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Planning Commission Workshop

Tuesday, February 8, 2022, at 5:00 p.m.

Meeting will be held in-person and may be viewed at:

<https://us02web.zoom.us/j/82655434674>

- 1. Call to Order**
- 2. Roll Call**
- 3. Citizens Comments**
- 4. Set Agenda**
- 5. Minutes**
 - A. January 25, 2022 Meeting
- 6. New Business**
- 7. Old Business**
 - A. Corners Business District draft ordinance – continued review
- 8. Commissioner Comments**
- 9. Citizens Comments**
- 10. Adjournment**

The main meeting room at the Texas Township Hall is barrier free and Texas Township will provide reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon seven (7) days' notice to the Texas Township Hall. Individuals with disabilities requiring auxiliary aids or services should contact the Township by writing or calling the Township Hall.



1 **PLANNING COMMISSION MINUTES - January 25, 2022**

2
3 **CALL TO ORDER/ROLL CALL**

4
5 Chair Corfman called the Planning Commission meeting to order at 6:00 p.m. and Vice
6 Chair Davis called the roll. The following Commissioners were present: Chair Corfman,
7 Treasurer Roberts, Vice Chair Davis, Mr. Eavey, and Mrs. Buckham. The following
8 Commissioners were absent: Secretary Loeks and Mr. Matson. Also present was Interim
9 Planner/Zoning Administrator Julie Johnston, Planning/Zoning Assistant Jennie Miller,
10 Jack Gesmundo and Jaclyn Hutchinson representing American Village Development
11 (AVD), and residents.

12
13 **CITIZEN COMMENT ON NON-AGENDA ITEMS**

14
15 Chair Corfman asked if there were any citizens interested in speaking on non-agenda
16 items. There were none so he moved on to the next agenda item.

17
18 **SET AGENDA**

19
20 Chair Corfman reviewed the agenda and asked if there were any additions or corrections.

21
22 **Motioned by Vice Chair Davis, seconded by Mr. Eavey, to accept the agenda as**
23 **written. The motion carried unanimously.**

24
25 **MINUTES – January 11, 2022, Meeting**

26
27 Chair Corfman asked if there were any changes or corrections to the minutes.

28
29 **Motioned by Mrs. Buckham, seconded by Mr. Eavey, to approve the January 11,**
30 **2022 minutes as written with the exception of line 99, noting that Vice Chair Davis**
31 **emailed Chair Corfman with his request as he was not in attendance. The motion**
32 **carried unanimously.**

33
34 Chair Corfman moved on to the next agenda item.

35
36 **NEW BUSINESS**

37
38 **PC#22-01 The Marshes Planned Unit Development (PUD) Amendment – Public**
39 **Hearing**

40
41 Chair Corfman outlined the application and explained the purpose of the public hearing
42 to the residents in attendance. Planner Johnston provided a brief overview of the

43 applicants request for an amendment to The Marshes Planned Unit Development. This
44 is a special exception use, and any change requires Planning Commission review and
45 approval. The specific request is to reduce the front yard setback on two of the remaining
46 undeveloped parcels from the required 125 feet, which was approved as part of the PUD,
47 to the allowable 75-foot setback of the A: Agricultural District. AVD has indicated the water
48 level of the existing ponds within The Marshes has increased, which is affecting the ability
49 to build the home at 125 set-back.

50
51 Chair Corfman asked if the applicant would like to speak. Jack Gesmundo stated the
52 project started in 2015, when they hired Hurley and Stewart to assist with mapping the
53 property and background research. They found that no flood plain was noted on the
54 property and indicated the elevation of the ponds. AVD went through the process of
55 creating a Planned Unit Development, which was finalized in 2016. The 125-foot setback
56 was doable based on the water levels at that time. The record flooding in the Township,
57 which started in 2018, has impacted this property.

58
59 Mr. Gesmundo offered staff and the Planning Commission the option to come to the
60 property to see the water issue. Ms. Hutchinson passed out pictures of the two units in
61 question to the Planning Commission, as well as concept site plan of unit 2 and a plan
62 showing unit 8 and 9 for reference. Mr. Gesmundo stated AVD builds developments that
63 have varied setbacks and curvilinear roads to provide a more diverse aesthetic. With the
64 size of the parcels and the existing vegetation, he believes the change in setback would
65 work. The Master Deed would be amended, which is permitted because AVD is the
66 developer. The requested 75-foot setback is permitted by the underlying Agricultural
67 zoning, so AVD is not asking for anything that would not be allowed by zoning.

68
69 Vice Chair Davis asked if there is any screening between sites 3 and 4. Mr. Gesmundo
70 stated it is woody and scrubby, except where the water has risen, and the vegetation has
71 died. The topography on units 2 and 3 are causing the water concerns. Topography rises
72 on unit 1 making this less of an issue.

73
74 Chair Corfman asked if site 2 has more of a topographic issue than water. Mr. Gesmundo
75 stated its more about the water. He indicated that they would push the homes as far back
76 as possible, but a 125-foot setback is a concern. He again referenced the site plan
77 showing units 8 and 9 and how they have different setbacks.

78
79 Chair Corfman stated the size of units 2 and 3 are smaller than 8 and 9, so the homes
80 will be closer together.

