

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A MEETING HELD JULY 28, 2016**

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**Agenda**

**PUBLIC HEARING: SPECIAL EXCEPTION USE (KALAMAZOO STORAGE, LLC)  
CONSIDERATION OF AN APPLICATION FROM KALAMAZOO STORAGE, LLC FOR  
A SPECIAL EXCEPTION USE AND SITE PLAN REVIEW FOR A SELF-STORAGE  
FACILITY, PURSUANT TO SECTION 41.405 OF THE ZONING ORDINANCE. THE  
SUBJECT PROPERTY IS LOCATED AT 7694 STADIUM DRIVE, KALAMAZOO, MI  
WITHIN THE I:1 INDUSTRIAL DISTRICT. PARCEL NO. 3905-34-180-025**

**Old Business:**

**a. Landscape Ordinance Amendments**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, July 28, 2016, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

**ALL MEMBERS WERE PRESENT:**

Millard Loy, Chair (arrived late)  
Fred Antosz, Vice-Chair  
Wiley Boulding, Sr.  
Dusty Farmer  
Pam Jackson  
Mary Smith

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. Three other persons were in attendance.

**Call to Order and Pledge of Allegiance**

In the absence of Chairperson Loy, the meeting was called to order by Vice-Chairperson Antosz at approximately 7:00 p.m. The "Pledge of Allegiance" was recited.

## **Agenda**

Vice-Chairperson Antosz asked if there were any additions, deletions or corrections to the Agenda. Hearing none, he called for a motion to accept the Agenda as presented.

Ms. Smith made a motion to accept the Agenda as presented. Ms. Jackson seconded the motion. The motion passed unanimously.

## **Public Comment on Non-Agenda Items**

Vice-Chairperson Antosz noted there were no audience members who wished to comment on non-agenda items and proceeded to the next agenda item.

## **Approval of the Minutes of July 14, 2016**

Vice-Chairperson Antosz asked if there were any additions, deletions or corrections to the minutes of July 14, 2016. Hearing none, he asked for motion to approve the minutes.

Ms. Smith made a motion to approve the minutes of July 14, 2016 as presented. Ms. Farmer seconded the motion. The motion was approved unanimously.

## **PUBLIC HEARING: SPECIAL EXCEPTION USE (KALAMAZOO STORAGE, LLC) CONSIDERATION OF AN APPLICATION FROM KALAMAZOO STORAGE, LLC FOR A SPECIAL EXCEPTION USE AND SITE PLAN REVIEW FOR A SELF-STORAGE FACILITY, PURSUANT TO SECTION 41.405 OF THE ZONING ORDINANCE. THE SUBJECT PROPERTY IS LOCATED AT 7694 STADIUM DRIVE, KALAMAZOO, MI WITHIN THE I:1 INDUSTRIAL DISTRICT. PARCEL NO. 3905-34-180-025.**

Mr. Antosz moved to the next item on the agenda and asked Ms. Johnston to review the application from Kalamazoo Storage, LLC for special exception use and site plan review.

Ms. Johnston said the subject property, located at the northeast corner of Stadium Drive and Stadium Park Way, is a long, narrow shape and sitting on top of contaminated ground, but the applicant has identified it as a suitable site for a self-storage business. This particular use is allowed in the I-1 district as a special exception use, necessitating Planning Commission approval. The applicant asked for and received preliminary review at the last Planning Commission meeting and previously received a variance for the set back from 70 feet to 20 feet from the ZBA at its May 24, 2016 meeting. She noted the proposed site layout is in compliance with the 30 foot spacing rule and no outdoor storage is indicated.

She explained the applicant is proposing to place a portion of the southern retention basin on Township property in order to achieve a more free-form shape. Staff

is amenable to this idea, and is currently working towards providing the applicant with a drainage/access easement for the proposed driveway, pending Township Board approval. As a part of this easement agreement, the applicant will also mow the Township's parcel.

Given that a handful of issues with the site plan have yet to be fully resolved, although the applicant is continuing to work with the Township to correct any items, Ms. Johnston said the Planning Commission was presented with three possible actions:

- Approval of the site plan and special exception use request, with conditions.
- Tabling of the plan and special exception use request to a later specific date, allowing more time for any necessary site plan corrections.
- Denial of the special exception use and site plan approval requests.

She said if the Planning Commission was inclined to grant site plan and special exception use approval, then Staff recommended the following seven conditions be imposed:

1. A revised site plan is to be submitted to the Township within 30 days of approval, addressing any outstanding zoning, engineering, fire department, and landscaping concerns noted in this presentation.
2. The old Stadium Drive curb cut is to be closed and curb restored, in cooperation with the Road Commission of Kalamazoo County.
3. The applicant will submit an ornamental fence design to the Township for the Stadium Drive frontage, which will be subject to Staff approval.
4. Site plan approval will be contingent up on the applicant successfully securing a stormwater/access easement from the Township.
5. Per Oshtemo Township's Non-motorized Plan, it is intended that there will one day be a sidewalk or other non-motorized facility constructed on this side of Stadium Drive. Rather than require the applicant to immediately build this facility as a condition of site plan approval, Staff recommends that the Township instead accept a signed and notarized form from the applicant, stating that they will not oppose any future special assessment districts established to fund sidewalk construction. Staff will supply the necessary documentation.
6. The applicant is to provide the Township with a written statement, attesting to their willingness to participate in the establishment of an easement for a non-motorized facility on Stadium Drive.

7. The applicant is to provide the Township with a written statement, attesting to their willingness to participate in the establishment of a *mutually agreeable* 66 foot-wide road easement either along or across the property at some point in the future to facilitate a future extension of Stadium Park Way. The location of this hypothetical easement has not been conceptualized or designed at this time.

