

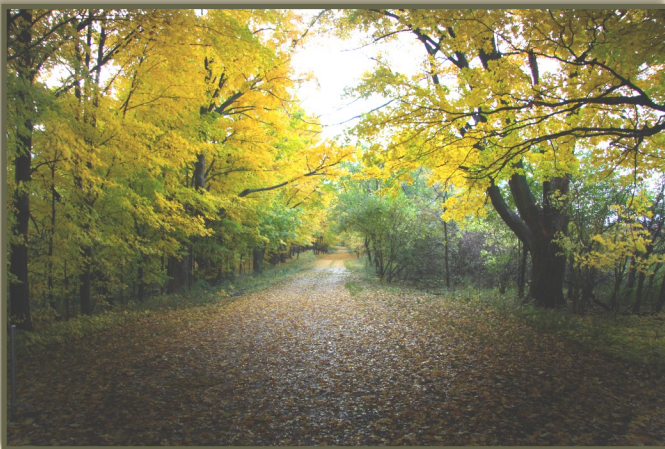
OSHTEMO

PLANNING DEPARTMENT

ANNUAL REPORT

2018

TOWNSHIP



Legislative Requirements

Section 308 of the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended) requires the Planning Commission to prepare an annual report for the Township Board documenting the administration of the Zoning Ordinance. It is also a requirement to outline possible future amendments to the Ordinance. This report fulfills this obligation for 2018 and provides updates on the activities and projects planned for 2019.

The Planning Department has expanded the scope of the report to further document the activities of the Zoning Board of Appeals and the administrative activities of the Planning Department staff. By doing so, the document provides a more complete picture of the Planning and Zoning activities in the Township. This report is submitted to the Township Board for review and consideration as it develops its own work plans and budgets for the coming years.

PLANNING COMMISSION

2018 ORDINANCE AMENDMENTS

Off-Street Parking - Several recommended changes were sent to the Township Board for the Off-Street Parking of Motor Vehicles ordinance. The revisions included; allowing reduced pavement widths for drive aisles to decrease impervious surfaces where appropriate and that accessible spaces be constructed with concrete or similar material instead of asphalt.

Conditional Rezoning - The Planning Commission recommended a change to the Conditional Rezoning ordinance related to the revocation of an approved rezoning. The original ordinance required approval from the Township Board to initiate a revocation, a public hearing with the Planning Commission, and two readings with the Township Board. The revised language streamlined this process to continue to provide due process without necessitating three public hearings. The ordinance now gives the property owner 30-days from notification to prove the commencement of the development and/or use before the conditional rezoning is revoked.

Residential Condominium Design Requirements - A new section of the Zoning Ordinance was recommended to the Township Board that would regulate the construction of attached condominium projects within the R-2, R-3, and R-4: Residence Districts. Staff found that the Zoning Ordinance did not provide any standards for the development of this type of residential product outside of the PUD ordinance in the R-2 District and limited regulatory oversight within the R-3 and R-4 District. The Planning Commission recommended the development of this Ordinance for two reasons:

- To allow for attached two-family projects outside of a Planned Unit Development (PUD) or platted subdivision.
- To better regulate the development of attached condominium projects.

Agribusiness/Agritourism - During the public meetings of the 2017 Master Plan Update, residents in the rural areas indicated a desire to preserve property, but needed a revenue source to assist with this preservation. In addition, those that produced an agricultural product wanted other economic opportunities that would help to support their farming operations. In response to these requests, the Rural Character Preservation Strategy chapter includes a strategy to update the Zoning Ordinance to allow these types of businesses. The Agribusiness/Agritourism Ordinance is intended to implement this strategy.

The Planning Commission began working on this new ordinance in April of 2018. The Agribusiness/Agritourism ordinance is designed to provide those who either produce an agricultural product or live in the rural area and meet certain criteria the opportunity to generate some additional revenue on their property. The objective is to offer additional options for these property owners without impeding the enjoyment of the rural character of the area. It is not the intent of the ordinance to allow commercial operations within the rural area of the Township and therefore, some uses, like special events, have been limited.



