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

**MEETING WILL BE HELD IN PERSON
AT OSHTEMO TOWNSHIP HALL
7275 W MAIN STREET
Masks Are Optional in Oshtemo Township Buildings**

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

**THURSDAY, January 25, 2024
6:00 P.M.**

AGENDA

1. Welcome and Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: January 11, 2024
6. Deviation Request – 9577 W M Avenue
7. Work Session:
 - a. Solar & Wind Update
8. Other Updates and Business
9. 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 a.m.-1 p.m. and 2-5 p.m., and on Friday, 8 a.m.–1 p.m. 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>		
Cheri Bell	216-5220	cbell@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5260	cbuszka@oshtemo.org
<u>Trustees</u>		
Neil Sikora	760-6769	nsikora@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Michael Chapman	375-4260	mchapman@oshtemo.org

Township Department Information			
<u>Assessor:</u>			
Kristine Biddle	216-5225	assessor@oshtemo.org	
<u>Fire Chief:</u>			
Greg McComb	375-0487	gmccomb@oshtemo.org	
<u>Ordinance Enforcement:</u>			
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org	
<u>Parks Director:</u>			
Vanessa Street	216-5233	vstreet@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
<u>Planning Director:</u>			
Iris Lubbert	216-5223	ilubbert@oshtemo.org	
<u>Public Works Director:</u>			
Anna Horner	216-5228	ahorner@oshtemo.org	

**OSHEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD JANUARY 11, 2024

Agenda

ELECTION OF 2024 OFFICERS: CHAIR, VICE CHAIR, AND ZONING BOARD OF APPEALS LIAISON

WORK SESSION:

a. Continued Discussion: MU District

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, January 11, 2023, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT:

Philip Doorlag, Chair
Deb Everett
Zak Ford
Scot Jefferies
Scott Makohn
Alistair Smith

MEMBER ABSENT:

Also present were Colten Hutson, Zoning Administrator, Leeanna Harris, Zoning Administrator and Temporary Recording Secretary, James Porter, Township Attorney, Curt Aardema of AVB, and three guests.

Call to Order and Pledge of Allegiance

Chair Doorlag called the meeting to order at approximately 6:00 p.m., invited those in attendance to join in reciting the Pledge of Allegiance.

Approval of Agenda

Chair Doorlag asked if there were any changes to the agenda. Hearing none, he let the agenda stand as published.

Public Comment on Non-Agenda Items

Hearing no comments, the Chair Doorlag moved to the next agenda item.

Approval of the Minutes of the Meeting of December 14, 2023

Chair Doorlag asked if there were additions, deletions, or corrections to the Minutes of the Meeting of December 14, 2023.

Hearing none, he asked for a motion.

Mr. Ford **made a motion** to approve the Minutes of the Meeting of December 14, 2023 as presented. Mr. Jeffries **seconded the motion**. The **motion was approved** unanimously.

Chair Doorlag moved to the next item on the agenda.

ELECTION OF 2024 OFFICERS: CHAIR, VICE CHAIR, AND ZONING BOARD OF APPEALS LIAISON

Chair Doorlag indicated 2024 appointments were needed for Chairperson, Vice Chair, and Liaison to the Zoning Board authority. He opened nominations for the position of Chair, Vice Chair, and Zoning Board of Appeals Liaison.

Mr. Ford nominated and **made a motion** to elect Mr. Doorlag for the position of Chair. Mr. Jeffries **seconded the motion**. The **motion was approved** unanimously.

Mr. Ford nominated and **made a motion** to elect Ms. Everett to the position of Vice Chair. Mr. Jeffries **seconded the motion**. The **motion was approved** unanimously.

Mr. Ford nominated and **made a motion** to elect Mr. Smith to the position of Liaison to the Zoning Board Authority for 2024. Mr. Jeffries **seconded the motion**. The **motion was approved** unanimously.

Chairperson Doorlag moved to Work Session at 6:05 p.m. for consideration of the next agenda item.

WORK SESSION:

a. Continued Discussion: MU District

Attorney Porter noted that the proposed MU zoning district draft document had been reviewed by himself, Anna Horner, Public Works Director, and Iris Lubbert,

previous Planning Director. He asked that the Planning Commission review the document section by section and suggest revisions or changes to the document. Attorney Porter explained that the goal was to move the MU zoning district draft document forward coincidentally with the Streets and Mobility Ordinance, which is set for the second reading at the Township Board's January 23rd meeting and set the MU zoning district draft document for Public Hearing.

Chair Doorlag guided the Commission through each section of the MU Zoning district draft document.

Mr. Ford provided a document to the Commissioners that showed different densities per acre in order to facilitate their discussion further regarding density bonus.

