

**OSHTEMO CHARTER TOWNSHIP BOARD  
7275 West Main Street  
Kalamazoo, MI 49009  
269.375.4260**

**August 14, 2018  
BOARD WORK SESSION  
6:00 p.m.  
AGENDA**

- A. Call to Order
- B. Public Comment
- C. Annual Update from Kalamazoo County Road Commission
- D. Other Updates & Business

**REGULAR MEETING  
7:15 p.m.  
AGENDA**

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Public Comment on Non-Agenda Items
- 4. Consent Agenda
  - a. Approve Minutes – July 27 Special Meeting and July 24 IT Board Meeting
  - b. Receipts & Disbursements Report
  - c. Advanced Poured Walls, 3425 South 6<sup>th</sup> St, Rezoning – Second Reading
  - d. 25 South 4<sup>th</sup> St Rezoning – Second Reading
  - e. Addressing Ordinance – Second Reading
  - f. Online Bill Payment Request
  - g. Fire Department Intern Furnishings
- 5. Ashbrook, 7110 West Main, Conditional Rezoning – Second Reading
- 6. Discussion on Complete Streets Policy Amendments
- 7. Consideration of Precincts 1, 3, and 9 Location Changes
- 8. Consideration of Fire Department Apparatus Purchase
- 9. Other Township Business
- 10. Public Comment
- 11. Board Member Comments
- 12. Adjournment

# Memo



**To:** Oshtemo Charter Township Board  
**From:** Julie Johnston, AICP  
**Date:** August 7, 2018  
**Mtg. Date:** August 14, 2018  
**Subject:** Rezoning Request from Advanced Poured Walls

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## **OBJECTIVE**

Second reading and final approval of a request from Advanced Poured Walls, located at 3425 South 6<sup>th</sup> Street, to rezone approximately 3.7 acres of a 17.48-acre property from the I-1: Industrial District, Manufacturing/Serviceing to the I-3: Industrial District, Special. Parcel number: 3905-34-155-018.

## **BACKGROUND**

For the past several years, Advanced Poured Walls has been placing large quantities of concrete debris on their property at the northeast corner of Stadium Drive and 6<sup>th</sup> Street. This concrete is then milled about every 18 months or so. Both the location of the stored materials and the milling process are in violation of the I-1: Industrial District. The Township began enforcement actions to request the removal of the storage and milling operation. Staff has been working with the applicant for a little over a year to try and find a solution to the zoning concerns related to their business.

The Township has had several meetings with the applicant to review options related to the zoning and compatibility issues while still allowing the business to operate. Milling operations are only permitted within the I-3: Industrial District. To that end, staff recommended finding a location on the subject property for this District that would meet both the applicants needs as well as the criteria of the Township's Master Plan.

The property in question is a total of 17.48 acres zoned I-1: Industrial District, Manufacturing/Serviceing. Of this total acreage, the applicant wishes to rezone just under four acres in the northeast corner of the parcel to I-3: Industrial District, Special. Please see the attached map for the location of the proposed rezoning.

## **Rezoning Considerations**

The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that must be consider when reviewing a rezoning request. However, there are some generally

recognized factors that should be deliberated before a rezoning decision is made. The Planning Commission considered the following:

1. Master Plan Designation

The Future Land Use Map does not specifically delineate locations for heavy industrial uses. Instead, it provides areas within the Township where general industrial uses should be permitted, and then details criteria for the allowance of heavy industrial uses. The Future Land Use Plan states the following:

“The General Industrial designation is the primary designation for industrial development in the Township and a source for many important higher wage jobs in the community. The designation includes both light and general industrial uses (including those industrial uses described in the Research Office Industrial designation above), warehouse and distribution facilities, heavy commercial, and storage facilities. They are in various locations around the Township where such development has already occurred, such as along KL Avenue, Stadium Drive, and 8th Street. It is intended that future development be consistent with the development that already exists. **Heavy industrial uses should be located on large parcels where significant setbacks from property lines, particularly from street rights-of-way and residential properties can be achieved to effectively screen these uses from view.**”

The property in question is designated as General Industrial, meeting the first standard for a rezoning. The location of the proposed rezoning in the far northeast corner of the parcel also meets the criteria outlined above in the Master Plan. The request will be as far from both Stadium Drive and 6<sup>th</sup> Street as possible, distances of approximately 600 and 460 linear feet, respectively. In addition, it is surrounded on all sides by other properties zoned and use for industrial purposes, eliminating the need to screen from residential uses.

2. Consistency of the Zoning Classification in the General Area

All of the properties surrounding the subject site are zoned I-1: Industrial District, except for the residential properties found approximately 900 feet north of Stadium Drive. These properties are zoned RR: Rural Residential. The distance from these residential properties to the requested location of the I-3: Industrial District is approximately 650 linear feet.

The permitted uses allowed in the I-3 District are grain equipment and processing, fuel and feed yards, storage of gasoline, and automobile and other salvage yards, which has some specific conditions related to the outdoor storage of materials. Staff has determined that the concrete storage and milling of Advanced Poured Walls is analogous to a salvage yard.

Based on the distances from the adjacent Rural Residential properties, the placement of the I-3 zoning in the proposed location will provide some protections to these homes. In addition, the limited size of the requested rezoning should mitigate the impact of the rezoning. If other permitted I-3 uses were carried out in the future, their scope would be limited to the 4-acre size of the I-3 request, which is fully

encompassed by I-1 zoning. If approved, this will be the only location in the Township where I-3 zoning exists.

3. Consistency and Compatibility with General Land Use Patterns in the Area

The predominate land use pattern along Stadium Drive in this area is industrial. The Stadium Park Way industrial park is in the process of being completely built out. Recently, National Flavors completed their new facility at the northwest corner of Stadium Drive and Stadium Park Way. Across the street to the east, a new mini storage facility was recently constructed. Finally, the 17-acre parcel at the terminus of Stadium Park Way was sold for a new manufacturing facility for Select Hinges.

For a certain distance along 6<sup>th</sup> Street north of Stadium Drive is also industrial or government uses. At the northwest corner of Stadium and 6<sup>th</sup> Street is the Spartan Paperboard Company. Immediately north of that facility is Oshtemo Fire Station 2 and then the large ITC electrical easement, which is around 200 linear feet in width. At this point on the west side of 6<sup>th</sup> Street, the residential land uses begin.

On the east side of 6<sup>th</sup> Street moving north is Advanced Poured Walls, then S & T Lawn Service, and a long-standing contractors yard. At that point, land uses change to residential, which is just over 2,000 linear feet north of Stadium Drive.

4. Utilities and Infrastructure

Utilities and infrastructure are often considered in a request for rezoning to ensure that public facilities can service any possible development that would occur on the site. Public water is available along 6<sup>th</sup> Street and sanitary sewer is currently available on 6<sup>th</sup> for approximately 500 feet from Stadium Drive.

5. Reasonable Use under Current Zoning Classification

The uses permitted under the current zoning classification are myriad, but the District is primarily designed for manufacturing, warehousing, contractors yards, automotive repair, and outdoor storage. While the contractor component of Advance Poured Walls is permitted under the I-1 District, the storage and milling of salvageable materials, specifically concrete, is not permitted.

6. Effects on Surrounding Property

Allowing the rezoning to the I-3 District and moving the milling operation from the corner of Stadium and 6<sup>th</sup> Street will have a positive effect on neighboring properties and the visual aesthetics of this area. With that said however, the milling operation is not a permitted use. If the I-3 rezoning is not approved, the Township will require the storage and milling of concrete to cease in this area.

Moving the operation to the northeast corner of the subject parcel places it further away from 6<sup>th</sup> Street and Stadium drive, centering it between existing industrial uses. In addition, the tree cover in this extent will also provide some screening to both the residential and industrial uses in the area. Finally,



as stated above, the size of the requested 1-3 zoning should limit the impacts of future uses on adjacent properties.

#### Planning Commission Public Hearing

The Planning Commission held their public hearing for this request on June 14, 2018. No interested residents spoke at the public hearing. The Planning Commission made a motion to recommend approval to the Township Board, which received unanimous support.