Examples of Agritourism

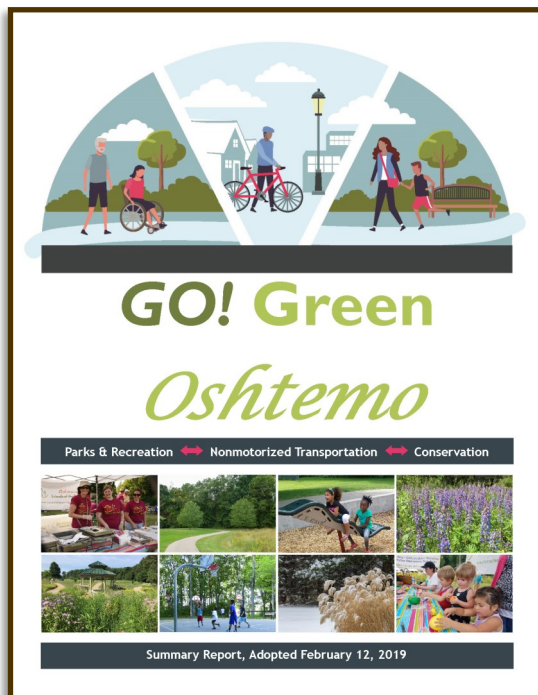
MASTER PLAN UPDATE

A major effort of the Oshtemo Township Planning Commission in 2018 was the development of the *GO! Green Oshtemo Plan*, which was incorporated into the overall Township Master Plan.

The *GO! Green Oshtemo Plan* is the first of its kind for Oshtemo Township where parks, recreation, nonmotorized facilities, and conservation of open space and greenways is planned in a comprehensive and coordinated way. The Plan is a guide that addresses expressed community desires related to these important amenities, which play a vital role in the lives of Township residents by providing:

Active recreational opportunities.	Passive enjoyment of rural areas and natural landscapes.	Opportunities for environmental preservation and sustained rural character.	Improved community health and quality of life.
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To ensure that the development of the Plan was resident driven, individual study groups were created for the different components of the project – parks and recreation, nonmotorized, and conservation. These study groups met regularly over an approximate 8-month period to help guide the public process, provide input into the development of the plan, and offer a citizen’s perspective.



Drake Farmstead

In addition to the study groups, three public input sessions were held in March, June, and August of 2018. These sessions were publicized on the Township’s website, Facebook page, and in the newsletter. Invitation emails were sent to interested master plan participants and to other social media sites like NextDoor. At the March open house, a survey was developed for participants to weigh in on the *GO! Green Oshtemo* subjects. This survey was made available on the Township’s website for a month after the March meeting.

Finally, in January of 2019, the Planning Commission held their public hearing on the *GO! Green Oshtemo Plan*, forwarding a recommendation of approval to the Township Board. The Board ultimately approved the Plan in February.

Implementation of the *GO! Green Oshtemo Plan* is currently underway with ongoing projects like the Stadium Drive nonmotorized path, planned improvements to Drake Farmstead Park, and investigation into conservation opportunities for the Township and area property owners.

ZONING ORDINANCE RE-ORGANIZATION

In an effort to modernize and make the Township’s Zoning Ordinance more user-friendly, a comprehensive re-organization of the code was completed by the Planning Commission in 2018. The re-organization is intended to assist the public, developers and other stakeholders to better understand Township zoning ordinance regulations, while also assisting staff to more effectively administer the code. The Township will continue to use EnCode Plus as the web-based provider for the new Zoning Ordinance. The web-based ordinance will allow the Township to utilize techniques such as hyperlinks, linked table of contents, links to the zoning map, etc. to promote ease of use.

