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**Charter Township of Kalamazoo
Minutes of a Planning Commission Meeting
Held on July 11, 2019**

8 A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on
9 July 11, 2019, commencing at 7:00 p.m., at the Township Hall.

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Present were:

16 William Chapman
17 Jeremy Hathcock
18 Fred Nagler, Chairman
19 Denise Hartsough
20 Jim Cripps
21 Henry Dingemans

22
23
24

Absent was:

25 None.

26 Also present were Township Zoning Administrator Patrick Hudson, Township Attorney Seth
27 Koches, and approximately seventeen additional interested persons.

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Call to Order

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

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Roll Call and Recognition of Visitors

41 Chairman Nagler welcomed those in attendance and noted that all Commissioners were
42 present. Nagler indicated that Tonnie Hitt resigned from the Commission and the Township will
43 seek a replacement Commissioner.

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Approval of the Agenda for the July 11, 2019 Meeting

51 The Commissioners received a revised agenda in their packets, which added sub-paragraph
52 "8.a. Request from the Kalamazoo Rugby Club for a special meeting to discuss a site plan
53 amendment"; "8.b. Kalsec – site plan extension request for sidewalk – phasing to take
54 advantage of grant Programs to tie to non-motorized plan"; and an addition to 8.c.
55 "recreational marijuana rules available – discuss meeting dates" to New Business.

56 Upon motion of Hathcock, supported by Hartsough, and unanimous vote, the agenda was
57 approved as revised.

1 **Approval of Meeting Minutes for June 6, 2019**
2

3 The first item on the agenda was the approval of the June 6, 2019 regular Planning Commission
4 meeting minutes. Copies of the June 6, 2019 meeting minutes were provided to the
5 Commissioners in their agenda packets. The Commissioners had no additional revisions to the
6 proposed meeting minutes.
7

8 Upon motion of Hartsough, supported by Cripps, and unanimous vote, the minutes of the June
9 6, 2019 regular Planning Commission meeting were approved as prepared. The minutes were
10 forwarded to Dingemans who signed the same and provided them to Hudson for transmission
11 to the Township Staff.
12

13 **Scheduled Reviews**
14

15 None.
16

17 **Public Hearings**
18

19 **2710 W. Main Street – Dog Park Special Use (Private Recreation Area)**
20

21 The next item on the agenda was a public hearing for the request of Dan Rippinger of Beacon
22 Specialized Living Services, Inc., for special exception use approval and site plan approval for a
23 proposed recreational facility, a dog park, open to the public at 2710 W. Main Street,
24 Kalamazoo, MI 49009 (Parcel No. 06-17-132-490) under Section 12.02.B.6 of the Township
25 Zoning Ordinance. The subject property is located in the R-2 Single and Two Family Residential
26 District Zoning Classification. The standards for consideration of the special exception use by
27 the Township Planning Commission are set forth in Section 8.02.LL of the Township Zoning
28 Ordinance. The standards for site plan review are contained in Section 26.02 of the Township
29 Zoning Ordinance.
30

31 Article 12 regulates the R-2 Single and Two Family Residential District Zoning Classification.
32 Section 12.02.B lists the Special Land Uses within the R-2 District. 12.02.B.6 states that private,
33 not-for-profit, recreational facilities, including but not limited to: sports fields (such as soccer,
34 lacrosse, rugby, ball fields, etc.), racquet courts (tennis, platform tennis, racquetball, etc.),
35 swimming pools and related facilities, beach facilities, and stables, provided there is no
36 spectator seating and no use of motorized recreational vehicles are Special Land Uses within
37 the R-2 District.
38

39 Nagler opened the public hearing. Nagler explained the rules of procedure that apply during
40 public hearings held by the Planning Commission. Nagler said that the Township Zoning
41 Administrator/Planning Consultant will present a summary or analysis of the request; then, the
42 applicant will present his request to the Commission. Nagler said all interested parties will be
43 given the opportunity to be heard during the public comment portion of the public hearing;
44 thereafter, the Commissioners will deliberate and take action on the request.

1 Hudson prepared and summarized a staff report which was contained in the Commissioner's
2 agenda packet. Hudson indicated that the applicant submitted a revised site plan to the
3 Commission. The applicant proposed erecting a fence on 2710 W. Main Street to create a
4 private non-profit recreational facility for dogs. The subject property is a platted lot and is
5 approximately ½ acre in size. If approved, the estimated completion date of construction is
6 August 1, 2019.