#### Township Board First Reading

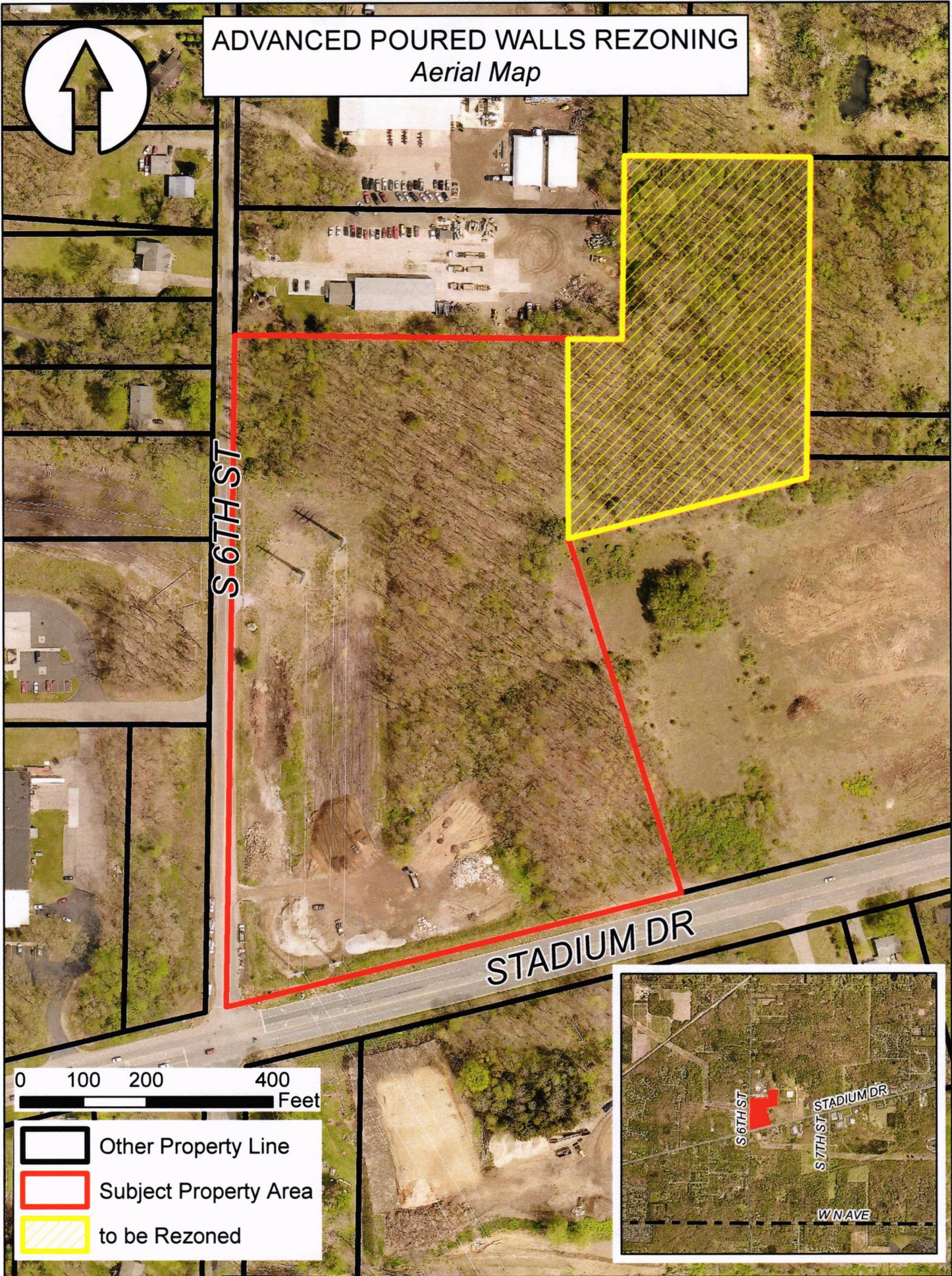
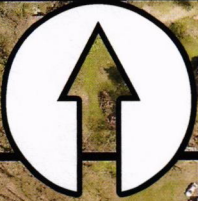
First reading for this request was held on July 10, 2018, which was approved with a 7-0 vote.

#### **INFORMATION PROVIDED**

- Aerial map
- Current zoning map
- Future Land Use map
- Township Ordinance






# ADVANCED POURED WALLS REZONING Aerial Map



S6TH ST

STADIUM DR

0 100 200 400 Feet

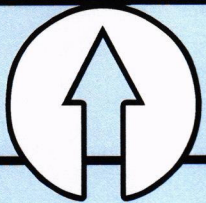
-  Other Property Line
-  Subject Property Area
-  to be Rezoned





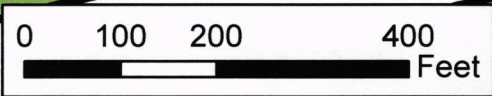
# ADVANCED Poured WALLS REZONING

*Current Area Zoning*



S 6TH ST

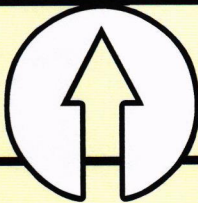
STADIUM DR



Other Property Line	<b>Current Zoning</b>
Subject Property Area	RR - RURAL RESIDENTIAL DISTRICT
to be Rezoned	R3 - RESIDENCE DISTRICT
	I-R - INDUSTRIAL DISTRICT RESTRICTED
	I-1 - INDUSTRIAL DISTRICT MANUFACTURING & SERVICE

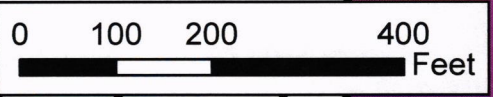


ADVANCED POURED WALLS REZONING  
*Future Land Use*

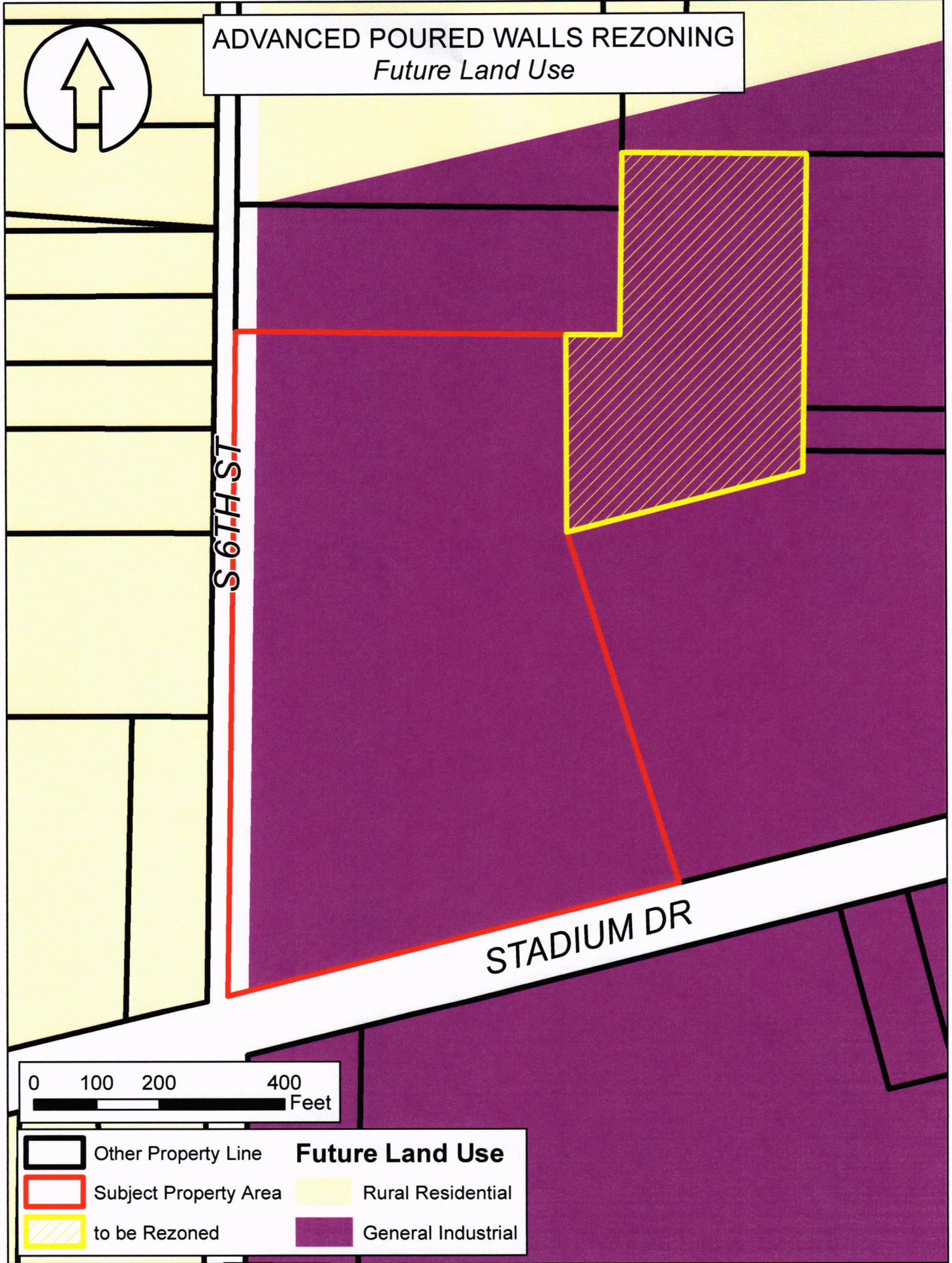


S 6TH ST

STADIUM DR



	Other Property Line	<b>Future Land Use</b>
	Subject Property Area	Rural Residential
	to be Rezoned	General Industrial





OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. \_\_\_\_

Adopted: \_\_\_\_\_, 2018

Effective: \_\_\_\_\_, 2018

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, by the rezoning of a portion of land located in Land Section 34 from the "I-1" Industrial District, Manufacturing/Serviceing to the "I-3" Industrial District, Special zoning classification. The Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I. AMENDMENT OF LAND SECTION 34. The Oshtemo Charter Township Zoning Ordinance is hereby amended to rezone approximately 3.7 acres in the northeast portion of 17.39-acre parcel of land located on S. 6<sup>th</sup> Street, Parcel No. 3905-34-155-018, from the "I-1" Industrial District, Manufacturing/Serviceing to the "I-3" Industrial District, Special described as follows:

Commencing on the West line of Section 34, T. 2 S., R. 12 W., 1151.00 feet South 00°-36'-30" West of the Northwest corner; thence South 89°-32'-10" East parallel with the North Section line, 530.48 feet for the place of beginning; thence continuing South 89°-32'-10" East, 82.52 feet; thence North 00°-36'-30" East, 287.97 feet; thence South 89°-32'-10" East, 295.00 feet; thence South 00°-42'-21" West, 498.59 feet; thence South 75°-40'-53" West, 389.82 feet; thence North 00°-36'-30" East, 310.08 feet to the place of beginning.

SECTION II. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK  
OSHTEMO CHARTER TOWNSHIP

# Memo



**To:** Oshtemo Charter Township Board  
**From:** Julie Johnston, AICP  
**Date:** August 7, 2018  
**Mtg. Date:** August 14, 2018  
**Subject:** Rezoning of 25 South 4<sup>th</sup> Street

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## **OBJECTIVE**

Second reading and final approval of a Planning Department initiated rezoning request from the C: Local Business District to the RR: Rural Residential District for property located at 25 South 4<sup>th</sup> Street. Parcel number: 3905-16-355-071.

## **BACKGROUND**

This is a Planning Department initiated request to rezone the subject parcel from the C: Local Business District to the RR: Rural Residential District. Staff's ongoing concern with the current zoning of this property is its incompatibility with surrounding land uses and zoning. In addition, the request to rezone the subject property is a step towards implementation of the Township's Future Land Use Map.

The property in question is 11.71 acres, of which 9.11 acres is zoned C: Local Business District. From aerial photography, most of the site is wooded and undeveloped. Only about the first 140 feet east from the 4<sup>th</sup> Street right-of-way line has been developed (approximately one acre) and contains both a commercial building and single-family home (with detached pole building), which is presently being used as a residential rental. It appears that access to the site, both for the single-family home, and commercial building is unpaved. There is a concrete pad in front of the commercial building, but parking and drive aisles around the building are unpaved.

### **Property Owner Notification**

On May 4, 2018, staff mailed a letter to the property owner, informing him of the Planning Department's intent to forward the rezoning request to the Planning Commission for consideration. The notification letter detailed why staff wished to rezone the property, the rezoning process, and where to find information regarding the Planning Commission agenda, staff report, etc. Shortly thereafter, the property owner visited Township Hall to discuss the notification. Staff went over the reasons for the request and the implications to his property. The Planning Commission staff report was then mailed to the property owner prior to the public hearing. A second conversation was had with a representative of the property owners at the Township Hall. The property owner decided not to attend the public hearing.

At the conclusion of the Planning Commission public hearing, staff mailed an additional letter to the property owner informing them of the recommendation of approval to the Township Board. In addition, the next steps in the rezoning process were provided. Staff has not heard from the applicant since the second conversation at the Township Hall front counter in early June.

### Rezoning Considerations

The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that must be considered when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. The Planning Commission considered the following:

#### 1. Master Plan Designation

The Future Land Use Map designation for this property and all surrounding properties is Rural Residential. This designation plans for predominately low density single-family residential with some agricultural uses that engender rural character. The Future Land Use Plan does recognize some small long-standing commercial uses within the Rural Residential area, but references farm stands and other commercial uses serving the local and regional markets. For example, Husted's Market on West Main Street.

The overall intent of this District is to promote a rural lifestyle for residential and agricultural uses. Strategic locations for commercial development were carefully planned to provide opportunities for residents to meet convenience needs. The Neighborhood Commercial District, which was designed to service the western portion of the Township, indicates commercial uses should maintain rural character and provide services, like small convenience stores, that will support and be compatible with nearby residential developments.

A 9.11-acre property zoned commercial is not compatible with the overall intent of the Rural Residential district or the rural character of this area.

#### 2. Consistency of the Zoning Classification in the General Area

All of the properties surrounding the subject site are zoned RR: Rural Residential. The C: Local Business District is essentially "spot" zoning at this location. According to an article published by the Michigan State University Extension on June 17, 2016, there are four criteria that indicate spot zoning, as follows:

*"One illegal form of rezoning is spot zoning. This practice gets its name from the appearance of small spots of different zoning districts on a zoning map that otherwise has large contiguous areas in the same zoning district around the spots. To be considered a spot zone, the property, in most cases, must meet the following four criteria:*

- *The area is small compared to districts surrounding the parcel in question.*
- *The new district allows land uses inconsistent with those allowed in the vicinity.*
- *The spot zone would confer a special benefit on the individual property owner not commonly enjoyed by the owners of similar property.*
- *The existence of the spot zone conflicts with the policies in the text of the master plan and the future land use map.*



*Rezoning that have the four characteristics of spot zoning listed above run a high risk of invalidation if challenged in court and not consistent with the master plan. In some cases, master plans anticipate these relationships and provide for them (for example, a small commercial area may serve a residential neighborhood). In those cases where the master plan supports a relatively small zoning district that is dissimilar to the zoning that surrounds it, this is probably not a spot zone.”*

The subject site meets all four of these criteria. While 9.11 acres, the commercially zoned area is still small in comparison to the acres of property surrounding the site which are zoned Rural Residential. The uses permitted within the C: Local Business District are generally incompatible with the Rural Residential uses, which is why the Master Plan outlines the need for a Neighborhood Commercial District. The commercial zoning confers a benefit on this individual property which is not enjoyed by adjacent properties, namely the right to develop large commercial uses. Finally, the commercial zoning is not supported by the Future Land Use Map, as previously stated.

### 3. Consistency and Compatibility with General Land Use Patterns in the Area

Properties surrounding the subject site are residential in nature and are generally large parcels. The smallest parcel is located about 1,000 linear feet to the south of the subject site and is 0.75 acres. The largest parcel is directly across 4<sup>th</sup> Street from the subject site, which is 70 acres in size and is owned by the Fetzer Institute. Most of the parcels are heavily wooded with little to no development.

The residential component of the subject parcel is more in keeping with the surrounding land use pattern than the commercial use.

### 4. Utilities and Infrastructure

Utilities and infrastructure are often considered in a request for rezoning to ensure that public facilities can service any possible development that would occur on the site. Public utilities are particularly important when considering a large commercial zoned parcel. At this time, the Township has no plans to provide sanitary sewer to this area of the community. However, public water is available down 4<sup>th</sup> Street.

### 5. Reasonable Use under Current Zoning Classification

The current zoning classification allows for more diversity of uses than experienced by adjacent properties, which is included in the criteria for spot zoning. However, it is important to note that this property has enjoyed this use district for over 30 years. Rezoning the property to the RR: Rural Residential District will instigate the “grandfathered” clause. This clause essentially states that if a use is already established before a zoning change, and the use is lawful under the old zoning, it’s status under the new zoning is legal nonconforming.