REZONINGS

The Planning Commission reviewed a total of seven rezoning requests in 2018, which is three more than were evaluated in 2017. Of these seven rezoning projects, three requests were Planning Department staff initiated to remove instances of spot zoning in the Township. Two of these requests involved more than one parcel. So, while seven requests were submitted to the Planning Commission for review, a total of 12 properties were studied for potential rezoning. In the end, all of the applications and staff initiated requests were recommended for approval by the Planning Commission to the Township Board, who based their decisions on the Township's Master Plan, the adjacent zoning, general land use patterns and the effects the requested change would have on the surrounding properties.

One of the requests in 2018 was a conditional rezoning, which is a rezoning where the applicant voluntarily provides conditions which limit the use or structures on the land. 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 conditional rezoning application was for 4 acres of a 20-acre property located at 7110 West Main Street. The applicant requested the conditional rezoning to the C: Local Business District to allow for the development of a small meat and produce market. The conditions attached to the rezoning would limit the size of the building, and ensure cross-access connections to neighboring properties. To date, the market has not been developed.

The adjacent list outlines the rezoning applications reviewed in 2018.

SUBDIVISION/SITE CONDOMINIUMS

No new subdivisions were submitted to the Township in 2018. However, two site condominiums in the process of development approval were reviewed. Autumn Grove and Mystic Heights both received Step 2 approval in 2018. Both developments had previously received Step 1 approval, which includes a recommendation from the Planning Commission. Step 2 and 3 of the approval process is managed by the Township Board. Staff included these projects within this report to more clearly outline the Planning Departments work load in 2018 and to provide continuity of the approval process throughout the life of the developments. Step 2 allows the developers to build the necessary public infrastructure within the development.

The total number of approvals decreased by two projects from 2017 when four subdivisions/site condominiums were reviewed.

Total Rezoning Reviews in 2018:			7
Address	Zoning District	PC Recommendation	Date
25 South 4th Street	C to RR	Approval	June 14
3425 South 6th Street	4 acres from I-1 to I-3	Approval	June 14
Conditional Rezoning 7110 West Main Street	4 acres from R-2 to C	Approval	June 14
1995 North 6th Street	C to RR	Approval	Oct 11
3900 Block of South 11th Street	C to RR	Approval	Oct 11
5831 Stadium Drive	R-2 to R-3	Approval	Oct 11
Addresses between 8th and 9th Street on KL Ave	C to R-2	Approval	Oct 11



Total Subdivision/Site Condominiums in 2018:		2
Project Name / Review Step	Location	Approval Date
Mystic Heights Step 2	3839 South Van Kal Street	Sept 24
Autumn Grove Step 2	2083 North 9th Street	Nov 13

SPECIAL EXCEPTION USES

A total of 13 Special Exception Use applications were submitted to the Planning Department in 2018, which is two more than were evaluated in 2017. All were approved, each with a specific set of conditions, which the applicant was required to meet as part of the development of the project.

Two of the Special Exception Uses were expansions of existing businesses within the Township. These included expansions of the McDonalds on West Main Street within the Menards development and Metro Toyota on Stadium Drive. McDonalds completed an upgrade to their existing building and added a second drive through lane to their service windows. Metro Toyota purchased the Rykse’s restaurant property (to the west of the existing Metro Toyota site) with the intention of demolishing the structure and expanding their new/used car sales lot.

In addition to the two expansions, the Planning Commission approved a new residential condominium project called Emberly Acres II. This is an expansion of an existing condominium located off of 8th Street at Glendora Lane. An additional 17 units will be built in three and four-unit attached buildings.

Six of the Special Exception Uses were approved for temporary outdoor events within the Township, which is four more than in 2017. These included the Oshtemo Rotary Family Festival, Jake’s Firework’s Tent Sales, D & R Sports Spring Open House, a summer Barn Camp for children, and two businesses allowing food trucks on their property. The Thirsty Hound on 8th Street and Lawton Ridge Winery on Stadium Drive both hosted weekly food trucks throughout the summer months. The Oshtemo Rotary Club’s event was the second annual community festival fundraiser that included midway rides, concessions, and games.



