



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
269-216-5220 Fax 375-7180 TDD 375-7198
www.oshtemo.org

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION - REGULAR MEETING**

**MEETING WILL BE HELD IN PERSON
AT OSHTEMO TOWNSHIP HALL
7275 W MAIN STREET**

Masks Are Now Optional in Oshtemo Township Buildings

(Meeting will be available for viewing through <https://www.publicmedianet.org/qavel-to-qavel/oshtemo-township>)

**THURSDAY, APRIL 28, 2022
6:00 P.M.**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: March 24th, 2022
6. **Public Hearing – Special Use, Kids Empire**
Kids Empire, on behalf of DFG Maple Hill LLC, is requesting special exception use approval to establish an indoor recreational facility within an existing 10,804 square foot tenant space in a multi-tenant Commercial center located at 5130 W Main Street.
7. **Public Hearing – Conceptual Site Plan Review, Tournesol Open Space Community**
Hinter Properties, LLC is requesting concept plan approval for a proposed 49-unit Open Space residential development at 7214 West N Avenue.
8. **Public Hearing – Conditional Rezoning, The Prairies**
AVB and The Hinman Co. are requesting to conditionally rezone their approximately 116-acre property located at 5303 W Main Street from R-2 and R-4, Residence Districts to the C, Local Business District.
9. Other Updates and Business
10. Adjournment

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5221	cbuszka@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Kizzy Bradford	375-4260	kbradford@oshtemo.org

Township Department Information			
<u>Assessor:</u>			
Kristine Biddle	216-5225	assessor@oshtemo.org	
<u>Fire Chief:</u>			
Mark Barnes	375-0487	mbarnes@oshtemo.org	
<u>Ordinance Enf:</u>			
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org	
<u>Parks Director:</u>			
Karen High	216-5233	khigh@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
<u>Planning Director:</u>			
Iris Lubbert	216-5223	ilubbert@oshtemo.org	
<u>Public Works:</u>			
Marc Elliott	216-5236	melliott@oshtemo.org	

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A MEETING HELD MARCH 24, 2022

Agenda

PUBLIC HEARING: CONDITIONAL REZONING, THE PRAIRIES

AVB and The Hinman Co. requested to conditionally rezone their approximately 116-acre property located at 5303 W. Main Street from R-2 and R-4, Residence Districts to the C, local Business District.

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, March 24, 2022, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Micki Maxwell, Vice Chair
 Deb Everett
 Alistair Smith
 Anna Versalle

MEMBERS ABSENT: Bruce VanderWeele, Chair
 Kizzy Bradford
 Chetan Vyas

Also present were Iris Lubbert, Planning Director, James Porter, Township Attorney, Martha Coash, Recording Secretary and approximately 30 guests.

Call to Order and Pledge of Allegiance

Vice Chair Maxwell called the meeting to order at approximately 6:00 p.m. and those in attendance joined in reciting the Pledge of Allegiance.

Approval of Agenda

Vice Chair Maxwell asked if there were any changes to the agenda. Ms. Lubbert asked that the agenda be changed, to move Item #4: *Public Comment on Non-Agenda Items* to follow #6: *Public Hearing – Conditional Rezoning, The Prairies* on the agenda.

Ms. Everett **made a motion** to revise the agenda to move Item #4: *Public Comment on Non-Agenda Items* to follow #6: *Public Hearing – Conditional Rezoning, The Prairies* on the agenda as requested. Ms. VerSalle **seconded the motion**. The **motion was approved** unanimously.

Approval of the Minutes of the Meeting of February 24, 2022

The Vice Chair asked if there were additions, deletions or corrections to the Minutes of the Meeting of February 24, 2021. Hearing none, she asked for a motion.

Ms. Versalle **made a motion** to approve the Minutes of the Meeting of February 24, 2022, as presented. Ms. Everett **seconded the motion**. The **motion was approved unanimously**.

Vice Chair Maxwell moved to the next agenda item and asked Ms. Lubbert for her presentation.

PUBLIC HEARING: CONDITIONAL REZONING, THE PRAIRIES **AVB and The Hinman Co. requested to conditionally rezone their approximately 116-acre property located at 5303 W. Main Street from R-2 and R-4, Residence Districts to the C, local Business District. Parcel No. 05-13-405-032**

Ms. Lubbert explained that AVB and The Hinman Co. had submitted a request a few hours before the meeting to remove their application to conditionally rezone their approximately 116-acre property located at 5303 W Main Street from R-2 and R-4, Residence Districts to the C, Local Business District from the agenda and reschedule the public hearing for the April 28th Planning Commission meeting.

Attorney Porter said granting such a request was consistent with past practice. The rezoning request could be postponed and rescheduled to a date certain and would be re-noticed for the public. He said AVB and Hinman Company indicated they wished to defer consideration of their request in order to allow them to talk with neighbors before it is considered by the Planning Commission.

Vice Chair Maxwell asked for a motion.

Ms. Everett **made a motion** to postpone consideration of the conditional rezoning request from AVB and The Hinman Company for their approximately 116 acre property located at 5303 W. Main Street from R-2 and R-4, Residence Districts to the C, Local Business District until the April 28, 2022 regular meeting of the Planning Commission. Ms. VerSalle **seconded the motion**. The **motion was approved** unanimously.

PUBLIC COMMENT

Vice Chair Maxwell asked if any members of the public wished to speak.

Attorney Porter told the group that they were free to speak, but that comments could not be responded to, and that because the opportunity to speak was not within a public hearing he could not ensure their comments would be preserved. A meeting with representatives of AVB and Hinman, separate from the Township, would provide them

an opportunity for a dialog with the developers/builders. He indicated the April 28 meeting would be noticed to everyone who owns property within 300 feet of the property in question, which is a matter of state statute. All notices are published on the Township's website.

Several attendees spoke, expressing their disappointment at being inconvenienced with this item being postponed, arguing against approval of the rezoning, and an offer to dispense information regarding the AVB/Hinman meeting.

Mr. Curt Aardema, representing AVB and Hinman, told the group they had asked to postpone consideration of their request so that they could meet with neighbors in a public venue for direct communication with the public, separate from a Township meeting. The purpose is to take their questions and to provide as much information as possible prior to consideration by the Planning Commission on April 28th. He said they would welcome any suggestions about how best to reach residents in order to publicize the meeting as widely as possible and would be available for suggestions immediately following adjournment of the meeting.

OTHER UPDATES AND BUSINESS

Ms. Lubbert indicated there were no updates and no further business to come before the Commission.

ADJOURNMENT

With there being no further business to consider, Vice Chair Maxwell adjourned the meeting at approximately 6:17 p.m.

Minutes prepared:
March 25, 2022

Minutes approved:
_____, 2022

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April 21, 2022



Mtg Date: April 28, 2022

To: Oshtemo Township Planning Commission

From: Colten Hutson, Zoning Administrator

Applicant: Alton Klein, Kids Empire

Owner: DFG Maple Hill LLC

Property: 5130 W Main Street, Parcel Number 05-13-280-022

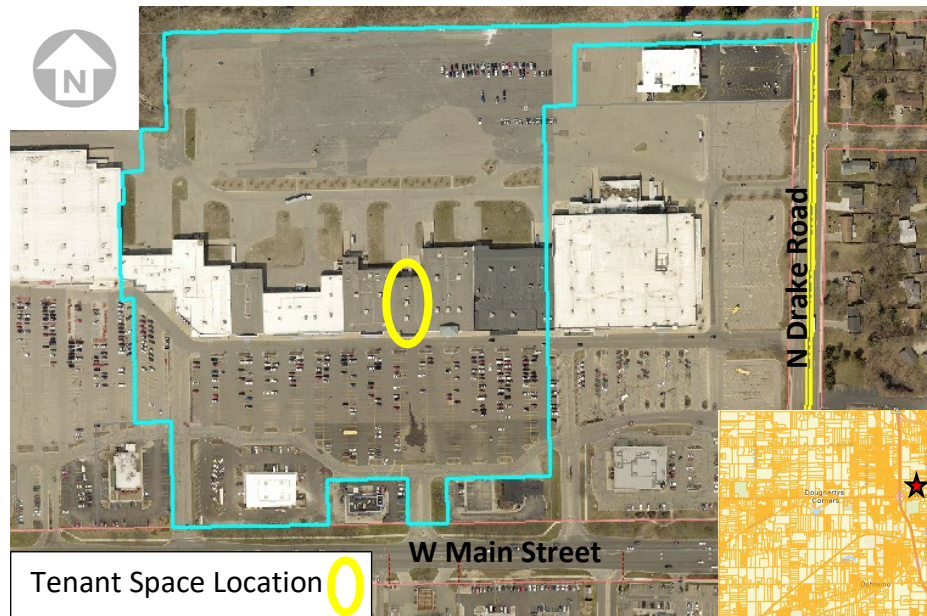
Zoning: C: Local Business District

Request: Special Use approval for an Indoor Recreational Facility

Section(s): Section 65: Special Uses

PROPOSAL:

Kids Empire, on behalf of the owner, DFG Maple Hill LLC, is requesting special exception use approval to establish an indoor recreational facility within an existing 10,804 square foot tenant space in a multi-tenant commercial center located at 5130 W Main Street. The proposed indoor recreational facility will serve as an indoor playground for children 12 and under to enjoy activities with friends and family. The project area under consideration is outlined in light blue on the map to the right with the location of the tenant space circled in yellow.



OVERVIEW:

5130 W Main Street is located within the Maple Hill Pavilion, an outdoor shopping outlet along the north side of W Main Street, east of US-131. The tenant space is located in the center of the shopping outlet

between tenants such as PetSmart and Designer Shoe Warehouse. Formerly a Pier One Imports, the vacant 10,804 square foot unit would provide a spacious setting to establish an indoor recreational facility for children. Kids Empire offers a large playground area through a two-story playground set as well as a separate play area designated for toddlers and infants. Children are required to always be accompanied by a parent or guardian as drop-offs are not allowed. The applicant has also indicated that play areas will be restricted to children 12 and under and that no food preparation will happen on-site. The proposed hours of operation are Monday through Thursday from 10am-8pm, and Friday through Sunday from 10am-10pm.



ANALYSIS:

The subject property is zoned C: Local Business District. Uses permitted in the C: Local Business District are outlined in Section 18 of the Township’s Zoning Ordinance. Indoor recreational facilities are identified as a Special Exception Use within said ordinance section. When reviewing a Special Exception Use similar to this request, the general Special Use review criteria outlined in Section 65.30 shall be followed. Below is an analysis of the proposal against Section 65.30 of the Oshtemo Township Zoning Ordinance.

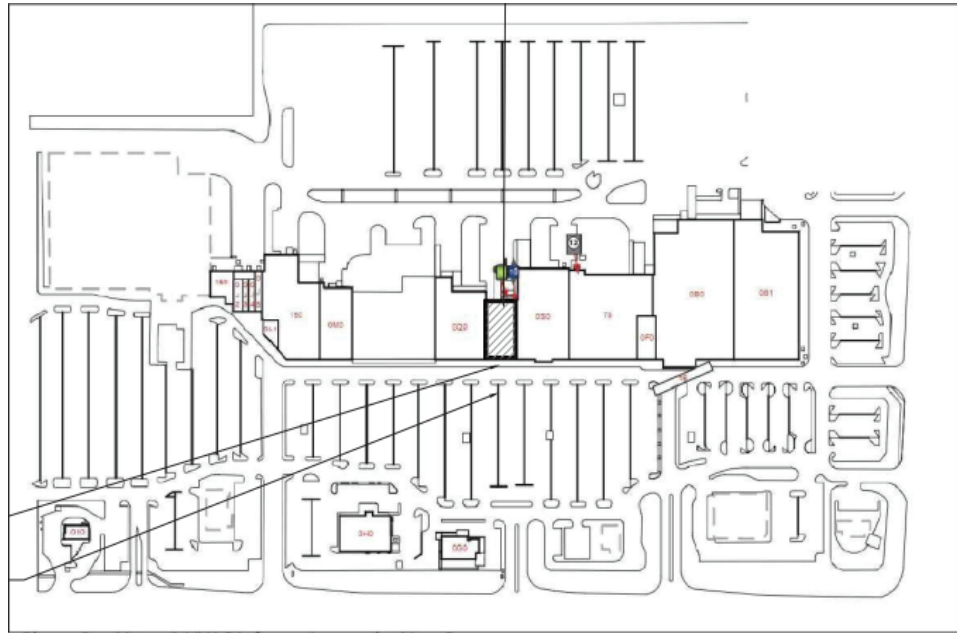
Section 65.30: Special Use Review Criteria

A. Master Plan/Zoning Ordinance: The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the District in which the use is located.

Oshtemo’s adopted Future Land Use Plan illustrates that the property in question is located within a commercial area. The subject property is classified as C: Local Business District, within which indoor recreational facilities and health clubs are permissible with Special Exception Use approval from the Planning Commission. The proposed use meets the intent of the Township’s Master Plan documents for this area and complies with the Township’s Zoning Ordinance.

B. Site Plan Review: The Site Plan Review Criteria of Section 64.80

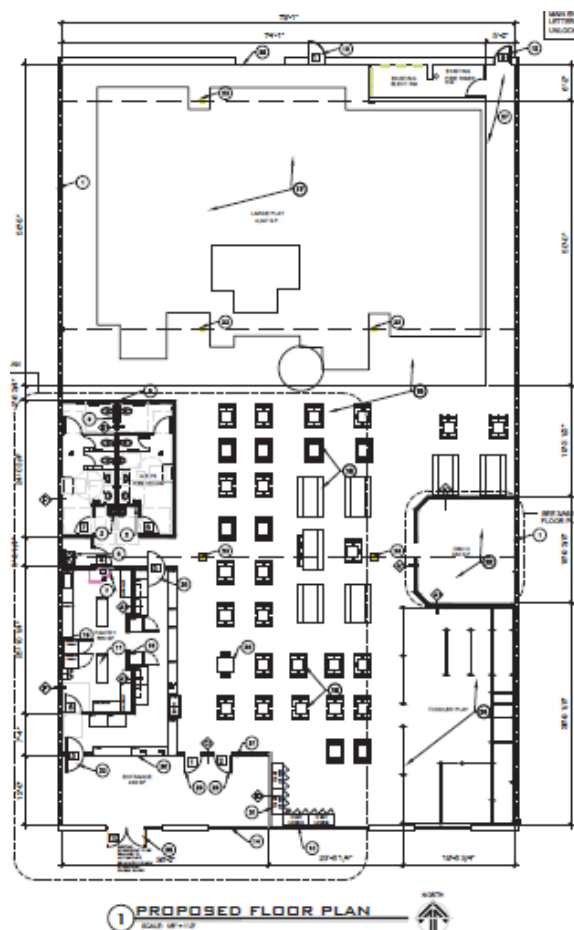
An engineered site plan is not required for a change in occupancy of this nature. No changes will be made in relation to the site's exterior, and therefore, this criterion is not applicable. However, a plan showing the general layout of the location for



Kids Empire has been provided, see image to the right.

Maple Hill Pavilion possesses approximately 1,996 parking spaces on-site, excluding the outlots located on the premises, which include Starbucks, Finley's, and other commercial users that abut W Main Street. There is a total of 610 parking stalls which are intended to service customers for the 10,804 square foot vacant space and surrounding tenants. All existing parking spaces are 10' x 20'. Health Fitness Centers require one parking space for every 200 square foot of net floor area plus one parking space for each employee on the largest shift. The net floor area of the tenant space in question for the proposed use is 10,527 square feet. The number of employees proposed on the largest shift is seven employees. In combination, this equates to 59 parking spaces needed to service the proposed use. Ample parking exists for customers visiting Kids Empire as well as the other businesses located within the Maple Hill Pavilion.

The proposal will not impact driving aisles, fire lanes, or emergency vehicle turning areas as the overall site layout is not changing. The minimum building setbacks have been met. Existing



entrances on the site will not change and will continue to be used in a similar fashion. The site is well lit as the existing shared parking lot has many pole mounted lights in place to service the subject tenant space and nearby businesses.

It should be noted that the floor plan that was provided for this special exception use, attached to this report as well as imaged above, will need to be reviewed and approved by the Southwest Michigan Building Authority. Its inclusion is for informational purposes only.

C. Impacts:

- 1. The proposed use would be compatible, harmonious and appropriate with the existing or planned character and uses of adjacent properties; meaning the proposed use can coexist with neighboring uses in a stable fashion over time such that no neighboring use is unduly negatively impacted.**

The proposed indoor recreational facility, a special exception use within the C: Local Business District, is leasing space within the already established multi-tenant commercial center. All properties adjacent to the subject site share the same zoning designation of C: Local Business District. Other uses in the surrounding C: Local Business District zoning classification include Burlington, Target, Ulta, Applebee's, Consumer's Credit Union, PetSmart, Starbucks, Marshalls, Hobby Lobby, etc. An indoor recreational facility would be harmonious with the other existing uses surrounding the site. With the proposed indoor recreational facility being compatible with the allowable uses within this zoning district, no exterior site changes proposed, and being in accordance with both the Master Plan and the Zoning Ordinance, staff has no concerns that the proposed use will negatively affect neighboring uses.

- 2. Potentially adverse effects arising from the proposed use on adjacent properties would be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers or setbacks.**

Staff does not foresee a significant impact of the proposed use on neighboring properties. The subject site is located within an already established commercial area. The overall site layout is not changing as the applicant is not proposing any additions to the existing building. All requirements pertaining to setbacks, parking, access, etc. have been satisfied.

- 3. The proposed use would not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, smoke, odors, glare, or visual clutter.**

Staff anticipates that the proposed project will not generate such negative impacts on adjacent properties. All site work will be happening within the building's interior. Activities associated with the proposed special use will be indoors - noise levels are not expected to exceed what is commonly found for a commercial area. The amount of traffic will be consistent with what the multi-tenant commercial area has produced in the past. Staff does not foresee any negative impacts occurring from this use.

D. Environment: The natural features of the subject property shall only be cleared or altered to the extent necessary to accommodate site design elements, particularly where the natural features assist in preserving the general character of the area.

The proposed project will be occupying the existing tenant space on-site. Other than the installation of signage, modifications to the site will only consist of interior alterations. This is an existing site with paved surfaces. This criterion is not applicable.

E. Public Facilities: Adequate public and/or private infrastructure and services already exist or would be provided, and will safeguard the health, safety, and general welfare of the public.

The tenant space located at 5130 W Main Street is already adequately serviced by municipal water and municipal sanitary sewer. The Township's Non-motorized Transportation Plan does identify a non-motorized path adjacent to the subject site on the west side of Drake Road and on the north side of W Main Street. Sidewalk exists on the north side of W Main Street and the west side of Drake Road. Since such facility has already been installed, no further action on this item is required.

F. Specific Use Requirements: The Special Use development requirements of Article 49.

No specific use requirements exist for indoor recreational facilities and similar uses. Therefore, this section does not apply.

RECOMMENDATION:

Planning Department staff recommend the approval of the proposed Special Use for the indoor recreational facility with the following condition.

- 1) Play areas shall be restricted to children 12 and under.
- 2) Children shall always be accompanied by a parent or guardian as drop-offs are not allowed.
- 3) No food preparation shall be conducted on-site.
- 4) Hours of operation shall be Monday through Thursday from 10am-8pm, and Friday through Sunday from 10am-10pm.
- 5) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.