81
82 Mrs. Buckham asked about a soil survey. She did not believe it was included in the
83 submitted documents. Mr. Gesmundo indicated the soil survey had to be completed for
84 the original Planned Unit Development application. He stated the soils are sandy which
85 is great for development. Mrs. Buckham stated they are also easily erodible.

86
87 Treasurer Roberts referenced EGLE's website and the Township's ArcGIS data, stating
88 there is a designated wetland on the property. She continued saying that this wetland was

89 onsite back in 2016 when the project was originally presented, so it is not a surprise that
90 there are water problems.

91
92 Mr. Gesmundo indicated that the water line has moved since the flooding. At the time of
93 the original approval, they could build at the 125-foot setback.

94
95 Treasurer Roberts stated that AVD entered into the project knowing there were three
96 ponds onsite. She also believes the setback of 125-feet was not what was originally
97 approved with the special exception use. The minutes of the meeting state there should
98 be 50 feet of open space adjacent to the road, plus the 75-foot setback for the AG District,
99 plus an additional 25 feet, which was a specific condition of approval. This calculates to
100 a 150-foot setback, not 125 feet.

101
102 Mr. Gesmundo stated the 50 feet of open space is provided, but the setback was not
103 taken from open space but from the property line at the roadway. It was approved at this
104 distance and was included in the master deed documents of the project.

105
106 Treasurer Roberts did not agree, stating she believed the setback should have been from
107 the 50-foot open space. Vice Chair Davis read from the minutes, noting the additional 25-
108 foot setback, but it was not real clear where this additional setback was from.

109
110 Treasurer Roberts reminded the Planning Commission of Bradford Oaks, which had the
111 same requirement of a 50-foot open space then the required setback.

112
113 Mr. Gesmundo stated that is not how The Marshes got approved, and the Step 3 approval
114 was for a 125-foot setback.

115
116 At the conclusion of the Planning Commission's questions to the applicant, Chair Corfman
117 asked for a motion to open the public hearing.

118
119 **Motioned by Mrs. Buckham, seconded by Vice Chair Davis, to open the public**
120 **hearing. The motion passed unanimously.**

121
122 Mr. Joe Kuiper stated he is an adjacent property owner and has owned his property for
123 30 years. The water table has gone up and down for all the years he has owned the
124 property. The previous owner of the property attended the public hearings in 2017 and
125 suggested that because there were ponds on the property, a reduction in the required
126 200 feet of frontage should not be granted. If each parcel had 200-feet of frontage, there
127 would be no problem building around the ponds. The Planning Commission said the issue
128 was studied and the reduced frontage would not cause any concerns. The water table
129 always goes up and down, and now we have an issue. It feels like the developer continues
130 to go back for another bite of the apple, always getting exemptions approved. Also, what
131 are the other options for development except reducing the setback? Could the pond be
132 filled?

133

134 Mr. Matthew McMillan of 7222 West R Avenue opposes changing the setback. He is
135 concerned about the aesthetics of having homes that much closer to the road, and the
136 natural setting of West R Avenue. Bringing the homes closer to the road creates a more
137 “neighborhood” feel for the area, which could impact property values. He is also
138 concerned that having a shorter driveway on a road that has no shoulder could cause
139 safety concerns with parking on the road. He is concerned about an accident happening
140 due to lack of parking and shortened driveway.

141
142 Mr. Andrew Kuiper of 9252 South 8th Street stated he was opposed to the original special
143 exception use, and it feels like this has been one exemption after another all for AVD. He
144 stated that AVD builds beautiful homes, but they should only have been allowed nine
145 homes at this site. He strongly believes that if it were him making the request and not
146 AVD, the PUD would not have been approved. The PUD had no benefit to the Township.
147 He went on to say that it is okay to say “no” to AVD. They are allowed too often to do
148 whatever they like and should have to stick with the original requirements.

149
150 Chair Corfman asked if there were any citizens on Zoom interested in speaking. Planner
151 Johnston stated there were no online participants

152
153 **Motioned by Vice Chair Davis, seconded by Treasurer Roberts, to close the public**
154 **hearing. The motion passed unanimously.**

155
156 Treasurer Roberts felt alternatives are available to the developer that do not require a
157 change to the setbacks. A home could be built without a finished walk-out. It is important
158 to remember that this is a unique PUD. Typically, a PUD brings in public infrastructure,
159 public trails, and internal roads. This development realized significant savings not having
160 to develop infrastructure or roads and instead was allowed to do shared driveways on
161 existing County roads. Also, the decrease in lot frontage allowed for more parcels. The
162 required concept plan that showed how the property could be developed was unrealistic
163 as it had the road going across the wetlands, which would have required a bridge to be
164 built. She continued stating properties around the lakes have had flooding issues but have
165 not received relief from setback requirements. The water issues were existing when the
166 development was planned and therefore, she is not in favor of the amendment.

167
168 Mr. Eavey stated he is struggling with the 75-foot setback but wondered if the Commission
169 could get to 100 feet. He questioned how that would affect the project. Mr. Gesmundo
170 stated it would help.

171
172 Chair Corfman remembered the original hearings on the development, stating there were
173 many concerned citizens. The PUD was a way to do the development while dealing with
174 topography and water issues by preserving open space.

175
176 Vice Chair Davis wondered about the wetlands over time on the property. Mrs. Buckham
177 stated there has always been water problems on the site, which is why it is no longer
178 farmed.

