

OSHTEMO CHARTER TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF ORDINANCE SUBMITTAL

TO: THE RESIDENTS AND PROPERTY OWNERS OF OSHTEMO CHARTER TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that a proposed Ordinance has been submitted to the Township Board of the Oshtemo Charter Township, which, if adopted, would provide, in summary, as follows:

ARTICLE 30 - MIXED USE DISTRICT ORDINANCE NO. 668
THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO, COUNTY, MICHIGAN
ORDAINS:

SECTION I STATEMENT OF PURPOSE:

The Mixed Use District is established for the purposes of implementing Oshtemo Township's adopted Sub Area Plans and encouraging a mix of uses in the planned redevelopment of existing commercial areas into mixed use.

SECTION II ESTABLISHING A MIXED-USE DISTRICT:

A. LOCATION AND SIZE CRITERIA

Mixed Use Districts may be established in areas of the Township with an adopted Sub Area Plan or within a C: Local Business District. A minimum contiguous site area of five (5) acres shall be required.

The proposal shall show all contiguous holdings of the owner or option purchaser and how it is integrated into the overall comprehensive development plan, unless specifically waived by the Planning Commission.

B. DEVELOPMENT OWNERSHIP

The proposed Mixed-Use District shall be under common ownership or control.

C. APPLICATION REQUIREMENTS

The owner shall submit a comprehensive development plan. The comprehensive development plan shall include:

- (1) **Plan Area.** All contiguous holdings of the owner or option purchaser.
- (2) **Letter of Intent.** a full description as to how the development plan satisfies the eligibility requirements and design principles of this Section.
- (3) **Development Schematic Plan.** A plan illustrating the proposed streets and the areas designated for residential, commercial, or mixed uses.
- (4) **Site Circulation.** A circulation and access management plan for the project shall be provided.

- (5) **Traffic Impact Study (TIS).** A complete analysis of traffic generated by the entire development and the impact said development would have on the surrounding transportation system.
- (6) **Design Standards.** The applicant must provide architectural and design standards that create a district identity.
- (7) **Stormwater.** Areas for common stormwater detention shall be identified on the development schematic plan.
- (8) **Residential Density and Density Bonus.**
 - I. **Initial Gross Density.** The overall density within the development schematic plan's residential and mixed use areas shall match the intended character of the correlating Sub Area Plan; as more fully defined within Table 30.20.1 of the ordinance.
 - II. **Density Bonus.** A density bonus, up to the maximum gross density defined within Table 30.20.1, shall be granted if the proposed development provides additional public benefits to the overall community as outlined in section (8) II.
- (9) **Public Sanitary Sewer and Water.** Public sanitary sewer and water shall be required.
- (10) **Phasing.** A developmental procedures agreement shall describe the timing and phasing.
- (11) **Buffer from Adjacent Residentially Zoned Districts.** A minimum buffer area consisting of open landscaped green space shall be established at the perimeter of the development site adjacent to existing residentially zoned districts, as set forth in sections I, II, III, and IV.
- (12) **Natural features.** The development shall be designed to promote the preservation of natural features which shall be defined as water resources and adjacent upland buffers, steep slopes, rolling hills, and dense forests in a manner consistent with the Natural Features Protection District of Ordinance 585.
- (13) **Open Space.** 15% of the of the development schematic plan shall be designated as open space as set forth in subsection I, II, III, IV, V, VI and VII.

D. APPLICATION REVIEW

Said review shall evaluate whether the proposed comprehensive development plan conforms to the standards and recommendations of the correlating Sub Area Plan and Master Plan.

- 1) **Optional pre-application review(s).** Informal pre-application review(s) by Township Staff is encouraged.
- 2) **Planning Commission Concept Plan Review.** A draft Development Schematic Plan shall undergo a mandatory conceptual plan review by the Planning Commission.
- 3) **Planning Commission MU Rezoning Review.** Following concept plan review and approval, a full MU rezoning request may be submitted.
- 4) **Township Board Review.** After receipt of the Planning Commission's recommendation, the Township Board shall deliberate upon the requested rezoning and may approve or deny the rezoning request.

E. AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT PLAN

All changes, modifications, revisions, and amendments made to the comprehensive development plan shall be resubmitted and considered by the Planning Commission. To optimize design, additional interior roads may be added to serve the development areas identified within the development schematic plan during the development of that area without an amendment to the comprehensive development plan.

SECTION III DEVELOPING WITHIN THE MIXED USE DISTRICT:

A. CONDITIONS FOR DEVELOPMENT

Unless specifically outlined in a phasing plan all public infrastructure shall be installed prior to any development. All private streets shall be located in a 66-foot right-of-way with an easement granted to the Township for public utilities and nonmotorized facilities.

B. PERMITTED USES

1) Permitted uses are more fully set forth in the ordinance.

C. PERMITTED USES WITH CONDITIONS

Subject to administrative review applying the same standards as set forth in Article 49- the permitted uses with conditions are more fully set forth in the ordinance.

D. DEVELOPMENT REQUIREMENTS

All development within the Mixed Use District shall adhere to the approved Mixed Use District's comprehensive development plan, including the adopted design standards, and the following standards:

1) Residential

Residential designated areas within the comprehensive development plan shall be subject to an administrative review by the Planning Department.

2) Commercial

Commercial designated areas within the comprehensive development plan shall be subject to an administrative review by the Planning Department.

3) Mixed-Use Development

Shall follow both the Residential and Commercial requirements set forth above.

4) General Development Standards

- i. There shall be no minimum lot area or frontage requirements unless outlined in the Mixed Use District's comprehensive development plan.
- ii. Setbacks
 - a. Front Yard: 15 feet
 - b. Side Yard: 10 feet
 - c. Rear Yard: 15 feet
 - d. The Planning Commission may approve reduced setbacks.
- iii. Residential unit sizes shall be regulated by Section 50.20 of the Ordinance.
- iv. All mobility and transportation elements shall follow the regulations outlined in Article 240 Oshtemo Streets and Mobility Ordinance.

- v. Sidewalks shall connect the road frontage building entrances, parking areas and central open spaces.
- vi. No outdoor storage shall be permitted in this district.
- vii. Residential accessory structures shall conform to Section 57.00.

E. PROCESS

The Planning Department shall have the authority to administratively deny, approve, or approve with conditions all site plans submitted for review under this section per Ordinance.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed Ordinance has been posted at Oshtemo Township Hall located at 7275 West Main Street, Kalamazoo, Michigan 49009, and on the Township's web page, www.oshtemo.org.

PLEASE TAKE FURTHER NOTICE that said Ordinance will be considered for adoption by the Township Board at its regular meeting to be held at Township Hall on March 12, 2024, commencing at 6:00 p.m. This meeting will take place virtually due to a statewide or local state of emergency order being issued; and the access link will be available on Oshtemo Charter Township's website, www.oshtemo.org.

Oshtemo Charter Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities. Individuals with disabilities requiring auxiliary aids should contact the Township by phone, or in writing, at least seven (7) days prior to the scheduled meeting date.

All interested parties are invited to be present at the aforesaid meeting to participate in discussion of this Ordinance.

DUSTY FARMER, Clerk
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