

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION  
DRAFT MINUTES OF A MEETING HELD MARCH 28, 2024**

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**Agenda**

**PUBLIC HEARING: Special Use and Site Plan – Maple Hill Auto Group**

Maple Hill Auto Group is requesting site plan and special exception use approval to redevelop 6565 West Main Street to serve as a Subaru automotive dealership.

**PUBLIC HEARING: Tentative Preliminary Plan – Westridge Site Condominium**

Green Development Ventures, LLC is requesting step one tentative preliminary plan approval for a 41-unit site condominium project located at 7110 West Main Street.

**PUBLIC HEARING: Ordinance Amendment – Signs and Billboards**

Consideration to adopt amendments to Section 55 – Signs and Billboards for recommendation to the Township Board.

**PUBLIC HEARING: Ordinance Amendment – Setback Provisions**

Consideration to adopt amendments to Section 50.60.C – Setback Provisions for Business and Industrial Districts for recommendation to the Township Board.

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A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, March 28, 2024, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

**MEMBERS PRESENT:** Deb Everett, Vice Chair  
Alistair Smith  
Zak Ford, Township Board Liaison  
Scot Jefferies  
Jeremiah Smith

**MEMBERS ABSENT:** Philip Doorlag, Chair  
Scott Makohn

Also present were Jodi Stefforia, Planning Director; Kyle Mucha, Senior Planner from McKenna; Leeanna Harris, Zoning Administrator and Temporary Recording Secretary; Colten Hutson, Zoning Administrator; James Porter, Township Attorney; and 22 interested persons.

**Call to Order and Pledge of Allegiance**

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

### **Approval of Agenda**

Vice Chair Everett asked if there were any changes to the agenda. Hearing none, she let the agenda stand as published.

### **PUBLIC COMMENT ON NON-AGENDA ITEMS**

The Vice Chair asked if anyone present wished to speak on non-agenda items.

Since no one responded, she moved to the next agenda item.

### **Approval of the Minutes of the Meeting of February 22, 2024**

Vice Chair Everett asked for additions, deletions, or corrections to the Minutes of the Meeting of February 22, 2024.

Hearing none, Vice Chair Everett asked for a motion.

Mr. Ford **made a motion** to approve the Minutes of the Meeting of Meeting of February 22, 2024, as presented. Mr. Jefferies **seconded the motion**. The **motion was approved** unanimously.

Vice Chair Everett moved to the next agenda item, the Special Use and Site Plan for Maple Hill Auto Group and asked Staff for their report.

### **PUBLIC HEARING: Special Use and Site Plan – Maple Hill Auto Group**

Mr. Kyle Mucha, from McKenna, thanked the Planning Commission, and introduced himself and explained that he had been contacted by the Township to complete the review of the Special Use and Site Plan for 6565 West Main Street. He also noted that the applicant was in attendance if the Planning Commission had any questions for him.

Mr. Mucha explained that the request from the Maple Hill Auto Group is to propose the 50,106 square foot building, which will encompass a showroom, service repair facility, and warehouse.

Mr. Mucha explained that the applicant also proposes to conduct site enhancements for vehicle sales displays and an area for storage of vehicles undergoing repair at 6565 West Main Street, Parcel Number 05-14-330-020.

He noted that vehicle sales lots within the C: Local Business District are classified as a Special Exception Use, and that the Planning Commission, after holding a public hearing, may approve Site Plans and Special Uses.

Mr. Mucha started the portion of his presentation where he discusses Site Plan Review comments. He noted that the property is presently zoned C: Local Business District and is 18.9 acres in size. He explained that, as previously noted, a new and used car sales, showroom, staging area, 28 bay service repair area, parking lot landscaping, and retail parts and warehouse, are all proposed.

He continued by discussing access and circulation, explaining that primary site access would be from West Main Street, with additional access, pending Seeco road development to the south. He mentioned that a driveway permit from MDOT is required with a supporting traffic impact study. Regarding sidewalks, the site presently has a 10-foot-wide pedestrian pathway along West Main Street. It will need to be verified that the pathway is fully within the public right-of-way, or if it is located on private property, an easement will be necessary.