Therefore, if the auto shop is currently in operation, it would be allowed to continue under a legal nonconforming use status. The restrictions placed on the property, per Section 62.152 of the Nonconforming Uses ordinance, would be as follows:

62.152 Nonconforming uses of land or structure.

*The use of any land or structure, existing and lawful at the time the use commenced, may be continued, even though such use does not conform to the provisions of this Ordinance, or amendment hereto, subject to the following provisions:*

1. *No nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land or structure.*
2. *No nonconforming use shall be moved in whole or in part to any other portion of the land or structure occupied by such use.*
3. *If any nonconforming use of land or structure ceases for any reason for a period of more than 12 months, any subsequent use of such land or structure shall conform to the requirements of this Ordinance.*
4. *If a nonconforming use of land or structure is changed to a permitted or more restrictive use in the district in which it is located, it shall not revert or be changed back to a nonconforming less restrictive use.*

6. Effects on Surrounding Property

Depending on whether the auto shop business is in use, the effects on surrounding properties will either be negligible or positive. As the use has been in operation for some time, continuing as an automotive servicing center will be status quo for neighboring properties. However, the rezoning will curtail any expansion of the use or other new commercial operations, which could further effect compatibility. Removing the possibility of a large commercial operation in this area will support the rural and residential character of the area.

Planning Commission Public Hearing

The Planning Commission held their public hearing for this request on June 14, 2018. There were two interested residents in attendance who spoke in favor of the rezoning. The Planning Commission made a motion to recommend approval to the Township Board, which received unanimous support.

Township Board First Reading

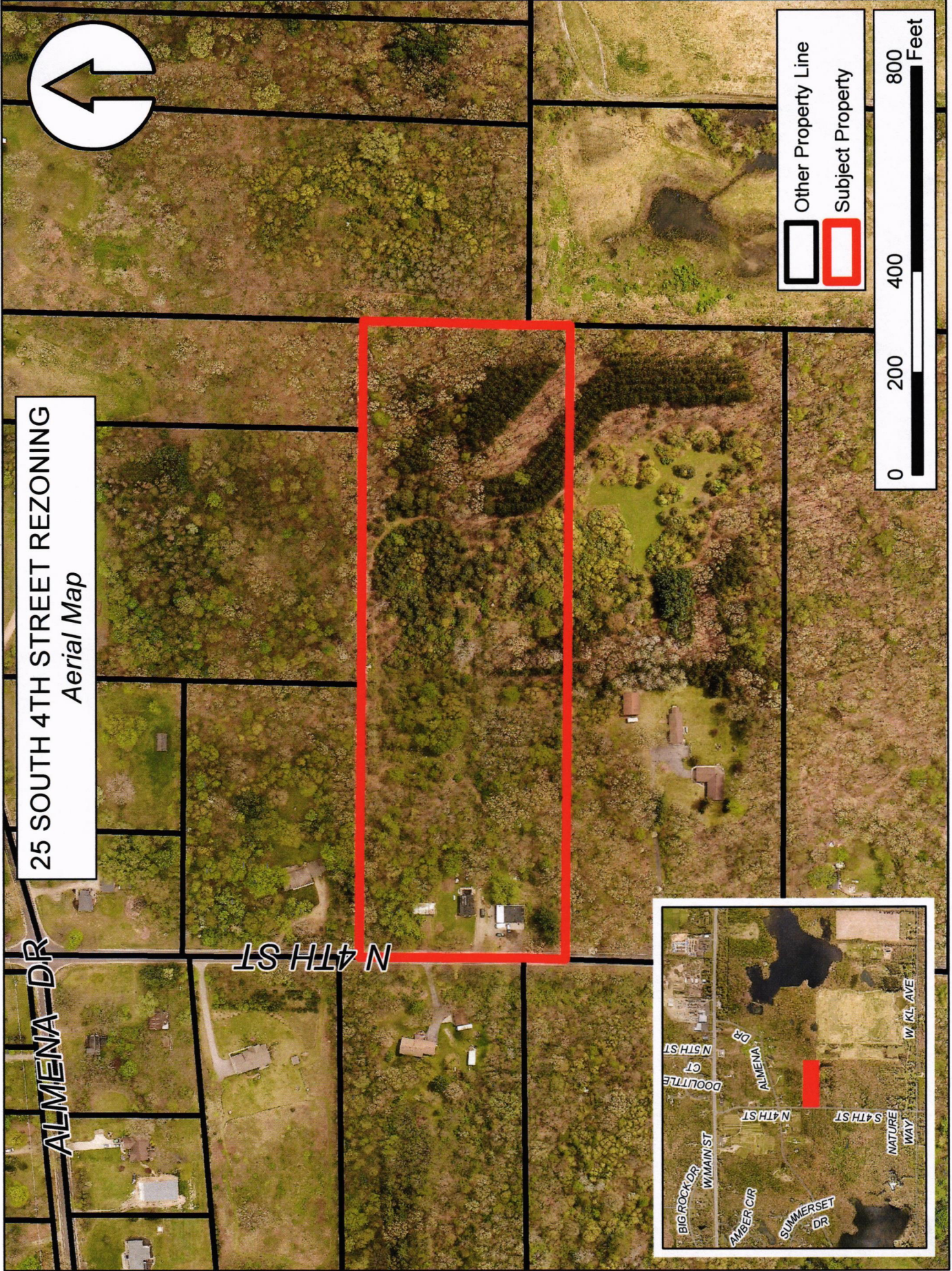
First reading for this request was held on July 10, 2018, which was approved with a 7-0 vote.

**INFORMATION PROVIDED**

- Aerial map
- Current zoning map
- Future Land Use map
- Township Ordinance



25 SOUTH 4TH STREET REZONING  
Aerial Map



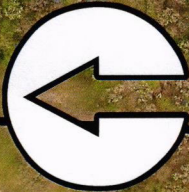
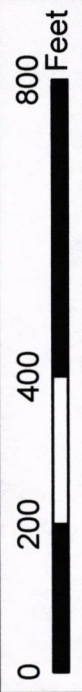
ALMENA DR

N 4TH ST



Other Property Line

Subject Property



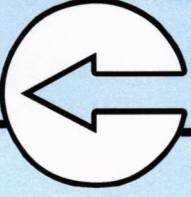






25 SOUTH 4TH STREET REZONING  
Current Area Zoning

ALMENA

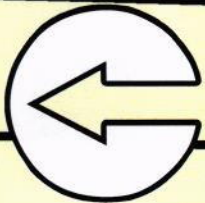
N 4TH ST

S 4TH ST



	Other Property Line	<b>Current Zoning</b>
	Subject Property	 RR - RURAL RESIDENTIAL DISTRICT
		 C - LOCAL BUSINESS DISTRICT



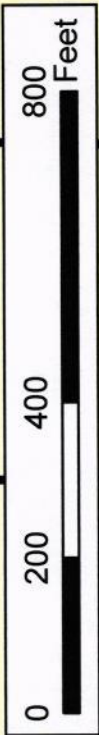
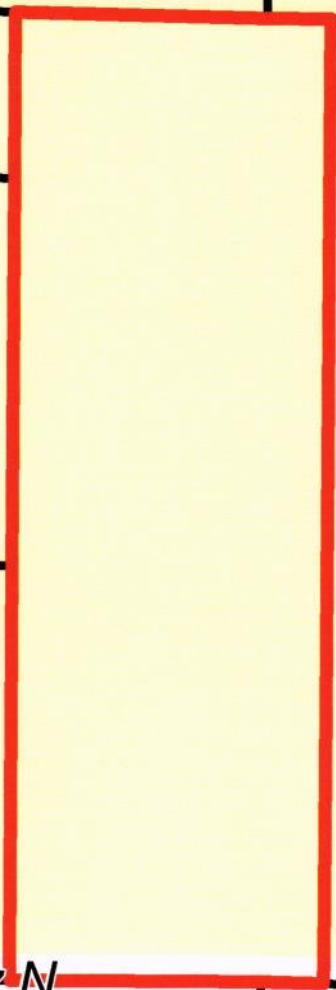


