

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A REGULAR MEETING HELD OCTOBER 24, 2019**

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**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**
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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 12<sup>th</sup> 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 26<sup>th</sup> meeting.

Ms. Johnston said final changes to the draft Village Theme Development Plan based on Planning Commission input were presented at the October 10<sup>th</sup> 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 24<sup>th</sup> 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:  
December 12, 2019