Regarding parking, the requirements have been reviewed diligently. Parking spaces for repair bays, automotive repair shops/service stations, showrooms, and warehousing is required. He also noted that there is a shared access reduction on the site. Mr. Mucha explained that, under the parking requirements of the Zoning Ordinance, 129 spaces are required, while the applicant is proposing 134 spaces. The applicant is requesting that 25% of the spaces are reduced to a 9 foot width, as compared to a minimum of 10 feet, as well as proposing the depth to be reduced to a 18 foot length, as compared to a minimum of 20 feet. The authority to do so is available in the Zoning Ordinance. Reducing 32 spaces (or 25%) from a standard width and depth will still meet the intent of the ordinance. Spaces with alternative dimensions must be labeled as such on the final site plan.

Mr. Mucha continued by mentioning that loading and unloading facilities are proposed along the southwestern portion of the site.

Mr. Mucha mentioned that the setbacks for this zoning district are 170 feet in the front, and 20 feet in the side and rear. The minimum setback distance between the side and rear shall be 20 feet or the height of the building. Mr. Mucha explained that the applicant must identify the side and rear setbacks on the site plan to ensure that the required setbacks are met.

Mr. Mucha explained that landscaping comments were provided by Wightman, and that he would defer the Planning Commission should they have any questions on the landscaping elements.

Continuing on, Mr. Mucha stated that the applicant has provided lighting details and a photometric plan. Based on their submission, the photometric plan meets the intent of the Ordinance and can be recommended for approval.

Engineering comments, as they relate to stormwater, have been met. Mr. Mucha noted that additional permit review through MDOT will be required.

Regarding the Fire Department's comments, it was noted that the location of the Fire Department Connection needs to be adjusted since it needs to be remote from the building. He also noted that the closest accessible fire hydrant is located over 400 feet away; therefore, a new fire hydrant will be needed or relocated.

Next, Special Exception Use review criteria. The special land use requirements are under section 65 of the Zoning Ordinance. The first requirement is that the proposed use be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the district in which the use is located, and is consistent with the Access Management Plan as sites are developed and redeveloped. He noted that to be consistent with the Access Management Plan, the applicant needs to resize the stormwater basin to maintain a 150-foot area at the front of the site to provide future cross access to adjoining properties. Township Engineering staff also support this recommendation. Further, access to the off-street parking areas shall be provided, not exceeding 30 feet in width, and that such access drive shall be constructed similar to the parking areas and similarly maintained. Within the new car staging areas, dimensioned at 63 feet, 55 feet, and 35 feet, these areas must be formalized with landscape islands and a clearly defined access lane not exceeding 30 feet. Additionally, the access lane on the west side of the building is dimensioned at 50 feet but must be resized to 30 feet wide. Further land use requirements, such as the size and location of such outdoor sales business shall not impede pedestrian or vehicular travel by customers or patrons. The Township Access Management Plan includes the recommendation for a frontage road or service drive along West Main Street.

Mr. Mucha notes that a positive finding can be made on other criteria as well on the regulations of Section 65 and for the criteria for used cars, Section 49.170.

Staff recommends that the site plan and special use application be approved with the following conditions:

1. The pedestrian pathway is confirmed to be located fully within the public right-of-way along the northern portion of the subject property. If not fully located within the right-of-way, an easement agreement is executed with the Township.
2. Building height is listed on the plan and conforms with the side setbacks illustrated on the site plan.
3. The applicant receive a permit from MDOT and the final plan set is consistent with the plan approved by Oshtemo Township per any change MDOT may require,
4. Finalization of design for on-site stormwater management systems, maintenance agreements for stormwater management systems, and any other engineering details shall be subject to the administrative review and approval of the Township Engineer prior to building permit issuance. This

- condition includes limiting parking access drives to 30-feet and providing space for a service drive on the north end of the site.
5. The Township approves the proposal for reduced parking space dimensions for up to 25% of required spaces, as illustrated on the site plan.
  6. Comments from Fire Department are addressed.
  7. All nonmotorized facilities shown on the approved site plan shall be installed prior to the issuance of a certificate of occupancy.
  8. Other comments/requirements as stipulated by the Township or reviewing agencies, if any.

Vice Chair Everett asked staff if they had any comments for staff.

Mr. Ford asked about the drive aisles as they relate to the conditions of approval, and if those were indicated in red on the presentation Mr. Mucha gave.

Mr. Mucha confirmed this was the case.

Mr. Ford noted that in the Off-Street Parking ordinance, there are provisions for bicycle racks, and that he did not see these represented on the site plan.