25 SOUTH 4TH STREET REZONING  
*Future Land Use*

ALMENA-D

N 4TH ST

S 4TH ST



	Other Property Line		Future Land Use
	Subject Property		Rural Residential

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. \_\_\_\_

Adopted: \_\_\_\_\_, 2018

Effective: \_\_\_\_\_, 2018

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, by the rezoning of a portion of land located in Land Section 16 from the "C" Local Business District to the "RR" Rural Residential District zoning classification. The Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I. AMENDMENT OF LAND SECTION 16. The Oshtemo Charter Township Zoning Ordinance is hereby amended to rezone approximately 9.11 acres of a 11.71-acre parcel of land located at 25 South 4<sup>th</sup> Street, Parcel No. 3905-16-355-071, from the "C" Local Business District to the "RR" Rural Residential District described as follows:

SEC 16&21-2-12 S1/4 SW1/4 SW1/4 ALSO N 82.5 FT  
W1/2 NW1/4 SEC 21 \* \*\*2-86 1985 SPLIT FROM 16-  
3550-070 & 21-105-010

SECTION II. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK  
OSHTEMO CHARTER TOWNSHIP

# Memo



**To:** Oshtemo Charter Township Board  
**From:** Julie Johnston, AICP  
**Date:** August 7, 2018  
**Mtg. Date:** August 14, 2018  
**Subject:** Zoning Ordinance Amendments – Addressing Requirements for Structures

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## **OBJECTIVE**

Consideration of second and final reading of a new Zoning Ordinance designated *Section 77.000: Addressing Requirements for Structures*, which is intended to provide regulatory requirements for the placement of addresses on nonresidential structures.

## **BACKGROUND**

The importance of requiring addresses on non-residential buildings for public safety was brought to the Planning Departments attention by Chief Mark Barnes and Fire Marshal Jim Wiley. Currently, the Township does not have an ordinance or policy that manages the placement of addresses on buildings in a systematic way. This has led to a variety of addressing types, sizes, fonts, etc. on commercial and industrial buildings, causing confusion and possibly reduced emergency response times.

The crafting of the draft ordinance was developed through a coalition of the Fire Department, Planning Department, Public Works Department and Legal Department. Ben Clark, Zoning Administrator, reviewed ordinances from other communities and spoke with a representative from a sign company to learn if there were existing conventions related to distance, address size and legibility. Based on his research, internal discussions among the departments noted above, and final staff review, a draft ordinance was developed for the Planning Commissions review.

The Planning Commission held a public hearing on December 14, 2017, when a recommendation of approval was forwarded to the Township Board. Staff worked with the Township Board at two work session meetings in May and June and then first reading was approved on July 10, 2018.

## **INFORMATION PROVIDED**

Ordinance Amendments



OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. \_\_\_\_

Adopted: \_\_\_\_\_, 2018

Effective: \_\_\_\_\_, 2018

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance by the addition of Section 77.000 Addressing Requirements for Structures. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I.

ADDITION OF ZONING ORDINANCE COMPILED SECTION 77.000 ADDRESSING REQUIREMENTS FOR STRUCTURES. Section 77.000 Addressing Requirements for Structures is hereby added to read as follows:

**77.000 ADDRESSING REQUIREMENTS FOR STRUCTURES**

**77.100 Intent.**

To help ensure that emergency service responders are able to locate buildings in a timely manner, any structure or individual tenant space erected or established in the Township shall be subject to the following street address display standards.

**77.200 Applicability.**

1. The addressing standards of this section shall apply to any structure or tenant space erected or established in the Township that is subject to site plan review, per Section 82.000 of the Zoning Ordinance, unless expressly exempted herein.
2. Single-family homes, duplexes, triplexes, and fourplexes shall be exempt from this section.
3. Any existing applicable structures or individual tenant spaces that do not meet the standards of this section shall be considered legally non-conforming.

4. Any expansion or modification to a legally non-conforming structure that requires site plan approval, per Section 82.000 of this Ordinance, shall also come into compliance with the requirements of this section.

**77.300 General requirements.**

1. Structures subject to this section shall have their street address displayed in accordance with Table 77.1.
2. Individual tenant spaces with dedicated ingress and egress within a larger structure subject to this section shall have their street number or suite/unit number/letter displayed in accordance with Table 77.1.
3. To the extent practical, addresses and individual tenant space numbers/letters shall be displayed on the side of the structure facing the street to which it is addressed.
4. On multiple frontage properties, structures shall have their addresses displayed on each road frontage, excluding limited access highways, which shall be formatted using the following convention: street number, directional abbreviation, street name, and street type abbreviation. For example, 7275 W Main St.
5. Structures with one street frontage shall require that only the street number be displayed.
6. Street and suite/unit numbers shall be displayed using Arabic numerals.
7. Street addresses and individual tenant space numbers/letters shall be displayed in a legible manner, and shall be of a color that contrasts to the structure or backing on which the address is displayed. The font used should be Helvetica Bold or similar. Acceptance of proposed font and contrast quality is subject to Fire Marshal approval.
8. For buildings located within a larger development that do not have direct exposure to road frontage, the address shall be displayed on the side of the structure facing the primary vehicle access point, in accordance with Table 77-1.
9. If the structure's address is not visible from the street due to vegetation, topography, or other obstructions, or if the structure is more than 200 feet from the adjacent right-of-way, then the address shall also be indicated on a free-standing display device, at least three feet in height above the adjacent road grade, to be located at the street frontage as close to the right-of-way/road easement boundary and associated driveway as practicable or as otherwise restricted by this Zoning Ordinance. The text characters of said sign shall comply with the size standards of Table 77.1. Street addresses may be collocated on other sign structures associated with the property or development.
10. Any structure or tenant space subject to this section located on a private or local road, but clearly visible from a collector or arterial road, shall, at a minimum, adjust its associated address character

size and placement based on its distance from and orientation to the higher-level roadway, per Table 77.1.

**77.400 Character size and placement.**

1. The following Table shall be used to determine the minimum address display standards:

**Table 77.1**

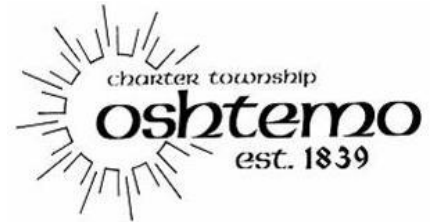
<b>DISTANCE FROM RIGHT-OF-WAY, EASEMENT BOUNDARY, OR DRIVEWAY TO STRUCTURE OR DISPLAY DEVICE</b>		<b>CHARACTER SIZE AND PLACEMENT</b>		
<b>From</b>	<b>To</b>	<b>Minimum Height</b>	<b>Minimum Width</b>	<b>Maximum Building Placement Height Above Grade</b>
0'	39'	8"	4"	15'
40'	69'	10"	5"	20'
70'	199'	12"	6"	25'

2. Address characters for structures shall be mounted on the wall of the subject structure at least ten feet above the adjacent road grade, unless this requirement cannot be met, then addressing shall be placed on a freestanding sign between the structure and the road and visible from the road.

**SECTION II.**

**EFFECTIVE DATE AND REPEAL.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK  
OSHTEMO CHARTER TOWNSHIP



# Memorandum

**Date:** 8/3/2018

**To:** Township Board

**From:** Dusty Farmer, Clerk

**Subject:** Online Bill Pay

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## Objective:

Direct the IT Consultant to research online bill payment options for residents to pay application and rental fees more conveniently.

## Summary:

Staff and residents have requested that online payment options be expanded beyond online tax payments.





# Memo



**To:** Libby Heiny-Cogswell, Township Supervisor

**From:** M. Barnes, Fire Chief

**Date:** August 1, 2018

**Copy:**

**Re:** Budget Amendment Request

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Oshtemo Township's resident fire internship program is realizing an uptick of interest. As of today, all three of our positions are filled with actively productive and treasured team members. Due to the space limitations of three dorm rooms, we have previously delayed additional applicants for up to a year.

The good news is that we have two new qualified resident interns qualified and ready to join the Oshtemo team for a year of learning and invaluable experience. Mr. Shawn Quinn is from VanBuren County and has already received his State of Michigan certification as a firefighter. Mr. Logan Jager is an Oshtemo resident.

In light of this opportunity, I am asking that the Township approve a budget amendment that will allow us to purchase furnishing to support the addition of two dorm rooms. One will be at Station 1 in a space that is currently our EMS and public educational materials storage area. The room is the same size and design as the existing three other rooms. That storage will be moved to our maintenance room.

The second will occupy a shared office area at Station #2 that is currently being used by our three full-time firefighters. The assistance of resident interns is so appreciated, that they had offered to transition their clerical duties to the building's open dispatch area.