There was considerable discussion among Commissioners and suggestions for changes to some items with particular focus on providing additional clarity and flexibility for:

- 30.20 C 8: Residential Density and Density Bonus
- 30.20 C 11: Buffer from Adjacent Residentially Zoned Districts
- 30.20 C 12: Natural Features
- 30.20 C 13: Open Space
- 30.20 D 2: Planning Commission Concept Plan Review
- 30.20 E: Amendments to the Comprehensive Development Plan
- 30.30 B: Permitted Uses
- 30.30 D: Development Requirements
- 30.30 E: Process

Following the Commissioner's discussion, it was agreed that issue of Density Bonus should be reviewed by Planning and Legal Staff and that those changes and revisions will be incorporated into an updated MU Zoning District draft document, reflecting this meeting's discussion.

Attorney Porter noted that due to the type of changes and research needed, an updated MU Zoning District draft document, with the revisions in the text and report from the Planning and Zoning department involving density, will come back to the Planning Commission at their February 8th Planning Commission meeting.

Chairperson Doorlag asked for a motion to set Public Hearing for the MU Zoning District draft document at the February 8th Planning Commission meeting. Mr. Ford made a motion to set Public Hearing at the Planning Commission's February 8th meeting, Ms. Everett seconded the motion. The motion was approved unanimously.

PUBLIC COMMENT

There were no public comments.

OTHER UPDATES AND BUSINESS

Mr. Ford indicated that there was new technology in the Township's Meeting Room. Mr. Ford also noted that the Oshtemo Township Streets and Mobility Ordinance was well received at the Township Board and that it was set for the consent agenda at the Township Board's January 23rd meeting.

Mr. Hutson provided an update regarding the Planning Director position and indicated that the job description is currently being amended and going to the Township Board for approval at their January 23rd meeting.

ADJOURNMENT

With there being no further business to consider, Chairperson Doorlag adjourned the meeting at approximately 8:03 p.m.

Minutes prepared:
January 18, 2024

Minutes approved:

January 18, 2024

Mtg Date: January 25, 2024

To: Planning Commission

From: Leeanna Harris, Zoning Administrator

Applicant: Bradley and Lynne Jager

Owner: Bradley and Lynne Jager

Property: 9577 W M Avenue, Parcel Number 05-32-130-030

Zoning: RR: Rural Residential

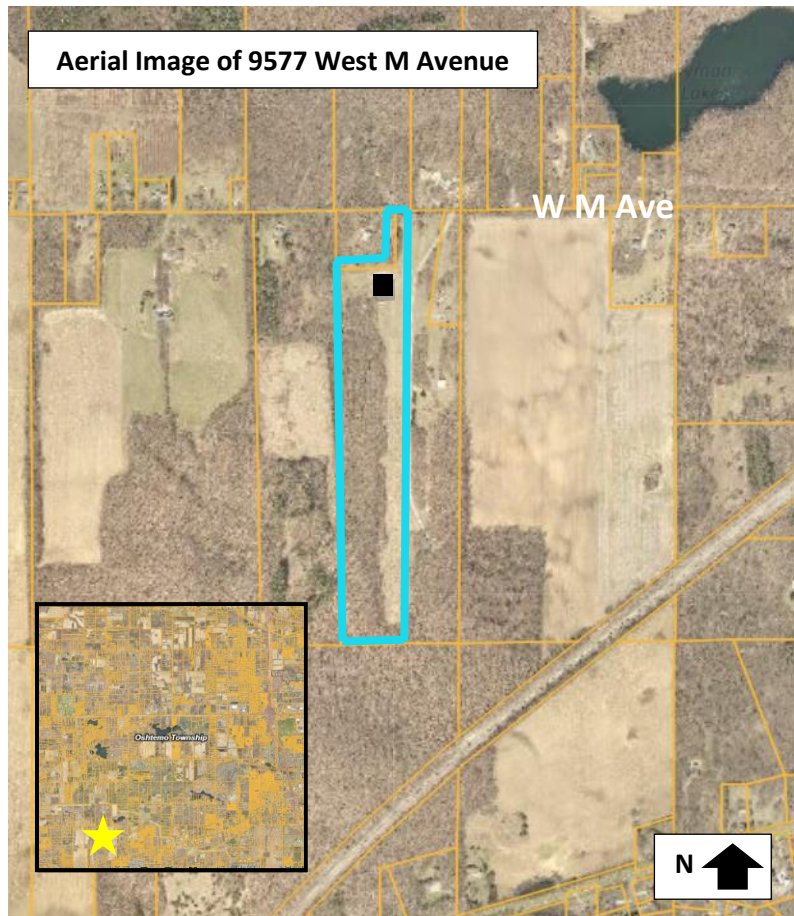
Request: Deviation request to allow nonconforming parcel to be buildable.