179

180 Vice Chair Davis asked if the Planning Commission denied the request if the applicant
181 had the option to go to the Township Board. Planner Johnston thought they may have the
182 right to appeal, which would be the Township Board.

183
184 Chair Corfman asked about the water elevation level at the original approval. Mr.
185 Gesmundo stated it was at 890 feet and is now at 893 feet.

186
187 Chair Corfman felt there were good reasoning for both sides of the argument and asked
188 if anyone on the Commission was ready to make a motion.

189
190 **Motioned by Mr. Eavey, seconded by Vice Chair Davis, to allow a 100-foot setback**
191 **on unit 3 and maintain the existing 125-foot setback on unit 2. The motioned passed**
192 **3-2.**

193
194 Chair Corfman thanked the residents in attendance and then moved on to Old Business.

195
196 **OLD BUSINESS**

197
198 **Corners Business District (CBD)**

199
200 Planner Johnston stated the continued review should begin at the subsection on Signs.
201 The Planning Commission reviewed the draft amendments and made the following
202 changes:

- 203
- 204 • If a canopy sign is used, it shall be in place of the permitted wall sign.
 - 205
 - 206 • Language that specifically identifies what would be considered a logo on a sign shall
207 be included.
 - 208
 - 209 • Residential attached to commercial must be on the second floor when located
210 adjacent to primary roads. On secondary roads and internal drives, residential may be
211 on the first floor.
 - 212
 - 213 • Townhome style dwelling shall be better defined.
 - 214
 - 215 • Garage spaces shall be included in parking to meet parking requirements.
 - 216

217 The Planning Commission agreed to start at the Design Review Committee section of
218 the draft ordinance at the next review meeting.

219
220 Chair Corfman moved on to Commissioner Comments.

221
222 **COMMISSIONER COMMENTS**

223
224 Mr. Eavey asked if the Township plows the trail on AuSable. Treasurer Roberts stated
225 the Township plows to the park and the park trail only.

226
227 Treasurer Roberts provided an update on Bogies & Stogies, stating it is illegal to allow
228 liquor from outside the business. Under the DDA public act, there are additional liquor
229 licenses available, which they may decide to request through application. She went on to
230 say the Township Board approved a bulk pick-up pilot program for the spring, which will
231 allow residents to set trash curbside.

232
233 Chair Corfman stated there is no ZBA meeting this month. Planner Johnston informed the
234 Commission that the Weitekamp setback variance that was denied by the ZBA is going
235 to circuit court. Mr. Eavey asked if the court were to overturn the ZBA's decision would it
236 come back to the ZBA for another review. Planner Johnston indicated the court's decision
237 would be final. He expressed a concern that the court's decision would not track with the
238 case because its outside the ZBA process. It was recommended that the court decision
239 be brought to the ZBA for discussion so it can become part of permanent record of the
240 minutes.

241
242 Chair Corfman informed the Commission about the interviews that occurred for the vacant
243 Planner position. He stated that if the committee was not satisfied with the interviewees,
244 a recruiter may be employed.

245
246 Planner Johnston advised that she has not received a revised application for the Wedel's
247 rezoning. She stated her concern about the requested rezoning after a conversation with
248 the developer because they indicated they wanted 80 units on the site and the requested
249 rezoning would only allow 40 units. Wedel's stated they planned to have their revised
250 application submitted for the March meeting.

251
252 Hearing no further Commissioner comments, Chair Corfman moved on to citizen
253 comments.

254
255 **CITIZEN COMMENTS**

256
257 Chair Corfman asked if there were any citizens interested in speaking. There were none
258 so he asked for a motion to adjourn.

259
260 **ADJOURN**

261
262 **Motioned by Davis, seconded by Mrs. Buckham, to adjourn the meeting. The**
263 **motion carried unanimously.**

264
265 The meeting adjourned at 8:05 p.m.

266
267 Submitted: Approved:



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STAFF MEMO

Meeting Date: February 8, 2022

Date: January 30, 2022

To: Planning Commission

From: Julie Johnston, AICP
Interim Planner/Zoning Administrator

Regarding: Corners Business District – Draft Amendments – Review Continued

The Planning Commission review of the draft Ordinance will pick up at Subsection F: Design Review Committee, which is on page 10 of the document. The changes requested at the past two Planning Commission meetings have been incorporated into the amended ordinance. As a reminder, the public hearing is currently planned for March 8th, allowing two more meetings for review prior to the public hearing.

Thank You.

Attachments: Draft Corners Business District amendments

Corners Business District - Draft Amendments 1-30-2022

A. INTENT

The CBD Corners Business District is a zoning classification specifically designed to support the development of the Texas Corners area as a viable and distinct business district. It uses the Texas Corners subarea plan as the foundation for the district and incorporates design ~~standards criteria based upon "corridor enhancement guidelines" developed by the Township's consultant to support this future vision.~~ ~~This criterion~~ **These standards** further differentiates the CBD from other commercial development areas within the Township. The intent is to support a unique mix of office, retail and service uses directed at supporting the personal needs of area residents, while achieving regional interest based upon shopping, entertainment, and restaurant experiences. Toward this end, uses will be in close proximity to one another, or attached, enhancing pedestrian movement and appearance. Buildings are intended to be at a human scale with the size and location of parking facilities blended with landscape improvements and open space.

