



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

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION MEETING**

**OSHTEMO TOWNSHIP HALL
7275 WEST MAIN STREET**

**THURSDAY, JUNE 27, 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: June 18, 2024 Special Meeting
6. **Public Hearing: Special Exception Use – Emergency Veterinary Care Centers**
Emergency Veterinary Care Centers is requesting special exception use approval to establish a veterinary emergency center in the building at 6289 West Main Street.
7. **Public Hearing: Special Exception Use – B45 Academy**
B45 Academy is requesting special exception use approval to establish an indoor recreational facility within the existing building at 6255 Technology Drive.
8. Other Updates and Business
9. Adjournment

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

**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>			
Rod Rought	216-5222	rrought@oshtemo.org	
<u>Parks Director:</u>			
Vanessa Street	216-5233	vstreet@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
<u>Planning Director:</u>			
Jodi Stefforia	375-4260	jstefforia@oshtemo.org	
<u>Public Works Director:</u>			
Anna Horner	216-5228	ahorner@oshtemo.org	

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES OF A SPECIAL MEETING HELD JUNE 18, 2024**

Agenda

Public Hearing: Special Exception Use – Jake’s Fireworks

Jake’s Fireworks is requesting special exception use approval to operate a fireworks tent at 6779 West Main Street from June 20 to July 5, 2024.

A special meeting of the Oshtemo Charter Township Planning Commission was held Tuesday, June 18, 2024, commencing at 5:05 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Philip Doorlag, Chair
Deb Everett, Vice Chair
Zak Ford, Township Board Liaison
Scott Makohn
Jeremiah Smith

MEMBERS ABSENT: Scot Jefferies
Alistair Smith

Also present were Jodi Stefforia, Planning Director; James Porter, Township Attorney; Jennifer Wood Recording Secretary; and 1 interested person.

Call to Order and Pledge of Allegiance

Chair Doorlag called the meeting to order at 5:05 p.m. Those in attendance joined in reciting the Pledge of Allegiance.

Approval of Agenda

Chair Doorlag asked if there were any changes to the agenda. There were none. Motion by Mr. Ford with support from Ms. Everett to approve the agenda; motion passed.

Public comment on non-agenda items

Chair Doorlag asked if anyone present wished to speak on non-agenda items. Since no one responded, he moved to the next agenda item.

Approval of the Minutes of the Meeting of May 23, 2024

Chair Doorlag asked for additions, deletions, or corrections to the Minutes of the Meeting May 23, 2024. There were none.

Mr. Ford **made a motion** to approve the Minutes of the Meeting of May 23, 2024, as presented. Ms. Everett **seconded the motion**. The **motion was approved** unanimously.

Public Hearing: Special Exception Use – Jake’s Fireworks

Ms. Stefforia presented the staff report dated June 13, 2024, which is incorporated herein for special use approval request by Jake’s Fireworks. Ms. Nicole Blair, on behalf of Jake’s Fireworks, is requesting special use approval to erect and operate a consumer grade fireworks tent at 6779 West Main Street from June 20 to July 5. Ms. Stefforia advised that if they are approved in subsequent years, they ideally would like to set up a week earlier.

Project summary:

The subject property is on the south side of West Main Street, west of 9th Street. A 40’x by 60’ fireworks tent operating for three weeks is proposed with the following hours of operation: 9 a.m. to 10 p.m. June 20 to July 1 and July 5; 8 a.m. to 12 a.m. July 2 to July 4.

Ms. Stefforia shared an aerial image of the property reflecting where the tent and parking are proposed. She noted that a single temporary sign of up to 32 square feet is permitted and that a temporary sign permit is required. The tent requires a building permit.

Recommendation:

Planning Department staff recommends the approval of the proposed special exception use for the Fireworks Tent at 6779 West Main Street, subject to the following conditions:

- 1) A building permit be secured for the tent before erection on the property.
- 2) A temporary sign permit be secured for the single temporary sign permitted by ordinance before placement on the property.
- 3) Dates of operation are limited to June 20 to July 5 in 2024.
- 4) Hours are limited to 9 a.m. to 10 p.m. June 20 to July 1 and July 5; and 10 a.m. to 12 a.m. July 2, 3 and 4.
- 5) Staff may administratively approve this location for Jake’s Fireworks in future years, with consent of the Fire Department, if no significant issues arise with the 2024 operation or any subsequent year’s operations.

Ms. Shelia Grunwell speaking on behalf of the applicant, thanked the Commission for allowing her to speak with them today. Ms. Grunwell inquired, if approved, about the timing of the permit approval as they would like to be up and running by this weekend.

Mr. Ford advised that it is dependent on when the building permit is issued.

Ms. Stefforia advised that tomorrow, June 19th, is a holiday, but she would notify the building official first thing Thursday morning, June 20th, if the request is approved, so they can move forward with issuing the building permit.

Mr. Ford **made a motion** to approve the special use exception request for the fireworks tent at 6779 West Main Street subject to the five conditions listed in the staff report:

- 1) A building permit be secured for the tent before erection on the property.
- 2) A temporary sign permit be secured for the single temporary sign permitted by ordinance before placement on the property.
- 3) Dates of operation are limited to June 20 to July 5 in 2024.
- 4) Hours are limited to 9 a.m. to 10 p.m. June 20 to July 1 and July 5; and 10 a.m. to 12 a.m. July 2, 3 and 4.
- 5) Staff may administratively approve this location for Jake's Fireworks in future years, with consent of the Fire Department, if no significant issues arise with the 2024 operation or any subsequent year's operations.

Ms. Everett **seconded the motion**. The **motion was approved** unanimously.