Oshtemo Rotary Family Festival

The Planning Commission often permits staff to administratively review temporary outdoor events once they have been approved through the public hearing process. While six events were approved by the Planning Commission in 2018, a total of 14 events were held throughout the year.

The Special Exception Use table can be found on the following page.

SITE PLAN REVIEW

In general, the Planning Commission does not review site plans unless they are attached to a Special Exception Use. In 2018, four site plans were submitted to the Planning Commission. Three were due to their location within the Village Form-Based Code Overlay Zone, which requires Planning Commission approval by ordinance. These included two single-family home office conversions and the re-use of a bank building for the Kalamazoo County Consolidated Dispatch Authority (KCCDA). The final site plan was for a Special Exception Use that had already been approved in 2017 for the Langeland Funeral Home. The four site plans reviewed by the Planning Commission are as follows:

Total Site Plan Reviews in 2018:		4
Project Name / Address	PC Decision	Approval Date
KCCDA 7040 Stadium Drive	Approved	Feb 8
Single-Family Office Conversion 6825 Stadium Drive	Approved	June 14
Langeland Crematorium 3926 South 9th Street	Approved	July 26
Single-Family Office Conversion 6343 Stadium Drive	Approved	Aug 9

MEETINGS / ATTENDANCE

The Planning Commission had a total of 28 meetings scheduled in 2018; 24 regular meetings, three joint meetings, and one special planning meeting for the Village Theme Development Plan. Of the 28 planned meetings, one regularly scheduled and one joint meeting was canceled for a total of 26 meetings. The regular meetings were held on the second and fourth Thursdays of each month. November and December had only one meeting each due to the holidays.

Commissioners	Attendance
Fred Antosz	26
Cheri Bell, Chair	25
Ollie Chambers	21
Dusty Farmer (Township Board Liaison)	25
Micki Maxwell	25
Mary Smith	19
Bruce VanderWeele, Vice Chair	22

SPECIAL EXCEPTION USES Continued

Total Special Exception Use Reviews in 2018:				13
Project / Address	Applicant	Use	PC Decision	Date
Oshtemo Rotary Family Festival 5030 West Main St	Oshtemo Rotary Club	Temporary outdoor carnival fundraiser event with midway rides, concessions, and games	Approved	March 8
D & R Sports Spring Open House 8178 West Main St	D & R Sports	Temporary outdoor event to include vendors, educational seminars, and concessions	Approved	March 8
Kalamazoo Christian Middle School Addition 3800 South 12th St	AVB Construction on behalf of Kalamazoo Christian School Association	Addition of two new classrooms to the existing school building	Approved	April 12
Barn Camp 2582 South 6th St	Doreen Beltz	Temporary outdoor day camp for children to explore and appreciate nature	Approved	May 10
Jake's Fireworks 6430 Stadium Drive	Jake's Fireworks	Temporary outdoor event to sell fireworks for the 4th of July holiday	Approved	May 24
McDonald's Expansion 6820 West Main St	Progressive AE	Building remodel and expansion of drive through to two lanes	Approved	June 14
Thirsty Hound Food Truck 1030 South 8th St	Thirsty Hound, LLC	Temporary outdoor event to allow a food truck two days a week throughout the summer	Approved	June 14
Schmidt Day Care 5350 Crimson Lane	Mabel Schmidt	Group day care home for children	Approved	June 14
Westgate PUD 5650 West Main St	Two Squared Development, LLC	New service drive to connect to West Main Street within the approved PUD	Approved	June 14
Emberly Acres II 8th St/Glendor Lane	Prime Homes, LLC	Attached condominium project with 17 new units in 3 to 4 unit buildings	Approved	June 26
Lawton Ridge Winery 8456 Stadium Drive	Crick Haltom	Temporary outdoor event to allow a food truck one day a week throughout the summer	Approved	July 26
Hair Salon 2727 South 11th St	Jaqua Limited, LLC	New hair salon within the R-3 District	Approved	Oct 11
Metro Toyota 5924 Stadium Drive	Metro Leasing, LLC	Expansion of the Metro Toyota new/used car sales lot	Approved	Dec 13

