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**Charter Township of Kalamazoo
Minutes of a Planning Commission Meeting
Held on June 6, 2019**

8 A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on
9 June 6, 2019, commencing at 7:00 p.m., at the Township Hall.

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Present were:

15 William Chapman
16 Jeremy Hathcock
17 Fred Nagler, Chairman
18 Denise Hartsough
19 Jim Cripps

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Absent was:

23 Tonnie Hitt
24 Henry Dingemans

25 Also present were Township Zoning Administrator Patrick Hudson, Township Attorneys
26 Catherine Kaufman and Seth Koches, and approximately seven additional interested persons.

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Call to Order

29 The Chairman called the meeting to order at 7:00 p.m.

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Roll Call and Recognition of Visitors

33 Chairman Nagler welcomed those in attendance and noted that all Commissioners, except Hitt
34 and Dingemans, were present. Nagler said he received a message from Dingemans indicating
35 that he would not be present at the meeting.

36 Upon motion of Cripps, supported by Hartsough, and unanimous vote, the Commissioners
37 excused Hitt and Dingemans from the meeting.

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Approval of Meeting Minutes for May 2, 2019

The first item on the agenda was the approval of the May 2, 2019 regular Planning Commission meeting minutes. Copies of the May 2, 2019 meeting minutes were provided to the Commissioners in their agenda packets. Hartsough and Nagler recommended several revisions to the proposed minutes. Attorney Koches said he would make the revisions to the minutes and forward them to Hudson to be signed by the Planning Commission Secretary. The signed minutes will be forwarded to the Township Staff.

1 Upon motion of Hartsough, supported by Chapman, and unanimous vote, the minutes of the
2 May 2, 2019 regular Planning Commission meeting were approved as revised.

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4 **Approval of the Agenda for the June 6, 2019 Meeting**

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6 The Commissioners received a revised agenda in their packets, adding sub-paragraph “7.c.
7 Volunteers to assist with the five year parks master plan update” to New Business.

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9 Upon motion of Hartsough, supported by Chapman, and unanimous vote, the agenda was
10 approved as revised.

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12 **Scheduled Reviews**

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14 **a. Hillside Gravel Pit – 1800 Ravine Road – Gravel Mine**

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16 Hudson said the site has no issues; the bond was extended through 2020 and the liability
17 insurance was renewed. The inspection fee was paid and the soil erosion permit is valid until
18 11/7/19. Hudson said there is occasional concrete crushing in the pit, but it is well buffered
19 from adjacent uses. He noted that the Township received a complaint from an adjacent
20 property owner in April, 2019, but the complaint was resolved after one week.

21
22 Upon motion of Hathcock, supported by Hartsough, and unanimous vote, Hillside Gravel Pit’s
23 permit was extended for one year.

24
25 **b. Superior Gravel Pit – 1950 Ravine – Gravel Mine**

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27 Hudson said the bond is valid until 3/17/20, liability insurance is valid until 3/3/20, and the soil
28 erosion permit is valid until 11/1/19. The inspection fee was paid, and the slopes around the
29 cell tower have been stabilized on all sides and are covered by vegetation. Hudson said
30 occasional concrete crushing is performed near the center of the site and is well buffered from
31 adjacent uses.

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33 Upon motion of Hartsough, supported by Hathcock, and unanimous vote, Superior Gravel Pit’s
34 permit was extended for one year.

35
36 **c. Top Grade (formerly Consumers) – 1100 Nazareth Road – Gravel Mine**

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38 Hudson said Top Grade procured management of this site two years ago. The bond was given
39 an indefinite duration, liability insurance expires on 5/1/20, and the soil erosion permit is valid
40 until 5/30/21. The inspection fee was paid. Hudson said gravel crushing occurs well away from
41 adjacent uses and the pit is expanding to the southwest. He indicated that Top Grade may
42 acquire additional property for expansion and will need a site plan amendment when that
43 occurs. All non-working slopes have been stabilized.

1 Upon motion of Hathcock, supported by Hartsough, and unanimous vote, Top Grade’s permit
2 was extended for one year.

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4 **d. Consumer’s Concrete – 1800 Ravine Road**

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6 Hudson said that part of this property was sold to the Kalamazoo School District for re-
7 development as a bus garage. The remaining land is not being actively mined; however,
8 Consumer’s indicated that they would like to keep the permit open. Hudson expressed concern
9 that the remaining part of the gravel mine is open at the north end where the slope is steep. He
10 said this agenda item will be further discussed at the August, 2019, Planning Commission
11 meeting.

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13 **Public Hearings**

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15 None.