Other Updates and Business

The Chair called for other updates and business.

There being no further business, the meeting was adjourned at 5:15 p.m.

Minutes Prepared: June 19, 2024

Minutes Approved:

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June 20, 2024

Mtg Date: June 27, 2024

To: Oshtemo Township Planning Commission

From: Colten Hutson, Zoning Administrator

Applicant: Emergency Veterinary Care Centers

Owner: Botinac, LLC

Property: 6289 W Main Street, Parcel Number 05-14-405-054

Zoning: R-2: Residence District

Request: Special Use approval for a veterinary clinic

Section(s): Section 65: Special Uses

PROPOSAL:

Emergency Veterinary Care Centers is requesting special exception use approval to establish a veterinary clinic within a 4,172 square foot suite of an existing multi-tenant building located at 6289 W Main Street. The proposed veterinary clinic will serve as a 24-hour clinic to provide emergency medical care services primarily to cats and dogs. The project area under consideration is outlined in light blue on the map to the right.

OVERVIEW:

The proposed veterinary clinic use is planned to be located within Hampton’s Plaza, a multi-tenant commercial center on the south side of W Main Street between US-131 and N 9th Street. The veterinary clinic is seeking to occupy three vacant suites on the east end of the multi-tenant building. The tenant space will be 4,172 square feet in size. The proposed clinic will mainly be dedicated to exam rooms, treatment areas, pharmacy, and office space. There is also an enclosed area planned for on the south side of the building which will allow for the veterinary clinic’s patients to utilize



the restroom. The applicant has indicated that they will be providing medical services to their animals 24-hours per day year-round.

ANALYSIS:

The subject property is zoned R-2: Residence District and is located in the 9th Street and West Main Overlay Zone. Allowable uses within the 9th Street and West Main Overlay Zone are outlined in Section 35 of the Zoning Ordinance. Veterinary clinics are identified as a special exception use within said Overlay Zone. When reviewing this request, there is one set of criteria that needs to be considered: the general special use review criteria outlined in Section 65.30. Below is an analysis of the proposal against said code section.

Section 65.30: Special Use Review Criteria

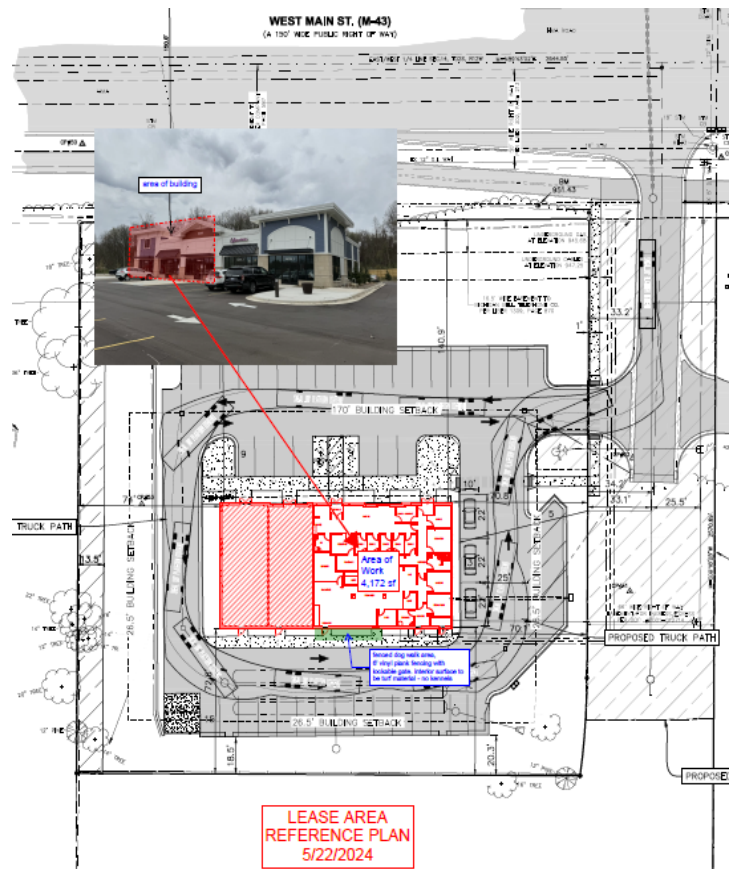
A. Master Plan/Zoning Ordinance: The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the District in which the use is located.

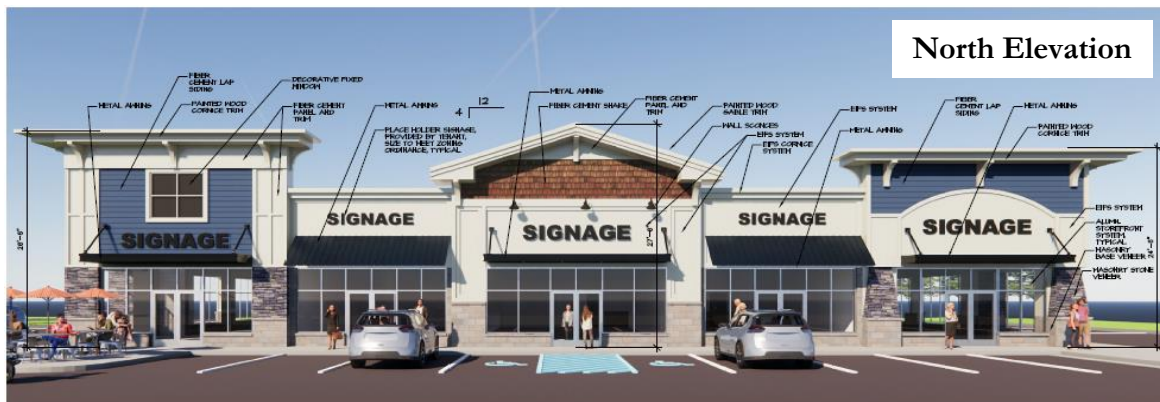
The Township’s Future Land Use Plan categorizes this area—west of N 10th Street, east of N 9th Street, south of W Main Street as *West Main Sub Area Plan*. Veterinary clinics are permitted as a special exception use within the 9th Street and West Main Overlay Zone. From a zoning perspective, the proposed use would be consistent with the surrounding commercial activity at nearby sites and is in accordance with the Township’s Zoning Ordinance.