Attachments: Application, Letter of Intent, Legal Description, Site Plan, Floor Plan, Elevations, and Photos

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7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS KIDS EMPIRE - 5130 W. MAIN ST #020
KALAMAZOO, MI 49009

PLANNING & ZONING APPLICATION

Applicant Name : ALTON M. KLEIN
Company KIDS EMPIRE
Address 620 ARROW HIGHWAY
LA VERNE, CA 91750
E-mail ALTON@KIDSEMPIRE.US
Telephone 714-292-2491 Fax _____
Interest in Property DIR. OF DESIGN &

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name DFG - Maple Hill, LLC
Address 10100 Waterville Street
Whitehouse, OH 43571
Email jack.ventimiglia@shopone.com
Phone & Fax 248-406-9172

Fee Amount _____
Escrow Amount _____

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- | | |
|--|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input type="checkbox"/> Rezoning-1091 |
| <input checked="" type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082 |
| <input type="checkbox"/> Zoning Variance-1092 | <input type="checkbox"/> Text Amendment-1081 |
| <input type="checkbox"/> Site Condominium-1084 | <input type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input type="checkbox"/> Other: _____ |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): WE ARE REQUESTING A

SPECIAL EXCEPTION USE FOR AN INDOOR PLAYGROUND FOR KIDS 12 &
UNDER, WE ARE NOT A DAY CARE & WE DO NOT ACCEPT DROP OFFS.
CHILDREN MUST BE ACCOMPANIED BY THEIR PARENT OR GUARDIAN.
WE SELL ONLY PRE - Page 1 PACKAGED FOODS (CHIPS, 10/15 COOKIES,
CANDY, SODA & WATER) WE DO NOT COOK OR PREPARE FOOD
ON PREMISES. - NO PROPOSAL

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

Attached

PARCEL NUMBER: 3905- _____

ADDRESS OF PROPERTY: 5130 W. MAIN ST #020, KALAMAZOO, MI

PRESENT USE OF THE PROPERTY: VACANT - FORMER PIER I 49009

PRESENT ZONING C **SIZE OF PROPERTY** 10,800 S.F
(SIZE OF SPACE)

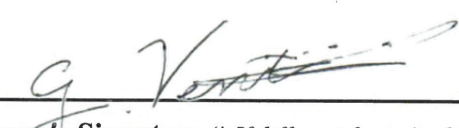
**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

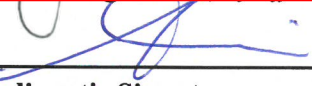
Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

 3/19/22
Owner's Signature (* If different from Applicant) **Date**

 3/1/22
Applicant's Signature **Date**

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS



Colten Hutson
Zoning Administrator
Oshtemo Charter Township
7275 W. Main St.
Kalamazoo, MI 49009

March 22, 20022

RE: LETTER OF INTENT – Special Use Exception to build out and operate a Kids Empire

Mr. Hutson,

Kids Empire formally requests the Oshtemo Township Planning Commission’s consideration for a Special Use Exception to allow us to build out and operate a Kids Empire indoor playground.

We are proposing to build out and operate within the approx. 10,804 gross S.F. (10,527 net S.F.) former Pier 1 Imports located at 5130 W Main St., Kalamazoo, MI 49009.

Kids Empire is an indoor playground for children 12 years old and under. We have a large two-story playground and a smaller “toddler” playground for toddlers and infants. All children must be accompanied by a parent or guardian as we do not accept or allow drop offs. We are not a day care and we do not prepare or cook any food on the premises.

Kids Empire sells pre-packaged foods like chips, candy, cookies, and bottled drinks such as water, juice, and soda. Pizza and cakes are an “on demand” option for reserved birthday parties only. Our Operations team will contract with a local caterer or baker, and pizzeria. Pizza and cakes are not stored on premises and are only brought in at the time of the parties, thus we do not have a need to heat or cool these items. All plates, cups, and utensils are single use so there is no need for a 3-comp sink or other ware washing equipment. Leftovers are either given to party goers or thrown away after the party.

Our Hours of Operations are Monday through Thursday from 10am to 8pm and Friday through Sunday from 10am to 10pm and we staff 5 to 7 employees during our busiest peak shifts.

If you should have any questions, please do not hesitate to contact me.

Best regards

Alton M. Klein
Dir. of Design and Entitlements
714-292-2491

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EXHIBIT "A"

LEGAL DESCRIPTION

Land situated in the Township of Oshtemo, County of Kalamazoo, and State of Michigan, described as:

PARCEL NO. 1A:

A parcel of land located in the East three quarter of the South 1/2 of the Northeast 1/4 of Section 13, Town 2 South, Range 12 West, being more particularly described as follows: Commencing at the East 1/4 post of Section 13, Town 2 South, Range 12 West; thence North along the East line of said Section, 75.05 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to and 75.0 feet North as measured at right angles to the East and West 1/4 line of said Section, 899.73 feet for the place of beginning of the land hereinafter described (said point being in the North line of West Main Street); thence continuing South 87 degrees 57 minutes 33 seconds West along said Street line, 100.0 feet; thence North 2 degrees 02 minutes 27 seconds West at right angles thereto, 114.0 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to said 1/4 line, 200.0 feet; thence North 2 degrees 02 minutes 27 seconds West, 886.0 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to said East and West 1/4 line, 18.5 feet; thence North 2 degrees 02 minutes 27 seconds West, 246.23 feet to the North line of the South 1/2 of the Northeast 1/4 of said Section; thence North 87 degrees 39 minutes 20 seconds East along said North line, 1262.90 feet to the East line of said Section; thence South along said East line, 50.04 feet; thence South 87 degrees 39 minutes 20 seconds West parallel to and 50.0 feet South of, as measured at right angles to said North line, South 1/2, Northeast 1/4, 605.11 feet; thence South 2 degrees 02 minutes 27 seconds East, 154.71 feet to a point 1120.0 feet North of the East and West 1/4 line of said Section, as measured at right angles thereto; thence South 87 degrees 57 minutes 33 seconds West parallel to said 1/4 line, 77.5 feet; thence South 2 degrees 02 minutes 27 seconds East, 931.0 feet to a point 114.0 feet North of the North line of West Main Street, as measured at right angles thereto; thence South 87 degrees 57 minutes 33 seconds West parallel to said 1/4 line, 260.0 feet; thence South 2 degrees 02 minutes 27 seconds East, 114.0 feet to the place of beginning.

PARCEL NO. 1B:

A parcel of land located in the East three quarters of the South 1/2 of the Northeast 1/4 of Section 13, Town 2 South, Range 12 West, being more particularly described as follows: Commencing at the East 1/4 post of Section 13, Town 2 South, Range 12 West; thence North along the East line of said Section, 75.05 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to and 75.0 feet North of, as measured at right angles to the East and West 1/4 line of said Section, 1589.73 feet; thence North 2 degrees 02 minutes 27 seconds West, at right angles thereto, 1000.0 feet for the place of beginning of the land hereinafter described; thence continuing North 2 degrees 02 minutes 27 seconds West, 244.26 feet to the North line of the

2014-036897 11/07/2014 10:16:35 AM

Pages: 3 of 10 WD

ASK SERVICES INC

Timothy A. Snow County Clerk/Register Kalamazoo County, MI



South 1/2 of the Northeast 1/4 of said Section; thence North 87 degrees 39 minutes 20 seconds East along said North line, 371.5 feet; thence South 2 degrees 02 minutes 27 seconds East, 246.23 feet to a point 1075.0 feet North of said East and West 1/4 line as measured at right angles thereto; thence South 87 degrees 57 minutes 33 seconds West parallel to said 1/4 line, 371.5 feet to the place of beginning.

PARCEL NO. 1D:

A parcel of land located in the East 3/4 of the South 1/2 of the Northeast 1/4 of Section 13, Town 2 South, Range 12 West, being more particularly described as follows: Commencing at the East 1/4 post of Section 13, Town 2 South, Range 12 West; thence North along the East line of said Section 75.05 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to and 75.0 feet North of as measured at right angles to the East and West 1/4 line of said Section, 1589.73 feet; thence North 02 degrees 02 minutes 27 seconds West at right angles thereto, 1000.0 feet for the place of beginning of the land hereinafter described; thence continuing North 02 degrees 02 minutes 27 seconds West, 244.26 feet to the North line of the South 1/2 of the Northeast 1/4 of said Section; thence South 87 degrees 39 minutes 20 seconds West along said North line, 550.00 feet; thence South 02 degrees 02 minutes 27 seconds East, 241.42 feet to a point 1075.0 feet North of said East and West 1/4 line as measured at right angles thereto; thence North 87 degrees 57 minutes 33 seconds East parallel to said 1/4 line 550.00 feet to the place of beginning.

PARCEL NO. 2:

A parcel of land located in the East 3/4 of the South 1/2 of the Northeast 1/4 of Section 13, Town 2 South, Range 12 West, being more particularly described as follows: Commencing at the East 1/4 post of Section 13, Town 2 South, Range 12 West; thence North along the East line of said Section, 75.05 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to and 75.0 feet North of as measured at right angles to the East and West 1/4 line of said Section, 999.73 feet for the place of beginning of the land hereinafter described (said point being in the North line of West Main Street); thence continuing South 87 degrees 57 minutes 33 seconds West along said Street line, 200.0 feet; thence North 2 degrees 02 minutes 27 seconds West at right angles thereto, 114.0 feet; thence North 87 degrees 57 minutes 33 seconds East parallel to said 1/4 line, 200.0 feet; thence South 2 degrees 02 minutes 27 seconds East, 114.0 feet to the place of beginning.

PARCEL NO. 3:

Commencing at the East 1/4 post of Section 13, Town 2 South, Range 12 West; thence North along the East line of said Section, 75.05 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to and 75 feet North of as measured at right angles to the East and West 1/4 line of said Section, 1979.73 feet for the place of beginning of the land hereinafter described (said point being in the North line of West Main Street); thence continuing South 87 degrees 57 minutes 33 seconds West along said Street line, 160 feet; thence North 2 degrees 02 minutes 27 seconds West at right angles thereto, 160 feet; thence North 87 degrees 57 minutes 33 seconds East parallel to said 1/4 line, 160 feet; thence South 2 degrees 02 minutes 27 seconds

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Pages: 4 of 10 WD

ASK SERVICES INC

Timothy A. Snow County Clerk/Register Kalamazoo County, MI



East, 160 feet to the place of beginning.

PARCEL NO. 4:

Commencing at the East 1/4 post of Section 13, Town 2 South, Range 12 West; thence North along the East line of said Section, 75.05 feet; thence South 87 degrees 57 minutes 33 seconds West parallel to and 75.0 feet North of as measured at right angles to the East and West 1/4 line of said Section, 1199.73 feet for the place of beginning of the land hereinafter described (said point being in the North line of West Main Street); thence continuing South 87 degrees 57 minutes 33 seconds West along said Street line, 390.00 feet; thence North 2 degrees 02 minutes 27 seconds West at right angles thereto, 1000.00 feet; thence North 87 degrees 57 minutes 33 seconds East parallel to said 1/4 line, 390.00 feet; thence South 2 degrees 02 minutes 27 seconds East, 1000.00 feet to the place of beginning.

PARCEL NO. 5:

Together with all easement, rights, interest, and privileges incurring to the benefit of said Parcels 1A, 1B, 1D, 2 and 4, under that certain Restated Reciprocal Construction, Operation and Easement Agreement dated October 29, 1980, between Jewel Properties Venture, Forbes Cohen-Butler/Kal Associates, Economic Development Corporation of the County of Kalamazoo, Forbes/Cohen Properties, Montgomery Ward & Co., Incorporated and Kalaward Properties, Inc., and recorded October 31, 1980 in Liber 1107, Page 519, which was amended by Assignment and Assumption of Restated Reciprocal Construction, Operation and Easement Agreement recorded August 24, 1984 in Liber 1210, Page 583, and Assignment and Assumption of Restated Reciprocal Construction Operation and Easement Agreement recorded in Liber 1221, Page 936, and amended by First Amendment to Restated Reciprocal Construction, Operation and Easement Agreement dated July 23, 1990 and recorded May 10, 1991 in Liber 1501, Page 546, and amended by Second Amendment to Restated Reciprocal Construction, Operation and Easement Agreement dated July 16, 1993 and recorded July 16, 1993 in Liber 1654, Page 880, Kalamazoo County Records, and amended by Assignment and Assumption of Reciprocal Construction, Operation and Easement Agreement dated April 27, 1994 and recorded April 29, 1994 in Liber 1722, Page 787, and together with the rights and easements contained in Agreement between Good Will Co., Inc. and Maple Hill Mall Associates dated October 19, 1990 and recorded November 2, 1990 in Liber 1480, Page 965, Kalamazoo County Records. Assignment and Assumption of Restated Reciprocal Construction, Operation and Easement Agreement recorded in Liber 1738, Page 665. Third Amendment to Restated Reciprocal Construction, Operation and Easement Agreement recorded in Instrument No. 2002-047533. Amended and Restated Reciprocal Construction, Operation and Easement Agreement recorded in Instrument No. 2005-033168.

PARCEL NO. 6:

Commencing at the East 1/4 post of Section 13, Town 2 South, Range 12 West; thence North along the East line of said Section, 75.05 feet to the North line of M-43; thence South 87 degrees 57 minutes 33 seconds West thereon, parallel to and 75.0 feet North of as measured

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Pages: 5 of 10 WD

ASK SERVICES INC

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at right angles to the East and West 1/4 line of said Section, 1589.73 feet; thence North 2 degrees 02 minutes 27 seconds West, 265.00 feet for the place of beginning of the land hereinafter described; thence continuing North 2 degrees 02 minutes 27 seconds West, 735.00 feet; thence South 87 degrees 57 minutes 33 seconds West, 63.00 feet; thence South 2 degrees 02 minutes 27 seconds East, 103.40 feet; thence South 87 degrees 57 minutes 33 seconds West, 47.00 feet; thence South 2 degrees 02 minutes 27 seconds East, 79.77 feet; thence South 87 degrees 57 minutes 33 seconds West, 10.00 feet; thence South 2 degrees 02 minutes 27 seconds East 241.00 feet; thence North 87 degrees 57 minutes 33 seconds East, 30.00 feet; thence South 2 degrees 02 minutes 27 seconds East, 310.83 feet; thence North 87 degrees 57 minutes 33 seconds East, 90.00 feet to the place of beginning.

PARCEL NO. 7:

Together with a non-exclusive easement as set forth in Operation and Easement Agreement between Dayton Hudson Corporation and Good Will Co., Inc., recorded September 2, 1993 in Liber 1665, Page 1229.

PARCEL NO. 8:

All that part of the East 3/4 of the South 1/2 of the Northeast 1/4 of Section 13, Town 2 South, Range 12 West, Oshtemo Township, Kalamazoo County, Michigan, described as: Commencing 202.67 feet South 87 degrees 57 minutes 33 seconds West along the North line of West Main Street (Highway M-43, 150 feet wide) from a point being 75.05 feet North along the East line of Section 13 from the East one-quarter corner of said Section; thence South 87 degrees 57 minutes 33 seconds West 346.04 feet along the North line of West Main Street being 75 feet distant Northerly by perpendicular measurement from the East and West one-quarter line to the point of beginning; thence continuing South 87 degrees 57 minutes 33 seconds West 91.02 feet along said North line of West Main Street; thence North 02 degrees 02 minutes 27 seconds West 1045.00 feet; thence North 87 degrees 57 minutes 33 seconds East 676.97 feet to the East line of Section 13; thence South 845.54 feet along said Section line to the intersection of a line which is parallel with and 200 feet North 02 degrees 02 minutes 27 seconds West from said North line of West Main Street; thence South 87 degrees 57 minutes 33 seconds West 209.81 feet; thence North 57 degrees 17 minutes 28 seconds West 32.67 feet; thence North 84 degrees 13 minutes 59 seconds West 46.94 feet; thence South 87 degrees 57 minutes 33 seconds West 194.65 feet; thence South 66 degrees 45 minutes 35 seconds West 83.71 feet; thence South 02 degrees 02 minutes 27 seconds East 194.73 feet to the point of beginning.

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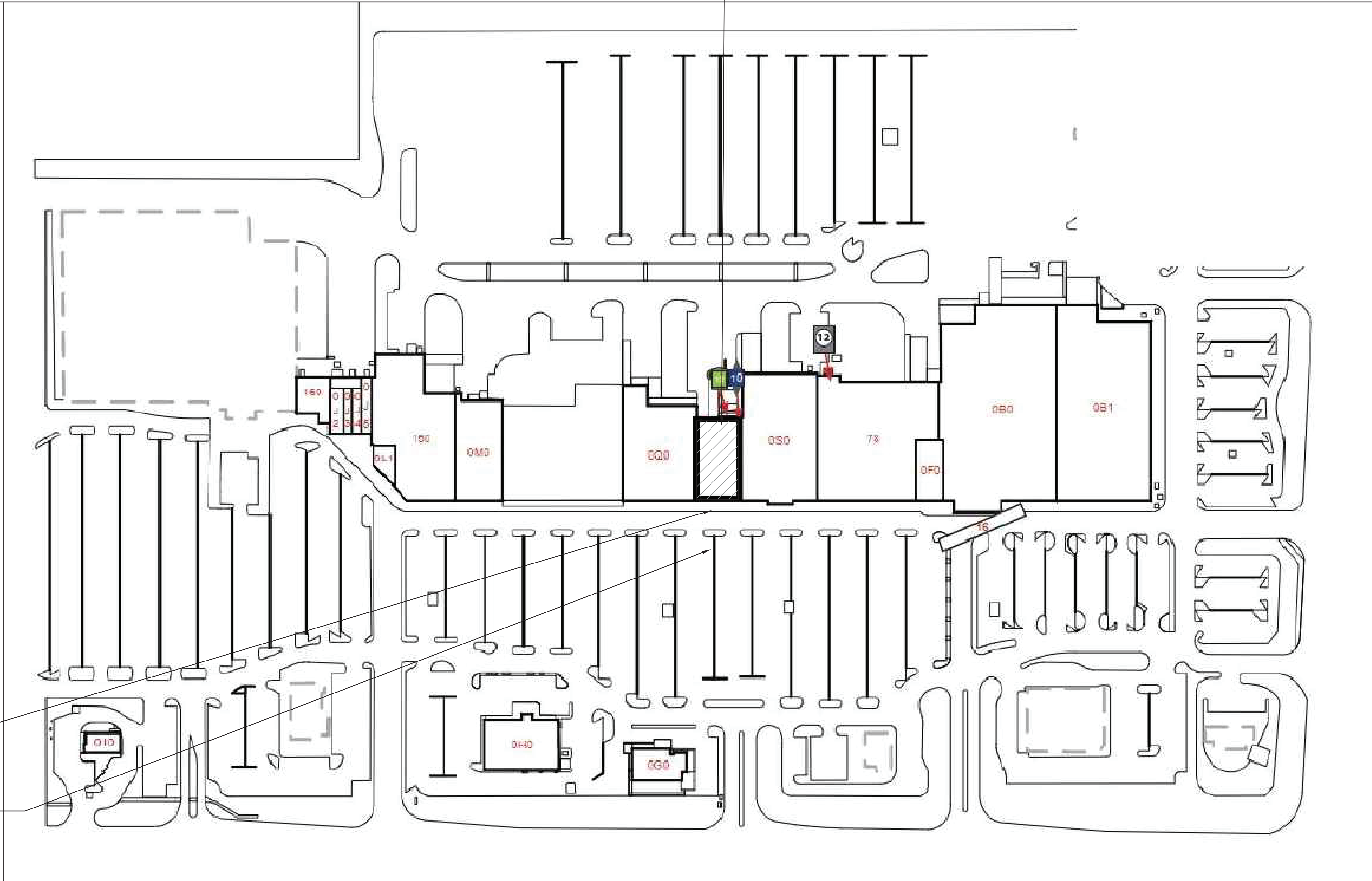
Pages: 6 of 10 WD

ASK SERVICES INC

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THIS PROJECT
KIDS EMPIRE
NO SITE WORK UNDER THIS
PERMIT



EXISTING SIDE WALK TO
REMAIN
NO SITE WORK UNDER THIS
PERMIT

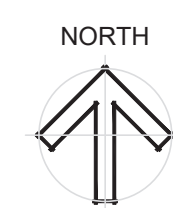
EXISTING H/C STALL
EXISTING H/C RAMP

HANDICAP PATH OF TRAVEL:
DISTANCE = 100'
5% MAX SLOPE IN DIRECTION OF
TRAVEL AND 2% MAX CROSS SLOPE

NOTE: ACCESSIBLE PARKING STALLS
AND ACCESS AISLE TO HAVE MAX
SLOPE OF 1:48 IN ANY DIRECTION

1 EXISTING SITE PLAN (REFERENCE ONLY - NO NEW SITE WORK)

SCALE: 1:40



ND ENTERPRISES, LLC
6501 E. GREENWAY PKWY #103-707 SCOTTSDALE, AZ 85254
P 480-297-5577 www.ndentiaz.com

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5130 W Main St.
Kalamazoo, MI 49009

KIDS EMPIRE

REVISION

- 1
- 2
- 3

DATE: 2.14.2022

REVIEW SET
NOT FOR
PERMIT

EXISTING SITE
PLAN

A0.2

GENERAL NOTES:

- ALL DIMENSIONS ARE FROM FACE OF DRYWALL, UNLESS OTHERWISE NOTED.
- ALL GYPSUM BOARD USED SHALL BE 5/8" TYPE 'X' FIRE TAPED. DEMISING PARTITIONS SHALL BE OF FIRECODE "X" SHEETROCK, TAPED AND SEALED TO DECK ABOVE.
- ALL PLYWOOD, PLYWOOD BACKING, PARTICLE BOARD, WOOD BLOCKING, AND FRAMING USED SHALL BE FIRE RETARDANT & STAMPED NON-COMBUSTIBLE. PLACE AND FINISH ALL NEW MATERIALS SO AS TO PROVIDE A SMOOTH & INTEGRAL TRANSITION TO EXISTING FINISHES & MATERIALS.
- PROVIDE ADDITIONAL FRAMING/BRACING FOR ALL WALL MOUNTED EQUIPMENT. CHECK CUTSHEETS OF ALL EQUIPMENT PRIOR TO INSTALLATION.
- GENERAL CONTRACTOR TO PROVIDE REQUIRED FIRE EXTINGUISHER(S) PER CODE.
- FIRE SPRINKLERS: ADDITIONS & MODIFICATIONS AS REQUIRED BY CODE AND NFPA PAMPHLET #13. SPRINKLER HEADS CENTERED WITHIN CEILING BOARD. SPRINKLER HEADS AT GYPSUM BOARD CEILINGS MUST BE FULLY RECESSED AND COVERED WITH METAL PLATES FINISHED TO MATCH ADJACENT SURFACE. CENTER SPRINKLER HEADS IN CEILING-WHERE APPLICABLE. ANY MODIFICATIONS TO BE DONE BY LANDLORD'S SPECIFIED SPRINKLER CONTRACTOR. ALL COSTS FOR SPRINKLER RE-LOCATION TO CONFORM WITH FIT OUT DESIGN ARE PROVIDED BY TENANT. - WHEN APPLICABLE.
- SEE MECHANICAL AND ELECTRICAL SHEETS FOR ALL FIXTURE SPECIFICATIONS, WIRING, AND POWER REQUIREMENTS. - VERIFY WITH EQ SHEETS.
- NEWLY INSTALLED OR RELOCATED DOORS MUST HAVE LEVER TYPE HARDWARE OR OTHER SHAPE WHICH WILL PERMIT OPERATION BY WRIST OR ARM PRESSURE AND WHICH DOES NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING TO OPERATE. PER WAC 51.20.3103 (A) AND (C).
- ALL DOORS TO PROVIDE 32" MIN. CLEAR OPENING WHEN OPENED TO 90 DEGREE POSITION.
- FLOORS IN FOOD PREPARATION AREA, DISH WASHING AREA, SERVICE AREA, JANITORIAL AREA, STORAGE AREA, AND ANY AREA WHERE FOR EQUIPMENT IS PLACED SHALL BE SMOOTH, EASILY CLEANABLE, WASHABLE, DURABLE, AND OF COMMERCIAL GRADE MATERIAL AND SHALL HAVE A MINIMUM 3/8" RADIUS INTEGRAL COVE BASE EXTENDING AT LEAST 4" UP THE WALL. GROUT SPACING FOR TILE SHALL NOT EXCEED 1/4" AND SHALL BE SEALED.
- NOT USED
- TENANT'S GC TO COMPLETE SITE VISIT AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS - GC TO REVIEW TENANT'S LEASE DURING BID PROCESS TO DETERMINE RESPONSIBILITIES.
- FLOOR SINKS SHALL BE INSTALLED FLUSH WITH THE FLOOR SURFACE AND BE LOCATED SO AS TO BE READILY ACCESSIBLE FOR CLEANING AND REPAIR.
- SUPPORT WIRING FOR LAY-IN CEILING SHALL NOT BE ATTACHED TO ANY OF THE LANDLORD'S MECH, ELEC, PLUMB, OR FIRE PROTECTION PIPING OR EQUIPMENT.
- ALL EXITS SHALL BE OPERABLE FROM INTERIOR OF BUILDING WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT.

SPECIALTIES:

- GENERAL CONTRACTOR TO PROVIDE BLOCKING IN WALLS AS NEEDED FOR ALL WALL MOUNTED FIXTURES, SIGNS, TVS ETC. PER DRAWINGS.
- USE FIRE TREATED WOOD FOR MISCELLANEOUS WOOD BLOCKING, ETC.

KEYED NOTES:

- EXISTING DEMISING WALL FRAMED BY LANDLORD TO REMAIN.
- NEW RESTROOMS AND FIXTURES- SEE ENLARGED PLAN ON A2.1
- NEW ADA HI/LOW DRINKING FOUNTAIN- SEE PLUMBING
- NOT USED
- NOT USED
- NEW MOP SINK/ WH LOCATED ABOVE- SEE PLUMBING SHEETS
- HAND SINK
- NEW INTERIOR NON BEARING WALL
- NEW HANDICAP GRAB BARS WITH BLOCKING
- NOT USED
- PANTRY TABLES & SHELVES- SEE A5.0 FOR PANTRY PLAN
- EXISTING REAR DOOR TO REMAIN
- NEW STOREFRONT GLASS AT REMOVED DOOR. GC TO CONFIRM RESPONSIBILITY
- STOREFRONT NEW GLASS TO BE IN-FILLED
- PREP ALL EXISTING SURFACES FOR NEW FINISHES
- GC TO SEE DESIGN GUIDE FOR ALL BACKING LOCATION AND FINAL PLACEMENT OF FIXTURES
- AREA FOR PLAYGROUND EQUIPMENT. DESIGNED & INSTALLED BY OTHERS.
- SEATING BY OWNER. INSTALLED BY GC.
- PANTRY AREA
- RECEPTION AREA
- LOW WALL
- DANCE ROOM
- EXISTING STRUCTURAL COLUMN TO REMAIN
- TODDLER AREA DESIGNED & INSTALLED BY OTHERS.
- RELOCATED STOREFRONT DOOR- PROVIDE NEW GLASS AND FRAME TO MATCH EXISTING AT DEMO AREA
- HANDICAP ACCESSIBLE TABLE
- ACCESSIBLE PATH TO REQUIRED REAR EXIT. SEE A1.0
- EXISTING ROLL UP DOOR TO BE LOCKED IN CLOSED POSITION
- TYPE B GATE ON A4.2
- TYPE C GATE ON A4.2
- 7'-0" HIGH LOW WALL

NOTE:
TENANT TO CONSULT WITH SOUND SPECIALIST ON LOCATION OF SPEAKER LOCATION AND GC TO REVIEW ALL LOW VOLTAGE REQUIREMENTS WITH TENANT.

NOTE:
ALL EXPOSED CMU BLOCK MASONRY WALLS SHALL BE FURRED OUT WITH 1 1/2" METAL STUDS WITH GYP BOARD (TYP)

NOTE: DIMENSIONED TO FINISHED WALL.
NOTE: ALL EXTERIOR WALLS TO BE INSULATED.

NOTE:
DURING BID PROCESS - GC TO VISIT SITE & REVIEW TENANT'S LEASE TO CONFIRM RESPONSIBILITY AGREEMENT. GC RESPONSIBLE FOR ALL TI CONSTRUCTION IE. CONCRETE POUR, ELECTRIC, PLUMBING, ROOF PENETRATIONS AND MECHANICAL ETC. ACCORDING TO LEASE

NOTE:
GC TO VERIFY ALL EXISTING DIMENSIONS AND COLUMNS DURING BID AND ALERT NEPTUNE IF DIFFERENT FROM PLAN.

NOTE:
MAIN ENTRY/EXIT DOORS MAY BE KEY OPERATED FROM INTERIOR IF SIGNAGE WITH "1" LETTERING IS PROVIDED ON OR ADJACENT TO DOOR STATING "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED".

WALL LEGEND:

- EXISTING WALL TO REMAIN. VERIFY CONDITION PATCH AND REPAIR TO LIKE NEW CONDITION - GC TO VERIFY FIRE RATING IF APPLICABLE
- EXISTING 1 HOUR RATED DEMISING WALL BY LANDLORD- TENANTS GC TO INSTALL GYP BD FULL HEIGHT WALL TO DECK
- NEW WALL
1 LAYER 5/8" GYPSUM BOARD EACH SIDE OVER 3 5/8" 20 GA METAL STUDS AT 16" O.C. TO CEILING. BRACE STUDS @ 4'-0" O.C. PROVIDE 5/8" MTL STUDS AT ALL 7" NOMINAL WALLS. SEE PLAN FOR HEIGHT
- WALL TYPE PARTIAL HT- SEE TYPE A1 / A4.1
- WALL TYPE PARTIAL HT- SEE TYPE B1 / A4.1
- WALL TYPE - LOW 3'-6" HIGH- SEE TYPE C1 / A4.1
- WALL TYPE FULL HT- SEE TYPE D1 / A4.1
- WALL TYPE PARTIAL HT (7'-0")- SEE TYPE 31 / A4.1
- WALL TYPE FURR OUT - 10'-0" HT- SEE TYPE F1 / A4.1

NOTE:
FLOOR OR LANDING SHALL NOT BE MORE THAN 1/2" LOWER THAN THE THRESHOLD OF THE DOORWAY. CHANGE IN LEVEL BETWEEN 1/4" AND 1/2" SHALL BE BEVELED WITH A SLOPE NO GREATER THAN ONE UNIT VERTICAL TO 2 UNITS HORIZONTAL.

NOTE:
DOOR HARDWARE SHALL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING OR TWISTING OF THE WRIST TO OPERATE.

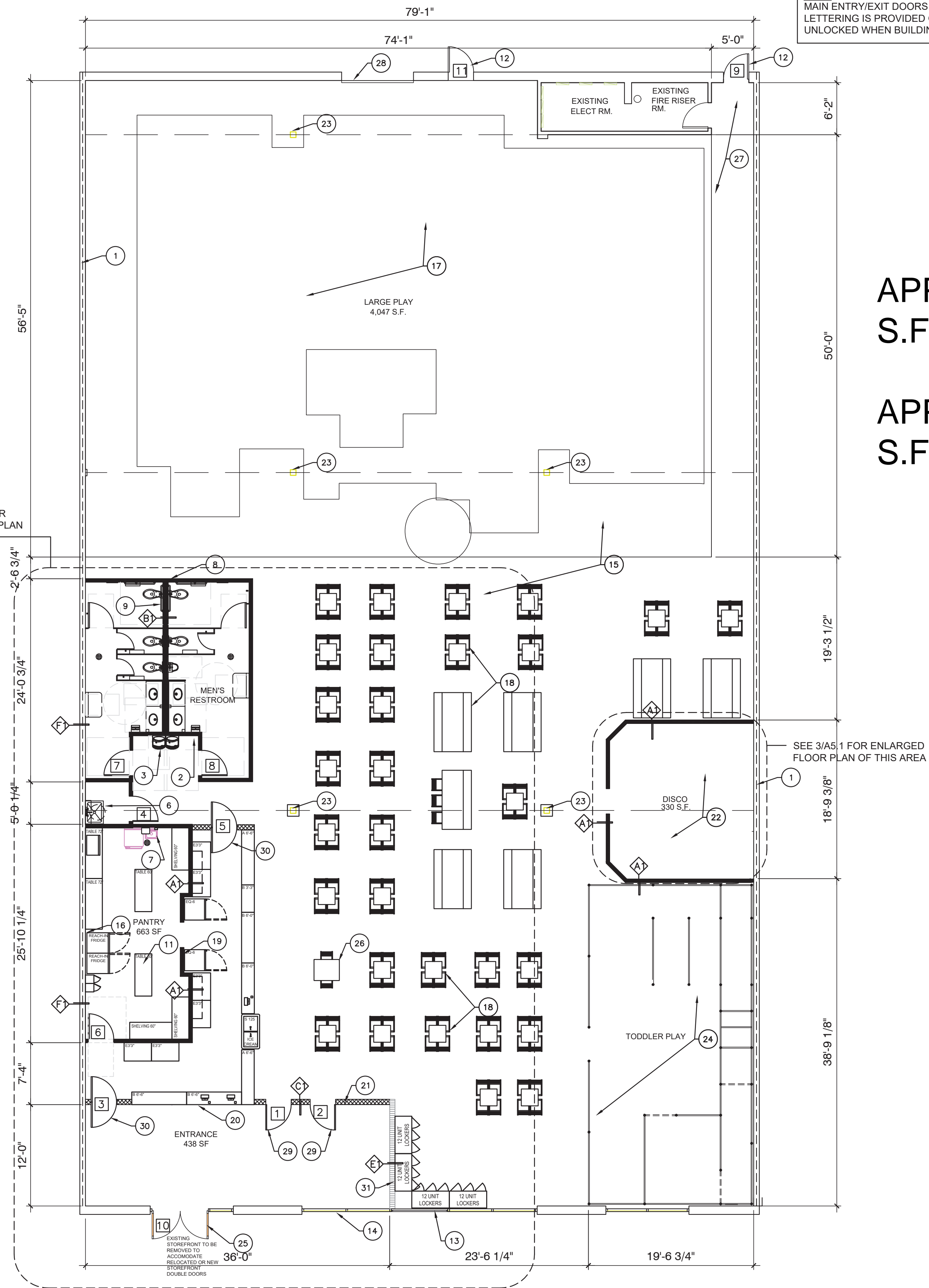
SEE SHEET A2.1 FOR ENLARGED FLOOR PLAN OF THIS AREA

NOTE:
RESPONSIBILITY MATRIX
SEE SHEET A2.1 & A2.2

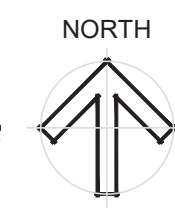
NOTE:
GC TO XRAY SLAB AT ALL PLUMBING FLOOR LOCATIONS TO ENSURE ADEQUATE CLEARANCE FROM STRUCTURAL BEAM. NOTIFY ARCHITECT IMMEDIATELY IF PLUMBING FIXTURES NEED TO BE RELOCATED.

NOTE:
GC TO CONFIRM WITH TENANT AND LANDLORD RESPONSIBILITY OF DOORS AND FIXTURES WITH FINAL LEASE

NOTE:
RESTROOM DOORS MUST BE EQUIPPED WITH SELF-CLOSING DEVICES.



1 PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"



**APPROX. GROSS
S.F. = 10,804**

**APPROX. NET
S.F. = 10,527**

ND ENTERPRISES, LLC
6501 E. GREENWAY PKWY #103-707 SCOTTSDALE, AZ 85254
P 480-297-5577 www.ndentaz.com

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5130 W Main St.
Kalamazoo, MI 49009

KIDS EMPIRE

REVISION



DATE: 2.14.2022

REVIEW SET
NOT FOR
PERMIT

PROPOSED
FLOOR PLAN

A2.0



© 2016 Google

PET SMART

Pier 1 Imports

DSV



SNACK BOX 15.75
JAMVICI

EXIT

EXIT

EXIT













WELCOME!



MCKENNA

April 22, 2022

Planning Commission
Charter Township of Oshtemo
7275 West Main Street
Kalamazoo, MI 49009

Subject: Tournesol Open Space Community – Conceptual Site Plan Review
Location: 7214 West “N” Avenue
Zoning: RR, Rural Residential
Applicant(s): Hinter Properties, LLC
Owner(s): Kalamazoo Holdings, LLC & Rural Republic, LLC

Dear Planning Commissioners,

On behalf of the Charter Township of Oshtemo Planning Department, McKenna has reviewed the above-referenced Open Space Community Concept Plan submission for a proposed 49-unit residential development and offers the following comments and findings for your consideration. This review is based on the resubmitted site plan on April 4, 2022, and continued dialogue between the Tournesol Development Team and Oshtemo Township staff.

SITE DESCRIPTION

The proposed development site is approximately 60.24-acres and is located on the north side of West N Avenue, east of 6th Street and west of 9th Street. The site is primarily wooded with one (1) existing residential dwelling (unit #1) located on the southeast corner of proposed development site. The applicant proposes to construct 48 residential dwellings (units) and associated public water and public sewer. A private storm-sewer and road network is also proposed to be constructed. The graphic to the right (provided by the applicant via their conceptual plan) outlines the proposed project boundaries.



HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

☎ 248.596.0920
☎ 248.596.0930
MCKA.COM

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REVIEW COMMENTS

Open Space Community Provisions (§43.30)

The proposed development meets the intent of the Rural Residential District Statement of Purpose (§5.10), which encourages open space, fallow land, wooded areas and wetlands preservation.

- a. *A minimum of 40 percent of the gross area of the open space community shall be designated as “open space”.* The applicant indicates that the subject site is 60.24 acres, of which, 24.52 acres will be permanent open space (40.7%). A minimum of 24.096 acres is required to be classified as “open space”. The applicant has met the intent of this provision.
- b. *Any significant/sensitive environmental resources (steep slopes, wetlands, woodlands) shall be included within the designated “open space”.* The applicant proposes to retain portions of the wooded area along the periphery of the subject site, as noted in colored rendering and associated preserved woodlands graphics. The applicant has provided further details pertaining to steep slopes on site, as noted on sheet 2 of their submittal plan, which are intended to be excluded from site condominium lots. The applicant indicates 22.8 acres are proposed to be preserved, which assumes 6” trees and larger within the rear 50’ of each unit are retained, as indicated in the preserved woodlands graphics.

A natural features review will be completed, per Section 290.008.J.2, when the detailed site plan is provided for review by Township staff.

- c. *Designated “open space” shall be set aside as common land for low impact recreation, conservation, crop-growing, orchards, or be preserved in a natural state. We recommend that the designated open space be included within the By-Laws/Master Deed of the Condominium Association as common land, as indicated in Note 21 & Note 23 on Sheet 1 and be subject to review by Township Staff. Additionally, we highly encourage the inclusion of the common “green strips” between cluster units be included as protected open space in the By-Laws/Master Deed of the Condominium Association.*
- d. *Designated “open space” shall be easily accessible to residents of the open space community, including visual and pedestrian linkages and proximity to such open spaces.* The applicant has included proposed trail systems and sidewalks in the conceptual design. The applicant has revised their conceptual plan to include sidewalks along both sides of the roadway. The total proposed installed walkway (sidewalk) measures 7,056 lineal feet.

However, the applicant has indicated their desire to Township staff to seek a waiver to reduce the amount of required sidewalk to be installed throughout the proposed development. Sheet 2 of the conceptual plan depicts the requested frontages that the applicant seeks to not install sidewalks, as indicated by a green hashed line. The requested walkway (sidewalk) waiver is 2,250 lineal feet.

Per Section 290.008.H.1 “sidewalks not less than five feet in width shall be included within the dedicated non-pavement portion of the right-of-way on both sides of all roads within a subdivision or site condominium”. In order to promote multi-modal transportation and a network of complete streets, it is vital that sidewalks be installed along both roadway frontages. While we acknowledge the applicants desire to



only install sidewalks along sections of roadways that have dwelling units, we strongly discourage the Planning Commission from supporting any waiver for the reduction of required sidewalks within this community. Lack of a complete sidewalk network on both sides of the street will necessitate residents and visitors to walk or ride their non-motorized transportation in the traffic lanes of the roadways and will create an unsafe pedestrian environment.

- e. *Designated "open space" shall be under common ownership or control, such that there is a single entity having proprietary responsibility. Sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions shall be provided.* The applicant has indicated that "rules and regulations regarding open space shall be stipulated in pending master deed". We recommend that the Master Deed/By-Laws be submitted to Township Staff for review and comment.

Development Provisions (§43.40)

- a. *An Open Space Community shall be limited to single-family and/or two-family residential dwelling units provided that the total number of dwelling units does not exceed the density for the Open Space Community site permitted by Section 43.40.C.* While the applicant has indicated a total of 49 site condominium units, with 1 (unit #1) of the 49 units to be the existing residential property located in the southeast of the subject site having a separate driveway. This results in some confusion over the total unit count. All units must have access from the internal road network or must be removed from the unit count. A note on sheet 2 in regard to unit #1 indicates "existing house shall remain and shall be unit #1 within Tournesol. Driveway shall be rerouted onto Verdon Trail." The site plan will need to show the proposed driveway for unit #1 connecting onto Verdon Trail.
- b. *The permitted density of residential uses within an open space community shall not exceed the density allowed by the Zoning Ordinance standards of the underlying residential zoning district: "RR" as stated in Section 50.10.A.* The Schedule of Regulations permits one (1) dwelling unit per acre within the Rural Residential District. The proposed site is 60.24 acres; the applicant is proposing to develop 48 condominium units, and include one existing residential dwelling, on 60.24 acres. The proposed site density is estimated at one unit per 1.23 acres. We find that the applicant has met this requirement of the Zoning Ordinance.
- c. *Except for minimum parcel, lot, or building site area, frontage, and width requirements, all Zoning Ordinance requirements for the underlying zoning classification shall apply, unless specifically waived or modified by the Planning Commission.* The applicant proposes the following building setbacks:

Building Setbacks (RR District)	Required	Proposed
<i>Front:</i>	30'	30'
<i>Side:</i>	10'	10'
<i>Rear:</i>	15'	15'



The applicant will need to ensure that all proposed units meet the minimum street frontage of 120 feet (50.10.A). The applicant indicates that the required minimum frontage of 120 feet is met when the frontage is taken at the required setback distance. Section 2.20 (Definitions) of the Zoning Ordinance provides the following regarding site frontage: *lot, parcel or building site frontage – the length of the front property line abutting the dedicated public road right-of-way or private street easement*. In terms of setback, the following definition is provided via Section 2.20: *setback – the required minimum horizontal distance between the leading edge of the building or structure (including but not limited to, terraces, decks, covered projections) to the related front, side, or rear property line, or to the right-of-way*.