Mr. Mucha said that he would have to go back to their review of the plan, as he did not know if they addressed this, but that they had worked diligently with the applicant for the parking requirements, and that if that were a requirement from the Planning Commission, then they could add that as a condition of approval.

Next, Vice Chair Everett asked the applicant if he would like to come forward and make a comment regarding his submission.

Mr. Jim Vandenberg introduced himself as the owner and general manager of Maple Hill Auto Group. He explained that this was a project that he is excited about. He noted that the property is 18.9 acres, and that Maple Hill Auto Group would be purchasing the front, approximately ten acres of the site. He noted that they have had a number of meetings with the Township planning since there are so many moving parts with the project, such as coordination with manufacturers, Oshtemo Township, and the Kalamazoo County Road Commission. He noted that the Township was wanting the Seeco Drive extension through the property to the east property line. He noted that he felt that they have come to a great compromise between the selling client and the buying client. He noted that Maple Hill Auto Group is already a tenant of Oshtemo Township and has been in business in the Township for 29 years. He mentioned that the buy and sell agreement for the property was predicated on the outcome of the meeting, and that at that point they would move to closing. He also mentioned that they would be keeping a lot of green space in the front, would be trying to put dog runs on site, outdoor play area for kids, a hiking trail that could potentially circulate the entire property, and part of the building would be offered up free of charge to charities and also for charity events after hours. He also mentioned that they have done a lot with the parking and the parking spaces, and the reduction of the parking spaces, as mentioned, is in the bullpen area, which is not a public area. It is where customer cars are parked. He also noted that many of his customers ride bicycles, but that the storage of the bicycles would be occurring inside of the building. He mentioned that they would be

keeping the original two-story building on site, but the remaining portion of the building would be demolished. He noted that they would be using the existing building for the corporate offices, offices upstairs, training areas, large lunchrooms, etc. He said that these offices would be in the front of the building facing the landscaping on site. He explained that the waiting room would be on the northwest side of the building, which would essentially be buffered from West Main due to the trees and shrubbery on site. He concluded by asking for any comments from the Planning Commission.

Vice Chair Everett asked the Planning Commission if they had any questions for the applicant.

Mr. Jeremiah Smith asked if Maple Hill Auto would still be in use at the existing site.

Mr. Vandenberg said that this development would allow one of the “brands” to move to this site from his existing site on West Main, leaving the remaining “brands” at the existing site.

Ms. Everett thanked the applicant and opened the Public Hearing on this agenda item.

Mr. Hutson came to the podium to read a public comment from Marcel Burgler that had been received via email to the Planning Staff.

Hearing no other public comments, Vice Chair Everett closed the Public Hearing and moved to Board Discussion.

Mr. Alistair Smith mentioned that the bullpen and the parking spaces that are a reduced width and length concern him especially if the public had to use the spaces and that once spaces are reduced, accidents such as door dings could occur, and that he did not want to see that happen.

Attorney Porter noted that this parking area is not open to the public and that this is just where cars will be parked before their owners come to pick them up.

Mr. Alistair Smith asked if this would allow public parking spaces to be reduced in the future.

Attorney Porter noted that the way he was reading the recommendation was that this reduced width and length would be restricted to where the company personnel would be parking the cars and not the public.

Ms. Everett asked if there were any other comments or questions. Hearing none, Vice Chair Everett asked for a motion.

Mr. Ford **made a motion** approve Maple Hill Auto Group’s site plan and special exception use approval to redevelop 6565 West Main Street with the conditions presented. Mr. Jefferies **seconded the motion**. **The motion was approved unanimously**.

Vice Chair Everett moved onto the next item, the Public Hearing for the Tentative Preliminary Plan for Westridge Site Condominiums, and asked staff for a report.

## **PUBLIC HEARING: Tentative Preliminary Plan – Westridge Site Condominium**

Mr. Hutson explained that the applicant is requesting step one tentative preliminary plan approval for a 41-unit site condominium project located at 7110 W Main Street. He noted that the site is currently serving as a residential use and that the applicant is seeking to demolish the existing structures in order to develop the 41 new single-family homes. He said that the subject project site falls within the R-2: Residence District zoning designation, that the site was approximately 20-acres in size, and is located on the north side of W Main Street between N 7<sup>th</sup> Street and N 8<sup>th</sup> Street.