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

An engineered site plan is not required for a change in occupancy of this nature as minimal changes are proposed to be made in relation to the site’s exterior. However, the applicant did provide a floor plan and a copy of the original site plan which provides a general layout of the building’s interior and site’s exterior.

The proposal will not impact driving aisles, fire lanes, or emergency vehicle turning areas as the overall site layout is not changing. Sufficient parking exists for the proposed veterinary clinic use as well as the other uses located on site. All setback requirements have been met. Existing entrances on the site will not change and will continue to be used in a similar fashion. A snapshot of the north elevation can be found below.





C. Impacts:

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

The proposed veterinary clinic, a special exception use within the 9th Street and West Main Overlay Zone, is seeking to lease space within the already established multi-tenant commercial center. All properties adjacent to the subject site share the same Overlay designation. Although the operations for the veterinary clinic are proposed to run 24-hours per day, a veterinary clinic use would be harmonious with the other existing commercial activity in the vicinity. Other commercial uses surrounding the site include Ethan Allen, Latitude 42, Huntington Bank, Advia Credit Union, Bronson Health, Farm Bureau Insurance, Catherine Nails, Meijer, etc. With the proposed veterinary clinic being compatible with the allowable uses within the Overlay Zone, minimal exterior site changes proposed, and being in accordance with both the Master Plan and the Zoning Ordinance, staff has no concerns that the proposed veterinary clinic will negatively affect neighboring uses.

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

Staff does not foresee a significant impact of the proposed use on neighboring properties. The subject site is located within an already established commercial area. The applicant is proposing to install a 6' tall vinyl fence along the south elevation of the respective tenant space. This area will be enclosed and will serve as an outdoor area for visiting patients to go to use the restroom in a secure area. The overall site layout is not changing. All requirements pertaining to setbacks, parking, access, fencing, etc. have been satisfied.

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

Other than the small, enclosed area on the rear side of the building, all activities associated with the proposed special use will be indoors. Noise levels are not expected to exceed what is commonly found for a commercial area as no dog pound, kennel, or pet day care facilities are being proposed. Other than a potential slight increase in traffic in the evenings since the

veterinary clinic is a 24-hour emergency care center, traffic volumes will stay relatively the same. Staff does not foresee any negative impacts occurring from this use.

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

The proposed project will occupy an existing tenant space on-site. All modifications to the site will only consist of alterations to the building. This is a site with existing impervious surfaces. This criterion is not applicable.

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

The building located at 6289 W Main Street is already adequately serviced by public water and public sanitary sewer. A 10' wide shared use path adjacent to the site on the south side of the W Main Street corridor is currently in place. Adequate public facilities exist and will promote health, safety, and welfare of the public.

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

No specific use requirements exist for veterinary clinics. Therefore, this section does not apply.

RECOMMENDATION:

Planning Department staff recommend the approval of the proposed special exception use for a veterinary clinic, with a gross square footage of 4,172 square feet, at 6289 W Main Street with the following conditions.

- 1) Building permits are obtained through the Oshtemo Township Building Department for any interior alterations proposed.
- 2) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.

Attachments: Application, Letter of Intent, Site Plan, and Floor Plan



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-375-4260 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS

PLANNING & ZONING APPLICATION

Applicant Name: Deana Scheidt

Company: Emergency Veterinary Care Centers

Address: 125 Windsor Dr. Suite 110 Oak Brook, IL (Please check the appropriate item(s))
60523

E-mail: deana@evcc.com

Telephone: 765-490-3249

Interest in Property: Special Exception Use for a
24-hour emergency veterinary center for cats and
dogs without boarding or grooming

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name: Carroll Development & Property Management

Address: 146 Gethings Circle Battle Creek, MI 49015

E-mail: corporate@carrolldev.com

Phone: 269-962-0461

Fee Amount _____

Escrow Amount _____

NATURE OF THE REQUEST:

- | | |
|--|---|
| <input type="checkbox"/> Pre-Application Review | <input type="checkbox"/> Accessory Building Review – I083 |
| <input type="checkbox"/> Site Plan Review – I088 | <input type="checkbox"/> Rezoning – I091 |
| <input type="checkbox"/> Administrative Site Plan Review – I086 | <input type="checkbox"/> Subdivision Plat Review – I089 |
| <input checked="" type="checkbox"/> Special Exception Use – I085 | <input type="checkbox"/> Interpretation – I082 |
| <input type="checkbox"/> Zoning Variance – I092 | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Condominium – I084 | |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): Emergency Veterinary Care Centers (EVCC) desires special exception use of suites 3,4, and 5 of Hamptons Plaza Oshtemo located at 6289 W Main St. Kalamazoo, MI. If granted, we will be opening a 24-hour veterinary emergency center next spring.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary): See attachment labeled 210174.01 Site Plan Construction

