

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION  
MINUTES OF A MEETING HELD JULY 28, 2022**

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**Agenda**

**SPECIAL USE AND SITE PLAN EXTENSION REQUEST, HAMPTON PLAZA**

On August 26, 2021 the Planning commission reviewed and approved with conditions, the Special Use and Site Plan request to construct a 7,488 square foot multi-tenant commercial building with a drive-thru at 6297 W. Main Street. Oshtemo's period of approval is one year. The applicant requested a 12-month extension of their Special Use and Site Plan Approval.

**Importance of Master Planning, Access Management and Road Connections**

**Implementation of the 2019 Village Theme Development Plan – Amendments to Article 19 and Article 34**

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A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, July 28, 2022, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Bruce VanderWeele, Chair  
Micki Maxwell, Vice Chair  
Deb Everett  
Alistair Smith

MEMBERS ABSENT: Kizzy Bradford  
Anna Versalle  
Chetan Vyas

Also present were Iris Lubbert, Planning Director, James Porter, Township Attorney, Anna Horner, Public Works Director, Martha Coash, Recording Secretary and one guest.

**Call to Order and Pledge of Allegiance**

Chairperson VanderWeele called the meeting to order at approximately 6:00 p.m. Those in attendance joined in reciting the Pledge of Allegiance.

**Approval of Agenda**

The Chair determined there were no changes to the agenda and let the agenda stand as published.

## **PUBLIC COMMENT ON NON-AGENDA ITEMS**

The Chair asked if anyone present wished to speak on non-agenda items. As no one responded, he moved to the next agenda item.

### **Approval of the Minutes of the Meeting of July 14, 2022**

Chairperson VanderWeele asked for additions, deletions, or corrections to the Minutes of the Meeting of July 14, 2022. Hearing none, the Chair asked for a motion.

Ms. Maxwell **made a motion** to approve the Minutes of the Meeting of July 14, 2022, as presented. Ms. Everett **seconded the motion**. The **motion was approved unanimously**.

Chairperson VanderWeele moved to the next agenda item and asked Ms. Lubbert for her report.

### **SPECIAL USE AND SITE PLAN EXTENSION REQUEST, HAMPTON PLAZA ON AUGUST 26, 2021 THE PLANNING COMMISSION REVIEWED AND APPROVED WITH CONDITIONS, THE SPECIAL USE AND SITE PLAN REQUEST TO CONSTRUCT A 7,488 SQUARE FOOT MULTI-TENANT COMMERCIAL BUILDING WITH A DRIVE-THRU AT 6297 W. MAIN STREET. OSHTEMO'S PERIOD OF APPROVAL IS ONE YEAR. THE APPLICANT REQUESTED A 12-MONTH EXTENSION OF THEIR SPECIAL USE AND SITE PLAN APPROVAL.**

Ms. Lubbert indicated the Planning Commission was being asked to approve the 12-month Site Plan and Special Use extension request for the Hampton Plaza project at 6297 W Main Street submitted by Carroll Development & Management LLC.

She explained on August 26, 2021 the Planning Commission reviewed and approved with conditions the Special Use and Site Plan request to construct a 7,488 square foot multi-tenant commercial building with a drive-thru at 6297 W Main Street.

Per Section 64.90 A and 65.60 of the Ordinance, if a property which was subject to a Special Use and/or Site Plan approval has not obtained a building permit and on-site development has not commenced within one year, Site Plan approval and/or Special Use approval becomes void. Extensions may be granted by the approving body if requested prior to the expiration of the one-year validity period. The one-year validity period for this project ends on August 26, 2022; the applicant is requesting a 12-month extension.

The Planning Commission has the authority to grant an extension of a Special Use where the applicant satisfies any of the following existing circumstances:

1. The delay in commencement or completion of the project subject to the Special Use approval was beyond the control of the applicant and the applicant has in good faith attempted to meet the foregoing time schedule.

2. The project is in the process of being developed for the Special Use purpose and has reasonably progressed towards completion.
3. The complexity or size of the project requires additional time for either commencement or completion of construction, which commencement and completion appear feasible and probable if permitted. Under this circumstance, the Planning Commission shall have the authority to grant an initial longer period for commencement and/or completion at the time of approving the original Special Use.
4. Successive extensions of time may be granted by the Planning Commission for such periods of time as said Planning Commission determines to be reasonable and proper under the foregoing criteria.
5. Where a Special Use is terminated by lapse of time, any new application for a Special Use shall be heard and determined anew based upon circumstances then existing.