# Memo



**To:** Oshtemo Charter Township Board  
**From:** Julie Johnston, AICP  
**Date:** August 7, 2018  
**Mtg. Date:** August 14, 2018  
**Subject:** Conditional Rezoning Request from Simon Ashbrook

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## **OBJECTIVE**

Second reading and final approval of a request from Simon Ashbrook to rezone approximately 4.3 acres of a 20-acre property located at 7110 West Main Street from the R-2: Residence District to the C: Local Business District, with conditions. Parcel number: 3905-15-285-010.

## **BACKGROUND**

The owner/applicant is requesting rezoning of approximately 4.3-acres of a 20-acre parcel addressed as 7110 West Main Street to the C: Local Business District with conditions. The rezoning request is to allow for the development of a specialty meat and produce market. The applicant has provided specific conditions related to the rezoning request, which are attached and outlined below. The parcel is currently located in the R-2: Residence District and has approximately 720 feet of frontage on West Main Street.

The unique element of the request is that the property owner has submitted conditions associated with the rezoning application. The conditional rezoning process follows the same procedures as a traditional rezoning request with the exception that the applicant may offer conditions that place additional restrictions on their property. Conditional rezoning is provided as a mechanism to allow an applicant the opportunity to address anticipated concerns that may be raised by the rezoning request.

The applicants offer of conditions are as follows:

1. The conditional rezoning request is from the West Main right-of-way north 300 feet for a total of approximately 4.0 acres, which is the area planned for Local Commercial in the Township's Future Land Use Map.
2. The size of the commercial building will be limited to 5,000 square feet or less in keeping with the intent of the Local Commercial District outlined in the Master Plan.
3. The commercial building will house a specialty market for the sale of meat, dairy, and produce.

4. To assist the Township with access management, we will enter into cross-access agreements with adjacent properties, when they develop, to consolidate curb cuts in this area and limit additional driveway entrances off of West Main Street.
5. When the Local Commercial zoning district, as defined in the Master Plan, is created by the Township, we will work with the Township to remove the conditional rezoning and zone the property as outlined in the Future Land Use Map.

With these conditions in mind, the Planning Commission reviewed the requested C: Local Business District for a specialty market based on the considerations outlined below.

### Rezoning Considerations

The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that must be considered when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. The Planning Commission considered the following:

#### 1. Master Plan Designation

As stated, the Future Land Use Plan for this area indicates Local Commercial District for the first 300 feet moving north from West Main Street. The Master Plan indicates uses in this district should be professional offices, unique shops such as antique stores and specialty foods, and generally low volume enterprises. The requested Red Barn Market is intended to be a specialty food store.

The Future Land Use Plan also indicates shared access and parking, particularly along primary roads and highways. The added condition regarding cross-access to adjacent properties is in compliance with the Local Commercial designation, hopefully reducing the need for additional curb cuts on West Main Street.

#### 2. Consistency of the Zoning Classification in the General Area

The properties on the north side of West Main between 7<sup>th</sup> and 9<sup>th</sup> Streets are zoned R-2: Residence District and C: Local Business District. The R-2 District is located from the northeast corner of 7<sup>th</sup> Street through the subject property, where it changes to C: Local Business District at the eastern property line.

On the south side of West Main Street, properties have the same zoning pattern with RR: Rural Residential at 7<sup>th</sup> Street moving east approximately 500 feet where the R-2: Residence District is located to C: Local Business District at the southeast corner of West Main and 8<sup>th</sup> Streets.

The limited size of the requested rezoning allows for a transition in intensity from the properties to the east. The commercial zoning of those properties has a depth of over 1,200 linear feet from West Main



Street and allow significant local and regional commercial uses. The scope of the rezoning request allows for a step-down evolution of commercial uses moving west.

3. Consistency and Compatibility with General Land Use Patterns in the Area

The general land use pattern in this area changes from large big-box stores like Menards at the corner of 9<sup>th</sup> and West Main Street to smaller scale commercial and service establishments like Golf Services, to single-family residential homes.

As stated in the Future Land Use Plan, the intent in this area is to transition from large, regional market commercial uses to more local establishments. This was true for both the previous Transitional Mixed-Use District and the current Local Commercial District. In addition, the Plan clearly demarcates this area as the western boundary of the commercial land use pattern. The establishment of the C: Local Business District, with the conditions provided, fits the current and planned general land use pattern of this area.

4. Utilities and Infrastructure

Water is available on the south side of West Main Street, with a public stub leading to the north side of the street at the far eastern property line of the subject site (extended from 8<sup>th</sup> Street). Sanitary sewer is currently unavailable in this area. However, sanitary sewer is planned along West Main from 8<sup>th</sup> to 7<sup>th</sup> Street in 2019 according to the Township's Capital Improvement Plan. As engineering design and funding is still pending, this date is not definitive.

5. Reasonable Use under Current Zoning Classification

The current zoning classification for this property is R-2: Residence District. A subdivision, site condominium or residential planned unit development could be established on this site. However, the prospect of a new residential development occurring immediately adjacent to West Main Street is not high. Any new residential construction would likely consider a setback from West Main to provide a buffer for new owners. The probable scenario for this property due to its location along a major thoroughfare of Kalamazoo County would be a planned unit development, which would allow nonresidential uses to serve as a buffer between the residential uses and West Main Street.

6. Effects on Surrounding Property

There will be effects to the surrounding properties and travel on West Main Street if the property is rezoned. This 20-acre property is largely vacant, with an unoccupied single-family home. The placement of a specialty market will intensify the use of the parcel, predominately impacting the existing single-family homes to the west. The limited depth of the rezoning, 300-feet, helps to lessen these impacts. But, the rezoning would share a boundary with one single-family home side yard and two rear yards.

Careful consideration to site development will be needed for this use to transition effectively and be compatible with adjacent properties. The Landscape Ordinance currently regulates a 35-foot

landscape buffer between commercial and residentially zoned properties. This buffer requires canopy and understory trees, shrubs and evergreen trees, which will help to screen any new construction, assisting with compatibility concerns.

An additional curb cut on West Main Street will also have some impacts to traffic flow in this area. The Michigan Department of Transportation will ultimately determine the configuration of this access point.

#### Planning Commission Public Hearing

The Planning Commission held their public hearing for this request on June 14, 2018. Two interested residents spoke at the public hearing. One resident spoke in favor of the rezoning and one indicated concerns that the rezoning would result in additional traffic safety issues for the area. The Planning Commission made a motion to recommend approval of the rezoning request with the conditions provided by the applicant to the Township Board, which received unanimous support.

#### Township Board 1<sup>st</sup> Reading

First reading before the Township Board was held on July 10, 2018. After discussion by the Board related primarily to traffic concerns in this area, a motion to approve first reading and set the request for second reading was made. The motion was approved with a 5 - 2 vote.

#### **INFORMATION PROVIDED**

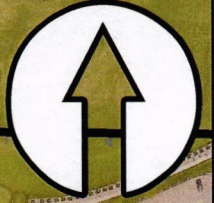
- Rezoning Conditions offered by the Applicant
- Aerial map
- Current zoning map
- Future Land Use map
- Township Ordinance

Conditions offered for the Rezoning:

1. The conditional rezoning request is from the West Main right-of-way north 300 feet for a total of approximately 4.0 acres, which is the area planned for Local Commercial in the Township's Future Land Use Map.
2. The size of the commercial building will be limited to 5,000 square feet or less in keeping with the intent of the Local Commercial District outlined in the Master Plan.
3. The commercial building will house a specialty market for the sale of meat, dairy, and produce.
4. To assist the Township with access management, we will enter into cross-access agreements with adjacent properties, when they develop, to consolidate curb cuts in this area and limit additional driveway entrances off of West Main Street.
5. When the Local Commercial zoning district, as defined in the Master Plan, is created by the Township, we will work with the Township to remove the conditional rezoning and zone the property as outlined in the Future Land Use Map.