ZONING BOARD OF APPEALS

In total, 12 applications were reviewed by the Zoning Board of Appeals (ZBA) in 2018. This is up from 2017 by three applications, but is still less than the significant number received in 2016, when 17 applications were reviewed.

SITE PLAN REVIEWS

A total of seven site plans were reviewed by the ZBA in 2018, which is three more than were considered in 2017. Of these reviews, three were for new construction on vacant sites, which included a new office building for Wolff Financial, a new office/warehouse facility for SMT Development, and the Carriage Barn within Drake Farmstead Park.

Three additional site plans were for expansions of existing businesses within the Township. This included a retail establishment, an office, and a landscape contractors building.

The final site plan was a re-approval of a new manufacturing facility for Select Products, Ltd. Their original approval from 2017 had exceeded the one-year requirement to begin construction and therefore, had lapsed.

MEETINGS / ATTENDANCE

ZBA meetings are scheduled on the fourth Tuesday of each month. In 2018, eight regular meetings were held with four canceled due to lack of agenda items. In addition, the ZBA was invited to the two joint meetings that were held in 2018. The below table provides the ZBA attendance record.

Board Member	Attendance
Bob Anderson (Alternate)	5
Nancy Culp (Township Board Liaison)	7
Neil Sikora, Vice Chair	9
Anita Smith (Alternate)	9
L. Michael Smith (Resigned from Board)	1
James Sterenberg, Chair	8
Bruce VanderWeele (Planning Commission Liaison)	8

Total Site Plan Reviews for 2018:			7
Project Name/Location	Applicant	Use	Approval
DiVisser Landscape Expansion 4014 South 9th Street	Joel DiVisser	2,000 square foot office addition and a 3,000 square foot storage building expansion	March 27
SMT Development 1023 South 8th Street	SMT Real Estate Development, LLC	New 5,400 square foot office and materials storage facility	April 24
Wolff Financial 5938 Venture Park Drive	Hansen Building and Design	New 4,721 square foot office building	May 22
Hurley & Stewart Expansion 2800 South 11th Street	Hurley & Stewart, LLC	2,227 square foot office addition	June 26
Drake Farmstead 927 North Drake Road	Charter Township of Oshtemo	New 1,200 square foot multi-purpose carriage barn with 320 square foot porch, parking area with 50 spaces, and 1,200 square foot picnic shelter	July 24
Select Hinges Stadium Park Way	Select Products Limited	50,000 square foot manufacturing facility	Oct 23
D & R Sports Expansion 8178 West Main Street	Randy VanDam	9,000 square foot addition to the existing retail store	Nov 27

DIMENSIONAL VARIANCES

The ZBA reviewed five dimensional variance requests in 2018, which is up by one from 2017. A variance is a “license to use property in a way not permitted under the ordinance.” If the Township received a large number of variance applications each year on a specific ordinance requirement, it could mean there is something wrong with that ordinance, necessitating a review that may warrant an ordinance revision.

Variations should be considered carefully and under normal circumstances rarely granted. The approval rates tend to be high for dimensional variances within the Township because of Planning staff efforts to filter requests that do not meet the legislative and legal requirements for granting approval, which include: ensuring that the spirit of the ordinance is observed, public safety secured, and substantial justice done; that a practical difficulty exists and there is a unique circumstance found on the property; and, that the problem is not self-created.