7
8 Hudson said the applicant proposed to erect a six-foot tall chain link fence on the revised site
9 plan, approximately ten feet away from the street right-of-way lines (Main Street and Grand
10 Pre) and over thirty feet from adjacent property lines. The fenced-in area will be approximately
11 one-hundred feet from the nearest house on the adjacent property and fifty feet from the
12 structure located on the subject property. Hudson said the surrounding area to the north, east
13 and west is also zoned R-2. There is a Township park to the northeast across Grand Pre and the
14 properties located across W. Main Street to the south are zoned RM-2 (Multiple Family Mixed
15 Use) and are occupied by a residential condominium project.

16
17 Section 25.02 of the Township Zoning Ordinance provides the Schedule of Regulations for the
18 R-2 District Zoning Classification. The minimum lot area is 13,200 square feet; the subject
19 property is 26,500 square feet in size (approximately .5 acres). The minimum lot width is 80
20 feet; the subject property is 174.9 feet wide along W. Main Street and has approximately 130
21 feet of frontage along Grand Pre. The maximum structure height is 2 ½ stories (30 feet); there is
22 no proposed structure on the subject property. The front yard setback requirement is 25 feet;
23 each side yard setback requirement is 5 feet; the rear yard setback requirement is 35 feet; and,
24 the maximum lot coverage by all buildings is 25%. The setback requirements and the maximum
25 lot coverage requirements are not applicable to the applicant's request because no structure is
26 proposed to be built on the subject property.

27
28 Article 4, Section 4.01.D.7, provides the Schedule of Required Parking for off street parking for
29 recreational uses; however, a recreational dog park facility is not specified as a listed use.
30 Section 4.01.D.2 states that for those uses not specifically mentioned, the requirements for off-
31 street parking for a similar use shall apply, subject to review by the Planning Commission
32 and/or Township Planner.

33
34 Hudson discussed the Township Zoning Ordinance Requirements under Article 5, Section 5.02 –
35 Landscaping for Adjacent Roads. He noted that the subject property has approximately 175 feet
36 of frontage along W. Main Street and 120 feet of linear frontage on Grand Pre, for a total of 295
37 feet of street frontage. Hudson said that 7 shade trees are required; the applicant's site plan
38 shows no shade trees on the original site plan; 3 ornamental trees are required; the applicant's
39 original site plan shows no ornamental trees in its plans; and, 56 shrubs are required; however,
40 the applicant's revised site plan depicts a landscaping plan. Hudson discussed the screening
41 requirements under Section 5.02.E.1, noting that no lighting is intended on the subject
42 property. Hudson discussed the sign ordinance requirements and said that the applicant will
43 apply for this separately.

1 The Special Land Use Standards are contained in Article 8, Section 8.02.LL.1.a., which provides:
2

- 3 1. Outdoor Recreation Facilities. Outdoor recreation facilities, such as, but not limited to,
4 ski facilities, courses for off road vehicles and snowmobiles, campgrounds, baseball
5 facilities, rugby fields and swimming pools, but not including trails, shall comply with
6 state and Federal regulations and the following regulations:
7

8 a. General Requirements:
9

- 10 i. Setbacks. Principal and accessory buildings shall be set back at least
11 seventy-five (75) feet from all property lines, unless otherwise specified
12 herein.
13

14 Hudson noted that the required setbacks are not applicable because the request is not placing a
15 structure on the subject property.
16

- 17 ii. Access. Outdoor recreation uses shall have direct access onto a county
18 primary road or state highway.
19

20 Hudson noted that the access along W. Main Street is sufficient.
21

- 22 iii. Impact on Surrounding Properties. The location, layout, design, or
23 operation of outdoor recreation facilities shall not impair the continued
24 enjoyment, use, and future orderly development of adjacent and nearby
25 properties. The Planning Commission may specify the hours of operation
26 in order to assure compatibility with adjacent uses.
27

28 Hudson said the screening is not shown on the applicant's site plan and noted that the hours of
29 operation were not provided by the applicant.
30

- 31 iv. Nuisance Impacts. Outdoor recreation uses shall not generate excessive
32 noise, odors, dust, or other impacts, such that the continued use and
33 enjoyment of adjacent properties would be impaired.
34