PARCEL NUMBER: 3905- 05-14-405-054

ADDRESS OF PROPERTY: 6289 W Main St. Kalamazoo, MI 49009, suites 3, 4, and 5

PRESENT USE OF THE PROPERTY: recent construction, suites 3, 4, and 5 are in grey shell condition

PRESENT ZONING: "R2" Residential, West Main Commercial Overlay District

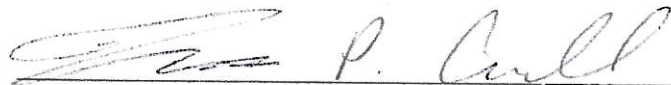
SIZE OF PROPERTY: 1.68 acres (73,099.31 SF)

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

Name(s) Address(es)

SIGNATURES

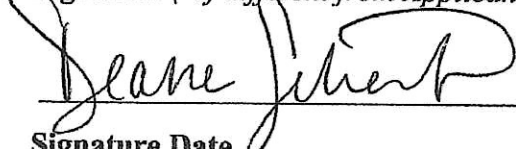
I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting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



Owner's

member/manager of Carroll Development & Property Management.

Signature (*If different from Applicant) Date



5-3-24

Applicant's

Signature Date

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



Emergency Veterinary Care Centers

125 Windsor Dr. Suite 110
Oak Brook, IL 60523

May 6, 2024

Oshtemo Charter Township
7275 W Main St.
Kalamazoo, MI 49009-9334

To Whom It May Concern:

Emergency Veterinary Care Centers ("EVCC") has recently leased three suites located at 6289 W Main St. Kalamazoo, MI in Oshtemo Township. We have been providing emergency care to cats and dogs for over 20 years. We currently have four locations, three in northern Indiana and one in Holland, MI. Our mission is to provide comprehensive 24/7/365 emergency and critical care for our patients, delivered with heart and soul by a team of dedicated individuals. We also provide continuing education opportunities in the communities we serve to help elevate the standard of care to all pets, even the ones that may not need our services.

EVCC facilities are devoted to providing exceptional care to the entire family and will dedicate the appropriate attention and time it takes to explaining veterinary recommendations, giving owners peace of mind. The EVCC Kalamazoo site will be staffed with professionals whose mission is not only to provide excellent medical services, but to create a customized care plan and positive experience for each pet. It will offer flexibility within recommendations by discussing care options recognizing the reality of financial obstacles that can influence care decisions for many families. Skilled veterinarians and support team will provide families with superior customer service and will comfort families in their time of distress with their pets.

All patients will always be accompanied by a dedicated team or family member from the time they walk through the door, to the time they leave. Dogs are walked outside on a leash, in an enclosed area attached to the building with astroturf and appropriate drainage. This allows us to protect our patients from the proximity of the highway as well as controlling patient waste and providing appropriate sanitation. We also provide pet waste stations for patients visiting our clinic with their owners in addition to biweekly and as needed clean-ups. Dogs are never left outside unattended. We are not a boarding, daycare, or grooming facility. Patients that are hospitalized are generally very ill and in need of intensive nursing care. They are generally very quiet given their medical condition. For patients that do have the tendency for occasional barking we have designed two insulated, sound deadening rooms to mitigate any disruption.

We thank you for the consideration of our use of the facility and look forward in serving the community.

Sincerely,

Deana Scheidt
EVCC Director of Business Development

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WEST MAIN ST. (M-43)
(A 150' WIDE PUBLIC RIGHT OF WAY)

'AS SURVEYED' CENTERLINE
OF W. MAIN (M-43 RELOCATED)



30' WIDE EASEMENT TO
CONSUMERS POWER COMPANY
PER LIBER 259, PAGE 565

UNDERGROUND GAS
AT ELEVATION 945.68
UNDERGROUND CABLES
AT ELEVATION 947.25
16.5' WIDE EASEMENT TO
MICHIGAN BELL TELEPHONE CO.
PER LIBER 1309, PAGE 870