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17 **New Business**

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19 **2015 Schippers Lane – Change of Use – VDI Manufacturing**

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21 The first item under new business was the request of Jeff Becker of VDI Manufacturing for a
22 change of use of an existing building, addressed as 2015 Schippers Lane (Property Identification
23 No. 06-14-435-030), from a lawn care/maintenance business to an industrial manufacturing
24 facility for an injection mold business. Section 20.01 of the Township Zoning Ordinance is the
25 Statement of Purposes section for the I-2 General Industrial District Zoning Classification.
26 Section 20.02.A.1 lists manufacturing, compounding, assembling, packaging or treatment of
27 articles or merchandise from previously prepared materials as a permitted use within the I-2
28 District Zoning Classification.

29
30 Hudson prepared a staff report that was contained in the Commissioner’s agenda packets.
31 Hudson said the property to the north is zoned I-2 and is vacant. The properties to the east are
32 zoned I-2 and are occupied by nonconforming dwellings. The properties to the south across
33 Schippers Lane are in the City of Kalamazoo and are zoned M-1 (Manufacturing) and were
34 occupied by a landfill (now a brownfield site). The properties across Wallace Street to the west
35 are also in the City of Kalamazoo and are zoned M-1 Manufacturing, which is occupied by a
36 business; or RS-2, which is occupied by a dwelling.

37
38 The applicant submitted a site plan to use an existing 17,440 square feet (GFA) building for
39 manufacturing. Section 25.02 lists the Schedule of Regulations for the I-2 District. The minimum
40 lot area is 43,560. The subject property is 1.2 acres in size. The minimum lot width is 150 feet.
41 The subject property is approximately 175 feet wide. The maximum structure height is two
42 stories no higher than 24 feet; the front yard setback requirement is 45 feet. The existing
43 building is two stories tall and satisfies the height requirement. The rear yard setback
44 requirement is 50 feet. The existing building on the subject property is more than 80 feet from

1 the north property line. The side yard setback requirement is 30 feet. The existing building is
2 2.9 feet from the east side of the property line. The maximum lot coverage by all buildings is
3 75%. The existing building covers approximately 38% of the subject property.
4

5 Hudson's report indicated that all outside storage must be 150 feet from the right-of-way and
6 20 feet from all property lines. Hudson said the applicant proposes to repurpose the building by
7 creating 647 square feet of office space, 5,732 square feet of manufacturing space, and 8,403
8 square feet of warehouse space. The basement and second floor of the office portion will
9 remain unused.
10

11 Hudson said Section 4.01(D)(6) lists the schedule of off-street parking and contains a table of
12 office and industrial use requirements. Section 4.01(D)(6) requires one parking space per 250
13 square feet of usable floor area. The applicant's plans indicate 647 square feet of office space;
14 therefore, three parking spaces will be required. Section 4.01(D)(6) authorizes one parking
15 space per 750 square feet of gross floor area. The applicant's site plan indicates 5,732 square
16 feet of manufacturing space; therefore, eight parking spaces are required. Section 4.01(D)(6)
17 authorizes one parking space per 1,500 square feet of warehouse gross floor area. The
18 applicant's site plan indicates 8,403 square feet of warehouse gross floor area; therefore, six
19 parking spaces are required. Seventeen (17) total off-street parking spaces are required; the
20 applicant's site plan depicts 18 parking spaces. Hudson said that the landscaping is deficient.
21 Hudson said the existing building is an older industrial building built in 1920, and there are a
22 number of existing non-conformities with buildings that old, mostly with setbacks. Hudson said
23 the Township Fire Marshal expressed concern regarding several interior issues.
24

25 Jeff Becker, the applicant, addressed the Commission. Becker said he purchased the blighted
26 building and invested approximately \$200,000 - \$300,000 into the space, consisting of
27 equipment installation and infrastructure improvements, such as new siding and electrical. The
28 applicant said he employs six people and he is working with KABA to address the interior issues
29 noted by the Fire Marshal. Hartsough said she was pleased that the subject property was
30 improved and explained that landscaping would further improve the property. Cripps noted
31 that the south side of the building is mostly asphalt. The applicant agreed and said there are
32 very few grassy areas on the property. Nagler noted that there is a lot of vegetation to the
33 north. Cripps discussed whether there will be striping in the employee parking area. The
34 applicant noted that the current striping is old. Cripps and the applicant reviewed a diagram
35 and discussed the striping plans and design. Chapman confirmed that the property was ADA
36 compliant. Cripps discussed installing concrete parking bumpers to define separation between
37 each parking space; the applicant agreed. Cripps discussed the non-conformity of the subject
38 property and noted that there isn't much space to install a buffer between the building and the
39 road. Hartsough recommended planters be installed along Schipper's Lane; the applicant
40 agreed to this request. Chapman discussed the exterior lighting of the property. Hudson asked
41 the applicant to submit a photometric plan. The applicant said lights will be installed in the
42 employee parking area. Cripps discussed the ordinance lighting requirements; the applicant
43 agreed to install lighting that satisfies the ordinance requirements. Nagler told the applicant
44 that the manufacturer of the lights he installs will provide a photometric plan. Nagler asked the