35 Hudson commented that screening was not depicted on the site plan.
36

- 37 v. Parking. All parking for outdoor recreation uses shall be provided in off-
38 street parking lots, designed in accordance with Section 4.01, and set
39 back a minimum of forty (40) feet from any residential district.
40

41 Hudson said that the applicant does not intend to include parking.
42

- 1 vi. Screening. Outdoor recreation uses shall be screened from view from
2 adjacent property zoned or used for residential purposes, in accordance
3 with Section 5.02, sub-section E.
4

5 Hudson said that a landscaping plan was depicted on the applicant's revised site plan.
6

- 7 vii. Accessory Retail Facilities. Accessory retail or commercial facilities, such
8 as food and beverage facilities or equipment shops, shall be designed to
9 serve only the patrons of the outdoor recreation facility, unless otherwise
10 listed as a permitted use in the district in which the facility is located.
11

12 This general requirement is not applicable to the request.
13

14 Hudson summarized the Standards for Site Plan Approval that are contained in Section 26.02.F
15 of the Township Zoning Ordinance. Hudson noted that the required landscaping and screening
16 is absent from the applicant's site plan. Hudson said on-street parking needed to be addressed,
17 as well.
18

19 The Standards for Granting a Special Land use are contained in Section 26.03 of the Township
20 Zoning Ordinance, which provides, in part:
21

22 C. Standards for Granting Special Land Use Approval.
23

24 1. Compatibility with Adjacent Uses.

- 25 a. The location and screening of vehicular circulation and parking areas in relation to
26 surrounding development.
27 b. The location and screening of outdoor storage, outdoor activity or work areas, and
28 mechanical equipment in relation to surrounding development.
29 c. The hours of operation of the proposed use. Approval of a special land use may be
30 conditioned upon operation within specified hours considered appropriate to ensure
31 minimal impact on surrounding uses.
32 d. The bulk, placement, and materials of construction of the proposed use in relation
33 to surrounding uses.
34 e. Proposed landscaping and other site amenities. Additional landscaping over and
35 above the requirements of this Ordinance may be required as a condition of
36 approval of a special land use.
37

38 2. Compatibility with the Master Plan. The proposed special land use shall be consistent
39 with the general principles and objectives of the Township's Master Plan.
40

41 3. Public Services. The proposed special land use shall be located so as to be adequately
42 served by essential public facilities and services, such as highways, roads, police and fire
43 protection, drainage systems, water and sewage facilities, and schools, unless the

1 proposal contains an acceptable plan for providing necessary services or evidence that
2 such services will be available by the time the special land use is established.

- 3
- 4 4. Impact of Traffic. The location of the proposed special land use within the zoning district
5 shall minimize the impact of the traffic generated by the proposed use. In determining
6 whether this requirement has been met, consideration shall be given to the following:
7 a. Proximity and access to major thoroughfares.
8 b. Estimated traffic generated by the proposed use.
9 c. Proximity and relation to intersections,
10 d. Adequacy of driver sight distances.
11 e. Location of and access to off-street parking.
12 f. Required vehicular turning movements.
13 g. Provisions for pedestrian traffic.
- 14
- 15 5. Detrimental Effects. The proposed special land use shall not involve any activities,
16 processes, materials, equipment, or conditions of operation, and shall not be located or
17 designed so as to be detrimental or hazardous to persons or property or to public
18 health, safety, and welfare. In determining whether this requirement has been met,
19 consideration shall be given to the level of traffic, noise, vibration, smoke, fumes, odors,
20 dust, glare, and light.
- 21
- 22 6. Economic Well-Being of the Community. The proposed special land use shall not be
23 detrimental to the economic well-being of those who will use the land, residents,
24 businesses, landowners, and the community as a whole.
- 25
- 26 7. Compatibility with Natural Environment. The proposed special land use shall be
27 compatible with the natural environment and conserve natural resources and energy.
- 28

29 Hudson completed the review of his staff report and the applicant, Dan Rippinger, addressed
30 the Commission. The applicant said the revised site plan includes a fence that is six feet tall. He
31 proposes the site be used for a community walk-up dog park. The applicant discussed parking
32 issues and noted that parking is limited at the W. Main Street / Grand Pre intersection. The
33 subject property is a corner lot and Beacon, Inc. will maintain it, including dog waste removal
34 services. The applicant said adults with disabilities will be hired to help assist maintaining the
35 park. He wants to have minimal impact on the property in back, as well.