PROPOSED TRUCK PATH

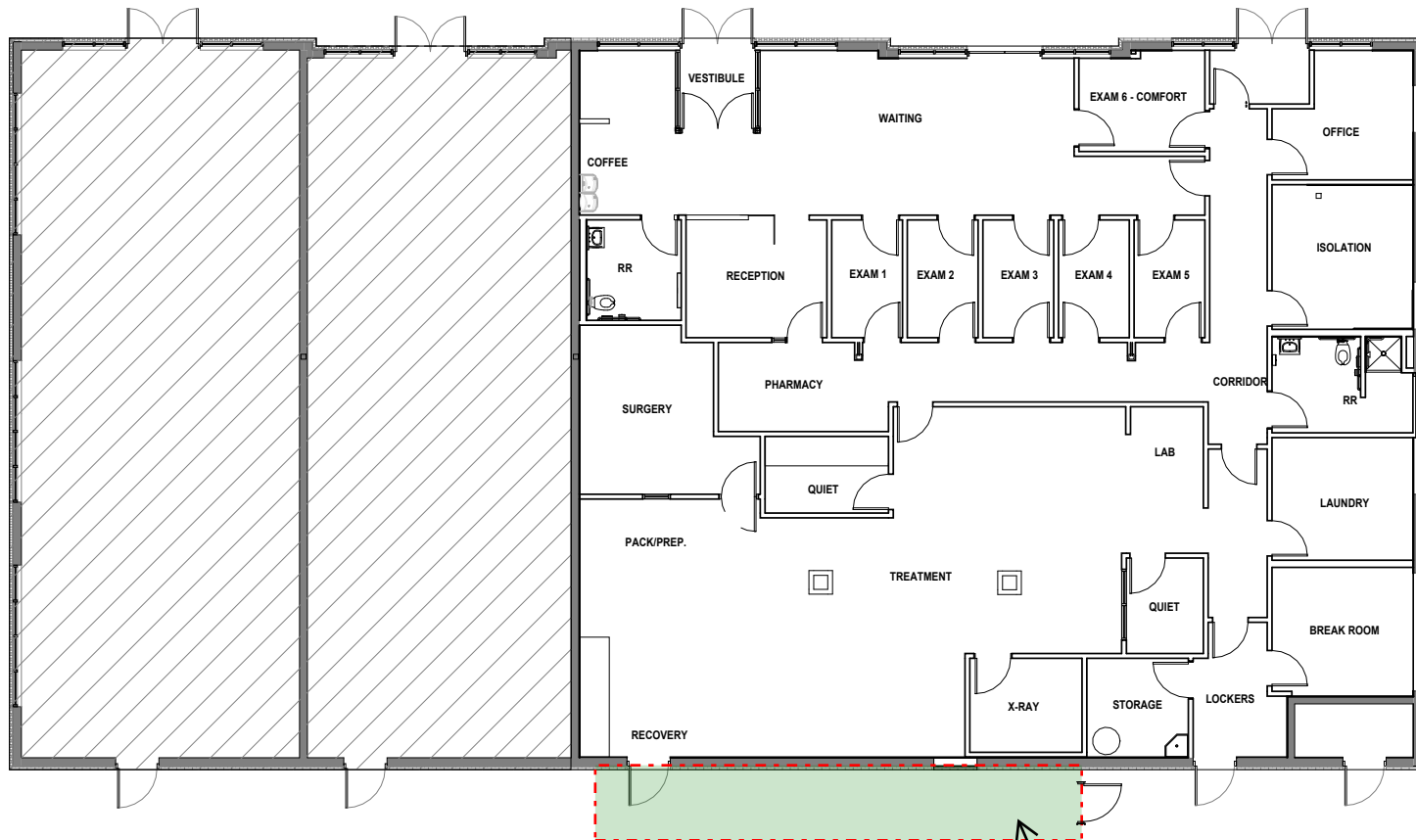
fenced dog walk area,
6' vinyl plank fencing with
lockable gate. interior surface to
be turf material - no kennels

Area of
Work
4,172 sf

**LEASE AREA
REFERENCE PLAN
5/22/2024**

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LEASE AREA 4,172 SF



fenced dog walk area,
6' vinyl plank fencing with
lockable gate. interior surface to
be turf material

1/16" = 1'-0"

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June 20, 2024

Mtg Date: June 27, 2024

To: Oshtemo Township Planning Commission

From: Colten Hutson, Zoning Administrator

Applicant: B45 Academy

Owner: TAP 1983, LLC

Property: 6255 Technology Avenue, Parcel Number 05-35-450-009

Zoning: I-R: Industrial District, Restricted

Request: Special Use approval for an indoor recreational facility

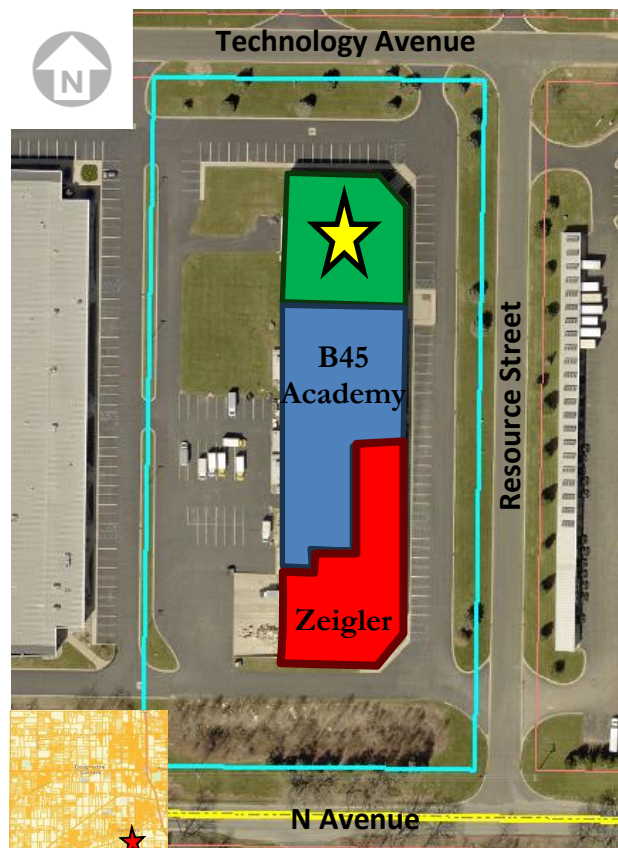
Section(s): Section 65: Special Uses

PROPOSAL:

B45 Academy is requesting special exception use approval to establish an indoor recreational facility within a vacant 12,500 square foot suite of an existing multi-tenant building located at 6255 Technology Avenue. The proposed indoor recreational use will serve as a baseball training facility for student athletes and youth. The property under consideration is outlined in light blue on the map to the right with the vacant tenant space identified in green with the yellow star.

OVERVIEW:

The proposed baseball academy is planned to be located in an existing building on Technology Avenue within the Oshtemo Business Park, a condominium development east of S 9th Street and North of W N Avenue. The baseball academy is seeking to occupy a vacant suite on the north end of the multi-tenant building. The tenant space is 12,500 square feet in size and abuts the location their current operation to the north. Expanding B45 Academy to the neighboring tenant space will provide the necessary room to successfully operate the business. Included with the use of an indoor



recreational facility is also a chiropractor’s office and an office space for physical therapy. The applicant has indicated that the accessory permitted uses will provide care to their customers and student athletes to assist with injury prevention and improve health.