She reported per the applicant's letter: "The process to obtain final approvals from the Michigan Department of Transportation (MDOT) as well as the Department of Environment, Great Lakes and Energy (EGLE) to extend public utilities to the parcel has taken longer than expected and is the reason for the development delay. We need to have the utilities installed to the parcel before we can start development and at this time, that process will not be complete before our original approval period has ended".

Based on the timing of the MDOT and EGLE approvals, the applicant anticipates site development will begin in either later 2022 or early 2023. Based on the coordination completed to date and the details outlined in the applicant's letter, circumstances permitting the Planning Commission to grant an extension have been met. She recommended the Planning Commission grant the requested 12-month extension until July 28, 2023.

Mr. Smith **made a motion** to grant the requested 12-month extension for construction of Hampton Plaza until July 28, 2023 as recommended by staff as the delay in development was beyond the control of the applicant and the applicant has in good faith attempted to meet the foregoing time schedule. Ms. Maxwell **seconded the motion.** The **motion was approved** unanimously.

Chairperson VanderWeele moved to the next agenda item.

### **Importance of Master Planning, Access Management and Road Connections**

Ms. Anna Horner, Public Works Director and Ms. Lubbert provided a presentation on the importance of master planning for access management and road connections. The main points addressed were:

1. What is the Master Plan and why is it needed?
2. Implementation of a Master Plan
3. Transportation as an element of the Master Plan

4. Importance of Connectivity
5. Examples
6. Current Opportunities
7. Conclusion/Request for feedback

Ms. Horner noted the importance for “funding to follow planning.” Planning today focuses on “complete streets,” that is access and safety for all users. Connectivity, access management and network all need to be considered as well as strength, weaknesses, opportunities and threats (SWOT).

Ms. Lubbert noted there are detailed plans in various areas of the Master Plan addressing road development. Evaluation was done for road connection points in the 2011 Master Plan. She added that the Village Theme Development Plan as well as the West Main St. Sub Area Plan propose roads for the future. She noted the successful partnership in the 1990s with Meijer to design and improve 9<sup>th</sup> Street access as an example of the kind of private-public partnership to implement desired transportation network segments.

They stressed the difference from the past, when much of road development was driven by developers and today, when although it takes a lot of staff time, they feel it is important for the Township to lead on development to achieve desired outcomes for the Township. They provided several examples of current opportunities for road development planning including the property east of West Side Medical, which is highly valuable to developers, but without road connectivity from Seeco Drive, will not be developed. Other examples provided were an extension to connect Atlantic Avenue to Stadium, and improved connectivity for Westport (timely now because of sewer work to be done there).

Commissioners were asked if they were supportive of active planning for road development and how much staff involvement would be appropriate to implement projects/connections identified in the Master Plan.

Mr. Smith wondered if the bigger project of Drake and M-43 should be concentrated on if the Maple Hill Subdivision goes forward.

Ms. Lubbert agreed east/west connection to the golf course is another example of a current opportunity.

Attorney Porter explained in years past the Township Board has let developers deal with the problem of road planning, but they do not have the ability to build roads. The Township does have the ability to build public roads if we are progressive, and has much more authority since the road millage was passed, which allows up to three mills without a vote.

Ms. Lubbert also noted there is currently federal funding available for infrastructure improvement.

Mr. Smith said he had not been aware of the millage. He said Maple Hill is the big problem, and wondered how we would explain this to voters when they get a bill for three mils.

Ms. Lubbert said we will be doing a big update to the Master Plan to identify priorities. Before that, direction is needed.

Ms. Everett wondered if it would be of benefit to look at an economic development body.

Attorney Porter said he was not sure if that would be helpful, but we need funding help from private developers. When we built 9<sup>th</sup> Street, Meijer paid the Township back. We need to continue to explore that type of development.

Ms. Maxwell asked if the Commission gives the request the ok, whether that would put any current developments on hold.

Ms. Lubbert said moving forward would actually expedite the process for developers who are waiting to be able to get connectors. It would incentivize them, not hinder development.

Ms. Maxwell asked about the extra staff time needed if we move ahead.

Ms. Lubbert said she is hopeful a staff member will be added in the new budget year. This type of planning will take time, but the sooner they get the go ahead to begin, the sooner they can get working; it will not happen overnight.