1 applicant to forward manufacturer’s photometric plan to Hudson; the applicant agreed.
2 Hartsough said planters, with geraniums or something similar, should be installed on the
3 subject property to improve it. Hartsough discussed the importance of complying with the
4 ordinance requirements and noted that other applicants are held to the same standard.
5 Hathcock confirmed that the Fire Marshal’s concerns will be addressed. The applicant indicated
6 that Mike Alwine from KABA approved the architect’s plans regarding the interior of the
7 building. The applicant indicated that he needs to pull building permits to begin construction.

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9 Upon motion of Cripps, supported by Hartsough, and unanimous vote, the request of Jeff
10 Becker of VDI Manufacturing for a change of use of an existing building, addressed as 2015
11 Schippers Lane (Property Identification No. 06-14-435-030), from a lawn care/maintenance
12 business to an industrial manufacturing facility for an injection mold business was approved
13 with the following conditions:

- 14
15 1. That a photometric plan is submitted to the Township Planner for
16 administrative approval when the lighting is installed;
- 17
18 2. Landscaping planters are installed on the south side of the building between
19 the building and Schipper Lane; and,
- 20
21 3. Concrete parking bumper blocks are installed between Wallace Street and
22 the parking lot for the six employee parking spaces.

23
24 **Initial Draft – Recreational Marijuana Zoning Amendments**

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26 Nagler said the next item under New Business was discussion regarding proposed Recreational
27 Marijuana Zoning Amendments. Hudson prepared the proposed text amendments, which were
28 provided to the Commissioners in their agenda packets. Hudson said that that Michigan
29 Department of Licensing and Regulatory Affairs (LARA) had not yet released the administrative
30 rules regarding Recreational Marijuana and noted that it was difficult to write an ordinance
31 without knowing the regulatory rules. Attorney Kaufman was present to discuss recreational
32 marijuana and the proposed text amendments with the Commission. She reviewed the
33 proposed text amendments and noted that they are similar to the Township’s medical
34 marijuana facilities ordinance. Attorney Kaufman said a Recreational Marijuana Ordinance must
35 allow co-location with medical marijuana facilities. She discussed micro-businesses, which
36 authorize a grower, a processor, and a dispensary all at the same location, with up to 150
37 plants. Attorney Kaufman said micro-businesses are designed to allow people who are not
38 major corporations to compete as a small business. She asked the Commission to consider
39 which zoning district classifications to allow micro-businesses under. Attorney Kaufman noted
40 that the Township’s Medical Marijuana Facilities Ordinance authorizes medical marijuana
41 growers in the Industrial District, which may be a compatible district for micro-businesses.
42 Attorney Kaufman and Hathcock discussed the differences between primary care givers and
43 micro-businesses. Mitchell produced a zip-lock bag containing 2.5 ounces of parsley for
44 reference to the Commission. Attorney Kaufman said she wasn’t sure what the administrative

1 rules will say and discussed various issues the Commission should consider when the rules are
2 released. Hartsough discussed the concept of community gardens in an industrially zoned area.
3 Attorney Kaufman said community gardens currently exist and noted that the Township would
4 need to determine which district to authorize this type of use. Mitchell noted that there are
5 three medical marijuana growers and eight processing centers within the Township. Attorney
6 Kaufman said that for the first two years, applicants who previously obtained a medical
7 marijuana license will be considered for a recreational marijuana facilities license, but this
8 limitation does not apply to micro-businesses.