Section(s): Article 5 — Rural Residential District
Article 50 – Schedule of Regulations

Overview

The applicants, Bradley and Lynne Jager, are requesting a deviation to allow their nonconforming parcel to become buildable. The subject property, 9577 West M Avenue, is outlined in blue on the aerial map to the right. The property currently consists of 23.1 acres and 100' of frontage. It is currently zoned RR: Rural Residential and is located in the southwest quadrant of the Township. The property used to exist as an airfield, so there is a legally nonconforming 1,680 square foot building located on the front of the property.

The subject property is currently deemed unbuildable due to the requirements outlined in Section 50.10.A., Schedule of AG and RR Dimensional Requirements, that states that RR: Rural Residential zoned properties must have, at a minimum, 200' of frontage, subject to the exceptions of 50.10.C.



Article 50.10.C – Considerations

According to Ordinance Section 50.10.C, any parcel deemed unbuildable by the Schedule of Regulations and not subject to Section 50.10.E, the Planning Commission is given the right to grant a deviation to allow for the parcel to become buildable if it meets all of the following criteria and where, in the opinion of said Planning Commission, the spirit of the foregoing provisions are still observed, public safety, health, and welfare secured, and substantial justice thereby accomplished. A staff analysis of these requirements is provided below.

1. **The first standard is that the existing subject parcel under consideration was established prior to March 31, 1997.**

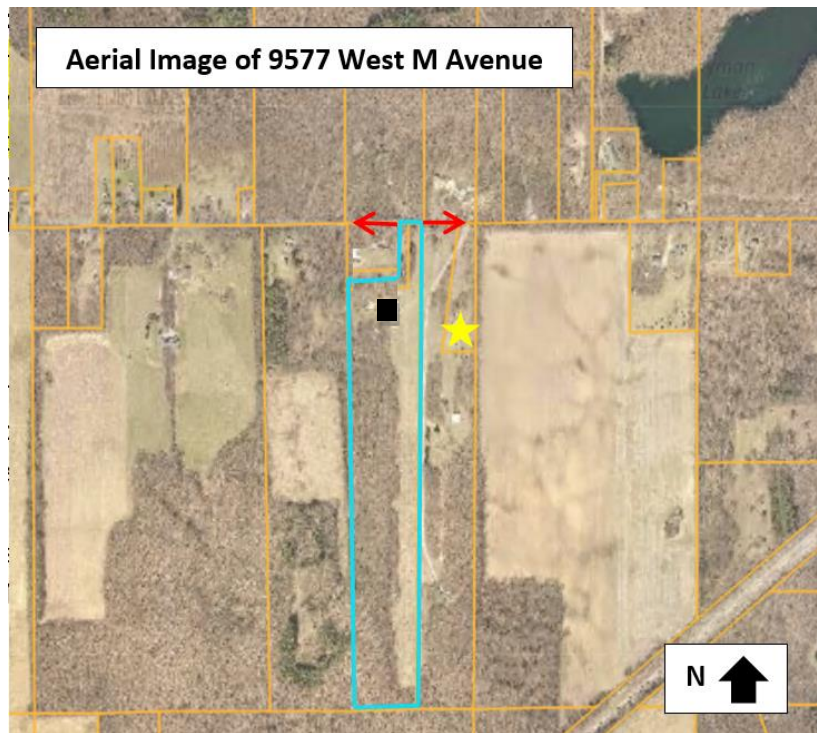
Staff reviewed documents relating to the parcel and found that (most recently) the property executed a land redescription in 1994. Since the property and its configuration under consideration were established prior to March 31, 1997, this consideration is met.

2. **The second standard is that the existing subject Parcel must satisfy the minimum area requirements of a platted Lot within the R-1, R-2, R-3, R- 4, and R-C districts as set forth in Section 50.10.A.**

This requirement, as outlined in Section 50.10 of the Zoning Ordinance (see below), requires *100 feet* of frontage for platted lots and building sites. Although the applicants previously had 66' of frontage, they did recently execute a boundary line adjustment in 2023 with the neighboring property to the immediate west and acquired an additional 34' of frontage, making their *total frontage 100'*. Thus, this consideration is met.

3. **The third standard is that the dimensions of neighboring lawfully nonconforming properties located within 300 feet would support said deviation.**

See map of the subject property to the right, with the subject property outlined in blue, with red arrows indicating approximately 300' to the east and west of the property. Within 300', there is another lawfully nonconforming property that would support said deviation. To the east, specifically, 9533 West M Avenue, shown with a yellow star, possesses 100' of frontage and has the same legally nonconforming status. Although located outside of the 300' buffer, it should be noted that there are several other parcels approximately 500' out that also share the



legal nonconforming status as well. With that being said, the dimensions of lawfully nonconforming properties located within 300' would support said deviation.

Recommendation

Planning Department Staff recommend the Planning Commission approve the deviation request to allow the parcel at 9577 West M Avenue to become buildable with the following conditions:

Conditions

1. Building permits shall be obtained through the Oshtemo Township Building Department.