Ms. Horner said hearing feedback from boards and committees during budgeting season helps drive Board discussion. When it comes to the roads network there are a lot of influencing factors and interested partners.

Ms. Lubbert said staff is very interested in requesting funding for some projects from the CIC and Township Board, but need positive feedback from the Planning Commission on the general concept that they would rather explore options than not.

Attorney Porter indicated the Township Board made it very clear they are not sacrificing maintenance of existing roads for development.

Ms. Horner added it would be good to coordinate road maintenance with sewer installation. The whole Township needs to be considered in order to prioritize and to treat everyone fairly.

Ms. Everett asked if there would be public involvement.

Ms. Lubbert said there would be a lot of public involvement and outreach.

Chairperson VanderWeele said he was very much in favor of moving ahead with this idea, particularly from the standpoint of safety and development.

All four Commissioners present indicated they agreed with the concept presented, that it sounds like a great idea for Staff to dedicate the resources to investigate further to determine how to move forward with road development within the Master Plan.

Chairperson VanderWeele moved to the next item on the agenda.

**Implementation of the 2019 Village Theme Development Plan – Amendments to Article 19 and Article 34**

Ms. Lubbert said In 2019 the Township adopted the 2019 Village Theme Development Plan as an update to the original 2006 Oshtemo Township Village Theme Development Plan. The 2019 Update represents a critical review of the original Village Theme Development Plan and seeks 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.

The 2019 Village Theme Development Plan recommends a number of changes to the ordinances that regulate the Village Theme Development Area: specifically Article 19 VC: VILLAGE COMMERCIAL DISTRICT and Article 34 VILLAGE FORM-BASED CODE OVERLAY ZONE.

She said to assist in implementing the 2019 Village Theme Development Plan the Downtown Development Authority (DDA) hired a consultant to work with a DDA subcommittee and Oshtemo's Planning staff to draft amendments to Articles 19 and 34. After multiple reviews the DDA board felt the text was ready to submit to the Planning Commission to consider. A "big picture" summary of the amendments is provided below:

1. New and/or revised definitions for the various building types allowed (storefront mixed-use building, townhouse building, etc.) have been prepared to provide clarity. A new building type – single-use building – has been defined and specific design requirements for single-use buildings have been established.
2. The current Regulating Plan Map in Article 34 will be replaced by the updated Regulating Plan Map from the 2019 Village Theme Development Plan.

3. Added flexibility is provided to the Planning Commission to allow for “modifications” to certain development requirements without the need to secure a variance from the Zoning Board of Appeals.
4. New build-to-line standards are proposed, including the potential for the Planning Commission to allow front yard parking (one row only). Criteria for the Planning Commission to use when considering whether to allow front yard parking has been established.
5. The proposed amendments would allow limited residential use within the ground floor of mixed-use buildings.
6. A new density bonus scheme has been established giving the Planning Commission the authority to grant density bonuses for projects that achieve certain public benefits.
7. Greater flexibility has been established with regard to street walls, including an allowance for natural materials as a substitute for street walls in certain circumstances.
8. Amendments are proposed to largely eliminate the existing street type standards, given that the Township does not have jurisdiction for design of public streets within the DDA. The street type standards would only apply to private street design.
9. Amendments are proposed to allow drive-through windows within the side yard. For corner lots, amendments are proposed to allow drive-through windows within the side yard fronting a collector or local street.
10. Amendments to Article 19, VC Village Commercial District. This is the “underlying” zoning district for the Stadium Drive and 9th Street business district. Because development requirements within the underlying zoning are superseded by those found in the Village Form-Based Code Overlay, amendments to Article 19 are proposed to eliminate redundant and/or conflicting development requirements. All that is proposed to remain in Article 19 are the use allowances (permitted and special uses).

Ms. Lubbert began the process of reviewing the proposed changes for Commissioners. They were able to complete review up to page 19. The next review will begin with 34.50 Building Type Standards. A few minor changes were made, which will be included in the document the next time review is continued. An open question, under 19.40 Special Uses on p. 3 and to be discussed later, is whether drive-in service window or drive through service for businesses should be allowed.

## **OTHER UPDATES AND BUSINESS**

In response to a question about whether there is a maximum length for meetings and how to address adjourning if a meeting goes on too long, staff said they would look at the bylaws for guidance.

## **ADJOURNMENT**

With no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 8:22 p.m.

Minutes prepared:  
July 29, 2022

Minutes approved:  
August 11, 2022