Contrary to the aforementioned two definitions, the applicant requests to measure the frontage requirement at the setback line via sheet 2 of the submitted plans for cul-de-sac lots. Staff research finds that this request is consistent with two previous subdivisions/site condominium projects that were also permitted to have a minimum lot width as measured at the front building setback line: Autumn Grove (2083 North 9th Street) & Mystic Heights (Van Kal Avenue). Both of these developments were presented to the Oshtemo Planning Commission in 2016. We find that modification to this standard is consistent with the purpose of the open space development option and past Planning Commission interpretations of ordinance standards.

- d. Residential development shall be confined to cluster areas established within the project site. Based on the submitted conceptual design, we find that the applicant is attempting to meet the intent of the cluster design:
1. A minimum of four and a maximum of eight dwelling units shall be permitted per cluster area. The applicant has further aligned the proposed site condominiums to meet the intent of the ordinance, however two units (units #9 & #10) still do not fully align with the ordinance requirements. The applicant will need to seek a waiver from the Township Board regarding these two units (#9 & #10) or remove those units from the site entirely.
- e. Visual screening of residences from off-site street networks and open space community site boundaries shall be accomplished through the siting of residences, maximizing existing screens, and providing new natural screens and/or open space buffers where appropriate. The applicant proposes to screen existing residences from the site development by use of existing woodlands. We encourage the applicant to continue to preserve natural screening elements of the site during construction of the proposed community.
- f. Cluster area design standards.
1. A minimum of four, maximum of eight dwelling units shall be permitted per cluster area. We find that the applicant generally meets the intent of the ordinance. However, units # 9 & 10 due not meet this standard and will need relief from this provision of the Township ordinance.
 2. Cluster areas should be provided access to accommodate vehicles, utilities, and commonly owned facilities, and a linkage to the project open space system. We find that the intent of this standard is being met. Further review and analysis will take place during full site plan submission and review.
 3. Cluster areas should be visually and physically separated from one another and roadways by open space buffers. The applicant proposes buffers of fifty (50) feet in width. We find that this proposed



dimension does not meet the intent of the ordinance and recommend that the applicant increase the buffer to one hundred twenty (120) feet, which is consistent with lot width requirements for the underlying zoning district (RR).

4. *Cluster areas should be integrated into the site without causing significant impacts on neighboring properties.* The proposed site development appears to mitigate the impacts on neighboring properties by preservation of the natural features around the periphery of the subject site. We find that this requirement can further be met by the increase in the natural buffer areas from fifty (50) feet to one hundred twenty (120) feet.
5. *Cluster areas should be designed to be compatible with the surrounding community character.* The surrounding community character is heavily wooded in nature. We find that the applicant only partially meets this requirement. This requirement can be more closely met if the applicant increases the buffer areas between proposed clusters and increases the existing natural features to be retained on site.
6. *Cluster areas should be designed to avoid a suburban subdivision appearance.* We find that the proposed site layout and design does not align with this requirement. However, should the applicant increase the buffer areas between clusters and increases the retention of the existing natural features, the project will more align with this stipulation. The proposed cul-de-sacs are more in line with a subdivision and further breakup of these clustered units should be pursued.
7. *The use of single-loaded streets (houses on only one side) – especially alongside “open space”, around community common areas, and to create foreground meadows along the public road that serves the development – should be incorporated into cluster area designs to avoid a suburban subdivision appearance.* The applicant proposes to construct units #2-21 along a single side of Verdon Trail. We find that the applicant is attempting to meet this requirement by the placement of these units and the subsequent proposed clustering of units #22-49.

Design Standards (§43.50)

- a. *Access: Direct access for an open space community onto a public road shall be designed in compliance with the Access Management Guidelines.* The applicant proposes to provide direct access to the community via ingress/egress on West “N” Avenue. Additional comments from the Township Engineer and Road Commission of Kalamazoo County are included.
- b. *Interior street system: The open space community shall be serviced by an interior street system; dwelling units shall not front or gain direct access from an off-site road network. Interior streets may be public and/or private subject to Township approval.* The applicant proposes an interior private roadway network that will be maintained by the Condominium Association. See comments from the Township Engineer and Kalamazoo County Road Commission, provided below. The applicant has indicated site access to unit #1 (existing residential dwelling) will be rerouted to Verdon Trail, as provided on sheet 2 of the submitted concept plan. The applicant will need to amend the site plan to show the proposed location of the access driveway to unit #1.

Section 43.50 also states the following:

Where adjoining areas are not subdivided, the arrangement of streets in the proposed Open Space Community shall be required to be extended to the boundary line of the project to make provision for the future projection of streets into adjoining areas.



The applicant has provided the following note on Sheet 2:

Shown roadway network could possibly be extended southerly off the east/west portion of Verdon Trail or easterly off the north/south portion of Verdon Trail assuming Oshtemo Township approval is obtained in the future. Secondary roadway access to the site would likely be required by the Township.

The site plans are required to show the proposed streets extended to the boundary line of the project to make provisions for the future extension of streets onto adjoining properties.

- c. *Utilities: Public water and sanitary sewer may be required where facilities are reasonably available and/or where densities require.* The applicant proposes to connect the community to public water and public sewer services located along West “N” Avenue. Additional comments will be provided by the Township Engineer.
- d. *Storm water management: The design of storm water management systems and drainage facilities shall be designed in coordination with the groundwater protection strategies of the Township.* Additional comments from the Township Engineer, relating to storm water management will be provided.
- e. *Street lighting: Street lighting shall be designed in compliance with the lighting objectives and standards set forth in Section 54.10.* The applicant proposes to include street lighting within the community (see general note #18). The submitted conceptual plan includes locations of street lighting. The resubmitted conceptual plan includes proposed location of street lighting. Precise locations, details and photometrics will need to be provided during the detailed site plan review process.
- f. *Natural features: The development shall be designed to promote the preservation of natural features.* The applicant proposes to provide 24.52 acres of open space land. As previously referenced, section 290.008.J.2 requires that the applicant provide an analysis of natural features to be retained on site. The applicant has provided dimensions regarding proposed woodland strips between unit clusters, which measures 50 feet in width. We find that the creation of these woodland strips more aligns with the intent of the ordinance, however, we recommend that the applicant increase the size of these woodland strips to 120 feet, which is the minimum lot width for this type of development, in order to enhance natural feature protection across the project site and further meet the intent of the Open Space Community standards. The intent of the open space community is to assure the permanent preservation of substantial open space and other natural resources and encourage a less sprawling form of development.
- g. *Setbacks: Front setbacks shall be a minimum of 60 feet from the center of the public or private street. Other setbacks shall comply with Section 50.60.* We find that the applicant’s conceptual plan meets the intent of this ordinance section.

Other Comments & Additional Requirements

- a. The proposed street names will need support from the Kalamazoo County Planning & Development Department prior to Township Planning Commission review. Upon receiving support from the Kalamazoo



County Planning & Development Department, and review by the Township Planning Commission, Township staff will then be able to begin the addressing of units within the proposed community.

- b. Article 290 (Subdivisions/Site Condominium Design) is viewed as being applicable. As such, all regulations within Article 290 will need to be satisfied with the submission of the site plan. Primary attention should also be focused on the Natural Features Protection District (290.008.H). For a full listing of required elements related to a plan submittal, the applicant is advised to see Section 290.007.B. The applicant will need to identify on the site plan the dense forest cover (Section 290.008.J.6.d) and identify all trees 12 inches in diameter at DBH outside of the dense forest cover as defined by the Natural Features Protection District Map. Further review will be conducted during the detailed site plan review.
- c. Article 64 (Site Plan Review) should be reviewed by the applicant prior to submission of the proposed site plan for review and approval by the Planning Commission.

Engineering Comments

The Township Engineer has provided the following comments relating to the conceptual open space community plan. The applicant should be aware of the following requirements for submission of the site plan:

1. Site plan will need to show existing easements, such as the high voltage energy distribution line.
2. Grading:
 - a. Please show spot grades and contours on the plans.
 - b. All sidewalks and barrier free parking shall meet ADA standards.
 - c. Show all sidewalk adjacent to the proposed private road with width and spot grades.
3. Traffic Flow:
 - a. Show road width.
 - b. The Township fire chief shall review the site for emergency access.
 - c. Please Review the Road Commission of Kalamazoo County Construction Standards for the driveway requirements.
4. Drainage:
 - a. Storm sewer and a storm water basin is proposed. The stormwater basin storage design shall use a 100-year event for calculating volume and must contain more than 1' of freeboard.
 - b. Storm water basins do not count as open space
5. Soil Erosion Control:
 - a. A SESC plan and SESC Permit will be required from the Kalamazoo County Drain Commission.
6. Water Main:
 - a. Hydrants and service connections must meet City of Kalamazoo specifications.
 - b. Any proposed connection shall be coordinated with the City of Kalamazoo Department of Public Services - Steve Skalski (269) 337-8601.



7. Sanitary Sewer:
 - a. Show sanitary sewer connections and tap at the main.
8. Sidewalks
 - a. Sidewalk crossings cannot be placed in a curved section of road. Please provide crossings with sufficient sight distance in compliance with AASHTO standards.
 - b. Sidewalk connection will be required to the south to connect “N” Avenue.

Public Safety Comments

The Oshtemo Township Fire Department has provided the following comment:

1. Provide a plan that shows the proposed roads meet the required 30/50 turning radius using a scale of 1” – 50’.

Kalamazoo County Road Commission Comments

We understand that the Road Commission and the applicant are reviewing the site access for the proposed project. We recommend that the applicant obtain at least a conditional approval for access from the Road Commission prior to submitting site plans for review by the Planning Commission. The access issues are crucial to ensuring the safety of residents and maintaining efficient and effective traffic flows to and from the site.

RECOMMENDATION

The applicant has made strides in aligning the conceptual plan design with the Open Space Community standards of the Township Ordinance. However, the applicant is requesting a waiver for required sidewalk installation. Based on our review, we highly recommend that the Planning Commission recommend to the Township Board a denial of the sidewalk waiver for reasons outlined above.

Based on the above review comments, the conceptual plan could be approved by the Planning Commission, subject to the following conditions and observations:

1. Planning Commission finds the request to modify site frontage measurement requirements consistent with the purpose of the open space development option and past practices as it pertains to cul-de-sac lots only.
2. Designated open space and green strips be included within the By-Laws/Master Deed of the Condominium Association as common land.
3. By-Laws/Master Deed be submitted to the Township for review.
4. Installation of sidewalks along both sides of the road network.
5. Unit #1 (existing residential dwelling) driveway be shown to connect to Verdon Trail.
6. Site plans to show the proposed streets extended to the boundary line of the project to make provisions for the future expansion of streets onto adjoining properties.
7. The proposed clustered segments of the development have a minimum naturalized buffer of one hundred twenty (120) feet between each cluster. By increasing the buffer from fifty (50) feet to one hundred twenty (120) feet, the proposed development will be more in accordance with ordinance requirements and standards.
8. Recommendation to the Township Board that units #9 & #10 be considered a “cluster”.



9. Any other conditions as noted by other review Agencies.

Respectfully submitted,

McKENNA

Paul Lippens, AICP, NCI
Vice President

Kyle Mucha, AICP
Senior Planner

Cc: Iris Lubbert, Planning Director, Oshtemo Township

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7275 W. Main Street, Kalamazoo, Michigan 49009-9334
 Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS Tournesol (7214 West "N" Avenue)

PLANNING & ZONING APPLICATION

Applicant Name : Hinter Properties, LLC
 Company Hinter Properties, LLC
 Address 2222 W. Grand River Avenue,
Suite A
Okemos , MI 48864
 E-mail Jason: j0devri1@protonmail.com Joe: javergunst@gmail.com
(269) 271-3510 (269) 224-8971
 Telephone _____ Fax N/A
 Interest in Property Developer

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

Fee Amount _____
 Escrow Amount _____

OWNER*:

Name	& Suite A	
	Kalamazoo Holdings, LLC	Rural Republic, LLC
Address	PO Box 2343 207	2222 W. Grand River Ave.
	Portage, MI 49081	Okemos , MI 48864
Email	Jason: <u>j0devri1@protonmail.com</u>	Joe: <u>javergunst@gmail.com</u>
	<u>(269) 271-3510</u>	<u>(269) 224-8971</u>
Phone & Fax	<u>N/A</u>	

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- | | |
|---|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input type="checkbox"/> Rezoning-1091 |
| <input type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082 |
| <input type="checkbox"/> Zoning Variance-1092 | <input type="checkbox"/> Text Amendment-1081 |
| <input type="checkbox"/> Site Condominium-1084 | <input type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input checked="" type="checkbox"/> Other: <u>Conceptual Open Space</u> |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): _____

Conceptual Plan review for proposed "Tournesol" – a proposed
50 unit Open Space Community with public sanitary sewer, public
water mains, and private storm sewer and roadways.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):
(See attached pages)

West parcel Middle Parcel East Parcel
PARCEL NUMBER: 3905- 34-330-014 / 34-455-001 / 34-480-010

ADDRESS OF PROPERTY: 7214 West "N" Avenue

PRESENT USE OF THE PROPERTY: Mostly wooded, and 1 home

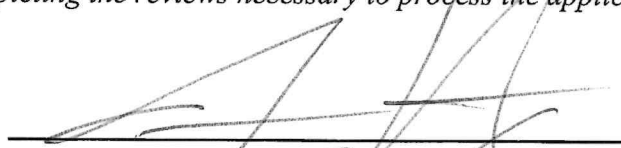
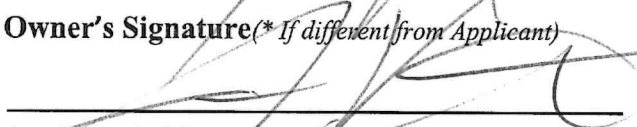
PRESENT ZONING RR SIZE OF PROPERTY 63 acres

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)	Address(es)
N/A	

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

	1/04/22
Owner's Signature (* If different from Applicant)	Date
	1/04/22
Applicant's Signature Joe Vergunst	Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS

EXHIBIT A

File No. 20016343

LAND SITUATED IN THE TOWNSHIP OF OSHTEMO, COUNTY OF KALAMAZOO, STATE OF MI DESCRIBED AS FOLLOWS:

THE WEST 350 FEET OF THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWN 2 SOUTH, RANGE 12 WEST, LYING SOUTH OF THE SOUTH LINE OF THE MICHIGAN CENTRAL RAILROAD, NOW THE RIGHT OF WAY FOR THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY.

LESS AND EXCEPT:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 34, TOWN 2 SOUTH, RANGE 12 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 75.00 FEET (PERPENDICULAR MEASURE) OF THE SOUTHERLY 73.00 FEET (PERPENDICULAR MEASURE) OF THE FOLLOWING DESCRIBED PARCEL: THE WEST 350 FEET OF THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWN 2 SOUTH, RANGE 12 WEST, LYING SOUTH OF THE MICHIGAN CENTRAL RAILROAD, NOW THE RIGHT OF WAY OF THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY.

Commonly known as: 7214 West N Ave, Kalamazoo, MI 49009
Tax ID No. 3905-34-480-010

 **EASTERLY PARCEL**

Exhibit "A"

The land referred to in this Commitment, situated in the County of Kalamazoo, Township of Oshtemo, State of Michigan, is described as follows:

Commencing at the South quarter corner of Section 34, Town 2 South, Range 12 West and running thence North 00 Deg 59' 00" East, along the North and South quarter line 435.60 feet for the Point of Beginning; thence South 89 Deg 43' 08" East 242.00 feet; thence North 00 Deg 59' 00" East, parallel with the North and South quarter line 200.00 feet (measured at North 00 Deg 58' 23" East 218.00 feet) thence; East 420.00 feet (measured at South 89 Deg 34' 55" East 414.98 feet, as shown on survey by Don R. Gilchrist & Associates) thence; North 00 Deg 57' 36" East 660.34 feet to the North line of the South half of the Southeast quarter of said section; thence South 89 Deg 37' 10" East, along the North line of the South half of the Southeast quarter 656.99 feet to the East line of the West half of the Southeast quarter of said section; thence North 00 Deg 59' 00" East along the aforementioned line 676.84 feet to the Southerly line of the now AT&T right of way, as monumented; thence South 74 Deg 49' 58" West along said South line 1367.84 feet to the North and South quarter line of said section; thence South 0 Deg 59' 00" East, along said quarter line 1188.24 feet to the point of beginning.

Tax I.D. Number: 3905-34-455-001

Commonly known as: 000 S.7th St Kalamazoo, Michigan 49009 ← M. DOLE PARCEL

Exhibit "A"

The land referred to in this Commitment, situated in the County of Kalamazoo, Township of Oshtemo, State of Michigan, is described as follows:

West and running thence North 89 Deg 48' 12" West along the South line of said section, 158.00 feet to the Point of Beginning of the land herein described; thence continuing North 89 Deg 48' 12" West along said section line, 100.00 feet; thence North 00 Deg 11' 48" East at right angles to said section line, 871.20 feet; thence North 89 Deg 48' 12" West parallel with said section line, 300.00 feet; thence South 00 Deg 11' 48' West 871.20 feet to the South line of said section; thence North 89 Deg 48' 12" West along the South line of said section, 265.17 feet; thence North 00 Deg 46' 47" East 1307.90 feet, to a found pipe on the North line of the South half of the Southwest quarter of said section as found monumented; thence North 89 Deg 28' 58" West 47.87 feet to the East line of the West one third, of the Northeast quarter of the Southwest quarter of said section; thence continuing North 89 Deg 28' 58" West 42.02 feet to a found well point and long standing line of occupation; thence North 00 Deg 31' 39" East, along aforementioned line 69.92 feet to a found well point on the Southerly line of the now AT&T right of way; thence North 75 Deg 16' 59" East 953.80 feet along said line to a found iron on the North and South quarter line thence; South 00 Deg 59' 00" West, along said quarter line 1188.23 feet, to a found iron that is North 00 Deg 59' 00" East 435.60 feet of the South quarter post; thence South 89 Deg 47' 27" West 162.41 feet, to a found iron; thence South 00 Deg 19' 08" West 434.50 feet to the point of beginning, the southerly 33 feet being reserved for public road right of way.

Tax I.D. Number: 3905-34-330-014

Commonly known as: 4310 S. 7th St Kalamazoo, Michigan 49009 ← WESTERLY PARCEL

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TOURNESOL

43.80 APPLICATION GUIDELINES

C 19 g. A narrative describing how the open space community is supported by the Township's Master Land Use Plan, the capacity and availability of necessary public facilities to the development, and the impact the development will have on adjoining properties.

Tournesol (translated as “sunflower” in French), is a planned open space community proceeding north off of N avenue west of 9th Street, designed to be an aesthetic, naturally flowing, low impact development which supports the growing need for building sites within the community.

I. Design

We chose the sunflower as our theme because it has three defining characteristics which are pillars for our development: (a) natural habitat (b) joyfully bright and (c) beautiful in appearance yet functional by design.