36

37 Chapman asked whether the hours of operation have been established. The applicant said the
38 hours will be sun up to sun down, and suggested the park close no later than 8:30 p.m. to help
39 reduce any concerns regarding noise. Chapman discussed the entrance and exit plan of the
40 park. The applicant said there will be a gate that can be locked for ingress and egress purposes.
41 Dingemans asked how many dogs can be accommodated inside the park; the applicant
42 expected the park to accommodate 10-12 small dogs and 8 large dogs. Dingemans and the
43 applicant discussed liability insurance. Hathcock discussed the landscaping plan and the
44 rubberized chain-link fence. The applicant said the chain-link fence is dipped in rubberized

1 plastic, which is resistant to dog waste. The dogs will not be leashed inside the park, but there
2 will be a hose available to spray the dogs with water in case there is a fight. The applicant said
3 the dog owner is responsible for managing their pet. Hathcock and the applicant discussed the
4 distances the fence will be from the neighboring properties. Chapman asked how many
5 employees would be employed at the park.
6

7 Nagler opened the public comment portion of the public hearing and invited any interested
8 party to speak in support of or against the special land use request for a recreational dog park
9 located at 2710 W. Main Street.
10

11 Arden Mitchell said he appreciated the goal of employing people with disabilities, but noted
12 that the roadway is dangerous. Mitchell said he doesn't believe a dog park is the best use of the
13 subject property. A dog park could create a distraction for drivers and Mitchell expressed
14 concern that a dog may get out of the park and enter W. Main Street, which will create a
15 dangerous driving situation. Mitchell expressed concerns regarding parking, stating that it will
16 be hard to enforce.
17

18 Ron Huster said that the Consumer's Energy power pole on the corner of the subject property
19 was damaged when a car hit it. Huster said that W. Main Street is a very busy road, noting that
20 the speed limit is 40 MPH and over 30,000 vehicles travel on W. Main Street every day. Huster
21 discussed various traffic and parking concerns. Huster said it is difficult for pet owners to
22 supervise their dogs.
23

24 Candy Polderdyke said she loves dogs, but agreed with the concerns previously stated by Arden
25 Mitchell. Polderdyke discussed parking and visibility concerns, she said a dog park may be a
26 distraction to drivers on W. Main Street. Polderdyke expressed concern that dogs that enter the
27 park are not vetted to confirm they are vaccinated.
28

29 Carrie Lyons shared the same concerns addressed by the other interested parties who gave
30 public comment. Lyons discussed concerns she had with ongoing maintenance of the dog park
31 and who would maintain it if the current occupant moved out of the property.
32

33 Kitty Flatland shared the same concerns addressed by the other interested parties who gave
34 public comment. Flatland commented that the proposed dog park was too small for larger dogs
35 and noted that the idea of a dog park is to give dogs a lot of space to run. Flatland felt the
36 subject property was too small to accommodate larger dogs.
37

38 Al Doorlag shared the same concerns addressed by the other interested parties who gave public
39 comment. Doorlag discussed the congested traffic on W. Main Street and the difficulties there
40 will be policing parking.
41

42 Nagler indicated that the Township received letters from Al Doorlag, Jack Bogema, Jane Schley
43 and Martha Beverly, all of whom objected to the applicant's request for a special exception use
44 for a dog park on the subject property.

1
2 Hearing no additional public comments, Nagler closed the public comment portion of the public
3 hearing and the Commission entered into deliberations.

4
5 Hathcock said that while the applicant's request was well intentioned, it was not popular with
6 the surrounding area residents. Dingemans agreed with Hathcock, noting that he loves the idea,
7 but the community is opposed to it. Hartsough said she lacked faith in people to be responsible
8 regarding the courtesies required at the dog park and discussed parking issues, noting that the
9 street is narrow. Chapman liked the applicant's idea and commented that the owner is willing
10 to work with the community to address their concerns. Chapman liked the potential of
11 employing disabled people. Cripps said there are no Township restrictions if a property owner
12 wants to build a fence and host dogs on their property; however, restrictions apply when the
13 property is open to the public. Cripps said he hadn't heard one public comment from the
14 community supporting the applicant's request. Cripps said a dog park may not be the best use
15 of the subject property, noting that he drives by the property every day. Cripps said cars park in
16 the lawn area constantly and parking will be difficult to manage. Cripps said the applicant's
17 request does not have community support. Hartsough said she often walks by the subject
18 property and discussed parking issues on Grand Pre. Hartsough said approving the request
19 could be a disservice to people living in the surrounding area.