He discussed the Subdivision, Site Condominium, and Land Division Ordinance of Article 290. He said that site condominium projects developing under Article 290 require review and approval by the Planning Commission and the Township Board and that the Planning Commission, in this instance, is the recommending body that will need to determine whether to forward a recommendation of approval or denial to the Township Board of this request.

He mentioned that Article 290 includes requirements on arrangement, size, and shapes of building sites, design of streets and pedestrian pathways, stormwater, provisions related to natural features, external factors such as non-motorized and road connections, along with other general site elements.

As he previously noted, the subject site is zoned R-2: Residence District, which allows single-family site condominium developments as an allowable use. He noted that the property abuts single-family homes to the north, west, and south as well as commercial development to the east. He explained that the parent parcel consists of 20 acres and is situated just east of N 7<sup>th</sup> Street and directly adjacent to N 8<sup>th</sup> Street. The project site also possesses roughly 720 feet of frontage along W Main and is 1,250 feet deep.

The building sites are proposed to range from 10,600 square feet to 15,683 square feet in area, providing an average site size of 13,193 square feet over the 41-Units, with each site proposed to possess 100 feet of road frontage or greater. He explained that the minimum setbacks for each building site within the development include 30 feet for the front, 10 feet for the sides, and 15 feet for the rear and that all minimum frontage, area, and setback requirements have been met.

The developer is proposing a street network that is planned to be private consisting of a total of three streets, which will be 28 feet wide curb to curb on a 66-foot-wide private right-of-way. He said that no building site within the development will have exclusive access to W Main Street, and that block lengths shown on the site plan are acceptable and satisfy code requirements. He mentioned that Ridgetop Circle and Vertex Circle are proposed to terminate at the development's north end in cul-de-sacs and are proposed to be temporary turnarounds, which are designed as such as they are meant to facilitate future interconnection, should the 10-acre property adjacent to the north ever be subdivided or condominiumized.

Mr. Hutson mentioned that the applicant has submitted a Traffic Impact Analysis to the Michigan Department of Transportation (MDOT) as a part of the permitting process for a new driveway from W Main Street and that the results did conclude that a new access point in the southwest corner of the parent parcel as proposed would be allowed.

A system of 5-foot-wide concrete sidewalks are proposed on each side of the road throughout the site condominium project, as well as associated ADA ramps and concrete curbing are also proposed at each intersection. The Township's Non-Motorized Transportation Plan also identifies a 10-foot-wide shared use path adjacent to the subject site on the north side of W Main Street, which is currently proposed on the site plan. The subject shared use path will be required to go through MDOT's permitting process since this stretch of W Main Street falls within MDOT's jurisdiction.

Mr. Hutson said that public water and sewer are proposed. Construction of municipal water and sewer along the north side of W Main Street between N 7<sup>th</sup> Street and N 8<sup>th</sup> Street is currently underway and the site condominium development is proposing to tie into such public infrastructure in the southwest corner of the site and extend it throughout the development. All existing easements have been illustrated and that easements for water, sewer, gas, electric, stormwater, tree preservation, right-of-way, and temporary turnarounds will be necessary. He also said that all easements will be required to be recorded with the Kalamazoo County Register of Deeds Office.

Mr. Hutson said that two stormwater basins are proposed on the south end of the development with easements to gain access to the overall development's stormwater basins. Such access easements are needed for maintenance purposes in the event either basin needs repair, while yard drains to collect stormwater are also proposed in the rear yard for a number of the units in order to accommodate such stormwater needs.

In terms of lighting the developer is proposing street lighting throughout the condominium project. Locations of pole mounted lights are shown on the site plan. A photometric plan satisfying Ordinance requirements will be required to be provided at time of Step 2 Approval.

As a part of the requirements outlined in Article 290, the applicant has provided a natural features preservation plan identifying trees that will be preserved versus trees that will be removed, with protection of preserved trees in areas where key infrastructure or improvements such as roadways, driveways, and dwelling units are planned to be implemented. Of the 1,635 trees that are 8" or greater in diameter on-site, 457 of which will remain intact meaning that 28% of trees 8" or greater in diameter will be preserved, exceeding minimum code requirements. Tree protection barrier fencing will be also be installed for all trees that will remain intact and more than 15% of the project site is set aside as designated open space and that a landscaping plan has been



provided to the Township as a part of this submission and meets Township Ordinance requirements.

Mr. Hutson explained that both the Fire Department and Engineering have reviewed the proposal and are satisfied with the overall design for step one Approval.