B. PERMITTED USES

The following permitted uses are to be conducted within an enclosed building with no outdoor storage.

- i. Administrative and professional offices
- ii. Medical **and physical rehabilitation** offices, including clinics
- iii. Banks, credit unions, savings and loan associations, and similar uses
- iv. ~~Art shops, Photographic studios and interior decorating studios~~
- v. Publicly owned buildings, exchanges, and public utility offices, **and public facilities including park and recreation areas**
- vi. Personal service establishments
- vii. Childcare centers or day care centers
- viii. Restaurants, excluding any use of a drive-in or drive-through nature
- ix. Retail sales
- x. **Mixed-use commercial** ~~Shopping centers or plazas~~ supporting two or more permitted uses, with any special exception uses subject to that approval process
- xi. ~~Movie theater,~~ **Video**, audio, or electronics stores, including minor repair or similar uses
- xii. ~~Municipal offices or public facilities including park and recreation areas, or those devoted to communications and emergency services~~
- xiii. Accessory uses or buildings
- ~~xiv. Signs~~
- xv. Indoor recreational facilities, health clubs, fitness centers**
- xvi. Craft shops and art and design studios**
- xvii. Studios for musical, dance, or artistic instruction**
- xviii. Movie theaters, stage theaters, and other places for performing arts**

xix. Interior design studios

xx. Private service clubs, fraternal organizations, and lodges

C. SPECIAL EXCEPTION USE

The following are special exception uses in the CBD Corners Business District. Such uses shall not be subject to the specific conditions listed for special exception uses under Article 36-4: Use Standards, but the **unless exempted by the Planning Commission** may utilize such standards in after consideration of **conflicts with the design standards required herein; adverse impacts to adjacent properties or the district; compatibility with the natural environment and capacities of public services and facilities; and, consistency with the general plan for physical development within the Corners** ~~whether conditions should be imposed related to approval of the request.~~

- i. Package liquor, beer, and wines sales, unless secondary and incidental to the primary grocery business
- ii. Places of worship, private schools or similar businesses related to religion or education
- iii. Veterinary clinics or similar facilities for animal care, including pet shops
- iv. Car washes, fuel stations with eight (8) or fewer pumps, and **minor vehicle service and repair garages, including associated mini-mart retail**
- v. Contractor's establishment, including roofing, plumbing, heating or electrical or suppliers to such business ~~including lumberyards, provided no outdoor storage is permitted~~
- vi. **Attached residential units, per the requirements herein** ~~which shall be attached units, either to a permitted use within this district or to other residential units~~
 - a. ~~Such units, when attached to a commercial use, shall be located on the second floor.~~
 - b. ~~Where abutting existing single family detached dwellings, such units shall be in the form of attached, townhouse style condominiums. In other locations, the density and compatibility of style shall be consistent with adjoining land use.~~
 - c. ~~Each residential unit shall provide for onsite private parking for at least two spaces per unit, with such parking permitted on private access drives as part of the approved development plan.~~
 - d. ~~Design considerations shall include consistency with the standards for review of a PUD under Section 36-4.52.5, including the use of perimeter open space where abutting residential zoning districts.~~
- vii. Bed and breakfast ~~§ 36-4.53~~ or similar lodging establishment that does not exceed six sleeping rooms and in which no meals, other than a breakfast, are served
- viii. Retail laundry and dry-cleaning establishments, not including processing facilities
- ix. Limited and full residential care facilities
- x. Permitted uses that include the outdoor display of goods
- xi. **Permitted uses that** provide outdoor seating for serving patrons alcoholic beverages ~~§ 36-4.54~~
- xii. **Permitted uses that include** drive-through facilities

xiii. Single ~~business~~ **nonresidential building** with a maximum ~~floor area (per floor)~~ **footprint** of greater than ~~15,000~~ **10,000** square feet and maximum ~~building or storefront~~ width greater than ~~120~~ **60** feet.

xiv. Mixed use development

xv. Banquet halls/event centers

xvi. ~~Vehicle service~~

xvii. **Brewpub where the brewing operation is no more than 30 percent of the building square footage**

xviii. **Craft food and beverage production facility, with no more than 5,000 square feet of gross floor area for production**

xix. Funeral homes

xx. CBD mixed use site condominium developments

D. Lot, Yard, and Area DIMENSIONAL REQUIREMENTS

i. **Lot size.** The lot ~~or site~~ shall be of sufficient size to meet required parking standards for such use under Section 36-5.7: **Parking Requirements**.

ii. **Lot frontage.** Lots shall be required to have enough frontage on a public or private road or an access connector to ensure vehicular access. Frontage may be waived by the Planning Commission if a permanent easement is provided to gain access to a public or private road.

iii. **Open space.** The lot ~~or site~~ shall provide for **20 percent** open space ~~consistent with the open space requirements under Section 6.1 (Site Plan Review)~~. See subsection E.: **Design Standards** herein for **additional open space requirements**.