20
21 Upon motion of Hathcock, supported by Hartsough, and a 5-1 vote, the request of Dan
22 Rippinger of Beacon Specialized Living Services, Inc., for special exception use approval and site
23 plan approval for a proposed recreational facility, a dog park, open to the public at 2710 W.
24 Main Street, Kalamazoo, MI 49009 (Parcel No. 06-17-132-490) under Section 12.02.B.6 of the
25 Township Zoning Ordinance was denied because:

- 26
27 1. The applicant's proposed special land use is not compatible with adjacent uses;
28 2. The applicant's proposed special land use has negative and detrimental impacts on
29 traffic along W. Main Street and Grand Pre;
30 3. The applicant's proposed special land use is located on a parcel where the proposed use
31 may be detrimental or hazardous to persons or property along W. Main Street and
32 Grand Pre; and,
33 4. The Planning Commission concluded that the special land use proposal does not comply
34 with the standards and regulations set forth in the Township Zoning Ordinance (Section
35 26.03), and would be injurious to the public health, safety, welfare, and orderly
36 development of the Township.

37
38 Chapman voted nay.

39
40 **New Business**

41
42 **Site Plan Amendment for Storage building in Gravel Pit – 2710 Ravine Road**

43 The first item under New Business was the request of Balkema Sitework & Development for a
44 site plan amendment to erect a storage building on property addressed as 2702 Ravine Road,

1 within the Township. The subject property is located in the I-2 General Industrial District Zoning
2 Classification and is approximately 59 acres in size. The applicant submitted a revised site plan
3 to the Planning Commission, which included six additional parking spaces, thereby satisfying
4 the ordinance requirements. Hudson prepared and summarized a staff report regarding this
5 request to the Commission which was contained in their agenda packets. The applicant
6 proposes to construct an 11,000 square-foot storage building near the center of the existing
7 gravel mine. Hudson said the primary use of the property will remain a gravel mine. Hudson's
8 report indicated that the property is zoned I-2, as are the properties to the east and to the
9 south across Ravine Road. The existing uses are industrial, including a gravel mine, a radio
10 station, and several other industrial uses. The properties to the west are occupied by a pre-
11 existing gravel mine and are zoned R-2. The northern half of this property is zoned R-2 and is
12 occupied by a pre-existing gravel mine.

13
14 Section 25.02 of the Township Zoning Ordinance lists the Schedule of Regulations for Principal
15 Structures within the I-2 District Zoning Classification. The minimum lot area requirement is
16 43,560 square feet; the subject property is 59 acres in size and far exceeds this requirement;
17 the minimum lot width is 150 feet; the subject property is 400' wide; front yard setback
18 requirement is 50 feet; the proposed structure will be setback 900' from the front yard
19 property line; each side yard setback requirement is 30'; the proposed structure will be setback
20 385' from each side yard property line; the rear yard setback requirement is 50 feet; the subject
21 property is setback 1,100' from the rear property line; the maximum lot coverage by all
22 buildings is 75%; the proposed structure satisfies this requirement. Storm water calculations
23 were not included in the plans.

24
25 Hudson reviewed the site development standards contained in Section 8.02 of the Township
26 Zoning Ordinance and noted that they were satisfied. Hudson summarized Section 26.02.F,
27 Standards for Site Plan Approval. Hudson noted that the Township Fire Marshal indicated that
28 there may be a need for an additional fire hydrant. Hudson said the applicant did not include a
29 lighting plan, which needs to be addressed in the site plan.

30
31 Cripps noted that the site plan states the building height is 26 feet. Hudson said the ordinance
32 limits the height to 40 feet. Chapman asked what will be stored in the storage building; the
33 applicant said trucks and materials will be stored therein. Hudson discussed the additional fire
34 hydrant that may need to be installed. Hartsough discussed the lighting plans. The applicant
35 said electrical will be installed and there will be a few exterior lights; the applicant said the
36 interior plan has not been decided. Cripps asked whether the floor of the storage building will
37 be finished. The applicant said the storage building will have a gravel floor. Dingemans and
38 Nagler expressed concerns with possible leaks. Hathcock confirmed that the storm water
39 calculations were missing and the applicant should check with the Township Fire Marshal
40 regarding whether an additional fire hydrant needed to be installed.