- (a) Natural Habitat – Just as the sunflower is found growing native in the American soil, our desire is to create a development that seamlessly integrates within the environment it is found. Our plan is to preserve and maintain many of the natural features found on the property. We are utilizing the majority of the meadow areas as home site locations, and in turn preserving greater than 40% of the existing wooded area. We are also creating natural cluster separations by working with the existing trees, as well as proposing the storm water disposal areas in the lower lying elevations. In addition to this, we are weaving a natural hiking/biking trail throughout, so that residents can fully appreciate these naturally existing elements.
- (b) Joyfully Bright – The sunflower is an inflorescence, composed of numerous individual flowers, so *Tournesol* is designed to be a lively community composed of numerous homes sites. Our intent is to develop a bright and colorful place within *Oshtemo Township*, where 49 families can live. As observed in the *Go! Green Oshtemo Plan*, our development supports the community’s request for more trails, natural features, open space conservation, and park amenities. The natural terrain of the property and intentional design of the community is aesthetically pleasing and blends with the growing trail system seamlessly. Our hiking trails is to be 6-8 feet of crushed rock and offers convenient access to the *Oshtemo Fruit Belt Trail* which connects to other neighborhoods as well as *Flesher Field*. Additionally, the trail is connected to *Beatrice Drive* providing intermodal access to the 9th Street business district. Being aware of the long-term plan to extend these trail systems, we believe our hiking trail access will be a highly desirable feature that could be used by the community at large for many years to come.
- (c) Beautiful in Appearance yet Functional by Design – This third characteristic ties it all together. The sunflower is not only beautiful in appearance, but also produces a functional fruit as its seed is a source for many vitamins and minerals. Likewise, *Tournesol* is not only to be appealing in design, but also well balanced and functional. The community is carefully planned to be in full accordance with the *Oshtemo Township Zoning Ordinance* for a Rural Residential district and makes use of the *Open Space Community Provision*. Both, from the perspective of a developer and the township at large, it is just as important to formulate the plan with desirably sized and consistently balanced building lots. Each lot has a minimum 120’ of frontage, with the exception of a few pie-shaped cul de sac lots which have a minimum 120’ width at the typical setback.

The lot layout is precisely arranged to ensure that each lot is desirable in shape, being near an average 200' depth, while retaining the rear 50' as preserved woodland. The sidewalk, as shown on the plan, is found on both sides of the street, except along the single-loaded entry road. In this area we propose a sidewalk only on the side where units are served, for sustainable maintenance such as snow removal, achieving the final grade while minimizing the impact of surrounding natural features, and taking into account the proposed hiking trail which helps complete the travel system. However, if the sidewalk is required on both sides of all streets, they would be installed as such. Heeding the expert advice of our urban planners, every aspect is inspected to be aligned with the township's vision by achieving a desirable and efficient layout. We want it to be aesthetically pleasing, desirable, well maintained, and highly functional.

2. Utilities

A preliminary assessment to the property is complete for topographical changes and direct impact to public utilities of the community. With this particular layout, it is possible to fully make use of the existing public utilities installed in the *N Avenue* right of way. The sewer depth in the *N Avenue* right of way is adequate to fully serve the plan for this community. Subsequently, the layout is designed to have no lift station dependency for all build sites. Additionally, there would be no challenges for water to be distributed to each home.

3. Impacts

Tournesol is intentionally designed to integrate with the neighboring properties, without causing a significant impact. It references other communities already built in Oshtemo Township for precedence in design and open space layout. The roadways are kept hidden from the existing dwellings as much as possible, with the single-loaded entry road leading to three fully wooded cul de sacs, avoiding a suburban subdivision appearance. This enhances the feel of the larger community and the appealing nature of the township's current atmosphere. *N Avenue* has been pioneered for some time with the *Norm Carver* community on north (to the east of *Tournesol*) and the *Autumn Woods* community proceeding south (to the west of *Tournesol*). The plan we are proposing is a blend of this surrounding character, and would be a good complement to these communities. We believe that it will increase land value, fill the growing need for new home within the local business districts and provide an appealing option for families to call *Oshtemo* home!

Knowing our thoughtful approach to this community, we hope that you appreciate and support our plan.

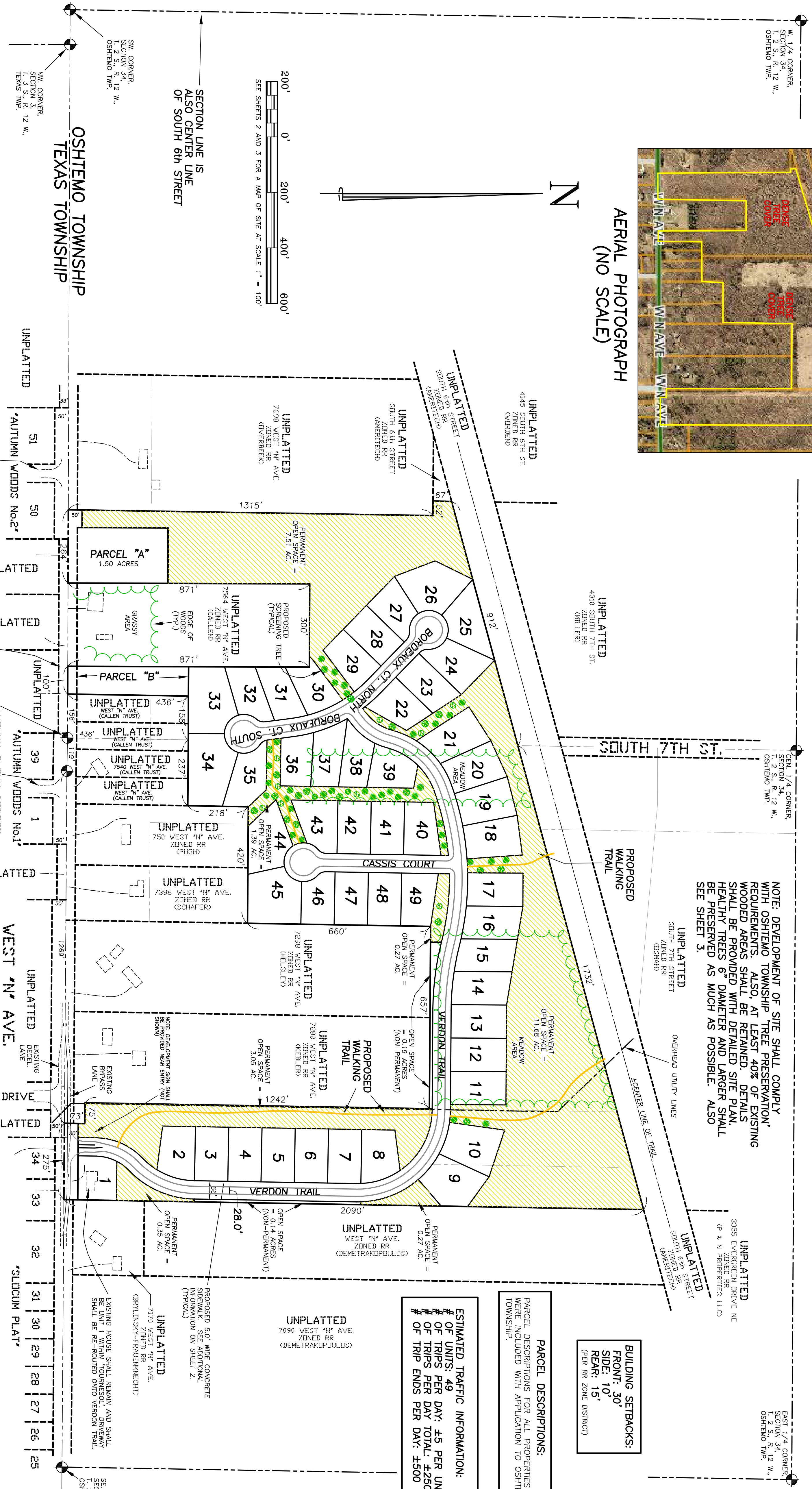
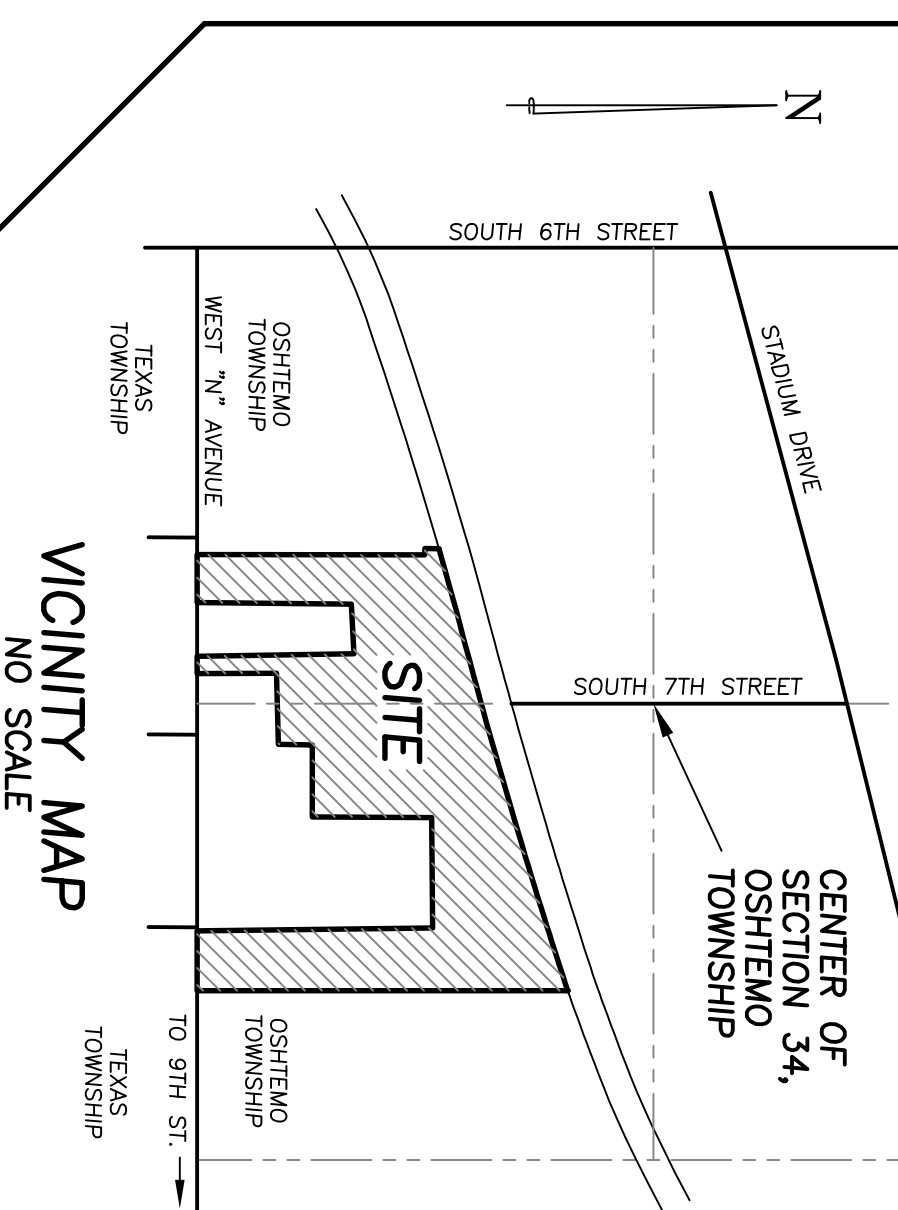
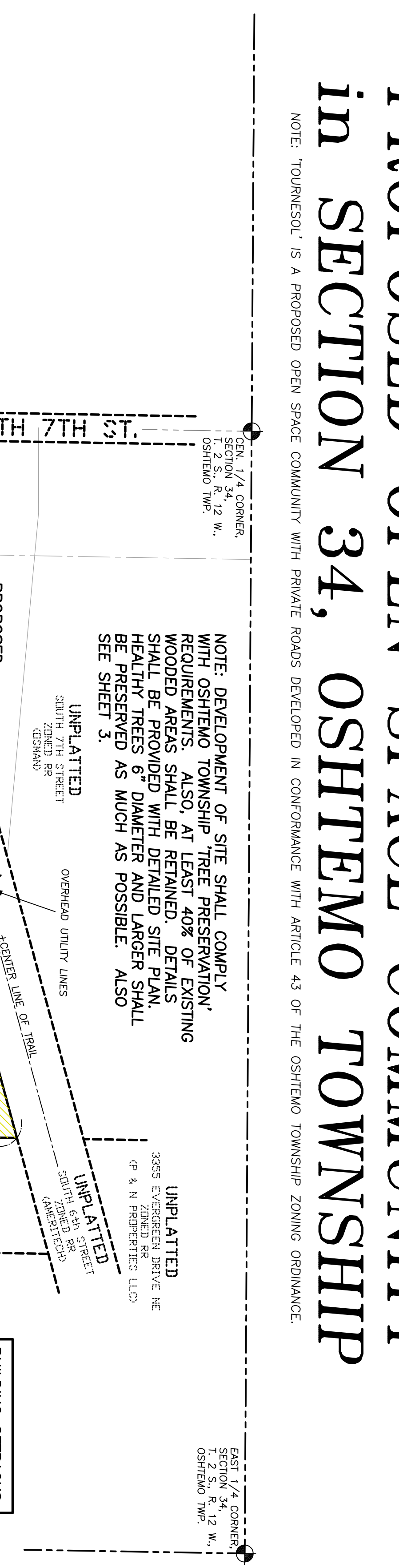
CONCEPTUAL SITE PLAN for "TOURNESOL"

PROPOSED OPEN SPACE COMMUNITY in SECTION 34, OSHTEMO TOWNSHIP

NOTE: 'TOURNESOL' IS A PROPOSED OPEN SPACE COMMUNITY WITH PRIVATE ROADS DEVELOPED IN CONFORMANCE WITH ARTICLE 43 OF THE OSHTEMO TOWNSHIP ZONING ORDINANCE.



AERIAL PHOTOGRAPH (NO SCALE)



NOTE: DEVELOPMENT OF SITE SHALL COMPLY WITH OSHTEMO TOWNSHIP TREE PRESERVATION REQUIREMENTS. ALSO, AT LEAST 40% OF EXISTING WOODED AREAS SHALL BE RETAINED. DETAILS SHALL BE PROVIDED WITH DETAILED SITE PLAN. HEALTHY TREES 6" DIAMETER AND LARGER SHALL BE PRESERVED AS MUCH AS POSSIBLE. ALSO SEE SHEET 3.

BUILDING SETBACKS:
FRONT: 30'
SIDE: 10'
REAR: 15'
(PER RR ZONE DISTRICT)

PARCEL DESCRIPTIONS:
PARCEL DESCRIPTIONS FOR ALL PROPERTIES WERE INCLUDED WITH APPLICATION TO OSHTEMO TOWNSHIP.

ESTIMATED TRAFFIC INFORMATION:
OF UNITS: 49
OF TRIPS PER DAY: 45 PER UNIT
OF TRIP ENDS PER DAY: 4500

GENERAL NOTES

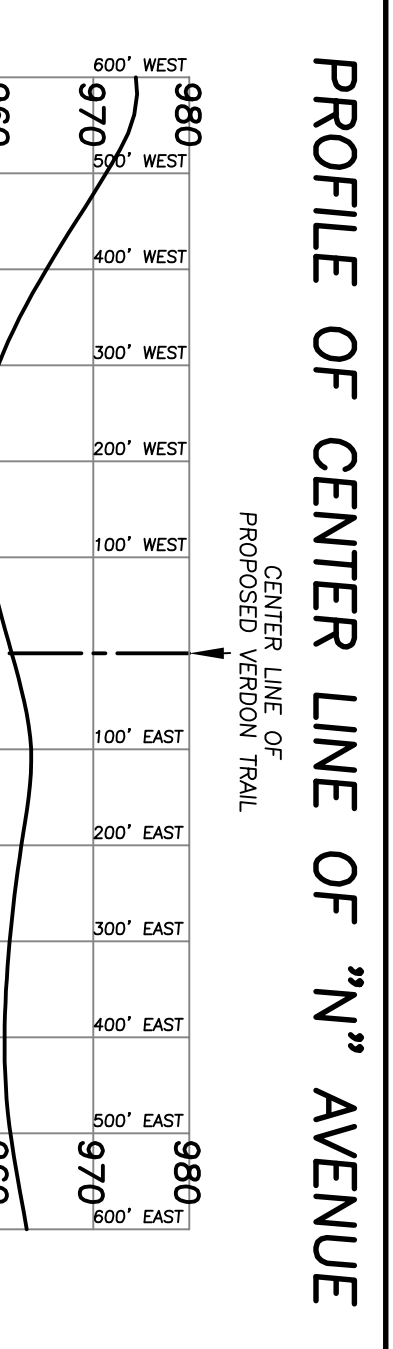
- 1) PROPERTY IS CURRENTLY ZONED RR.
- 2) PROJECT INCLUDES 49 UNITS & 2 PARCELS ON 83 ACRES.
- 3) ALL UTILITIES SHALL BE SERVED FROM SANITARY SEWER, SEWER SYSTEM SHALL BE SERVED WITH PUBLIC SANITARY SEWER IN "N" AVENUE.
- 4) SUBJECT PROPERTY IS PRIMARILY WOODED.
- 5) SHOW TOPOGRAPHICAL INFORMATION BASED ON KALAMAZOO COUNTY PROPERTY.
- 6) THERE ARE NO DESIGNATED WETLANDS OR FLOOD PLANS ON THE PROPERTY.
- 7) SHOW LOCATIONS OF EXISTING HOUSES AND DRIVEWAYS ON NEIGHBORING PROPERTIES.
- 8) SIZE AND LOCATION OF FUTURE DWELLINGS WITHIN EACH UNIT NOT YET KNOWN.
- 9) SITE SHALL BE SERVED WITH PUBLIC WATER MAIN WATER MAIN SYSTEM SHALL BE SERVED WITH PUBLIC SANITARY SEWER. SEWER SYSTEM SHALL BE SERVED WITH EXISTING SANITARY SEWER IN "N" AVENUE.
- 10) PROPOSED STREETS HAVE A MINIMUM RIGHT OF WAY WIDTH OF 66.0' AND SHALL BE PAVED WITH ASPHALT AND MANICURED TO 4" FINISH.
- 11) PROPOSED STREETS SHALL BE OWNED AND MAINTAINED BY THE DEVELOPER.
- 12) PROPOSED STREETS SHALL BE BUILT TO ROAD COMMISSION STANDARDS (4" OF PAVEMENT ON TOP OF 8" OF GRAVEL BASE ON TOP OF GRANULAR SUB-BASE).
- 13) 8" OF GRAVEL BASE ON TOP OF GRANULAR SUB-BASE SHALL BE OWNED AND MAINTAINED BY THE DEVELOPER.
- 14) AT ALL INTERSECTIONS, A CLEAR VISION AREA SHALL BE PROVIDED IN ACCORDANCE WITH STANDARD REQUIREMENTS.
- 15) ALL UTILITIES SHALL BE SERVED FROM SANITARY SEWER, SEWER SYSTEM SHALL BE SERVED WITH EXISTING SANITARY SEWER IN "N" AVENUE.
- 16) A LAND DIVISION APPLICATION SHALL BE SUBMITTED FOR PROPOSED PARCELS "A" AND "B".
- 17) ALL SHOWN DIMENSIONS ARE SUBJECT TO FINAL ADJUSTMENT.
- 18) SOILS WITHIN SUBJECT PROPERTY ARE SHOWN AS "COOLIA LOAMY SAND" AND "SPINKS LOAMY SAND" WITHIN THE USDA'S "SOIL SURVEY OF KALAMAZOO COUNTY" BOOK.
- 19) RULES AND REGULATIONS REGARDING OPEN SPACE SHALL BE SPILLAUED IN PERIODIC MASTER DEED. SEE NOTE 23 BELOW.
- 20) SITE SHALL BE DEVELOPED IN ONE PHASE, AS SHOWN WITHIN THE PROJECT MASTER DEED AND SHALL ALSO BE GENERAL COMMON AREA THAT IS OWNED BY THE CONDOMINIUM ASSOCIATION. MASTER DEED SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH OSHTEMO TOWNSHIP REQUIREMENTS.
- 21) DETAILED SITE PLAN (INCLUDING SHALL COMPLY WITH ARTICLE 64 AND 28) A S.E.C. PLAN SHALL BE PREPARED FOR THE REQUIRED SESC PERMIT.

APPLICANT:

HINTER PROPERTIES, LLC
2222 W. GRAND RIVER AVE.,
OKEMOS, MI 48864
SUITE A

PROPERTY OWNERS:

KAZOO HOLDINGS, LLC
RURAL REPUBLIC, LLC
P.O. BOX 2343 207
PORTAGE, MI 49081
2222 W. GRAND RIVER AVE.,
OKEMOS, MI 48864
SUITE A



PROFILE OF CENTER LINE OF "N" AVENUE

NOTES REGARDING LOCATION OF VERDON TRAIL AND WEST "N" AVENUE INTERSECTION:
1) C.L. OF VERDON TRAIL IS 162' WEST OF EAST BOUNDARY LINE OF PARCEL 45.
2) C.L. OF WEST "N" AVENUE IS 180' EAST OF C.L. OF BEATRICE DRIVE.
3) C.L. OF VERDON TRAIL IS 180' EAST OF C.L. OF BEATRICE DRIVE.
4) DIRECTION ON THE SOUTH SIDE OF WEST "N" AVENUE.