iv. **Height.** The maximum building height shall be 35 feet, with exceptions for towers, cupolas, or steeples up to a maximum 50 feet in height. **Within 100 feet of property zoned or used single-family, height shall be restricted to 24 feet.**

v. **Building size.** The maximum **footprint** ~~floor area~~ for a single ~~business~~ **nonresidential building** shall be ~~15,000~~ **10,000** square feet ~~(per floor)~~ and the storefront of an individual building or unit within a multi-unit building shall have a maximum width of ~~120~~ **60** feet. ~~unless an application is made for a special exception use to allow for floor area and storefront width greater than such requirements for the specified and approved use. The Planning Commission may consider a special exception use application for a larger footprint or wider storefront if the design of the building is compatible with adjacent properties and the district and all other design standards can be met.~~

vi. **Setbacks and build-to lines.**

a. On county primary roads the **build-to line** ~~minimum front yard setback for both building and parking areas shall be a minimum of five (5) feet from the preserved right of way if street trees and a minimum 5 foot wide sidewalk are included in the preserved right of way.~~

~~Otherwise, the setback shall be a minimum of twenty-five (25)~~ 10 feet from the actual right-of-way. The maximum building setback from the actual or preserved right-of-way line (county primary roads) shall be 50 feet. This "build-to" line is intended to provide a more consistent setback of buildings and to ~~reduce~~ eliminate parking areas within the front yard. The Planning Commission may waive this requirement where, in its sole reasonable discretion, it determines ~~such a maximum setback~~ the build-to line does not achieve this desire for consistency.

- b. On secondary and private roads, the front yard setback for both building and parking areas shall be a minimum of five (5) feet from the actual right-of-way.

E. DESIGN Criteria and Review **STANDARDS**

The standards required in this subsection do not invalidate the regulations of Article 5.0: Site Standards but may replace or enhance some ordinance requirements. If a conflict exists between this subsection and Article 5.0, the Corners Business District requirements will prevail.

~~Prior to the formal submission of a site plan to the Planning Commission, a preliminary site plan shall be submitted to a five-member design review committee made up of two members of the downtown development authority, one member of the Township Board, one member of the Planning Commission and one member of the general public residing in, or within one mile of, the CBD boundary. Such members shall be appointed by the Township Supervisor and their role shall be to assist the Planning Commission in conducting site plan review and shall be advisory in nature. The criteria to be considered, in addition to the requirements for site plan review, are as follows:~~

- ~~i. Layout and design. The layout and design shall conform to the corridor enhancement guidelines manual, including curb and gutter, sidewalks and lighting standards. In addition, such layout shall be meet access management requirements and be oriented to enhance pedestrian movement and minimize conflict with vehicular circulation and parking areas. Sidewalks and/or bike paths may be required where planned for or for connection to adjoining businesses.~~
- ~~ii. Visual appearance. For retail and personal service business, the visual appearance of the building shall include glass for eye-level display and may include porches, awnings or canopies to provide cover for pedestrians.~~
- ~~i. Landscaping. Landscaping shall be provided between the roadway and the building and/or between the roadway and any parking or service drive. Shade trees shall be planted at intervals not greater than one tree for every 50 to 75 feet along any public street within the CBD or use shrubbery or planting areas where visibility is of concern for pedestrians and motorists. The use of berms or screen fencing (not to exceed 30 inches in height) shall be considered when large expanses of parking or service drives front onto or parallel the public street. Landscape islands within the parking lots are required for any lot or site in excess of 50 spaces at 200 square feet for every ten spaces. A landscape plan shall be submitted with the preliminary plan for review by the design committee.~~
- ~~ii. Exterior lighting. Exterior lighting shall adhere to the standards under Section 36-5.6 and be coordinated with adjoining businesses and to enhance pedestrian movement and safety. Any~~

~~freestanding poles shall be situated within a landscape island or be designed in a manner that blends with the appearance of the development.~~

~~iii. Parking. Parking areas shall be located in a manner that minimizes the conflict with continuous pedestrian movement throughout the CBD. In addition to the access management guidelines and landscaping requirements above, emphasis is placed on reducing the size of individual parking lots unless devoted to shared parking accessible to a number of businesses. Toward this intent, multiuse sites shall not be required to meet parking standards for all uses when it can be shown that days and hours of operation may not overlap between the proposed and existing uses on the site. Where available public parking is within 500 feet of the subject site and connected by sidewalk or bike path facilities, a site plan may be approved with a deficiency in required parking. It is recommended that parking be located within rear or side yards to reduce conflict with pedestrian movement to the establishment.~~

i. Access.

a. Driveway access shall be from secondary or private roads, if available.

~~b. Driveways shall include concrete curbs at the intersection with a public or private road and shall be a minimum of 26- 24 feet in width with a radius of 26 feet. Once past this distance, the driveway width may reduce to 24 feet.~~

c. Sites shall be designed to provide cross-access to neighboring lots. The Planning Commission may waive this requirement if physical impediments prohibit connections.

d. Sidewalks shall be required from the parking lot to the building entrance and to any existing sidewalks within the right-of-way or preserved right-of-way.

e. Sidewalks for nonresidential developments shall be five (5) feet in width. Residential developments shall be four (4) feet in width.

f. Internal sidewalks outside of the right-of-way or preserved right-of-way may be required to connect adjacent properties if such connections improve the walkability of the district. Internal sidewalks may be four (4) feet in width on nonresidential properties if not adjacent to parking lot spaces.

g. If the Township's Parks and Trails Plan indicates bike paths or other nonmotorized trails, they shall be developed between eight (8) and 10 feet wide depending on the intended use.

ii. Open space.

a. Each development project shall provide 20 percent open space.

b. For nonresidential site condominiums, 50 percent of the required open space shall be designed as a separate common element for the entirety of the project, with the remaining 50 percent included in each individual building site.