41
42 Upon motion of Hartsough, supported by Hathcock, and a unanimous vote, the request of
43 Balkema Sitework & Development for a site plan amendment to erect a storage building on
44 property addressed as 2702 Ravine Road was approved with the following conditions:

- 1
- 2 1. Approval of the Township Fire Marshal;
- 3 2. A photometric plan is submitted to the Township and administratively approved by
- 4 the Township Planner; and,
- 5 3. The storm water calculations are submitted and administratively approved by the
- 6 Township Planner.
- 7

8 **Site Plan Amendment for New Storage Building – 1100 Foster**

9

10 The next item under New Business was the request of Arie Luiten of Luiten Greenhouse Tech,
11 Orange Tree Properties, LLC, for a site plan amendment to add a 2,520 square foot storage
12 building to property addressed as 1100 Foster Ave. (Parcel No. 60-24-430-032), within the
13 Township. Hudson prepared and summarized a staff report, which was provided to the
14 Commissioners in the agenda packets. The subject property is located in the I-1 Light Industrial
15 District Zoning Classification and is approximately 2.2 acres in size. The property has an existing
16 use in an existing 6,100 square-foot building located on the subject property. The subject
17 property is located within the 500-year floodplain. The property to the north is zoned I-1, but is
18 occupied by a non-conforming dwelling. The property to the east is zoned C-2 Commercial
19 Corridor and is occupied by a parking lot for commercial use. The properties to the south are
20 zoned R-2 and are occupied by dwellings. The properties across Foster Avenue to the east are
21 zoned I-1 and are occupied by a light industrial use and two non-conforming dwellings.

22

23 A revised site plan was submitted to the Planning Commission. Hudson said the applicant plans
24 to use 2,205 square feet of the proposed storage building (GFA) for storage, which exceeds the
25 standards contained in Section 26.02.D.10. – Modification to Approved Plan. Hudson discussed
26 the Schedule of Regulations, which is contained in Section 25.02 for a structure in the I-1
27 District. The minimum lot area is 21,780 square feet; the subject property is 2.2 acres in size
28 and far exceeds this requirement; minimum lot width is 100'; the subject property is 300' wide;
29 the maximum height is 2 stories; the proposed structure is 1 story tall; the front yard setback
30 requirement is 50'; the structure will be 50.6 feet from the Foster Avenue right-of-way. Each
31 side yard setback requirement is 25 feet; the proposed structure will be located 24' from the
32 north side and 64' from the south side. The proposed structure will be located approximately
33 32' from the rear property line; Hudson indicated that the maximum lot coverage requirement
34 is also satisfied.

35

36 Hudson discussed the off-street parking requirements, noting that 14 parking spaces are
37 needed and 14 parking spaces are depicted on the applicant's site plan. Hudson indicated that
38 no details were supplied as to the storm water capacity of the existing basin. He also discussed
39 the landscaping requirements to adjacent roads; applicant must plant 7 shade trees along
40 Foster Ave; 3 ornamental trees and 68 shrubs. The applicant's site plan did not show a
41 landscape plan and landscaping adjacent to roads is required by Section 5.02.B of the Township
42 Zoning Ordinance. Hudson noted that the applicant's site plan did not depict any parking lot
43 landscaping under Section 5.02 of the Township Zoning Ordinance, and did not depict any
44 exterior lighting or signage.

1 Hudson summarized the standards for site plan approval under Section 26.02.F of the Township
2 Zoning Ordinance. Hudson indicated that the site plan as presented is not adequate because it
3 failed to depict storm water details and a photometric plan was not included. Hudson also
4 noted that the proposed structure is 1' too close (25' setback requirement; the applicant's
5 plans places the structure 24' from the north side lot line) and a variance will be required.
6