Vice-Chairperson Antosz asked if there were questions for Ms. Johnston.

In answer to a question from Ms. Smith, Ms. Johnston confirmed the 30 day time frame specified in the first condition applies only to the revised site plan. If that time frame is not met, the applicant would need to return to the Planning Commission. She also noted Township regulations would limit the automated 16' x 16' structure, listed on the plan as being 36' tall, to 26' to match the set back of 26'. Given the special exception status, the opportunity exists to consider the compatibility with neighboring properties.

Vice-Chairperson Antosz asked if the applicant wished to speak.

Mr. Allen Frazier, 2516 Miller Road, explained the automated structure was designed in the manner of a clock tower, that the height had been determined by measuring other similar structures, but that he was open to comment. He also said 30 days was enough time to complete the revised site plan to include the seven conditions recommended by Staff and that he is agreeable to them.

Attorney Porter recommended the Township grant the needed easement to allow this development since the property is so difficult to utilize given its long, narrow shape.

There were no comments from the public regarding the application; Vice-Chairperson Antosz moved to Board Deliberations.

Commissioners noted this application, unlike those they usually consider, is not complete and has many conditions; they would not like to see that become more common.

Ms. Johnston agreed this was unusual, but felt since the item was tabled to a date certain, she wanted to give the Board options.

Attorney Porter said the applicant worked with Staff to close the drive on Stadium, proposing a much better design timely. He was impressed with the cooperation shown and felt that weighed in favor of the exceptions.

Commissioners were in consensus that the application should be approved with the seven conditions and applauded the applicant for taking on a difficult site.

There were no further comments; Vice-Chairperson Antosz entertained a motion on the recommendation.

Mr. Loy made a motion to approve the application with the seven conditions recommended by Staff and with a limit of 26 feet in height for the automated structure. The motion was supported by Ms. Jackson. The motion carried unanimously.

Chairperson Loy moved to the next item on the agenda.

## **OLD BUSINESS**

### **Landscape Ordinance Amendments**

Ms. Johnston reviewed the work done regarding amendments to the Landscape Ordinance since it was introduced at the June 23, 2016 Planning Commission meeting.

She said after review, staff developed an alternate approach for consideration. There are essentially two main differences between the current Landscaping Ordinance and this alternate approach. The first is the percentage requirement for on-site landscaping. The alternate approach indicates that at least 25 percent of the site must be landscaped. Under the current ordinance, as long as you meet the perimeter buffer and parking requirements, no other landscaping is required. The alternate approach would require additional landscaping if the street right-of-way, screening (if required), and parking lot landscaping do not reach 25 percent. Staff is still working to determine if 25 percent is the correct number. They are in the process of applying this approach to site plans that have already been approved by the Planning Commission. Once this is done, this percentage recommendation may change.

The next difference is the current requirement for a greenbelt or buffer zone along all property lines. For example, a commercial property adjacent to another commercial property must provide a 10-foot buffer zone along the property line. This is not intended to screen incompatible uses, but to separate the uses through a landscape strip. The ordinance doesn't currently have requirements to actually screen incompatible uses.

She said the buffer requirement can become difficult for commercial and/or industrial uses on separate lots, but located in larger planned developments. Shared parking could not be accomplished. In addition, since both properties are required to meet the landscaping materials requirement within a 10-foot buffer, the trees and shrubs compete for space and often plant material is lost.

Landscape plans were prepared by Karen High from the originally approved landscape plan for Wings Etc., which is located at the corner of 9<sup>th</sup> Street and Seeco Drive and were shared with the Board. The intent of these plans is to help compare and contrast the three possible ordinance approaches:

- The current language of Section 75.000: Landscaping.
- The amended language of Section 75.000: Landscaping.

- An alternative approach to landscaping outside of the requirements of Section 75.000.

She said from their initial review, she and Ms. High found the following:

- Current Language: landscaping is all at the edges, with interior landscaping only in the parking lot.
- Amended Language: some building/interior landscaping is required, that provides some relief at the building frontage; because this is a corner lot, greenspace landscaping is considerable.
- Alternate Approach: no understory trees are required, which should be changed; parking lot landscaping requirements are higher; because this is a corner lot, the 15 percent requirement for landscaping is all consumed by the road buffer requirements; shrubs to screen the parking lot are required; may want to require some building/interior landscaping for relief around the building.

Ms. Johnston said Staff will continue to work with the ordinance language to provide a list of pros and cons and develop more comparison designs to help further the discussion. It may be that a percentage requirement for plantings rather than a more prescriptive approach may be appropriate to allow an architect to make more choices unless the site is adjacent to one with an incompatible use. It may make the most sense to merge the two ordinance approaches.

### **ANY OTHER BUSINESS**

Ms. Johnston reported she met with the DDA regarding the PC's request that they discuss Form Based Codes. She informed DDA members a Master Plan review will be done in the coming year. They felt the FBC should be looked at after the review is complete; they will pay for a consultant to do community outreach on this issue.

In response to a question from Ms. Farmer about how to handle sign requests in the meantime, Ms. Johnston said Staff will continue the current practice until it is decided how to manage them after the Code is reviewed.

### **PLANNING COMMISSIONER COMMENTS**

Ms. Farmer noted the Planning Commission still needs a seventh Commissioner and urged people to apply.

## **ADJOURNMENT**

Having exhausted the agenda, and with there being no further business to discuss, Chair Loy adjourned the Planning Commission meeting at approximately 7:58 p.m.

Minutes prepared:  
July 29, 2016

Minutes approved:  
August 11, 2016