- c. Storm water detention ponds that are not intended to retain water may be counted as 50 percent of the required open space if designed in a natural or free-form shape and is part of the overall landscape concept for the development.
- iii. Landscape and streetscape elements.
 - a. Streetscape. Deciduous street trees shall be required along any public or private road at a rate of one tree per every 50 linear feet. Trees shall be planted at this same interval to create a consistent look down the roadway. For public roads, trees must be planted outside of the actual road right-of-way, but within the preserved right-of-way. Preferred trees are **Flowering Pear and Norway Maple or other** deciduous trees tolerant of the built environment. For areas where visibility is a concern, the Planning Commission may allow low growing plants and shrubs to replace the required tree. **Existing deciduous trees along the road right-of-way may be utilized to meet street tree requirements if approved by the Planning Commission.**
 - b. One small deciduous tree and one shrub or ornamental grass shall be required for every 1,500 square feet of the required 20 percent open space and shall be planted internal to the site.
 - c. If retention or detention ponds are planned, the required open space landscaping shall be used around the storm water feature. Additional decorative landscaping, such as grasses, shrubs, and flowering plants is encouraged to enhance visual appearance of the pond.
 - d. A parking lot landscape feature must be provided at least every 180 linear feet of parking spaces to reduce the impacts of extensive concrete or asphalt. Parking lot landscape features shall be protected by the installation of a raised concrete or **other materials with the same durability and longevity of concrete if approved by the Planning Commission asphalt curb or other suitable means.** A minimum distance of three (3) feet shall be established between any planted tree and the backside of the protection device.
 - e. Flowering plants are encouraged adjacent to building foundations, sidewalks, bike paths, and street furniture to enhance the natural aesthetics of the lot. The use of planter boxes or pots for flowers are also encouraged, where appropriate.
 - f. Evergreen trees are prohibited, except as a natural screen between the Corners Business District and adjacent residential uses as required by Section 36-5.3: Screening, Fencing, and Landscaping.
 - g. Portions of the lot not dedicated to impervious surfaces must be landscaped with an appropriate live plant material.
 - h. Trees and/or shrubs that produce berries or fruit, or that have thorns, or create maintenance or safety concerns are prohibited.
 - i. Street furniture such as benches, bike racks, and waste receptacles may be required by the Planning Commission depending on the use, size of the lot, and location of the development.
 - iv. Storm water management.

- a. The use of underground systems ~~is the preferred method~~ may be utilized for storm water management.
 - b. Shared storm water systems with recorded maintenance agreements are strongly encouraged.**
 - c. If the use of retention or detention ponds are planned, they shall have a natural or free-form shape, rather than square or rectangular design and appearance, and shall be integrated into the overall landscape plan, utilizing natural stone/rock where appropriate.
 - d. If site constraints require a more engineered shape, the design and appearance must be approved by the Planning Commission.
 - e. Retention ponds, which are designed to have permanent water or do not drain with 72 hours, must include some form of aeration, such as fountains.
- v. Parking.
- a. Parking areas shall be prohibited in the front yard of properties located on County primary roads. The Planning Commission may allow one row of parking within the front yard if site constraints limit the ability to place parking in the side or rear yards.
 - b. Parking areas are preferred in the rear and side yards of properties on all other rights-of-ways, including private roads and driveways.
 - c. Parking areas shall be designed to provide safe pedestrian movement to a sidewalk and shall be located in a manner that minimizes any conflict with continuous pedestrian movement throughout the district.
 - d. Reduction in parking spaces may be permitted per the regulations of Section 36-5.7: Parking Requirements and Section 36-5.9: Access Management.
- vi. Lighting.
- a. Site lighting shall be designed to enhance the pedestrian experience, ensuring well-lit sidewalks and pedestrian ways.
 - b. A common lighting theme shall be utilized. Freestanding light poles shall be coordinated with adjacent businesses to provide consistency throughout the district if said lighting is of a modern and streamlined appearance.
 - c. Light poles and wall fixtures that front a road shall be made of metal or a material that looks like metal (iron, steel) and have a dark gray or black appearance.
 - d. Height of freestanding light poles shall be consistent with the scale of the building and the size of the parking area **but no taller than 15 20 feet**. Light poles shall be placed within landscape islands or be designed in a manner that blends with the appearance of the site.