ANALYSIS:

The subject property is zoned I-R: Industrial District, Restricted. Uses permitted in the I-R: Industrial District, Restricted zoning designation are outlined in Section 26 of the Township’s Zoning Ordinance. Office uses and medical clinics are categorized as permitted uses. Indoor recreational facilities and health clubs are identified as a special exception use within said ordinance section. When reviewing a special exception use, the general special use review criteria outlined in Section 65.30 shall be followed. Below is an analysis of the proposal against Section 65.30 of the Oshtemo Township Zoning Ordinance.

Section 65.30: Special Use Review Criteria

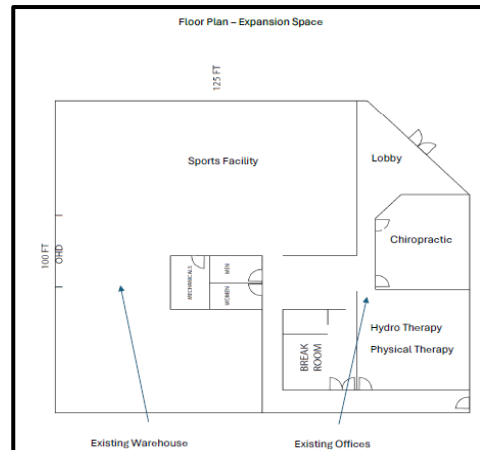
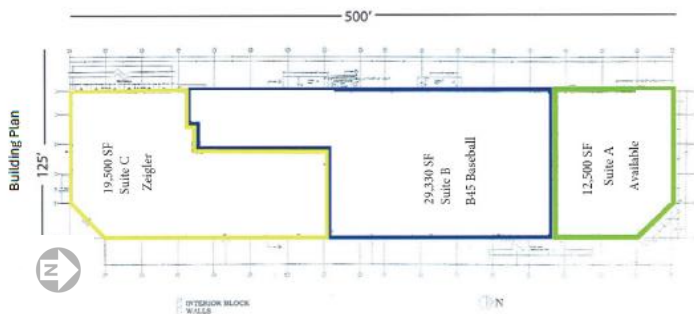
A. Master Plan/Zoning Ordinance: The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the District in which the use is located.

The Township’s Future Land Use Plan categorizes this area on S 9th Street, just north of the Township’s southern border, as Research Office. This part of the Township currently serves as an important employment center that provides high quality job opportunities to residents and neighboring areas. Uses allowed within this designation include a mix of technology, research, office, recreation, and industry. This property is presently zoned I-R: Industrial District, Restricted. Office and medical clinics are permitted uses by right within the I-R, Industrial District, Restricted while indoor recreational facilities are permissible with special exception use approval from the Planning Commission. The proposed uses meet the intent of the Township’s Master Plan documents for this area and complies with the Township’s Zoning Ordinance.

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

An engineered site plan is not required for a change in occupancy of this nature as no modifications are proposed to be made in relation to the site’s exterior. However, the applicant did provide a floor plan to provide greater context on the tenant space’s location and layout.

The proposal will not impact driving aisles, fire lanes, or emergency vehicle turning areas as the overall site layout is not changing. The site possesses approximately 105 parking stalls. Sufficient parking exists for the proposed baseball academy as well as the other uses located on site. All setback, access, and circulation minimums have been met. Site plan requirements satisfied.



C. Impacts:

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

The proposed baseball training facility, a special exception use within the I-R: Industrial District, Restricted, would be leasing space within the already established multi-tenant facility on-site. All properties adjacent to the subject site share the same zoning designation of I-R: Industrial District, Restricted. The I-R: Industrial District, Restricted allows for a mixture of different use types. Such uses include craft food and beverage facilities, banks and other financial institutions, general office, warehousing, indoor recreational facilities and health clubs, etc. An indoor recreational facility for baseball activities has been established within the same business park as well as a martial arts studio. An indoor baseball facility would be harmonious with the other existing uses surrounding the site. With the proposed baseball facility being compatible with the allowable use within this zoning district, with no site changes proposed, and being in accordance with both the Master Plan and the Zoning Ordinance, staff has no concerns that the proposed use will negatively affect neighboring uses.

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

Staff does not foresee a significant impact of the proposed use on neighboring properties. The overall site layout is not changing as the applicant is not proposing any additions to the existing building. The minimum building setbacks have been met. Existing entrances on the site will not change and will continue to be used in a similar fashion. All requirements have been satisfied.

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

Staff anticipates that the proposed use will not generate such negative impacts on adjacent properties as uses allowed within the I-R: Industrial District, Restricted zoning district may be established on this site. An auto parts store and an indoor recreational use, specifically an indoor baseball training facility, currently occupies the site. Expanding the business operations for B45 Academy into the neighboring tenant space is permissible. All activities associated with the special exception use will be indoors. Noise levels and traffic volumes will be consistent with what the area has regularly produced in the past. Any site work will be happening within the building's interior.

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

The proposed project will occupy an existing tenant space on-site. All modifications to the site will only consist of interior alterations. This is a site with existing impervious surfaces. This criterion is not applicable.

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

The building located at 6255 Technology Avenue is already adequately serviced by municipal water and municipal sanitary sewer. The Township’s Non-motorized Transportation Plan does identify a 6’ wide shared use path adjacent to the subject site along N Avenue; however, per Section 57.90 of the Zoning Ordinance, the property is exempt from installing such facility since what is being requested is a change in occupancy and no exterior site changes are proposed. Therefore, this section does not apply.