7 The applicant said lighting is installed in the existing building, but there will be no outdoor
8 lighting on the proposed building. Nagler discussed the 25' setback requirement was not
9 satisfied because the site plan indicates that proposed structures will be located 24' from the
10 north side (side yard) property line. The applicant said he would move the location of the
11 proposed structure to satisfy the ordinance's setback requirements. Hartsough and the
12 applicant discussed landscaping; the applicant noted that he never had trees in the front of the
13 property. Nager said the Zoning Ordinance requires landscaping; the applicant said he would
14 comply with the ordinance requirements. Hartsough asked whether the parking area will be
15 paved; the applicant said the parking area is concrete. Hartsough asked whether the applicant
16 will plant landscaping; the applicant said yes. Chapman discussed water run-off concerns onto
17 the road. Nagler said the Kalamazoo County Road Commission will address any water run
18 concerns onto the road. Cripps and the applicant discussed soil issues. Hartsough said sidewalks
19 were not included in the applicant's plans and asked whether it should be addressed, noting
20 that there are residential homes further down Foster Street. Hathcock said he used to live on
21 Foster Street and said it was a low traffic street that was safe to walk. The Commission
22 determined that sidewalks would not need to be installed along the subject property.
23

24 Upon motion of Nagler, supported by Cripps, and a unanimous vote, the request of Arie Luiten
25 of Luiten Greenhouse Tech, Orange Tree Properties, LLC, for a site plan amendment to add a
26 2,520 square foot storage building to property addressed as 1100 Foster Ave. (Parcel No. 60-24-
27 430-032), within the Township, was approved with the following conditions:
28

- 29 1. The structure is moved or shortened to comply with the Zoning Ordinance setback
30 requirements;
- 31 2. A Landscaping plan is submitted to the Township Planner for administrative
32 approval; and,
- 33 3. Storm water roof discharge on the street side is conveyed to the rear of the property
34 and into the pond.
35

36 **Site Plan Review for Change of Use to Retail Store – 2238 E. Main Street** 37

38 The next item under New Business was the request of Cavel Young for a change of use in order
39 to convert a 12,820 square foot former public assembly building to a retail thrift store with
40 offices on property addressed as 2238 E. Main Street (Parcel No. 06-14-431-10). The applicant
41 submitted a revised site plan to the Planning Commission, which included a landscaping plan.
42 Hudson prepared and summarized a staff report which was given to the Commissioners in their
43 agenda packets. The subject property is located in the C-2 Commercial Corridor District Zoning
44 Classification and is approximately 1.2 acres in size. Article 18 of the Township Zoning

1 Ordinance regulates the Commercial Corridor District Zoning Classification. Section 18.02.A lists
2 the Principal Permitted Uses. Section 18.02.A.1 states that the principal permitted uses in the C-
3 1 District are the permitted uses within the C-2 District. Section 17.02.A.1 of the Township
4 Zoning Ordinance lists the Principal Permitted Uses within the C-1 Local Business District Zoning
5 Classification, which includes retail businesses that supply merchandise on the premises for
6 persons residing in nearby residential areas. Hudson said the proposed improvement is to
7 reconfigure the interior of the 12,546 square-foot building to 6,612 square feet of usable floor
8 area for retail space and 1,357 feet of usable floor area for office space.

9
10 Hudson said the subject property is zoned C-2, as is the house on this block located to the
11 southwest. The properties across the alley to the southeast are zoned R-2 and are occupied by
12 dwellings. The properties across E. Main Street to the northwest are zoned C-2 and are
13 occupied by a mix of commercial and non-conforming residential uses, as are the properties
14 across Cooper Street to the northeast. Hudson said the applicant’s site plan depicts 7,969
15 square feet of the building to be used for retail and offices, with 4,907 square feet GFA for
16 utilities and storage.

17
18 Hudson discussed the Schedule of Regulations contained in Section 25.02 of the Township
19 Zoning Ordinance, which are contained in his staff report. Hudson commented that the revised
20 site plan was adequate and the original building is a lawful non-conforming structure. Hudson
21 said no new paving will be required, noting that the existing parking area will remain the same;
22 storm water calculation will not change, either. Hudson completed the review of his staff report
23 by noting that the applicant’s site plan only accounts for half of the space in the structure.

24
25 Cripps discussed the landscaping plan contained in the applicant’s site plan is in the right-of-
26 way along Cooper Avenue. Cripps asked whether there are any plans for the balance of the
27 unused building. The applicant said she is working with a rehabilitation developer regarding the
28 unused portion of the building. The applicant discussed possible vendors, such as a bank or
29 credit union who could use the space. Nagler expressed concern regarding the existing
30 landscaping. Nagler and Hudson discussed the ordinance sign requirements relating to the
31 existing sign on the subject property. Cripps recommended eliminating the proposed
32 landscaping contained in the revised site plan along Cooper Avenue.