The Planning Department staff recommend that the Planning Commission forward a recommendation of step one tentative preliminary plan approval to the Township Board for a 41-unit site condominium development located at 7110 W Main Street with the conditions provided in the staff report.

Mr. Hutson thanked the Commission for their time, noting that he would be happy to answer any questions that the Commission has, and also noted that the applicant was present at the meeting to answer any questions that they have as well.

Mr. Ford asked for clarification about the future extension of 8<sup>th</sup> Street, and whether it will be a public road or will be a part of this development. He also asked if the neighboring property owner, as well as this property owner, would provide the easement that would hold half of the future road.

Mr. Hutson confirmed that this would be the case, and that essentially 33 feet on the side of the parent parcel would be directly adjacent to 8<sup>th</sup> Street, and, in efforts to consolidate driveways with the neighboring property to the east.

Mr. Ford asked if the road is constructed in the future if the proposed access driveway would be affected.

Mr. Hutson explained that if the 8<sup>th</sup> Street extension ever came to fruition that they would be required to close the street access in the southwest corner of the site that the applicants are currently in the process of acquiring from MDOT and causing the current access point to be a hammerhead turnaround for the Fire Department.

Mr. Ford asked if the applicant was amendable to the proposed.

Mr. Hutson answered affirmatively.

Ms. Everett asked if the current site plan could accommodate if 8<sup>th</sup> Street were to extend north through the property.

Attorney Porter explained that it would have to be a joint effort with the Township and the developer.

Mr. Ford asked if it would also involve the property owner to the east of the applicant's property.

Attorney Porter noted that the Public Works Director has been in conversations with both this developer and the property owner to the east of the property, and that there is a likelihood that the Township may be able to square up 8<sup>th</sup> Street and then have direct access this way.

Mr. Ford asked if then the centerline of 8<sup>th</sup> Street would essentially be the currently property line.

Mr. Hutson and Attorney Porter confirmed such.

Ms. Everett asked then if the homes that are proposed on the easternmost part of the development would be accommodated if the road was extended through this part of the proposed development.

Mr. Hutson asked for clarification of the location of where the Chair was discussing.

Attorney Porter explained that the road would require the developer to give a portion of the property and as the road extended north, it would curve inward toward the property to the east. He also noted that he does not expect the extension of the road would be taking the backyard of the proposed homes.

Mr. Hutson then explained where a potential location of the 8<sup>th</sup> Street extension could go.

Mr. Alistair Smith asked for clarification of where the road would be located in relation to the development.

Mr. Hutson and Attorney Porter provided clarification of the potential location for the 8<sup>th</sup> Street extension.

Mr. Jefferies followed up by asking for clarification on the location of the potential road extension and whether there would be access to West Main still after the extension is constructed.

Attorney Porter explained where it would be extended out to but noted that that is all future development in cooperation with the Township.

Ms. Everett thanked Mr. Hutson for his presentation and asked if the applicant would like to comment.

Mr. John Lovely, who works with Green Development Ventures LLC and Allen Edwin Homes, the applicant, introduced himself to the Planning Commission. He noted his excitement for the project and explained that they have been working with the Township since the summer of 2023, but recently made the submittal. He notes that he

feels that it is a really great project, and if they receive Step 1 approval, that they would be able to turnaround and submit the Step 2 plans pretty quickly.

Mr. Lovely did want to provide clarification about the extension of 8<sup>th</sup> Street and how their proposal would provide a 33' easement along the eastern property line and then a 66' easement from an Avenue from within the development. Then, the access to West Main would be closed to be a hammerhead.

Mr. Lovely noted that he would be happy to answer any questions of the Commission.

Mr. Ford asked why the applicant would not move the driveway to the site to the east now, rather than later.

Mr. Lovely noted that the timing would not work correctly, and the grading is difficult and is actually above the 18% that is allowed under the current site condominium ordinance for a street. He explained that there were also trees in the area that they would like to save. He also noted that MDOT approved the present location of the road.

Attorney Porter noted that he spoke with the Public Works Director, and that the case may have been that MDOT would be more concerned about the location being just offset from 8<sup>th</sup> Street, making it difficult to square up with 8<sup>th</sup> Street.

Mr. Ford noted that there is presently open space in the area where the road would connect from the internal Avenue to 8<sup>th</sup> Street and whether it would put them under open space requirements.

