of lines. There is a picture depicting lot lines in the office of Huntington Run. The lot lines do not match nor do the homes placement on the lots as originally planned. (Attached are pictures of the two.)

Thank you for your time and considerations.
Phyllis Lubbert
3582 West Wembley Lane
Lot 15
Kalamazoo, MI 49009