Total Dimensional Variance Requests in 2018:				5
Address	Applicant	Variance	Date	Decision
1625 South Drake Road	Spurr Dental	Request to vary from the side yard setback to allow for building expansion	March 27	Approved
5724 West Main Street (Changed to: 1315 Westgate Dr)	Holiday Inn Express	Request to vary from the maximum sign height requirement to allow the building sign to be placed near the roof line	June 26	Referred to the Planning Commission under the PUD Ordinance
5945 West Main Street	The Vernon Group	Request to vary from the sign setback requirement to place the proposed sign adjacent to West Main Street	June 26 (tabled) July 24	Denied
9979 West Main Street	Michael and Maggie Sullivan	Request to vary from the building setbacks for an accessory building	Aug 28	Approved
5924 Stadium Drive	Metro Toyota	Request to vary from the front yard setback requirement for the display of new/used cars	Nov 27	Approved

PLANNING DEPARTMENT REVIEWS



Township Hall

The Planning Department processes all of the development applications that are submitted to the Township, including rezoning requests, variances, site plans, building, sign, and sidewalk permits. In 2018, a total of 351 applications were reviewed by Planning Department

staff, which is 33 more applications than reviewed in 2017.

The Zoning Ordinance grants the authority to the Planning Department to administratively review and approve site plans in certain instances. These include minor amendments to a previously approved site plan, accessory buildings that meet certain criteria, one-day temporary outdoor events, and communication tower co-locations or upgrades. A total of 23 administrative development reviews were conducted in 2018, which is one less than completed in 2017. A brief summary of the 2018 staff level reviews are found below and on the following page.

In addition to the applications noted above, the Planning Department also completed reviews for land divisions, sign permits, and building permits. These reviews account for a significant portion of the Zoning Administrator’s daily activities.

COMMUNICATION TOWER CO-LOCATIONS OR UPGRADES

Total Reviews in 2018:		7
Address	Applicant	Approval Date
4048 South 9th St	Verizon	Feb 6
6831 Stadium Dr	AT&T	May 16
4048 South 9th St	AT&T	May 16
5656 Beech St	AT&T	July 30
5656 Beech St	Sprint	Aug 24
5088 West Michigan	Sprint	Aug 30
5088 West Michigan	T-Mobile	Sept 25

BUILDING PERMITS

Planning Department staff reviews building permit applications that are subject to zoning compliance as determined by the Southwest Michigan Building Authority to ensure that all requirements of the zoning ordinance are met. Staff also checks for any conditions of approval that may have been placed on the property by the Planning Commission or ZBA during the plan review and approval process. In 2018, the Township approved 446 building permits, which is a one percent increase from the 415 reviewed in 2017. Of the total number of permits issued, 165 or 37 percent required zoning review by the Township Zoning Administrator. This is down slightly from 2017 where 167 building permits required zoning review.

SIGN PERMITS

Sign permits were up by 27 percent in 2018. A total of 66 sign permits were issued, which is 18 more than 2017. New or replacement face signs were the majority issued in 2018 at 54 permits. The remaining 12 permits were for temporary or special event signs. The majority of the total sign permits were issued to addresses on West Main Street, with the remaining sign permits primarily on Stadium Drive and the Drake Road and 9th Street corridors.

LAND DIVISIONS

In 2018, the Zoning Administrator worked with the Assessing Department to review 19 land division, re-description, or combination applications, which is down by five applications from 2017. The task of the Zoning Administrator is to ensure that the requested change to property boundaries meets all of the area requirements established in the Township’s Zoning Ordinance.

SIDEWALK PERMITS

In 2015, the Township initiated a sidewalk permitting process to help ensure new sidewalk development meets regulatory standards. These requirements incorporate the Americans with Disabilities Act standards for accessible design. The permit requires both a pre- and post-concrete pour inspection, which is managed by the Ordinance Enforcement Officer. In 2018, a total of 40 sidewalk permits were issued. This is a 43 percent increase from 2017 when 23 permits were issued. The increase in sidewalk permits is indicative of the residential construction occurring in the Township.