ASHBROOK REZONING  
Aerial Map



N 7TH ST

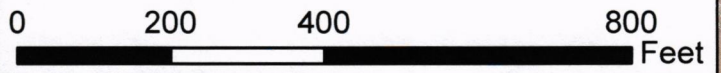


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N 8TH ST

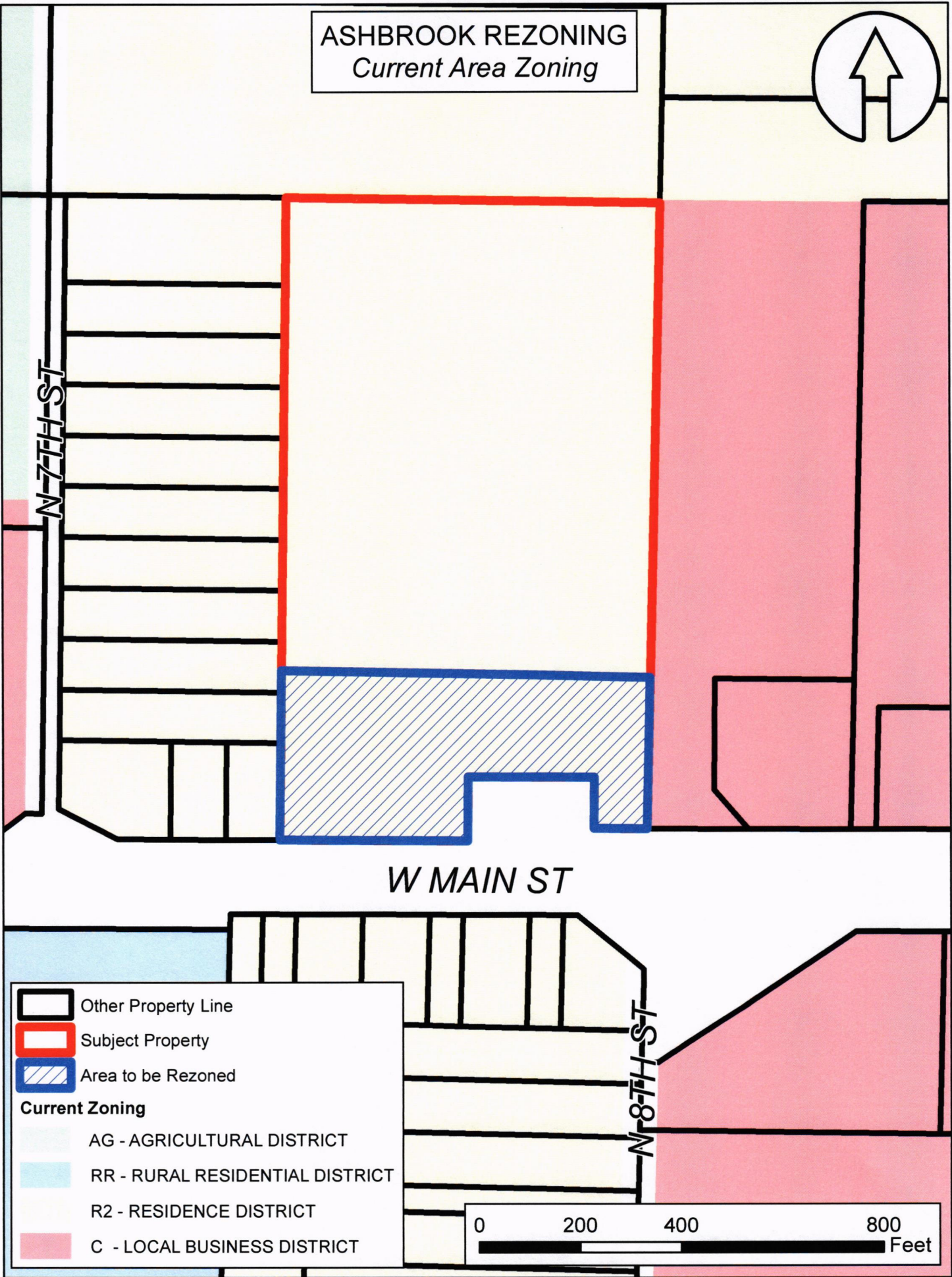


- Other Property Line
- Subject Property
- Area to be Rezoned





ASHBROOK REZONING  
Current Area Zoning

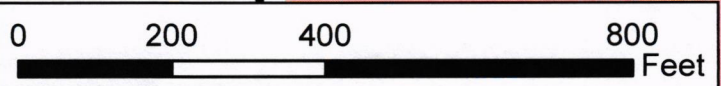


N 7TH ST

W MAIN ST

N 8TH ST

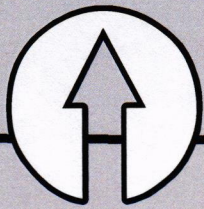
- Other Property Line
- Subject Property
- Area to be Rezoned
- Current Zoning**
  - AG - AGRICULTURAL DISTRICT
  - RR - RURAL RESIDENTIAL DISTRICT
  - R2 - RESIDENCE DISTRICT
  - C - LOCAL BUSINESS DISTRICT



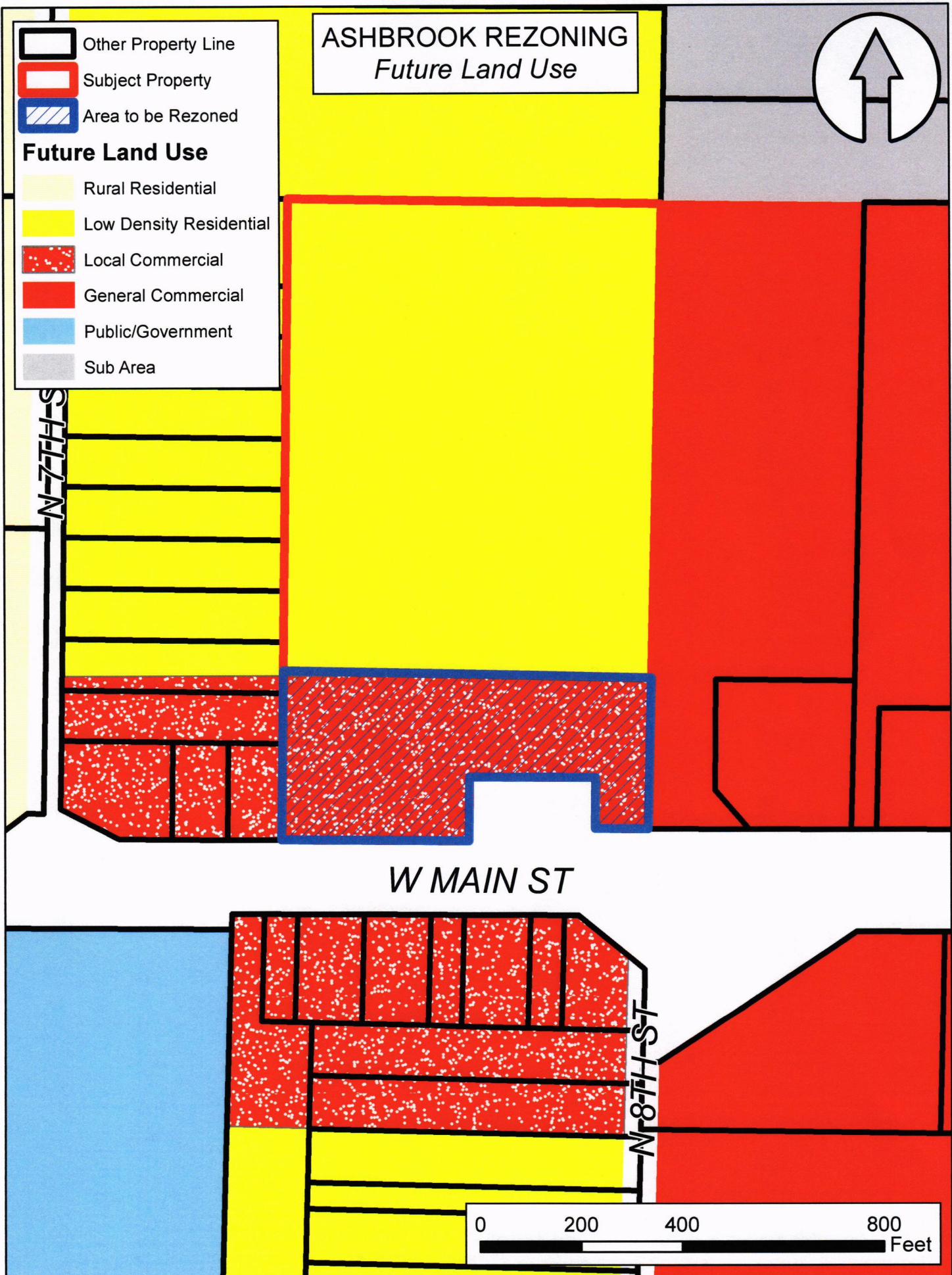


# ASHBROOK REZONING

*Future Land Use*



- Other Property Line
  - Subject Property
  - Area to be Rezoned
- Future Land Use**
- Rural Residential
  - Low Density Residential
  - Local Commercial
  - General Commercial
  - Public/Government
  - Sub Area



OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. \_\_\_\_

Adopted: \_\_\_\_\_, 2018

Effective: \_\_\_\_\_, 2018

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, by the conditional rezoning of a portion of land located in Land Section 15 from the "R-2" Residence District to the "C" Local Business District zoning classification. The Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I.