Attorney Porter said that, in light of the public safety, the Township would take that into consideration as part of the process and provide flexibility.

Ms. Everett asked if there were any other questions for the Board.

Mr. Jefferies asked if the Board had to formalize some of the future possibilities.

Attorney Porter noted that the current recommendation is to approve the plan as designed as it is currently proposed. He said that if things come forward, as with any site plan, when there are amendments to it, those amendments will come back to the Planning Commission. He noted that he did not think there was any need to formalize it as it may or may not develop.

Mr. Lovely noted that they are currently working on drafting the Master Deed and that they would note that the potential connection in the Master Deed as they already have their attorneys working on the easement.

Attorney Porter noted that, once the Master Deed comes through, all of it is reviewed by counsel.

Vice Chair Everett thanked Mr. Lovely and opened the Public Hearing on the item. She also provided clarification that anyone who wishes to speak should provide their name, address, and that they have four minutes to make the comments. She also noted that it is just a comment period, and that they will not have the opportunity to have back and forth on the item.

Mr. Bob Clays addressed the Commission regarding remaining commercial sites.

Mr. Simon Ashbrook addressed the Commission as there have been no other viable uses for the property in the years that he has owned it.

Mr. Andy Grooten expressed concerns about lighting on the site.

Mr. Paul DeHaan addressed the Commission as he wanted to be included in future conversations about 8<sup>th</sup> Street extension.

Attorney Porter explained the potential extension of 8<sup>th</sup> Street is not a part of the site plan up for approval, and that potential extension should not delay the approval of the site plan.

Mr. Brad Wilson stated that he agreed with the comments about the traffic.

Mr. Andy Grooten addressed the Commission asking about sanitary sewer.

Ms. Sandy Edwards, from Callender Commercial, noted that she was representing the seller, and that this has been a very long process.

With no other members of the public wishing to comment, Vice Chair Everett closed the Public Hearing and moved to board discussion.

Mr. Ford noted that he had some additional questions for the applicant which will hopefully address some of the questions presented by the public. He asked if the applicant could speak to the concerns about the lighting plan.

Mr. Lovely said that they do show a number of lights on the site plan but the details are not finalized until they get to Phase 2. He explains that it is typically a Consumer's Energy light and they will all be compliant with Township Ordinances. He said they if they do a photometric study, and there's too much light, they will need to reduce it, likewise with too little light, it will need to be increased. Mr. Lovely also noted that the proposed open space is relatively wooded, and that he hopes that by leaving it the way it is, it will help as a buffer.

Mr. Ford explained that someone had a question about a dashed line on the site plan in the open space and said it was proposed as a natural walking trail.

Mr. Ford then asked about the traffic study, asking what the engineers said, and whose role is it to determine whether a light would need to be installed.

Mr. Lovely said that they had a professional traffic engineer complete a traffic impact analysis and that they determined that the proposed location was acceptable based on all the existing traffic flows and anticipated traffic flows and that a light was not necessary here. He said that that was a positive recommendation with the traffic impact analysis and then also MDOT is supportive of that location and their analysis.

Attorney Porter explained that putting a traffic light in would be under the jurisdiction of the Michigan Department of Transportation and that the Township has no authority and cannot require a light to be put in.

Mr. Ford also noted that, although he does not know which way the sewer will be flowing, that they recommend anyone wondering to call the Township and speak to the engineer if they wish to receive more information.

Mr. Jeremiah Smith asked if the homes would be rented or sold.

Mr. Lovely said that the goal is to sell them all, but if for some reason it sits on the market for too long, they may rent it out. He says that their goal is to always sell every single home. He mentions that from a zoning perspective, ownership is not regulated, just the use. He doesn't ultimately know if they will all sell, but that is the goal.

Attorney Porter confirmed that this is not something the Township regulates (ownership/renting).

Mr. Ford noted that they are meeting all the requirements and it looks acceptable to him.

Attorney Porter noted that the PC would make a recommendation on the site plan, and then it would go to the Township Board, and then Step Two involves more detailed drawings.

Ms. Jodi Stefforia confirmed that Step 2 approval goes directly to the Township Board.

Mr. Jefferies noted that there is no health, safety, or public good that would be affected by approving this, so approval seemed to be the step that they should take.