NOTE: PROPOSED ROADWAY INTERSECTION ON "N" AVENUE SHALL BE SUBJECT TO OSHTEMO TOWNSHIP AND ROAD COMMISSION OF KALAMAZOO COUNTY RECORDS.
NOTE: SUBJECT PROPERTY AND ALL ADJOINING PROPERTIES ARE ZONED RR (RURAL RESIDENTIAL DISTRICT) PER THE OSHTEMO TOWNSHIP ZONING MAP.
SEE BLOW UP OF PROPERTY ON SHEET 2 OF 2 (INCLUDES ELEVATION CONTOURS AND DIMENSIONS FOR THE UNITS).
SEE 'NATURAL FEATURES' INFORMATION ON SHEET 3 OF 3.

SITE DATA:
TOTAL AREA = 80.24 ACRES *
REQUIRED PERMANENT OPEN SPACE = 24.52 ACRES (40.7%)
PROVIDED NON-PERMANENT OPEN SPACE = 0.33 ACRES
AREA FOR PROPOSED PRIVATE ROAD R.O.W. = 7.50 ACRES
AREA FOR PROPOSED UNITS = 27.89 ACRES (FOR 49 UNITS)
NET DENSITY = 60.24 ACRES/49 UNITS = 1.23 ACRES/UNIT
AVERAGE UNIT SIZE = 27.89 ACRES/49 UNITS = 0.57 ACRES = 24,800 SQ.FT. (120' x 206')

* EXCLUDES PARCELS "A" AND "B" & 9TH STREET R.O.W. AREA
NOTE: LAND DIVISION APPLICATION SHALL BE SUBMITTED FOR PROPOSED PARCELS "A" AND "B".

72 HOURS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171

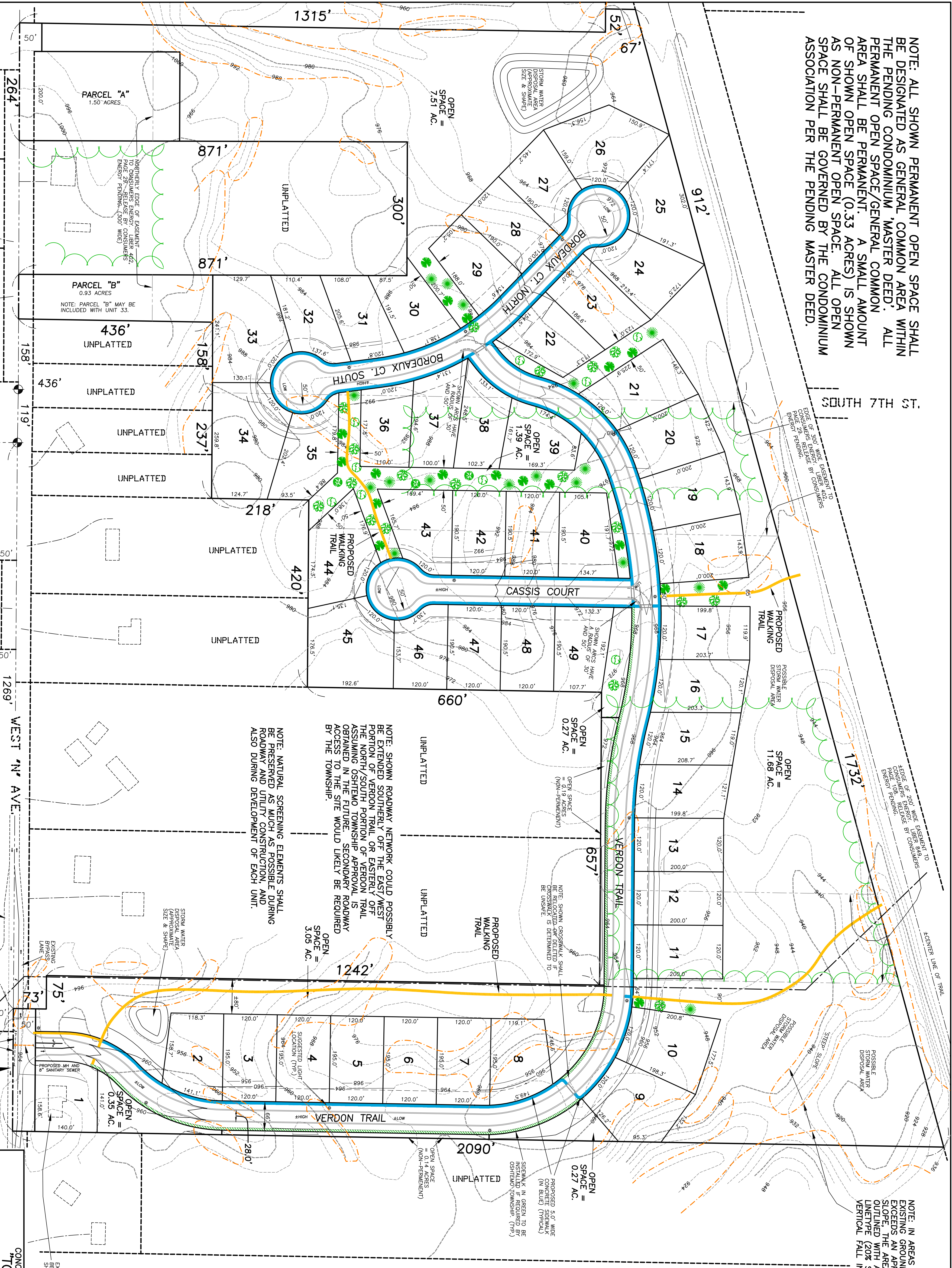
CONCEPTUAL SITE PLAN "TOURNESOL"
SHEET 1 OF 3
REVISION: 4/03/2022
REVISION: 2/16/2022
REVISION: 2/01/2022
REVISION: 1/07/2022
DATE: 1/03/2022
JOB No.: 36866

MONUMENT ENGINEERING GROUP ASSOC., INC.
Formerly Ingersoll, Watson & McEachern, Inc.
1209 East William Road, Suite B • Portage, Michigan 49002 • Phone 269 344-6165

NOTE: ALL SHOWN PERMANENT OPEN SPACE SHALL BE DESIGNATED AS GENERAL COMMON AREA WITHIN THE PENDING CONDOMINIUM 'MASTER DEED'. ALL PERMANENT OPEN SPACE/GENERAL COMMON AREA SHALL BE PERMANENT. A SMALL AMOUNT OF SHOWN OPEN SPACE (0.33 ACRES) IS SHOWN AS NON-PERMANENT OPEN SPACE. ALL OPEN SPACE SHALL BE GOVERNED BY THE CONDOMINIUM ASSOCIATION PER THE PENDING MASTER DEED.

SOUTH 7TH ST.

NOTE: IN AREAS WHERE THE EXISTING GROUND EQUALS OR EXCEEDS AN APPROXIMATE 20% SLOPE, THE AREA HAS BEEN OUTLINED WITH A DASH/DOT LINETYPE (20% SLOPE = 2' OF VERTICAL FALL IN 10' HORIZONTAL)



REQUESTED WAIVERS:
 1) SIDEWALKS
 2) UNIT FRONTAGE

NOTE: PROPOSED SIDEWALKS (IN BLUE) ARE SHOWN AS BEING EITHER ON ONE SIDE OF THE STREET OR BOTH SIDES OF THE STREET. IF REQUIRED BY OSHTOMO TOWNSHIP, SIDEWALKS SHALL BE INSTALLED ON BOTH SIDES OF ALL STREETS.

NOTE: SHOWN RECTANGULAR UNITS HAVE AT LEAST 120 FEET OF ROAD FRONTAGE. SHOWN PIE-SHAPED UNITS (UNITS 25, 26, 33, 34, 44, AND 45) HAVE A WIDTH OF 120' MEASURED AT THE FRONT BUILDING SETBACK LINE. SEE THE SHOWN WIDTH (TO THE LEFT) FOR THESE 6 UNITS. THESE 6 UNITS HAVE LESS THAN 120 FEET OF FRONTAGE.

NOTE: SHOWN ROADWAY NETWORK COULD POSSIBLY BE EXTENDED SOUTHERLY OFF THE EAST/WEST PORTION OF VERDON TRAIL OR EASTERLY OFF THE NORTH/SOUTH PORTION OF VERDON TRAIL ASSUMING OSHTOMO TOWNSHIP APPROVAL IS OBTAINED IN THE FUTURE. SECONDARY ROADWAY ACCESS TO THE SITE WOULD LIKELY BE REQUIRED BY THE TOWNSHIP.

NOTE: DEVELOPMENT OF SITE SHALL COMPLY WITH OSHTOMO TOWNSHIP 'TREE PRESERVATION' REQUIREMENTS. ALSO, AT LEAST 40% OF EXISTING WOODED AREAS SHALL BE RETAINED. DETAILS SHALL BE PROVIDED WITH DETAILED SITE PLAN. HEALTHY TREES 6" DIAMETER AND LARGER SHALL BE PRESERVED AS MUCH AS POSSIBLE. ALSO SEE SHEET 3.

ALSO SEE SHEETS 1 & 3

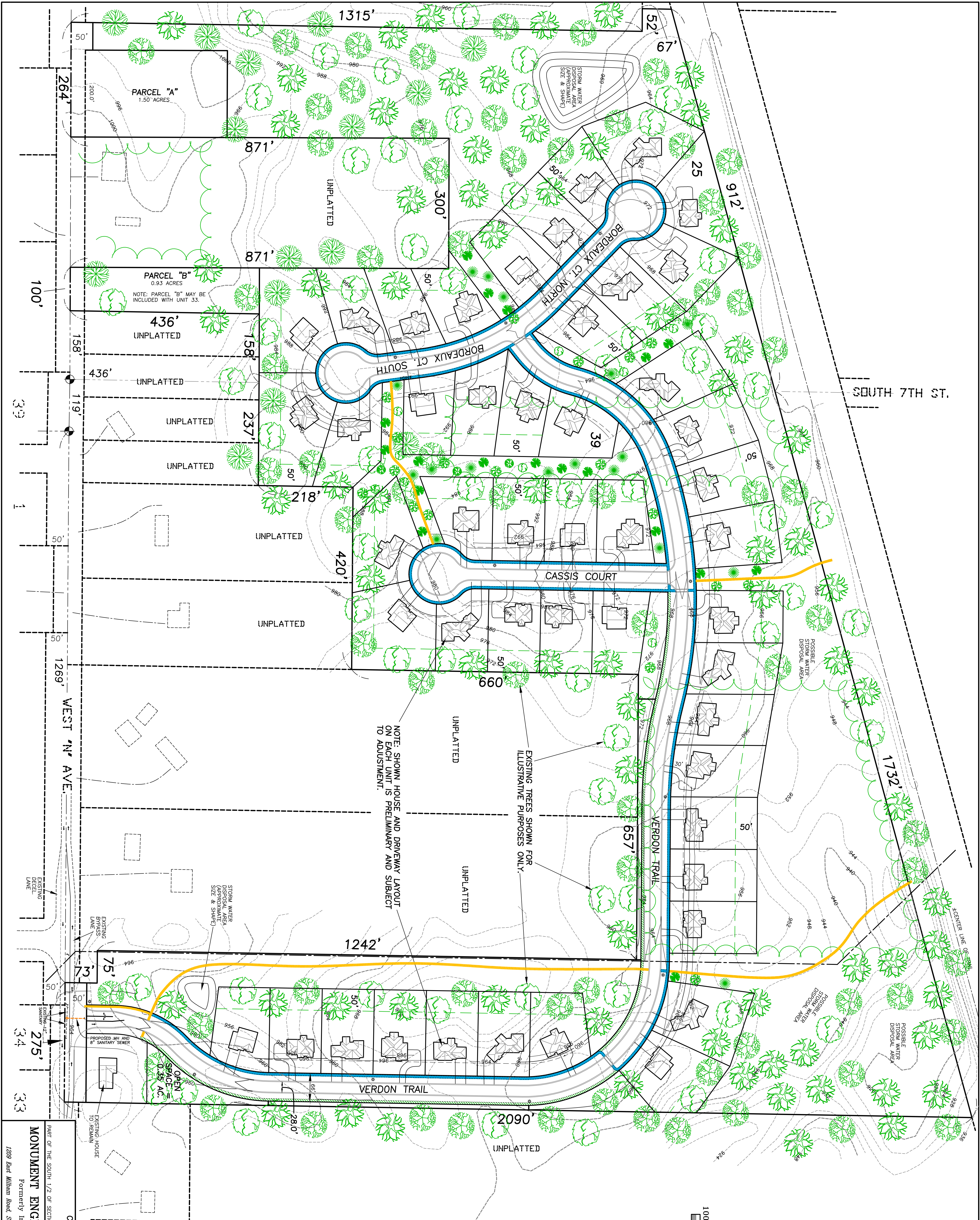
EXISTING HOUSE SHALL REMAIN AND SHALL BE UNIT 1 WITHIN 'TOURNESOL'. DRIVEWAY SHALL BE REROUTED ONTO VERDON TRAIL.

CONCEPTUAL SITE PLAN
 "TOURNESOL"
 PART OF THE SOUTH 1/2 OF SECTION 34, T. 2 S., R. 12 W., OSHTOMO TWP., Kalamazoo County, MI

MONUMENT ENGINEERING GROUP ASSOC., INC.
 Formerly Ingersoll, Watson & McEachen, Inc.
 1209 East William Road, Suite B • Portage, Michigan 49682 • Phone 269 344-6165

DATE: 1/03/2022
 SHEET: 2 OF 3
 JOB No.: 368866

REVISED: 4/03/2022
 REVISED: 2/28/2022
 REVISED: 2/18/2022
 REVISED: 2/01/2022



PART OF THE SOUTH 1/2 OF SECTION 34, T. 2 S., R. 12 W., OSHTROM TWP., KAGAWAGO COUNTY, MI
CONCEPTUAL SITE PLAN
"TOURNESOL"
MONUMENT ENGINEERING GROUP ASSOC., INC.
 Formerly Ingersoll, Watson & McEachern, Inc.
 1209 East William Road, Suite B • Portage, Michigan 49002 • Phone 269 344-6165

SHEET 3 OF 3
 DATE: 2/18/2022
 REVISED: 4/03/2022
 REVISED: 2/28/2022

JOB No.: 368856

ALSO SEE SHEETS 1 & 2.

NOTE: DEVELOPMENT OF SITE SHALL COMPLY WITH OSHTROM TOWNSHIP "TREE PRESERVATION" REQUIREMENTS. ALSO AT LEAST 40% OF EXISTING WOODED AREAS SHALL BE RETAINED. DETAILS SHALL BE PROVIDED WITH DETAILED SITE PLAN. HEALTHY TREES 6" DIAMETER AND LARGER SHALL BE PRESERVED AS MUCH AS POSSIBLE.

NOTE: EXCEPT FOR PROPOSED UNITS 25 AND 39, WITHIN THE REAR 50' OF EVERY UNIT, HEALTHY TREES THAT ARE 6" DIAMETER AND LARGER SHALL BE RETAINED. ALSO, AT LEAST 40% OF ON-SITE WOODED AREAS SHALL BE RETAINED DURING UTILITY, ROADWAY, AND HOUSE CONSTRUCTION.

NOTE: SHOWN HOUSE AND DRIVEWAY LAYOUT ON EACH UNIT IS PRELIMINARY AND SUBJECT TO ADJUSTMENT.

EXISTING TREES SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

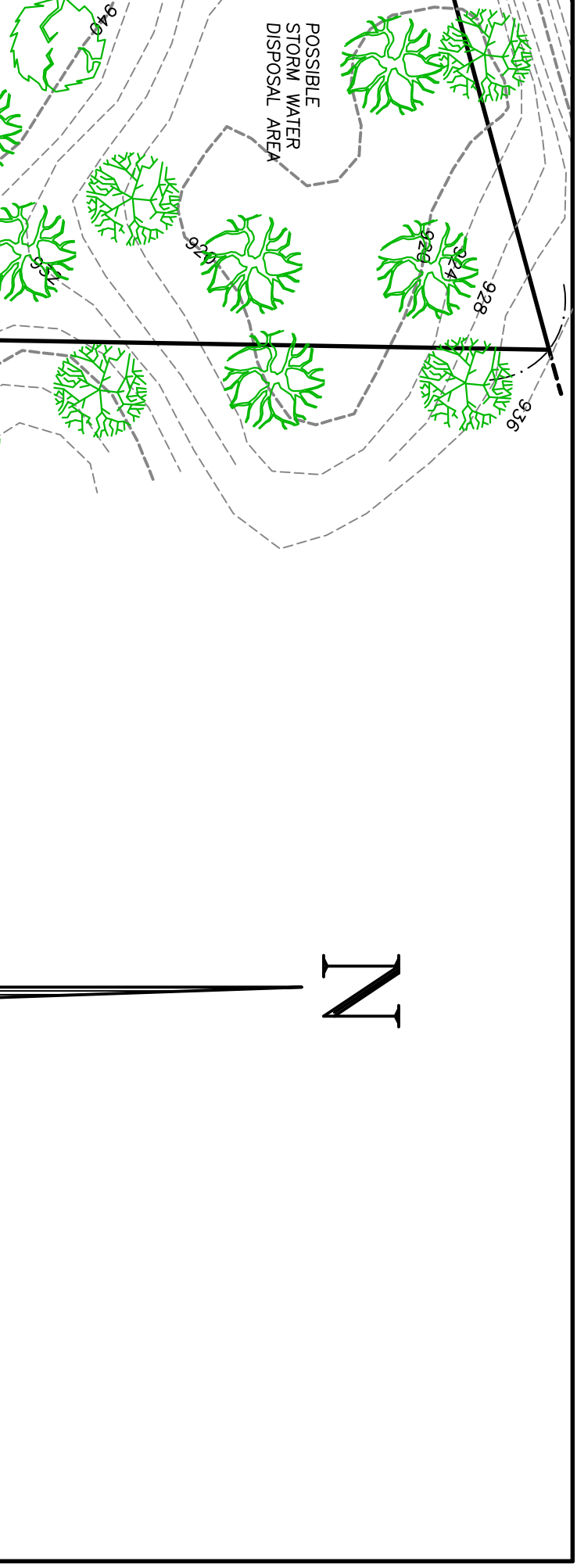
POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

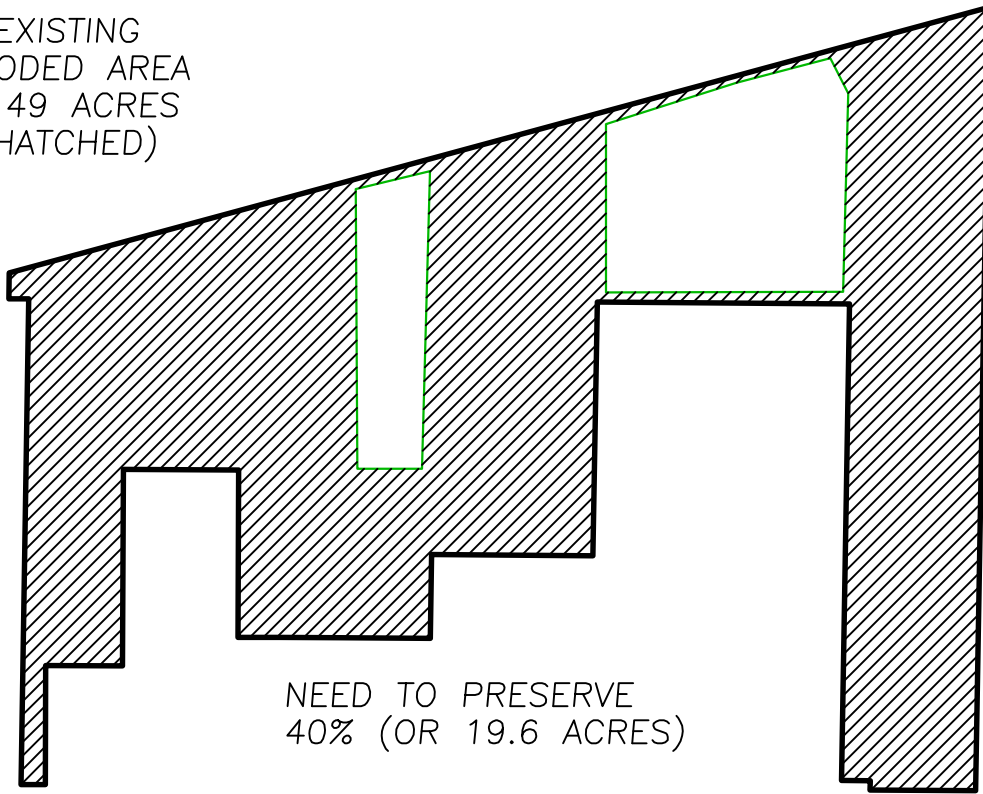
POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