- e. Wall mounted lighting for pedestrian ways shall not be placed higher than 14 feet above adjacent grade.
 - f. All lighting shall be LED and designed to be full cut-off and downward directed to protect night skies and reduce light pollution. Architectural features such as a canopy or portico which would stop illumination from projecting beyond the extent of the building meets this intent.
 - g. Backlighting of a canopy or awning is prohibited.
- vii. Building design.
- a. To develop harmonious character within the district, building design shall consider the architectural style of adjacent structures. Individual expression is encouraged but within the scope of compatibility within the district.
 - b. Building facades must have a mix of materials. ~~facing a public or private road shall be composed of~~ **At least 50 30 percent of the facades must be brick or stone, or other decorative an alternative masonry material recommended by the Design Review Committee and approved by the Planning Commission.** ~~The remainder of the front façade and all other facades must be consistent in appearance.~~ Synthetic exterior building materials (except EIFS) are prohibited unless recommended by the Design Review Committee and approved by the Planning Commission.
 - c. Facades facing public or private roads shall have transparent areas that equal **at least 50 percent one-half the linear footage** of the façade.
 - d. Building façades shall be ~~at least 80 percent~~ earth tone colors. **Up to 20 percent of the façade may utilize other colors** ~~may be utilized~~ to distinguish the building or enhance the marketing of a specific use.
 - e. Long facades facing public or private ~~rights-of-way roads~~ with no architectural relief are prohibited. Articulation of facades through window bays, alcoves, variations in building depth, vertical building relief such as columns or pilasters, canopies, porticos, etc. shall be required at least every 20 feet. This requirement may be modified if an alternative design approach is recommended by the Design Review Committee and approved by the Planning Commission.
 - f. Building entrances shall be designed to be a unique element of the façade, including porches, awnings, canopies, or other architectural feature to provide cover for pedestrians.
 - g. Service entrances/loading and unloading areas shall **be specifically delineated on the site plan** ~~occur in the side or rear yard~~ and shall be effectively screened from street view, which shall be reviewed by the Design Review Committee for recommendation to the Planning Commission. ~~Screening may be accomplished by the layout of the building, or a six (6) foot wall or opaque fence.~~

- h. All dumpsters or other trash receptacle enclosures shall be incorporated into the building design or shall be located in the side or rear yard and shall be completely screened from view by a six (6)-foot decorative wall or opaque fence that coordinates with the building design.

viii. Signs.

- a. Sign colors shall be consistent with the color scheme chosen for the building.
- b. Signs located on an awning or canopy shall **be in place of the permitted wall sign and shall comply with the size standards for wall signs per Section 36-5.8: Signs.**
- c. For internally illuminated signs, only the text and/or logo, **which shall consist of text and images that identifies a business, may be illuminated.**
- d. Mounting hardware for projecting signs shall be an integral part of the sign design to maintain an attractive façade appearance.

ix. Traffic Control and Street/Drive Names

- a. **Any internal drives/driveways that are designed to provide vehicular access to a building must be assigned a name that has been approved through the Kalamazoo County Street naming policies.**
- b. **Addresses will be assigned by the Township utilizing these drives/driveway names.**
- c. **Traffic control devices like stop signs, must be shown on the site plan and meet the Michigan Department of Transportation design requirements.**

x. Residential developments.

- a. Mixed residential and commercial buildings are encouraged within the district.
- b. When attached to a commercial use, residential units shall be located on the second floor or above **when located along primary roads. On secondary roads or internal drives, residential units may be on the first floor or shall be located adjacent to the rear of the commercial use.**
- c. Within 150 feet of single-family zoned property, attached units shall be of a “townhome” style **dwelling, which are vertical units that share an attached wall. with No more than six units shall be allowed per building.**
- d. Beyond the 150 feet, attached units may be stacked and the number of units may increase to 12 units per building.
- e. An open space buffer zone of 35 feet shall be required between any attached residential developments and property zoned for single-family uses.

- f. One parking space shall be required for every studio, 1.5 spaces for every one bedroom, and 2.5 spaces for every two (2)-bedroom unit. **Garage spaces shall be counted towards parking requirements.** Parking reductions for residential developments are prohibited.

F. DESIGN REVIEW COMMITTEE

- i. **Role.** To promote safe, functional, and attractive development within the district by advocating quality site and building design and ensuring compliance with the design standards outlined herein so projects are built with sensitivity to the district and adjacent properties.
- ii. **Authority.** The Design Review Committee is an advisory body to the Planning Commission **on any development that requires site or amended site plan review.** They may note needed changes to a project based on the regulations of this ordinance and may make recommendations based on the context and design of the development. Recommendations may be considered by the applicant and will be presented to the Planning Commission. For uses permitted by right, recommendations are not a requirement of project approval. For special exception uses, the Planning Commission is authorized to impose reasonable conditions in connection with any approval and may require the project incorporate the Design Review Committee recommendations.
- iii. **Membership.**
 - a. The Design Review Committee shall be a five-member body consisting of a design professional that has familiarity with the district; a member of the Planning Commission; a member of the Township Board; a member of the Downtown Development Authority; and a member of the general public.
 - b. Members shall have some professional expertise in the planning, design, or construction professions such as architecture, engineering, environmental design, urban design, planning, or building.
- iv. **Recommendations.** Any recommendations related to design not required by this ordinance must be approved through a majority vote of the Design Review Committee members in attendance at the review meeting. The recommendations approved by majority vote shall be provided to the Planning Commission at the time of site plan review for consideration.

G. APPLICATION PROCESS

- i. Applications shall be made in compliance with Section 36-6.1: Site Plan Review, and shall include the following additional information:
 - a. Elevation drawings that include the type of exterior wall materials and roof materials, and the names of the exterior wall and roof colors. Percentages of wall materials, wall colors, and transparency of the first floor shall also be provided
 - b. A separate color board with the exterior wall and roof colors.