MINOR AMENDMENTS TO AN APPROVED SITE PLAN

Total Minor Amendments Reviewed in 2018:			7
Address	Applicant	Use	Approval Date
6775 West Main Street	Ric & Stan's Car Wash	Site improvements, additional drive through lane, and payment kiosk	Feb 23
5051 West Main Street	Nisker's Char-Grill	Outdoor seating area	Feb 23
6955 KL Avenue	SPCA of Southwest Michigan	Outdoor gazebo	May 2
3122 South 9th Street	Jac's Cekola's Pizza	Building addition and outdoor seating	June 11
3357 South 9th Street	Kalamazoo Pool	Building renovation	Nov 14
9340 West M Avenue	Lowell Maxam	Agricultural accessory building determination	Nov 21
501 North 9th Street	Wal-Mart	Grocery pick-up area	Pending

TEMPORARY OUTDOOR EVENTS

Total Administratively Reviewed Temporary Outdoor Events in 2018:			9
Address	Applicant	Event	Approval Date
2582 South 6th Street	Dori Beltz	Barn Market - retail event	Denied
6883 West Main Street	Kalamazoo Kitty	Outdoor sale	May 9
4001 South 9th Street	Cort Furniture	Tent sale	May 11
5034 West KL Avenue	Good Stuff Fireworks	Tent sale	May 30
3664 South 9th Street	Oshtemo Township Parks Department	Food trucks for Music in the Park	June 8
6660 West Main Street	TNT Fireworks	Tent sale	June 13
4001 South 9th Street	Cort Furniture	Tent sale	July 30
5030 West Main Street	Wahmhoff Farms	Christmas tree sales	Oct 10
6883 West Main Street	Goodwill Industries	Outdoor sale	Oct 12

ORDINANCE ENFORCEMENT

The Ordinance Enforcement Department is responsible for a wide range of Township ordinance compliance oversight, community concerns, and enforcement. The Ordinance Enforcement Officer manages issues that occur under both the Zoning Ordinance and the General Code of Ordinances for the Township. Emphasis is placed on positive interactions, ordinance education, and clear communication to resolve conflicts and achieve lasting positive outcomes.

Inter-agency collaboration is essential to ordinance enforcement success in addressing multiple community issues. The Road Commission of Kalamazoo County, Southwest Michigan Building Authority, and the Michigan Departments of Natural Resources, Environmental Quality, Transportation, Human Services, and multiple Kalamazoo County offices including Health and Community Services, Animal Services, Environmental Health, Sheriff's Department, and the Drain Commissioner have collaborated with the Ordinance Enforcement Department to resolve issues and assist with projects in 2018.

Recurring seasonal problems include: overgrown vegetation, trash, dumping areas / roadside dumping, unpermitted signs, noise, speeding, and storm water runoff / soil erosion. ADA sidewalk and accessibility compliance inspections increased accordingly with the development of new residential and commercial construction in the Township. The Sidewalk Permit, instituted in 2015, continues to assist the Township with ensuring Americans with Disabilities Act compliance.

Enforcement complaints can often be complicated, touching on both General and Zoning Ordinance regulations. As cases are researched, managed, and closed, the Ordinance Enforcement Department staff works to log the complaints in a manner that can be quantified by Ordinance regulation. The table to the right outlines those complaints that were most directly related to the Zoning Ordinance.

Total Zoning Ordinance Actions in 2018: PENDING	
Violations	Number
Animals	
Camper Parking / Storage	
Groundwater Protection	
Parking Violation	
Sidewalk Complaint	
Sidewalk Permit Inspection	
Signs Removed from ROW	
Site Plan Compliance / New Construction	
Storm Water / Soil Erosion	
Working Without a Permit	
Zoning Complaints / Ordinance	



Sidewalk Installation Inspection