POSSIBLE WATER DISPOSAL AREA

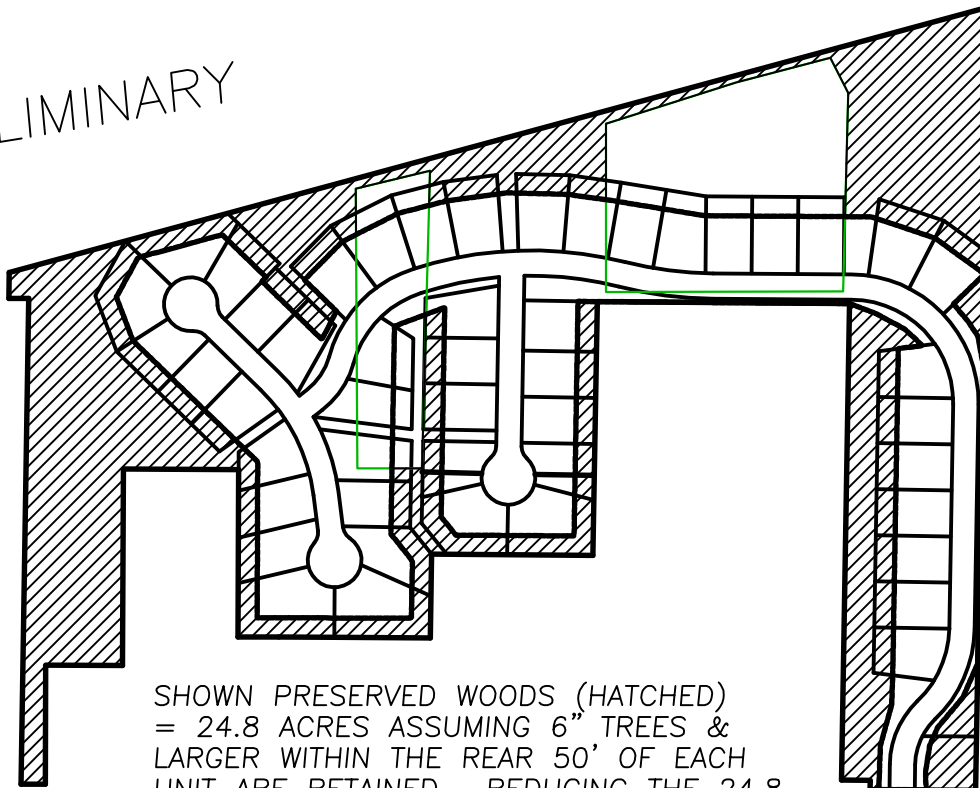


EXISTING
WOODED AREA
= 49 ACRES
(HATCHED)



NEED TO PRESERVE
40% (OR 19.6 ACRES)

PRELIMINARY



SHOWN PRESERVED WOODS (HATCHED)
= 24.8 ACRES ASSUMING 6" TREES &
LARGER WITHIN THE REAR 50' OF EACH
UNIT ARE RETAINED. REDUCING THE 24.8
ACRES BY ± 2 ACRES FOR STORM WATER
DISPOSAL, THE PRESERVED WOODS = ± 22.8
ACRES.

March 18, 2022

Meeting Date: April 28, 2022

To: Oshtemo Planning Commission

From: Iris Lubbert, Planning Director

Applicant: AVB and The Hinman Co.

Owner: Trade Center G & H LLC

Property: 5303 W Main Street, Parcel Number 05-13-405-032

Zoning: R-2: Residence District and R-4: Residence District

Request: Conditional Rezoning to C: Local Business District

Section(s): Article 7 — R-2: Residence District
Article 9 — R-4: Residence District
Article 18 — C: Local Business District
Article 66 — Conditional Rezoning



OVERVIEW

AVB and The Hinman Co. are requesting to conditionally rezone their approximately 116-acre property located at 5303 W Main Street from R-2 and R-4, Residence Districts to the C, Local Business District. The property under consideration is outlined in yellow on the map to the right. Currently comprised of an existing golf course, these 116 acres are part of the Township’s Maple Hill Drive South Sub-Area Plan which was adopted in 2017.

SUBJECT PROPERTY

Currently located in the R-2 and R-4, Residence Districts, the property has approximately 66 feet of frontage on W Main Street and access to Maple Hill Drive and Green Meadow Drive. To the north and northeast are commercial properties. Neighboring to the west is a property owned by Consumers Energy and an industrial zoned property owned by MDOT which houses their



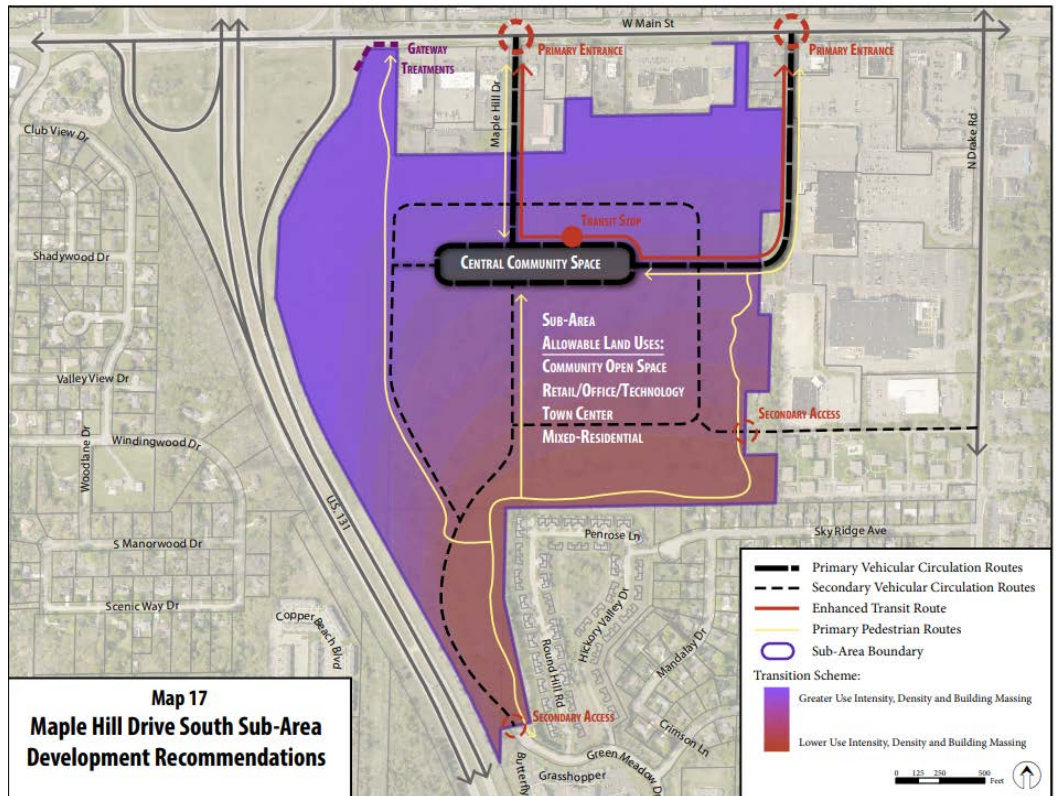
maintenance facility. To the south and southeast are residential developments and subdivisions, including: Redstone Farms Condominium, Burgundy Manor, and Skyridge.

FUTURE LAND USE MAP: MAPLE HILL DRIVE SOUTH SUB-AREA

The Future Land Use Plan defines the vision for land development in Oshtemo Township based on sound planning principles and community input. It builds on historic development patterns, factoring in the objective to preserve unique environmental features and to protect the rural character of the community. At the same time, the Future Land Use Plan provides direction for anticipated development within the Township in appropriate places for growth.

The Oshtemo 2011 Master Plan and Township’s adopted Future Land Use Plan specifically calls out the Maple Hill Drive South area as a sub-area and recommends that a detailed sub-area plan be developed. As noted in the 2011 Master Plan, the Maple Hill Drive South area is currently comprised of an existing golf course and smaller adjacent properties; it has strong potential to accommodate new development due to its location near W Main Street and US-131. Although the existing golf course is a “man-made” green space area, it exists as the only significant green space within this heavily developed portion of the Township. Given the strong potential for redevelopment of the site, it was deemed critical to undertake a sub-area study, where a preferred development character can be identified, consistent with community goals and market demand. As a result, in 2017 the Township adopted the Maple Hill Drive South Sub-Area Plan which outlines development recommendations for the sub-area, related to land use, density, circulation and connections. The adopted sub-area plan can be found on the Township’s website: <https://www.oshtemo.org/wp-content/uploads/2018/04/Maple-Hill-South-Sub-Area-Plan.pdf>.

The Maple Hill Drive South Sub-Area Plan is a component of the Township’s Master Plan. The Master Plan is a vision for the future of transportation, land use, the economy, environment, and cultural stewardship of our Township. This Plan is revisited at least every five years by the Planning Commission and is the result of countless hours and efforts of residents, business owners, Township Officials and staff, and consultants over the years. An image from the Maple Hill Drive South Sub Area Plan outlining development recommendations is provided to the right.



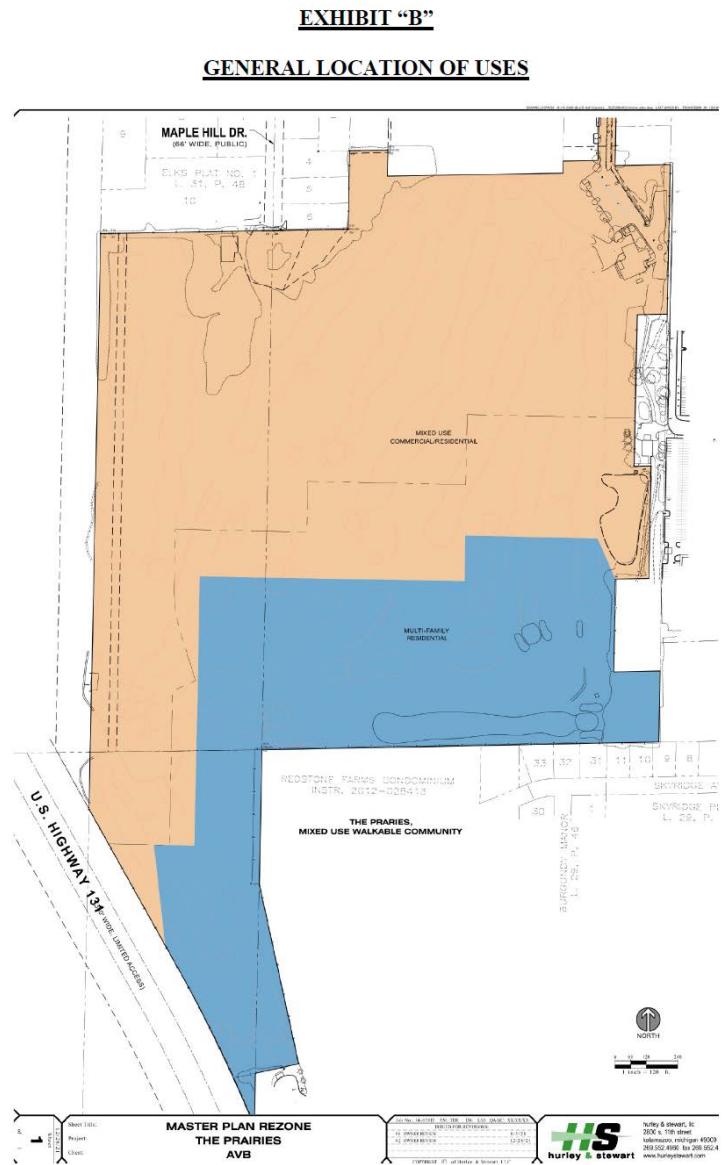
The long-term vision for the Maple Hill Drive South Sub-Area is to develop as an attractive and economically vibrant mixed-use district, consisting of a planned mixture of commercial, office and technology, residential, and public use, which features high quality and uniform building and site design standards, and which complements and is compatible with adjacent uses. Furthermore, the sub-area should provide residents and visitors with a unique opportunity to meet their needs for housing, employment, services, entertainment, and recreation.

CONDITIONAL REZONING CONSIDERATIONS

The applicant is requesting a conditional rezoning. This means that AVB and The Hinman Co. have offered conditions as part of the request for the rezoning. These conditions are summarized below. The Conditional Rezoning Statement of Conditions submitted by the applicant is attached to this staff report.

1. Request to rezone the majority of the property, area highlighted in orange in the image on the right, to C-1 to be developed as a “Commercial Area”. No conditions are tied to this portion of the property; there will be no time limit tied to its development.
2. Request to conditionally rezone the southeastern portion of the property, area highlighted in blue in the image to the right, to be developed as a Commercial PUD for a “Multi-Family Residential Area”. If a Commercial PUD plan for this area is not approved by the Township no later than two years from the date of the rezoning approval, the area will revert to its current R-2 and R-4 Residential zoning designations.

Article 66 of the Township Zoning Ordinance outlines the process for a conditional rezoning to be considered, which is consistent with Section 405 of the Michigan Zoning Enabling Act (MCL 125.3405) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request. The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that a Planning Commission must consider when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. These considerations along with staff’s analysis, incorporating the applicants’ proposed conditions, are outlined in the following pages.



1. Master Plan Designation

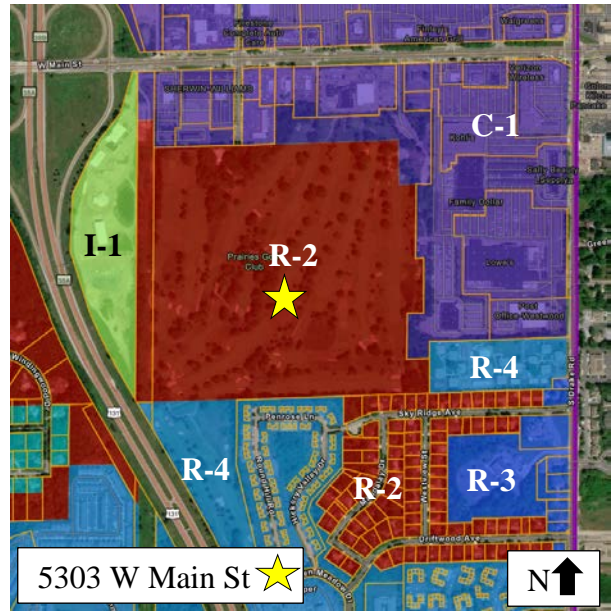
As described in the 'Future Land Use Map: Maple Hill Drive South Sub Area' section of this report, the property is designated to be developed as a planned mixed-use district. An analysis of the proposed conditional rezoning request against the sub area plan is provided below.

- a) The conditions outlined in the conditional rezoning request do not mention or reference the Maple Hill Sub Area Plan.
- b) The conditional rezoning would allow the site to be designed and developed incrementally in a manner that would go against the adopted vision for this area.
- c) By rezoning a majority of the property to C-1 without any stipulations, all of the following are objectives of the Maple Hill Sub Area Plan that would not be met or guaranteed (this is not an all-inclusive list).
 - Any type of developmental transitional scheme.
 - A comprehensive, safe, efficient, and balanced multi-modal transportation network.
 - A true mixed-use development; C-1 zoning does not permit residential development (including mixed use), unless developed as a PUD. The "Commercial Area" may or may not develop in whole or in parts as one or more Commercial PUDs.
 - A distinct identity, including design guidelines, to promote a sense of place for the new community.
 - The integration of community and open space uses, including the "Town Center" identified in the plan.
 - The integration of public spaces, such as parks.
- d) The proposal is to develop the identified "Multi-Family Residential Area" as a Commercial PUD. The proposal notes that an approval of a Commercial PUD for this area would be needed within two years or the specific area would revert to R-2 and R-4 Residence Districts. The "Commercial Area" specifically notes that there would be no time restriction. This implies that the "Multi-Family Residential Area" will not be considered in the development of the northern "Commercial Area". A cohesive development for this site would not occur.

The proposed conditional rezoning goes against the goals of the Maple Hill Drive South Sub Area Plan. In summary, the sub area plan was adopted to promote a coordinated and thoughtful planning approach to the development of these approximate 143 acres. As outlined in the sub area plan: "Without standards or controls, this area would likely develop at an elevated intensity due to the high traffic levels on W Main Street and the amount and success of surrounding commercial development. Uncontrolled development would likely be detrimental to the Township, especially to those residents who live south of this area. Therefore, clearly stating a vision for future land use and establishing goals and standards for improvement in this area is critical to the success of the Township's overall plan for growth and development" (page 52). The proposed conditional rezoning ignores a majority of the recommended standards and controls outlined in the adopted sub area plan. Approving this conditional rezoning request would in essence nullify the Township's master plan for the area. Consideration not met.

2. Consistency of the Zoning Classification in the General Area

5303 W Main Street is located in the middle of a wide assortment of uses, see excerpt of the Township’s Zoning Map to the right. If approved, this rezoning would double the existing commercial property south of W Main Street in this area of the Township. For reference existing commercial property southwest of the W Main Street and S Drake Road intersection, the purple area shown in the image to the right, is approximately 80 acres. Rezoning a property of this scale to a higher intensity requires careful consideration and planning. One of the reasons that the sub area plan was adopted was to help control the types and intensities of development within the property so that when it develops it works in unison with neighboring uses and protects the quality of life for residents to the south. The sub area plan calls for higher density to the north and lower density (including buffers) to the south. The proposal would allow the majority of this site to be developed with no coordination and no real control of intensity, this large increase in commercial could be detrimental to both the residential and commercial neighboring properties. This conditional rezoning request is not consistent with the Zoning Classification in the General Area or the Township’s Master Plan. Consideration not met.



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

When a property is rezoned, that property is permitted to have any of the uses outlined in that zoning district as long as it follows appropriate review procedures. In this case, there is a distinctive commercial pattern to the north and northeast; in addition, there is industrial to the west. Having additional commercial along these areas would follow the general land use pattern. Particularly given its high visibility from US-131 and W Main Street, the sub-area is highly suitable to accommodate mixed-use or standalone buildings that would include retail, restaurant, entertainment, office, and technological use. However, buffering and/or a transition scheme is needed for the residential areas to the south. That is why the adopted sub area plan called for a mix of uses, commercial and residential, with a transition scheme. The applicants’ proposed ‘Multi-Family Residential Area’ does provide some buffer and transition which designed as a PUD would give the Township additional control over the development of this specific area and the sub area plan can be referenced for guidance. It should be noted that a commercial PUD allows a density of up to eight units per acre. For compatibility, the least intensive and lowest density land uses should be located along the southern edge of the sub-area (adjacent to established residential areas). If the ‘Multi-Family Residential Area’ does not progress and reverts to R-2 and R-4 Residence District zoning, it would continue to act as a buffer between existing residential and the commercial to the north. Consideration met.

4. Utilities and Infrastructure

A rezoning to a higher density district is equated with higher intensities in both utility and infrastructure use. Water and sewer could be extended into the site in question. However, traffic

generation and access to and from the site is a concern. Both W Main Street and N Drake Road are primary roadways that face congestion on a regular basis. Both the Master Plan and the sub area plan note that traffic should be carefully considered, and multiple access points needed to ensure the success of this site. A traffic study/analysis which takes into account the entire site and proposed uses/density is needed to ensure that the transportation network can support this development and that this development can succeed in partnership with the surrounding area. This proposal does not include this requirement or implies piecemeal development which defeats the purpose of addressing traffic circulation and traffic safety resulting from new development. Consideration not met.

5. Reasonable Use under Current Zoning Classification

The property is currently zoned R-2 with the southern portion zoned R-4; the property is operating as a golf course. In addition to the uses permitted in these districts, both zoning districts allow for a Residential Planned Unit Development as a Special Use. A PUD allows for multi-family dwellings (no specified max number of units per building) with a total maximum density of eight units per acre. The Residential PUD type allows for 20% of the PUD area to be developed as low intensity neighborhood commercial. There is reasonable use under current zoning classification. More details on this ordinance section can be found in Section 41.60 of our code. Consideration not met.

6. Effects on Surrounding Property

As outlined in the other considerations above, the proposed conditional rezoning ignores a majority of the recommended standards and controls outlined in the adopted sub area plan. Approving this conditional rezoning request would in essence nullify the Township’s Master Plan for the area which was designed to ensure the compatibility and functionality of this site with the surrounding area. Approving this request would in the long term negatively impact Oshtemo as the Planning efforts and vision of the community would be undermined. Consideration not met.

