

**OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

MINUTES OF A MEETING HELD NOVEMBER 26, 2013

Agenda

REQUEST FOR SITE PLAN REVIEW OF A PROPOSED 4,000 SQUARE FOOT, ONE STORY OFFICE BUILDING ON A 1.44 ACRE PARCEL LOCATED AT 7171 STADIUM DRIVE IN THE C-LOCAL BUSINESS DISTRICT (PARCEL NO. 3905-34-275-004).

A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, November 26, 2013, at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Roger Taylor, Chairperson
Cheri Bell
Lee Larson
Millard Loy
Neil Sikora, First Alternate
L. Michael Smith
James Sterenberg, Second Alternate

MEMBERS ABSENT: None

Also present were Greg Milliken, Planning Director; James Porter, Attorney; and two interested persons.

Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Taylor at approximately 3:00 p.m., and the "Pledge of Allegiance" was recited.

Public Comment on Non-Agenda Items

Chairperson Taylor called for public comment on non-agenda items. Hearing none, he proceeded to the next agenda item.

Approval of the Minutes of October 22, 2013

The Chairperson asked if there were any additions, deletions or corrections to the minutes of October 22, 2013. No changes were noted. Mr. Smith made a motion to approve the minutes as presented. Mr. Loy seconded the motion. The motion was approved unanimously.

Request for Site Plan Review of a Proposed 4,000 Square Foot, One Story Office Building on a 1.44 Acre Parcel Located at 7171 Stadium Drive in the C-Local Business District (Parcel No. 3905-34-275-004).

Chairperson Taylor asked Mr. Milliken to provide background regarding the proposed site plan requested by the applicant.

Mr. Milliken indicated that the property is located at 7171 Stadium Drive, which is on the south side of Stadium between 7th and 9th Streets immediately west of the Stadium Pines Office Park. The parcel is a vacant 1.44 acre site that was recently split from Unit 4 within the office park condominium. Unit 4 houses the Jansen Valk Accounting office. The land division and amendment to the condominium was approved by the Township Board in March, and the new parcel is not a part of the condominium.

The subject property is located in the C zoning district, and an office building is a permitted use in the C district. Thus, site plan review is required.

Mr. Milliken indicated that access to the property would be from Stadium Drive. He reviewed the discussion that occurred in the spring with the Township Board regarding access to Stadium Drive. Although the Board desired cross access from the unit to the east, ultimately this was not required. They approved the split on the condition that cross access be provided to either the east or west, and an easement has been shown for shared access when the parcel to the west redevelops.

Mr. Milliken stated that the plan calls for 24 parking spaces, which conforms to the Ordinance requirements. The plan also has been amended to provide the desired turnaround space for emergency vehicles as requested by the Fire Marshall. The plan does not show any non-motorized facility along Stadium Drive, so an agreement similar to what was provided on the adjacent site would need to be provided.

Mr. Milliken said that much of the existing landscaping along the north and west boundary lines was being preserved, and that the landscape plan has been amended to reflect this. Therefore, this material can count toward the required plantings. With this change, the landscape plan now satisfies the requirements of the Ordinance.

Mr. Milliken reviewed the standards for site plan approval as stated in his review memo as well as the conditions recommended for approval.

Mr. Sikora asked if access was being provided to the site from Stadium Pines Street. Mr. Milliken indicated that it was not; only from Stadium Drive but that a point for shared access was included for the parcel to the west.

Mike Gazella of Eng. Engineers spoke on behalf of the applicant. He introduced himself as the engineer who designed the site plan.

Mr. Smith asked if there had been any conversation with the adjacent property owner regarding shared access and future connections.

Mr. Gazella stated there had not been any conversations that he was a part of but that the point of connection was reserved for the future.

Ms. Bell asked for confirmation that there was no outside lighting proposed. Mr. Gazella confirmed that there were no pole lights or parking lot lights proposed at this time. He was not certain about building fixtures as that had not yet been decided upon.

Jim Valk, property owner, stated that they had not ruled out the possibility of having lights mounted on the building but had not yet decided and therefore had not shown any on the plans.

Ms. Bell sought confirmation that any lighting on the site would need to conform to the Ordinance. Mr. Milliken confirmed that was the case and indicated that based on the information provided it would be best to keep the condition in place that states any exterior lighting must satisfy the requirements of the ordinance.

Ms. Bell asked for confirmation that there would be no dumpster on the site.

Mr. Valk indicated that it would depend on the tenant and how the building is ultimately designed.

Chairperson Taylor asked where the dumpster would be located.

Mr. Gazella stated that he believed the dumpster would be able to be sited in compliance with the Ordinance east of the parking lot.

Board members and the applicant engaged in discussion regarding trash collection options, locations, requirements, screening, procedures, etc. It was confirmed that the site plan does not show any dumpster and therefore approval would not include a dumpster. Addition of a dumpster at a later date would be an amendment of the site plan, although Mr. Milliken believed review of such an amendment could likely be handled administratively. The use of a "herbie-curbie" dumpster likely would not require screening or an amendment if located properly on the site.

Mr. Loy asked the applicant how many tenants the facility was designed for. Mr. Gazella stated that the building was designed for one tenant.

Mr. Smith made a motion to approve the site plan request of JVTR Stadium LLC for a 4,000 square foot office building at 7171 Stadium Drive with the following conditions:

1. A sign permit is required before any new signs are installed on site, and all signage shall conform to the requirements of the sign chapter of the Zoning Ordinance.
2. The dimensions of the access drives and parking spaces conform to minimum Zoning Ordinance requirements.
3. Confirmation that the landscape plan conforms to Ordinance requirements based on use of existing landscaping material for portions of the greenspace requirement as well as the native species requirement.
4. Any proposed site lighting will need to conform to the requirements of Section 78.700 of the Township Zoning Ordinance.
5. A recorded copy of the proposed cross access easement to the west, even if described for a general location, will need to be provided.
6. Submittal of a recorded, signed copy of a consent to special assessment for non-motorized facilities agreement.
7. If dumpsters are installed, the dumpsters shall be enclosed in compliance with the Township Ordinance requirements.
8. Adequate turnaround space to accommodate fire equipment shall be included on the site plan.
9. Site plan approval is subject to the approval of the Fire Department, pursuant to adopted codes.
10. Site plan approval is subject to the review and acceptance of the Township Engineer as adequate.

Mr. Loy seconded the motion. The motion was approved unanimously.

Any Other Business / ZBA Member Comments

Mr. Milliken reminded the Board members that the December meeting will be held at a special date – December 17 – due to the conflict with the holidays. He also confirmed that there will be a December meeting.

There were no other comments from ZBA members.

Adjournment

Chairperson Taylor noted the Zoning Board of Appeals had exhausted its Agenda, and with there being no other business, he adjourned the meeting at approximately 3:25 p.m.

Minutes prepared:
December 2, 2013

Minutes approved:
December 17, 2013