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

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

RECOMMENDATION:

Planning Department staff recommend the approval of the proposed special exception use for B45 Academy, an indoor baseball training facility, to expand into the adjacent 12,500 square foot vacant tenant space at 6255 Technology Avenue with the following conditions.

- 1) Building permits are obtained through the Oshtemo Township Building Department for any interior alterations proposed.
- 2) If any changes to exterior site lighting are proposed, a lighting plan shall be submitted to the Planning Department for administrative review and approval.
- 3) A sign permit application shall be submitted to the Township for review and approval if the applicant wishes to add any type of signage to the site.

Attachments: Application, Letter of Intent, Floor Plan, and Map



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-375-4260 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS

B45 Academy Expansion, 6255 Technology Ave

PLANNING & ZONING APPLICATION

Applicant Name: Pierre-Luc Laforest

Company: B45 Academy

Address: 6255 Technology Ave
Kalamazoo, MI 49009

E-mail: b45academy@gmail.com

Telephone: 269-200-5219 Fax: _____

Interest in Property: Leasehold

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

Fee Amount _____

Escrow Amount _____

OWNER*:

Name: TAP 1983 LLC

Address: PO Box 541
Oshtemo, MI 49077

E-mail: _____

Phone & Fax: _____

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

- | | |
|--|---|
| <input type="checkbox"/> Pre-Application Review | <input type="checkbox"/> Accessory Building Review – I083 |
| <input type="checkbox"/> Site Plan Review – I088 | <input type="checkbox"/> Rezoning – I091 |
| <input type="checkbox"/> Administrative Site Plan Review – I086 | <input type="checkbox"/> Subdivision Plat Review – I089 |
| <input checked="" type="checkbox"/> Special Exception Use – I085 | <input type="checkbox"/> Interpretation – I082 |
| <input type="checkbox"/> Zoning Variance – I092 | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Condominium – I084 | |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): Approval for a Special Exception Use

for the expansion of B45 Academy, a baseball training facility. The expansion space will include similar uses as the existing premises in the adjacent space, plus ancillary uses such as chiropractic care and hydration therapy.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

OSHTEMO BUSINESS PARK UNIT #9 ***01/03 SPLIT FROM 35-455-025 & 35-455-030*******

PARCEL NUMBER: 3905- 05-35-450-009

ADDRESS OF PROPERTY: 6255 Technology Ave

PRESENT USE OF THE PROPERTY: Warehouse & Office

PRESENT ZONING: IR **SIZE OF PROPERTY:** 12,500 SF

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

Name(s)

Address(es)

Zeigler Automotive (leasehold)

6255 Technology Ave

SIGNATURES

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

Tom Hill
dotloop verified
05/22/24 3:45 PM EDT
IS3Z-VR3I-C00N-UYBC

Owner's Signature (*If different from Applicant)

Date


Applicant's Signature

5/20/24
Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS

May 23, 3024

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

RE: Letter of Intent for 6255 Technology Avenue

Dear Colton:

We are requesting a Special Exception Use for our expansion at 6255 Technology Avenue.

B45 Academy was started in XXXX to serve the growing youth sports community in southwest Michigan. In 2023, we expanded to Oshtemo in a 29,330 square foot space at 6255 Technology Avenue, which formerly housed Soccer Zone.

The adjacent 12,500 square foot space recently came available, and we are negotiating with the landlord to expand into this space. It was previously used for office and warehousing. A plan of the entire building showing the existing uses is attached as well as a plan of the expansion space with the proposed uses.

We will not be moving any walls at this time. Our only changes will be to add LED lighting, as well as updates to paint and flooring where needed.

The expansion will allow us to expand its offerings to include other youth sports (such as volleyball) and to provide services that are in-demand with the high-level players who come to our facility. These services will include chiropractic care, hydration therapy, and physical therapy. The service providers will primarily be subcontractors or collaborative partners with B45 Academy.

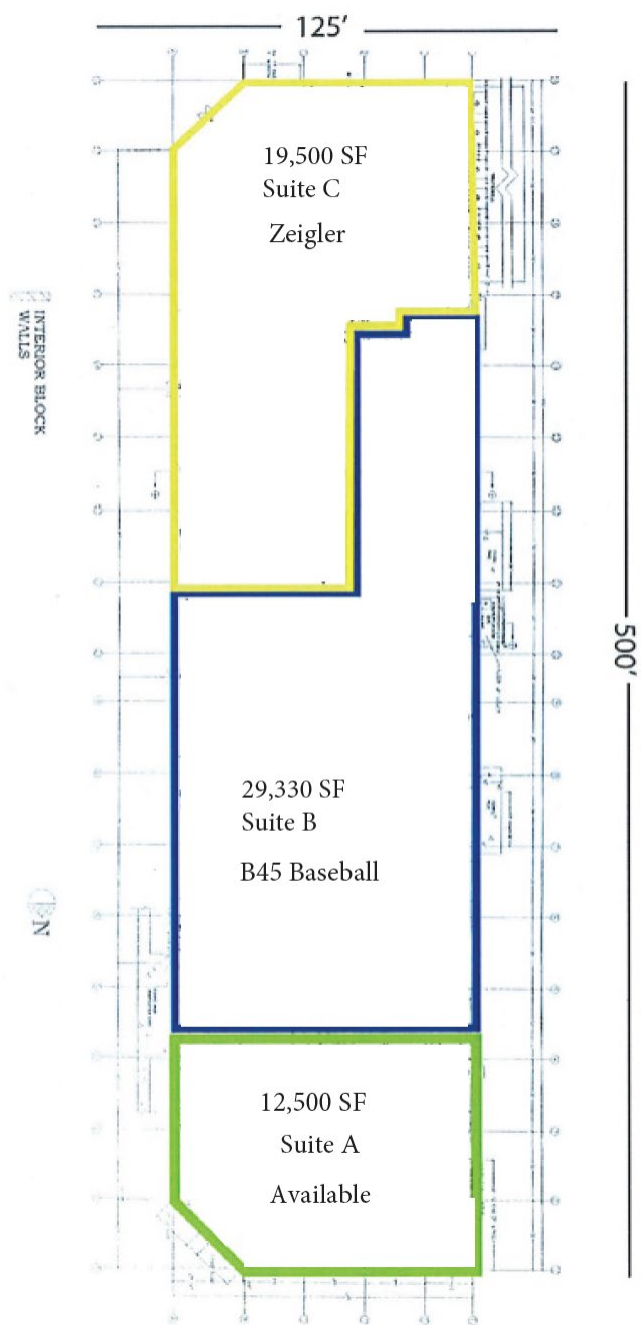
We are hopeful that Oshtemo Charter Township will approve our request.