AMENDMENT OF LAND SECTION 15. The Oshtemo Charter Township Zoning Ordinance is hereby amended to conditionally rezone a parcel having a depth of 300 feet from the West Main Street right-of-way, for a total of approximately 4.3 acres of a 22-acre parcel of land, located at 7110 West Main Street, Parcel No. 3905-15-285-010, pursuant to Section 22 and 30 of the Oshtemo Charter Township Zoning Ordinance, from the "R-2" Residence District to the "C" Local Business District described as follows and subject to the conditions that the land uses will be limited to a specialty market as set forth below:

1. The size of the commercial building will be limited to 5,000 square feet or less in keeping with the intent of the Local Commercial District outlined in the Master Plan.
2. The commercial building will house a specialty market for the sale of meat, dairy, and produce.
3. To assist the Township with access management, we will enter into cross-access agreements with adjacent properties, when they develop, to consolidate curb cuts in this area and limit additional driveway entrances off of West Main Street.
4. When the Local Commercial zoning district, as defined in the Master Plan, is created by the Township, we will work with the Township to remove the conditional rezoning and zone the property as outlined in the Future Land Use Map.

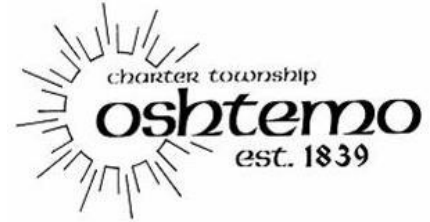
That part of the South 400.00 feet of the Southeast 1/4 of the Northeast 1/4 of Section 15, T. 2 S., R. 12 W., lying Easterly of The Meadows Plat and Northerly of the Northerly right-of-way line of West Main Street.

SECTION II.

EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK  
OSHTEMO CHARTER TOWNSHIP





# Memorandum

**Date: 8/9/2018**

**To: Township Board**

**From: Dusty Farmer, Clerk**

**Subject: Election Precinct Location Change**

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Please review and approve the following election precinct location changes for the November 6, 2018 General Election:

**Precinct 1** from Oshtemo Township Hall (7275 West Main St.) to Grange Hall (3234 3<sup>rd</sup> St.)

**Precinct 3** from People's Church (1758 10<sup>th</sup> St.) to Oshtemo Branch Library (7265 West Main St.)

**Precinct 9** from Oshtemo Branch Library (7265 West Main St.) to Oshtemo Township Hall (7275 West Main St.)

This request is for a permanent change to these election precinct locations. Voters in these precincts will be notified with a new voter registration card via United States Postal Service mail. We will also post reminders on the Township newsletter, website, Facebook page, and Nextdoor.com.



# Memo



**To:** Libby Heiny-Cogswell, Twp. Supervisor  
**From:** M. Barnes, Fire Chief  
**Date:** August 7, 2018  
**Re:** Recommendation of a replacement fire apparatus for unit # 532 and its related 2018 budget adjustment.

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## **Recommendation.**

Approval of a budget amendment in the amount of \$807,000 from capital fund balance into the existing 2018 capital budget. That will allow the immediate purchase of Rosenbauer's demonstrator apparatus #7493. This action will replace Oshtemo's quint #532 which was scheduled for 2019 but its immediate failure to pass certification has made this necessary 4 months early. Quint #532 failed its annual inspection and was decommissioned after the July 10<sup>th</sup> board work session where the Board passed a motion "to move up the process of replacing engine #532 to 2018 from 2019".

## **OFD Apparatus Committee Process and Unanimous Recommendation:**

The need to immediately replace this deceased fire engine led to the development of a departmental apparatus committee consisting of: D/C McComb (chair), Capt. Chip Everett, Lt. Joe Keck, Lt. Bob Flahive, Lt. Eric Burghardt, Driver Nathan Carley and Driver Brian Toepper. That dedicated team of fire service professionals received some initial direction and then set out to find an available fire apparatus designed to replace Quint #532.

The committee initially identified the minimum fire apparatus functional needs and any worthy improvements that this apparatus should possess. They then identified 7 vendors who are considered sole source manufacturers because they produce the entire apparatus to include the cab, chassis, body and aerial device.

Their next step was to contact each of them with our list of functional needs and ask for a listing of their immediately available demonstrator apparatus that we should consider. In addition, all of the manufacturers were invited to bring their candidate(s) to Oshtemo for a live demonstration.

The committee then assessed 24 measurers (i.e. pump and tank size, engine size, aerial length, total compartment cubic feet...) against an initial list of 7 which pared it down to 2 finalists: Pierce and Rosenbauer. Only Rosenbauer was able to bring their proposed apparatus to Oshtemo for a visual inspection. Pierce brought a similar apparatus.

High points of the evaluation are attached. The final cost will include purchasing of the apparatus with necessary modifications and the cost of changeover by our local service center. Allow me to call your attention to the yellow boxes under Pierce. Those are areas in which their proposed apparatus fell significantly short of the Rosenbauer apparatus. The committee's final recommendation is to purchase the Rosenbauer apparatus.



	Rosenbauer		Pierce	Costs to closer to
Main Ladder length	109'		107'	
Tip Load?	500-2400 (Range)		<b>500 max in any position.</b>	
Short Jacking?	Yes. Computer limited in all ranges.		<b>No. Must be fully extended.</b>	
Pump size	2,000 GPM		2,000 GPM	
Class A foam system?	No		Yes	Re
GPM at tip	1,800 GPM		1,500 GPM	
Water tank size	504 Gallons		480 Gallons	
Cab Seating	6 Seats		6 Seats	
Ground ladder storage	115' Ladder storage w/28' extension ladder		105' (24' extension)	
Overall length	39' 9"		39' 3"	
Hose bed Storage	1,200' 5" storage + room for 3"		<b>1,000' divided into two 500' beds</b>	
Engine / Horsepower	Cummins / 500hp		450hp	
Rear Axle Configuration	Dual rear axle		Single	
Compartment space	217 ft3		150 ft3	
Generator	7.9kw *Greenstar*		6kw	A
Cord reels	None		1	Re
Galvanization	Frame, Torque Box, Outriggers, Ladder		Wire Rope only.	
Frame Warranty	Lifetime to include corrosion.		<b>50 yr. free from defects in material only. No corrosion protection.</b>	
Headsets / Intercom	Built into seats		None	A
Mileage	30,000		Unknown	
Heated Pump Compartment	Yes		None	A

### Project Cost

Quint Engine		Project Costs (2 trucks)	
\$ 796,241	Base Price	\$ 529,613	Rescue Engine (2018 Budget)
\$ 17,243	Factory Modifications	\$ 806,617	Quint Engine (2019 CPI)
\$ 20,000	Local Modifications and Changeover	\$1,336,230	Cost of both units
\$ (26,867)	Mfg. Reduction (Multi Truck & Demo Purchase)	\$1,425,000	Amount Estimated (2018 Budget/2019 CPI)
\$ 806,617	Final Cost	\$ 88,770	Amount Under Estimate

### Capital Budget Impact

2018	
\$1,393,146	Fund Balance on 1/1/2018 (per Steve Bryer)
\$ 402,377	2018 Actual Revenue to date.
\$ (154,600)	Projected 2018 Approved Expenditures
\$1,640,923	Actual YTD Fund Balance
\$1,336,230	Cost of both units
\$ 304,693	Fund Balance after truck purchases

Purchasing an immediately available Quint engine (which meets our needs) and moving it ahead by 4 months will prove to be fiscally beneficial. Should we wait until after 1/1/2019 to order this apparatus, delivery would be 13-15 months later. Due to normal annual cost increases and the current escalation on U.S. tariffs, Rosenbauer is anticipating as much as a 6.5% increase. In this case that would be \$52,876.