RECOMMENDATION

Legal Counsel and the Planning Department recommend that the Planning Commission deny the request to conditionally rezone 5303 W Main Street to the C-1, Local Business District.

Attachments: Application, Conditional Rezoning Statement of Conditions, Article 18 — C: Local Business District, Public Comments



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS THE PRAIRIES - A MIXED-USE AND
WALKABLE COMMUNITY

PLANNING & ZONING APPLICATION

Applicant Name: CURT AARDEMA
Company AVB/THE HINMAN CO.
Address 4200 W. CENTRE AVE.
PORTAGE, MI 49024
E-mail caardema@avbinc.com
Telephone 269-329-3656 Fax _____
Interest in Property OWNER

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name _____
Address _____ Fee Amount _____
Email _____ Escrow Amount _____
Phone & Fax _____

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- | | |
|---|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input checked="" type="checkbox"/> Rezoning-1091 |
| <input type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082 |
| <input type="checkbox"/> Zoning Variance-1092 | <input type="checkbox"/> Text Amendment-1081 |
| <input type="checkbox"/> Site Condominium-1084 | <input type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input type="checkbox"/> Other: _____ |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): _____

PLEASE SEE ATTACHED LETTER
REZONE TO "C"-LOCAL BUSINESS DISTRICT,
WITH CONDITION

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

ATTACHED

PARCEL NUMBER: 3905- 13-405-032

ADDRESS OF PROPERTY: 5303 W. MAIN ST.

PRESENT USE OF THE PROPERTY: ELKS LODGE

PRESENT ZONING R-2/R-4 **SIZE OF PROPERTY** 116 ACRES


**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.



Owner's Signature (* If different from Applicant)

1/3/22

Date

Applicant's Signature

Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS

CONDITIONAL REZONING

STATEMENT OF CONDITIONS

THIS CONDITIONAL REZONING STATEMENT OF CONDITIONS, is effective as of _____, 2022 (the “Agreement”) and is made by and between TRADE CENTRE H, LLC, a Michigan limited liability company whose address is 750 Trade Centre Way, Portage, Michigan 49002, TRADE CENTRE G, LLC, a Michigan limited liability company whose address is 4200 West Centre Avenue, Portage, Michigan 49024, (collectively “Developer”) and CHARTER TOWNSHIP OF OSHTEMO, a Michigan charter township, whose address is 7275 West Main Street, Kalamazoo, Michigan 49009 (“Township”).

Background

Developer is the owner of the real property that is legally described in attached Exhibit “A” (the “Property”).

Developer desires to develop the Property as a transformative, vibrant, mixed use commercial and residential development (the “Project”). The Project is envisioned to be interconnected, walkable and environmental friendly. It will incorporate walking trails, recreational areas and other amenities. The Project is currently planned to be developed in two basic parts – the Commercial Area and the Multi-Family Residential Area (as defined below).

In connection with establishing the Project, Developer has applied for an amendment to the Oshtemo Township Zoning Ordinance (the “Ordinance”) that would reclassify the Property from the R-2: Residence District and the R-4: Residence District to the C: Local Business District.

In connection with its application to rezone and reclassify the Property, Developer has voluntarily offered this Conditional Rezoning Agreement in accordance with Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended and pursuant to Article 66 of the Ordinance.

Conditions

NOW, THEREFORE, in consideration of the promises and covenants set forth in this Agreement, the Township and Developer agree that if the Property is rezoned to the C: Local Business District zoning classification, the following conditions will apply to the Property:

1. Rezoning. The entire Property is hereby zoned C: Local Business District.
2. Commercial Area. The northerly portion of the Property, as shown on attached Exhibit "B", is hereafter referred to as the "Commercial Area". The Commercial Area may be developed with any of the uses that are permitted in the C: Local Business District (including uses permitted by conditional use approval, by Commercial Planned Unit Development approval and/or by variance). Such uses may include, but shall not be required to include, uses that would be permitted in a Commercial Planned Unit Development in accordance with Section 41.70 of the Ordinance (subject to compliance with such requirements). There shall be no time restriction with respect to development of the Commercial Area and the rezoning of such area shall not be subject to reversion to the pre-existing zoning classification(s) based on this Agreement.
3. Multi-Family Residential Area. The southerly portion of the Property as shown on attached Exhibit "B" is hereafter referred to as the "Multi-Family Residential Area". The Multi-Family Residential Area shall be developed as a Commercial Planned Unit Development in accordance with Section 41.70 of the Ordinance. The Developer shall obtain approval of the Commercial Planned Unit Development for the Multi-Family Residential Area no later than two years from the date of this Agreement. In the event that the Commercial Planned Unit Development approval of the Multi-Family Residential Area is not received prior to the expiration of such two year period, then the C: Local Business Zoning classification with respect to the Multi-Family Residential Area shall terminate and the entire Multi-Family Residential Area shall revert to the zoning classification(s) that were in effect immediately prior to the execution of this Agreement. The reversion of the zoning classification of the Multi-Family Residential Area shall have no impact on the zoning classification of the Commercial Area.
4. Miscellaneous. This Agreement shall be governed by the following additional provisions:
 - A. A copy of this Agreement shall be recorded with the Kalamazoo County Register of Deeds.
 - B. This Agreement shall be binding upon the Township and Developer, shall run with the Property and is binding on any successor owners of the Property.
 - C. This is the entire agreement between the parties with respect to its subject matter. It supersedes and replaces all other agreements, whether express or implied, written or verbal. There are no other agreements. This Agreement may only be amended in writing, signed by all parties, and must be recorded with the Kalamazoo County Register of Deeds in order to become effective.

D. Each party had the advice of legal counsel and was able to participate in its creation, so it shall be construed as mutually drafted. The Background is accurate and is deemed part of this Agreement. This Agreement may be signed in counterparts and when combined with all of the signatures shall constitute only one agreement. This Agreement is to be interpreted in accordance with Michigan law. The interpretation of this Agreement shall not be affected by any course of dealing between the parties.

Signatures on following page

IN WITNESS WHEREOF, Developer and the Township have entered this Agreement as of the date set forth above.

TRADE CENTRE H, LLC
a Michigan limited liability company

By: _____
Roger E. Hinman
Its: Manager

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

Before me, a Notary Public in and for said County and State, personally appeared Roger E. Hinman of Trade Centre H, LLC, who acknowledged the execution of the foregoing Conditional Rezoning Agreement.

_____, Notary Public
_____ County, Michigan
My Commission Expires: _____

TRADE CENTRE G, LLC
a Michigan limited liability company

By: _____
Joseph L. Gesmundo
Its: Manager

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

Before me, a Notary Public in and for said County and State, personally appeared Joseph L. Gesmundo of Trade Centre G, LLC, who acknowledged the execution of the foregoing Conditional Rezoning Agreement.

_____, Notary Public
_____ County, Michigan
My Commission Expires: _____

CHARTER TOWNSHIP OF OSHTEMO
a Michigan charter township

By: _____

Its: Supervisor

By: _____

Its: Clerk

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

Before me, a Notary Public in and for said County and State, personally appeared _____ and _____, the Supervisor and Clerk of Oshtemo Charter Township respectively, who acknowledged the execution of the foregoing Conditional Rezoning Agreement.

), Notary Public
 County, Michigan
My Commission Expires: _____

Drafted by and when recorded return to:

J. Patrick Lennon, Esq.
Honigman, LLP
650 Trade Centre Way
Suite 200
Portage, Michigan 49002

EXHIBIT "A"

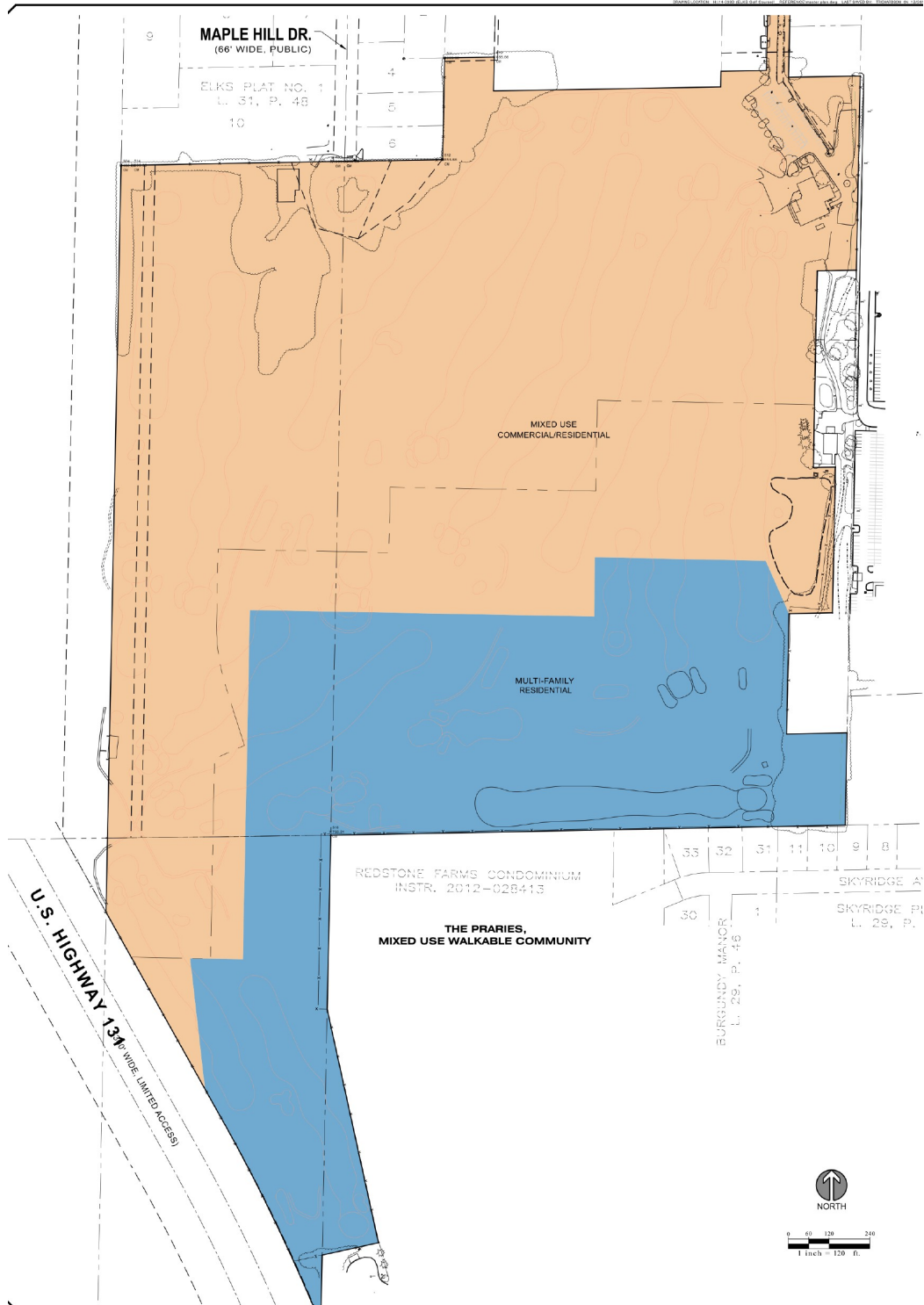
THE PROPERTY


5303 W. Main St.
Kalamazoo, MI 49009

SEC 13 & 24-2-12 W1/2 SE1/4 & E1/2 E1/2 SW1/4 SEC 13 SUBJ TO CONS PWR CO EASMT OVER W 69 FT ALSO W 12 R E1/2 SE1/4 SEC 13 EXC N 75 FT FOR HWY ALSO EXC N 225FT OF E 211 FT ALSO EXC ELKS PLAT #1 ALSO EXC COM E1/4 POST TH S ALG E LI 2255.61 FT TH S 87DEG-44'-14" W 1118.19 FT FOR POBTH S 00DEG- 02'-14" W 130 FT TH S 87DEG-44'-14" W 178 FT TH N 00DEG-02'-14" E 355 FT TH N 87DEG-44'-14" E 128 FT TH N 00DEG-02'-14" E 430 FT TH S 87DEG-44'-14" W 65 FT TH N 00DEG-02'-14" E 580 FT TH N 87DEG-44'-14" E 115 FT TH S 00DEG-02'-14" W 1235 FT TO BEG ALSO EXC COM AT E1/4 COR TH 87DEG-51'-44" W 1116.77 FT ALG E&W1/4 LI TO E LI OF THE W 198 FT OF E1/2 SE1/4 TH S 00DEG-02'-14" W 300.5 FT ALG E LI TO POB TH CONT S 00DEG-02'-14" W 150FT TH S 87DEG-51'-44" W 211 FT PAR E&W1/4 LI TH N 00DEG-02'-14" E 150 FT TH N 87DEG-51'- 44" E 211 FT TO BEG ALSO EXC BEG NE COR LOT 1 ELKS PLAT #1 N TH 88DEG-06'-14" E ALG SLY ROW LI M-43 668.8 FT TH S 00DEG-16'-44" W 2 FT TH N 88DEG-06'-14" E 133.95 FT TH S 00DEG-16'-44" W 351.85 FT TH S 88DEG-06'-14 W 133.95 FT TH S 00DEG-16'-44" W 46.15 FT TH S 88DEG-06'-14 W 668.8 FT TH N 00DEG-16'-44" E 400 FT TO BEG ALSO BEG N1/4 POST SEC 24 TH W ALG N LI 660.32 FT TH S 01DEG-46' W TO ELY LI US HWY 131 TH SELY ALG SD ELY LI TO ITS INTERSEC WITH N&S1/4 LI TH N TO BEG ALSO BEG IN N&S1/4 LI SEC 24 513.27 FT S OF N1/4 POST TH S 00DEG-04' E ALG SD 1/4 LI 725 FT TH N 76DEG-25' E 169.45 FT TH N 13DEG-35' W 704.92 FT TO BEG * SPLIT/COMBINED ON 09/05/2019 FROM 05-13-405-031, 05-24-135-010, 05-24-205-009;

EXHIBIT "B"

GENERAL LOCATION OF USES



<p>Sheet Title: 1</p> <p>Project: MASTER PLAN REZONE THE PRAIRIES AVB</p> <p>Client:</p>	<p>MASTER PLAN REZONE THE PRAIRIES AVB</p>	<p>JOB No. 14-0150 PM HW DR LAD OAK SVASYS ISSUED FOR REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">#1 OWNER REVIEW</td> <td style="width: 50%;">8/17/21</td> </tr> <tr> <td>#2 OWNER REVIEW</td> <td>12/23/21</td> </tr> </table> <p>DATE: 12/23/21</p> <p>Copyright © of Hurley & Stewart, LLC</p>	#1 OWNER REVIEW	8/17/21	#2 OWNER REVIEW	12/23/21	 <p>hurley & stewart</p> <p style="font-size: x-small;">hurley & stewart, llc 2800 s. 11th street kalamazoo, michigan 49009 269.552.4990 fax 269.552.4 www.hurleystewart.com</p>
#1 OWNER REVIEW	8/17/21						
#2 OWNER REVIEW	12/23/21						

ZONING ORDINANCE ARTICLE 18

18 – C: LOCAL BUSINESS DISTRICT

Contents:

18.10 STATEMENT OF PURPOSE

18.20 PERMITTED USES

18.30 PERMITTED USES WITH CONDITIONS

18.40 SPECIAL USES

(Amended by ord. no. 628; adopted September 22nd, 2020; effective October 1st, 2020. Amended by ord. no. 632; adopted February 10th, 2021, effective February 16th, 2021.)

18.10 STATEMENT OF PURPOSE

This district is designed to permit retail sales and commercial service uses.

18.20 PERMITTED USES

- A. Any business primarily for the retail sale of merchandise or services in which any manufacturing, assembling or fabricating is merely incidental to and an unsubstantial part of said business.
- B. Banks, credit unions, savings and loan offices and similar financial institutions.
- C. Offices.
- D. Laundromats and dry-cleaning establishments, excluding those establishments providing cleaning services for other laundromat and dry-cleaning establishments.
- E. Hotels, motels.
- F. Restaurants.
- G. Hospitals and medical clinics.
- H. Essential services.
- I. Indoor theatres.
- J. Passenger bus terminals, excluding facilities for the overnight storage of buses.
- K. Accessory buildings and uses customarily incidental to the foregoing.
- L. Pet shops.
- M. Houses of worship.
- N. Planned shopping center developments.
- O. Commercial Center.
- P. Proprietary schools and colleges.

18.30 PERMITTED USES WITH CONDITIONS

- A. Veterinary clinics.
- B. Temporary outdoor events (not lasting more than one day).

18.40 SPECIAL USES

- A. Assembly and Convention Halls.
- B. Child Care Centers and Adult Care Centers.
- C. Funeral homes.
- D. Private clubs.
- E. Parks of ten acres or less in size, subject to the conditions and limitations set forth at Section 49.100 of this Ordinance.
- F. Nursing, convalescent, handicapped, or senior citizens' homes.
- G. Drive-in service window or drive-through services for businesses.
- H. Retail lumber yards.
- I. New and/or used car sales lots; recreational vehicle sales lots; mobile home sales lots outside of mobile home parks; farm machinery and other equipment sales lots; boat sales lots; and other businesses involving substantial outdoor sales or activities connected with retail sales.
- J. Crematories.
- K. Skating rinks, bowling alleys, indoor recreational facilities and health clubs.
- L. Filling stations, carwashes, public garages or service stations, excluding auto body and auto paint shops.
- M. Drive-in theatres.
- N. Buildings and regulator stations for essential services.
- O. Temporary outdoor events (lasting more than one day).
- P. Brewpub.
- Q. Microbrewery.
- R. Wine Tasting Room.
- S. Craft food and beverage production facility, limited to 8,000 square feet gross floor area.
- T. Communication towers.
- U. Earth removal, quarrying, gravel processing, mining, related mineral extraction businesses, and landfill gas recovery processing facilities.
- V. Private streets.
- W. Wind energy conversion systems.

Iris Lubbert

From: Julie Stover
Sent: Thursday, March 24, 2022 11:09 AM
To: Iris Lubbert
Subject: Development: Prairies Golf Course

CAUTION: External Email

Dear Members of the Planning Commission:

Please do not allow AVB to build on property that is the Prairies Golf Course. I have been fortunate to golf at the Prairies for over thirty years with my family and friends, and would like to continue that tradition.

I would like to see Oshtemo preserve more green space to encourage healthy activities for all people in our community. It would be a terrible shame to see Oshtemo over build and over develop like some of the surrounding communities, e.g. Portage.

Thank you for taking the time to read & listen to this response to the request by AVB to remove the Prairies Golf Course.

Sincerely,

Julie L. Stover

3-22-2022

Greetings,

This is in regards to the Planning Commission Meeting on March 24th.

I live in Redstone Farms on the 8th Fairway of the Golf Course.

My concerns for rezoning are as follows:

- ① I would be opposed to multi-story apartment buildings directly behind my condo. Any such buildings including any commercial area should be located as far North ^{on} ~~of~~ the property near West Main
- ② I would like to see a barrier strip of natural, parklike area directly bordering my property (Redstone) and down behind houses on Sky Ridge. All the way to US 130 area.
- ③ Any housing directly bordering this natural strip should be limited to single family homes or condominiums. I would note that there are high density housing units to the South already.

These are my main concerns.

Regards, Thomas G. Dillon

5366 Penrose Lane
269-365-8705

Iris Lubbert

From: Wayne Fuqua
Sent: Thursday, March 24, 2022 3:05 PM
To: Iris Lubbert
Subject: Opposition to rezoning the Prairies Golf Course

CAUTION: External Email

I have a conflict with tonight's meeting. Please accept this brief note of opposition to the proposal to rezone the Prairies Golf Course for development by AVB.

My opposition is based on three factors:

1. This will reduce the amount of green space and further limit recreational opportunities in what is a rapidly developing township.
2. It will significantly increase traffic flow and congestion along the West Main Street corridor.
and,
3. Surely there must be other parcels of undeveloped (or under utilized) land in Oshtemo township that could be developed or reappropriated as the location of a residential development.

Quite frankly, I would prefer to see AVB finish its development of the land around the Holiday Inn and Holiday Inn Express (at West Main and US 131) and finish its development of the Costco parcel of land before it takes any action to remove more precious green space from Oshtemo Township.

Respectfully,

Wayne Fuqua
6212 Thunder Bluff Road