Sincerely,

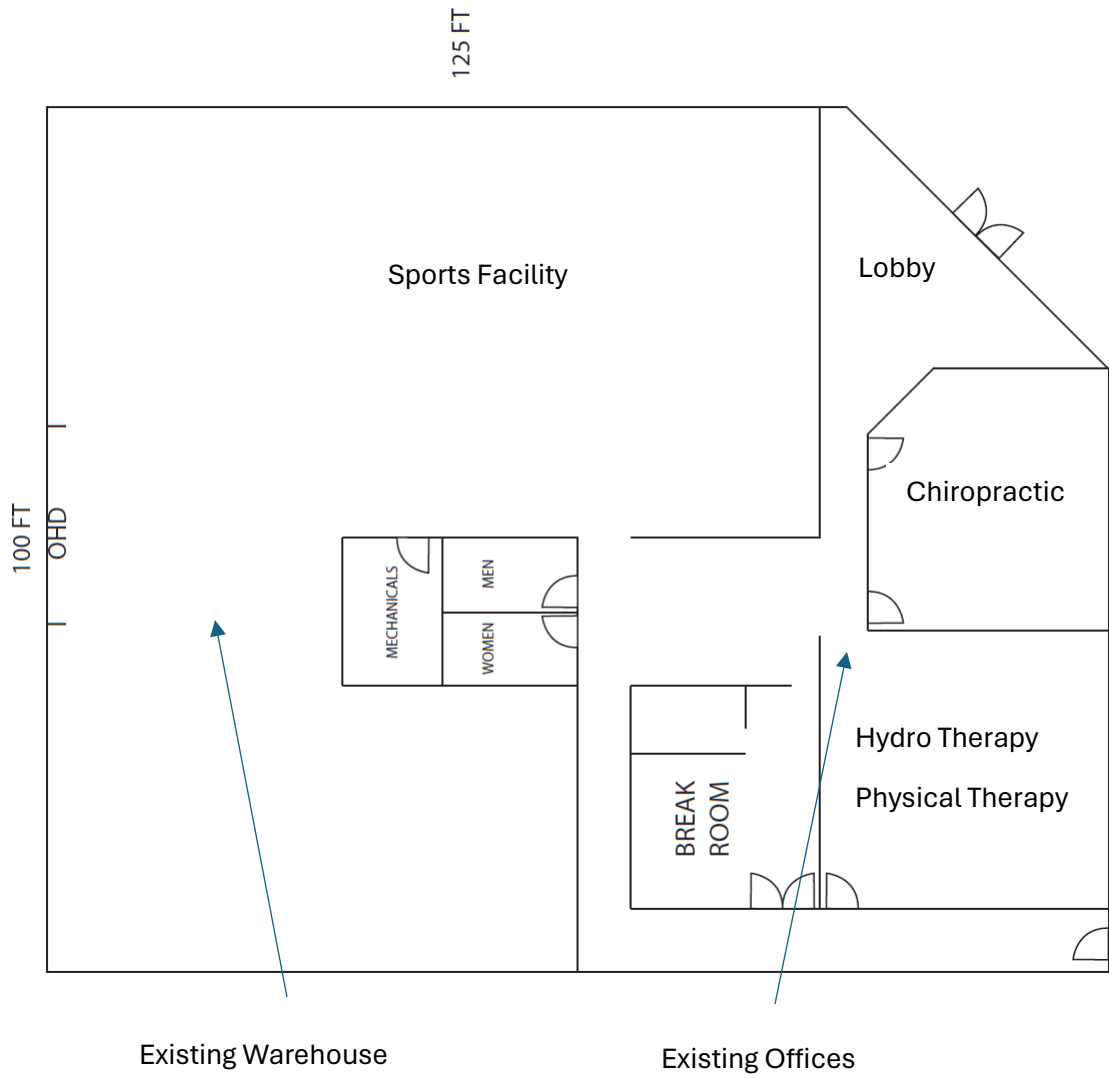
	dotloop verified 05/24/24 9:39 AM EDT MCEC-5DJW-UUMA-TWH6
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Pierre-Luc LaForest
Owner, B45 Academy

Building Plan



Floor Plan – Expansion Space





TECHNOLOGY AVE

TECHNOLOGY AVE

WILSON ST

6387

6256

6147

RESOURCE ST

W AVE

W AVE

W AVE

28