Mr. Jefferies **made a motion** to recommend Step One approval of Westridge Site Condominiums, located at 7110 West Main Street, with the following conditions:

1. A driveway permit from the Michigan Department of Transportation (MDOT) authorizing the newly proposed curb cut will be required to be obtained at time of submitting formal application for step two approval.
2. Engineering details including, but not limited to access, stormwater management, and water main shall be addressed to the satisfaction of the Township Engineer at time of submitting formal application for step two approval.

Mr. Ford **seconded the motion. The motion was approved** unanimously.

Vice Chair Everett moved to the next item on the agenda, the Public Hearing for an Ordinance Amendment for Signs and Billboards.

### **PUBLIC HEARING: Ordinance Amendment – Signs and Billboards**

Attorney Porter noted that the updates to the Signs and Billboards Ordinance were due to a SCOTUS case that said some sign ordinances were violating First Amendment rights, and equal protection rights, and therefore, the sign ordinance needed to be rewritten. Attorney Porter continued by noting that he had asked the Planning Director at the time to review the ordinance, but since things were so busy, that it could never quite get done. Attorney Porter noted that, specifically, the ordinances provisions regarding directional signs were not content neutral. Attorney Porter noted that the majority of the reworking of the ordinance was done by Iris Lubbert, the previous Planning Director.

Attorney Porter noted that he can try to answer any questions or concerns that the Commission may have regarding the Ordinance, but that his recommendation is that, if there are things to rework, it may be easier to complete after the bulk of the ordinance is adopted, and then come back to amend.

Mr. Alistair Smith asked if the Commission had seen this ordinance before.

Attorney Porter confirmed that the Commission had seen the ordinance before, but that they had to publish the public notice and open it up for a public hearing. At this time, it is properly published for a public hearing for consideration and recommendation to the Township Board.

Vice Chair Everett opened the Public Hearing. Seeing no members of the public, Vice Chair Everett closed the Public Hearing.

Mr. Ford **made a motion** to adopt the amendments to Section 55: Signs and Billboards and forward a recommendation of approval to the Township Board. Mr. Jefferies **seconded the motion. The motion was approved** unanimously.

Vice Chair Everett moved to the next item on the agenda, an Ordinance Amendment to the Setback Provisions.

## **PUBLIC HEARING: Ordinance Amendment – Setback Provisions**

Attorney Porter noted that this Section has been reworked numerous times, and that his main concern was when a property owner has property abutting a major thoroughfare like West Main, and the Township requests a secondary road to be constructed through their property, consistent with the Master Plan and overall design for future roads, that it would cause extensive setbacks from two roads and could potentially be confiscatory. Attorney Porter noted that this amendment to hopefully reduce the setbacks and some of the requirements from the secondary road so that the Township wasn't accused of an improper taking or overstepping what they could as a public agency.

Mr. Hutson noted that at the February 22, 2024, Planning Commission meeting that Ms. Everett and Mr. Doorlag noted that the ordinance amendment currently reads that 50% of the landscaping can be reduced for the entire property, when the intent is green belt landscaping requirements along the secondary road can be reduced by 50%.

Attorney Porter noted the Public Hearing could be opened and then the motion would be to recommend that the text change to the Township Board with the recommended changes from Mr. Hutson.

Vice Chair Everett opened the Public Hearing, and after seeing none, closed the Public Hearing.

Mr. Ford **made a motion** to adopt the amendments to Section 50.60.C, setback provisions for Business and Industrial Districts, with the edits suggested by Mr. Hutson and to forward a recommendation of approval to the Township Board. Mr. Jefferies **seconded the motion. The motion was approved unanimously.**

Vice Chair Everett moved to other updates and business.

## **OTHER UPDATES AND BUSINESS**

Mr. Hutson noted that the Township has (re)welcomed Jodi Stefforia as the Township Planning Director.

Ms. Stefforia said that she felt very welcome and that she had a couple members of the audience approach her during the meeting. She said that she was the Planner at the Township for 14 years up until 2012. She said a few months ago Ms. Cheri Bell approached her about coming back to the Township, and Ms. Stefforia said she is very glad to be back, especially since there is a great community and an engaged Planning Commission, and that she loves serving in that capacity.

Members of the Planning Commission welcomed her back.

## **ADJOURNMENT**

With no further business to consider, Vice Chair Everett adjourned the meeting at approximately 7:25 p.m.

Minutes prepared:  
April 4, 2024

Minutes approved:

DRAFT