9
10 Hathcock said there are existing regulations for home-based businesses. Hathcock discussed
11 social progress and the Township's ability to authorize a micro-business, which will allow the
12 average person to compete with a large corporation. Hathcock asked the Commissioners to
13 keep an open mind throughout this process. Hartsough discussed whether there is enough
14 regulation in place to protect the health, safety and general welfare of neighboring properties.
15 Nagler said he wants to fully read the home-based business ordinance, and expressed concern
16 regarding any odors from 150 plants kept at a micro-business. Mitchell said the Township was
17 contacted by three different individuals expressing interest in opening a micro-business within
18 the Township. Hathcock discussed free market competition a micro-business offers to people of
19 normal means. Chapman expressed concern regarding the impacts marijuana may have on
20 juveniles and the juvenile correctional system. Cripps asked why the Township Board opted out
21 of authorizing recreational marijuana. Mitchell said the Township Board opted out so the
22 Township was not part of something that it could not control. Attorney Kaufman said LARA
23 handles all licensing, and noted that LARA will accept applications 90 days after the
24 administrative rules are released. Attorney Kaufman discussed the recreational marijuana
25 application process. Hathcock said the proposed recreational marijuana text amendments
26 mirrored the medical marijuana facilities ordinance. Hathcock wanted to apply the medical
27 marijuana facilities ordinance standards to recreational marijuana.

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29 Cripps said the Planning Commission thoroughly discussed the issues regarding medical
30 marijuana before the ordinance was recommended to the Township Board for approval. Cripps
31 said the Commission wanted to be sure the ordinance complied with all rules and regulations
32 the state issued regarding medical marijuana. Cripps discussed the negative impacts marijuana
33 has on people and cited the impact marijuana had on a close friend. Cripps said he understands
34 the freedom to participate in an open market, but noted that he wanted to see LARA's
35 administrative rules and regulations to be certain any recreational marijuana ordinance the
36 Planning Commission drafts is in compliance with the same. Cripps said he wants to make sure
37 that what is approved by the state is what the law intended and wants to be sure that there
38 isn't a negative impact on the community. Cripps said the Planning Commission is responsible
39 for protecting the health, safety and general welfare of the community; he wants to be in
40 compliance with the law. Hathcock discussed the constituent climate and noted that a majority
41 of the electors voted to legalize marijuana within Michigan. Cripps requested that a copy of the
42 administrative rules be forwarded to the Commissioners when they become available. Nagler
43 said that once the administrative rules are released, the Planning Commission should hold a
44 special meeting to discuss them.

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Request for Volunteers for Parks sub-committee to assist with updating the Township’s Parks and Recreation Plan – 5-year Update

Nagler said the next item on the agenda was requesting volunteers for Parks sub-committee to assist with updating the Township’s Parks and Recreation Plan – 5-year Update. Hudson said he and Steve Leuty were working on the updated plan and asked for volunteers to assist. Hartsough and Chapman volunteered to assist with the Parks 5-year Master Plan Mandatory Update. Nagler offered to participate if additional help was needed.

Old Business

None.

Zoning Ordinance Issues

Hudson discussed a memorandum containing proposed text amendments. Continued discussion of the proposed text amendments and the Master Plan 5-year mandatory update was tabled until next month’s meeting.

Open Discussion – Members of the Audience

None.

Report of the Township Board Representative

Hathcock thanked the Planning Commission for its hard work.

Report of the Township ZBA Representative

Nagler discussed the recent ZBA meeting where a variance request was denied. Discussion ensued regarding denial.

Comments from Planning Commission Members

Chapman said a new ordinance enforcement officer would be starting soon. Currently, a Township Police Cadet is assuming the ordinance enforcement duties. Mitchell said nothing is official and discussed the ordinance enforcement duties. Chapman discussed the Township’s weed ordinance and noted that people are blowing mowed grass into the street.

Report of the Planner/Zoning Administrator

1 Hudson said there are several site plans up for review at the July, 2019, Planning Commission
2 meeting. It was noted that the Planning Commission's regularly scheduled July meeting falls on
3 July 4, 2019. The Commission discussed setting a new date for the meeting.

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5 Upon motion of Cripps, supported by Hathcock, and unanimous vote, the July 4, 2019 Planning
6 Commission meeting was rescheduled to Thursday, July 11, 2019 at 7:00 p.m. at the Township
7 Hall.

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9 **Report of the Township Attorney**

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11 None.

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13 **Adjournment**

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15 There being no further business to come before the Planning Commission, the meeting was
16 adjourned at 8:46 p.m.

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20 _____
21 Henry Dingemans, Secretary
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25 **SYNOPSIS OF ACTIONS**

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27 The Kalamazoo Township Planning Commission undertook the following actions at the
28 June 6, 2019 meeting:

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30 1. Approved the request of Jeff Becker of VDI Manufacturing for a change of use of an
31 existing building, addressed as 2015 Schippers Lane (Property Identification No. 06-14-
32 435-030), from a lawn care/maintenance business to an industrial manufacturing facility
33 for an injection mold business with conditions; and,
34
35 2. Rescheduled the July 4, 2019 Planning Commission meeting to July 11, 2019 at 7:00 p.m.
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