- c. Detail of the proposed sign, including colors to be used.
 - d. Information on how the site meets the standards for a parking reduction, if requested.
- ii. After submittal of an application, the Zoning Administrator will convene the Design Review Committee within 10 days.
 - iii. The Design Review Committee will provide input to the applicant related to changes needed based on the regulations of this ordinance, as well as recommendations that may improve the site or provide more compatibility between properties.
 - iv. Within three (3) days of the meeting, the Zoning Administrator will provide, in writing, the Design Review Committee comments, noting those that must be accomplished before Planning Commission consideration and those that are recommendations for the applicant to consider.
 - v. Depending on the outcome of the Design Review Committee meeting, the applicant may be required to resubmit an updated site plan for Planning Commission consideration within seven (7) days of receiving written comments.
 - vi. The Planning Commission will only review an application after the Design Review Committee has met.
- H. EXEMPTIONS.** The following projects on existing sites do not require Design Review Committee input:
- i. Cumulative expansion of building square footage of 500 square feet or 10 percent of the structure, whichever is less, as long as all approved exterior wall materials and colors are utilized.
 - ii. Changes to improve barrier-free design or compliance with the Americans with Disabilities Act.
 - iii. Paving or restriping an existing parking lot, or an expansion to an existing parking lot of no more than eight (8) spaces.
 - iv. The construction of retaining walls, fences, screen walls, waste receptacles, sidewalks, antennas, lights, and mechanical equipment on an existing site that meets all Township ordinances.
 - v. Accessory structures 200 square feet or less if exterior wall materials and colors are consistent with the approved materials of the primary building.
 - vi. Temporary site plan amendments permitted under Section 36-6.1.1.C.
 - vii. A change in use in an existing building that does not require an increase in parking.
- I. WAIVERS.** Any requested waiver from the design standards noted herein shall require a recommendation from the Design Review Committee and approval from the Planning Commission. The Planning Commission must find that:

- i. The waiver advances specific policies and provisions of the Corners Business District Subarea Plan or Master Plan.
- ii. The waiver permits greater compatibility with adjacent properties or promotes a more functional or attractive building and/or site.
- iii. The waiver allows a natural feature that would enhance the site to be preserved.
- iv. The structure has received national, state, or local historic designation.
- v. The project is a remodel of an existing building constructed before the adoption of this ordinance making some design standards impossible to implement.

2.2 DEFINITIONS

Brewpub means a restaurant establishment licensed by the Michigan Liquor Control Commission as a brewpub that manufactures and sells beer for consumption on the premises or for take-out.

Craft food and beverage production facility means an establishment engaged in the onsite, small-scale production of food and beverages with limited to no external effects on adjacent properties, generally involving an onsite retail sales component. Typical examples include bakeries, microbreweries, wineries, or other cottage food operations.

Craft shop means any establishment that produces onsite articles for sale of artistic quality or effect or handmade workmanship. Examples include candle making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and other associated activities.

Footprint means the horizontal area of a building or structure as seen in plan view, measured at grade from the outside of all exterior walls and supporting columns.

Personal services establishment means an establishment or place of business primarily engaged in the nonmedical provision of frequent and/or recurrent services of a personal nature. Related services include barber shops, beauty salons, spas, tanning salons, massage facilities, chiropractic clinics, and other similar establishments. These uses may also include accessory retail sales of products related to the services provided.

***Club, private service* means an organization that requires membership for participation and whose intent is to provide meaningful societal assistance or support, with operations often controlled by the membership, and whose facilities and activities are only open to members and their guests.**

Earth tone means a variety of soft colors found in nature, which include a mixture or tonalities of browns and tans, with richer colors that can include muted reds, greens, and blues. Typical earth tone color palettes include:



36-4.0 Use Standards

36-4.13 PLACE OF WORSHIP

1. The use shall have frontage on an existing or officially proposed road.
2. Buildings and activities shall not be closer than 50 feet to adjacent residential ~~properties~~ zoning.

36-4.36 VETERINARY CLINIC

1. The use shall have frontage on an existing or officially proposed road.
2. The use shall have off-street parking facilities to satisfy peak parking needs.
3. Buildings and activities shall not be closer than 25 feet to adjacent residential ~~properties~~ zoning. Shall adhere to rating standards for soundproofing (STC--sound transmission coefficient).

36-4.7 VEHICLE REPAIR, MINOR AND MAJOR

1. The use shall have frontage on an existing or officially proposed road.
2. The use shall have off-street parking facilities to satisfy peak parking needs.
3. Buildings and activities shall not be closer than 200 feet to adjacent residential ~~properties~~ zoning.
4. No major repairs or dismantling shall be permitted outside of a closed structure an otherwise permitted use is prohibited.

36-4.17 GASOLINE SERVICE STATION

1. The use shall have frontage on an existing or officially proposed road.
2. The use shall have off-street parking facilities to satisfy peak parking needs.
3. Buildings and activities shall not be closer than 200 feet to adjacent residential ~~properties~~ zoning.
4. Gasoline pumps or other service appliances shall be set back at least 20 feet from the lot line.

36-4.10 RESIDENTIAL CARE FACILITIES

1. The use shall have off-street parking facilities to satisfy average parking needs.
2. Buildings and activities shall not be closer than 25 feet to adjacent residential ~~properties~~ zoning.
3. Group Day Care Homes: Where use of a property as a group day care home is under consideration, the property whereon a group day care home is proposed to be operated shall be maintained in a manner which is consistent with the visible characteristics of the neighborhood.