33
34 Upon motion of Hathcock, supported by Cripps, and a unanimous vote, the request of Cavel
35 Young to convert a 12,820 square-foot former public assembly building to a retail thrift store
36 with offices on property addressed as 2238 E. Main Street (Parcel No. 06-14-431-10) was
37 approved with the following conditions:

- 38
- 39 1. The elimination of landscaping along Cooper Avenue; and,
- 40 2. The existing structure on the property remains “as is.”
- 41
- 42
- 43
- 44

1 **Old Business**

2
3 **Request of Kalamazoo Rugby Club for a special meeting to discuss a site plan amendment.**

4 The first item under Old Business was the request of Kalamazoo Rugby Club for a special
5 meeting to discuss a site plan amendment. Hudson indicated that the Rugby Club wanted a
6 special meeting so they may be the only item on the agenda to discuss a site plan amendment.
7 Hudson said the Rugby Club submitted the required fees for a special meeting to the Township.
8 Hudson said the Zoning Board of Appeals originally approved the Rugby Club’s site plan.
9 Hudson indicated that the Rugby Club is seeking a special meeting because they do not want to
10 pave the parking lot or install a sidewalk, which was required when the original site plan was
11 approved. Attorney Koches asked Hudson whether the Zoning Ordinance required the Planning
12 Commission to hold a special meeting if an applicant requests it; Hudson said no. Attorney
13 Koches said there is no statutory authority requiring the Township to accommodate the Rugby
14 Club’s request for a special meeting. The Commissioners discussed the request and concluded
15 the only reason the Rugby Club wanted a special meeting was so it could be the only item on
16 the agenda, which was an insufficient reason to hold a special meeting. The Commissioners
17 concluded that it would be too difficult to coordinate a special meeting date with everyone’s
18 schedule.

19
20 Upon motion of Cripps, supported by Nagler, and a unanimous vote, the request of Kalamazoo
21 Rugby Club for a special meeting to discuss a site plan amendment was denied.

22
23 **Kalsec – Site Plan Extension request for sidewalks – phasing to take advantage of grant**
24 **programs to tie to non-motorized plan.**

25
26 The next item under Old Business was the request of Kalsec for a site plan extension. Mitchell
27 said Kalsec was looking into making a walking path. Mitchell said he walked the property at
28 Kalsec and felt that a walking path is a good idea. The Commissioners discussed the request and
29 concluded that a two (2) year site plan extension request for the sidewalk was appropriate.

30
31 Upon motion of Cripps, supported by Hartsough, and a unanimous vote, the request of Site
32 Plan Extension request for sidewalks was extended for two (2) years.

33
34 **Zoning Ordinance Issues**

35
36 Hudson discussed a memorandum containing proposed text amendments. Hudson indicated
37 that the administrative rules for recreational marijuana were recently released. Attorney
38 Koches recommended that the Planning Commission set a workshop meeting to discuss the
39 recently released administrative rules with Attorney Catherine Kaufman or Attorney Roxanne
40 Seeber. The Planning Commission discussed and set July 30, 2019 for a workshop meeting to
41 discuss the recently released administrative rules.

1 Continued discussion of the proposed text amendments and the Master Plan 5-year mandatory
2 update was tabled until next month’s meeting. The Parks and Recreation plan was also tabled
3 until next month’s meeting.

4
5

6 **Open Discussion – Members of the Audience**

7
8 Adam Tucker thanked the Planning Commission for taking the time to educate itself regarding
9 recreational marijuana.

10

11 **Report of the Township Board Representative**

12

13 Hathcock thanked the Planning Commission for its hard work.

14

15 **Report of the Township ZBA Representative**

16

17 None.

18

19 **Comments from Planning Commission Members**

20

21 Dingemans said the Commission is approving a lot of site plans with conditions; Dingemans
22 indicated that he wanted to receive complete site plans before review.

23

24 **Report of the Planner/Zoning Administrator**

25

26 Hudson discussed possible agenda items for next month’s Planning Commission meeting.

27

28 **Report of the Township Attorney**

29

30 None.

31

32 **Adjournment**

33

34 There being no further business to come before the Planning Commission, upon motion of
35 Cripps, seconded by Hartsough, and unanimous approval, the July 11, 2019 Planning
36 Commission was adjourned at 9:35 p.m.

37

38

39

40 _____
Henry Dingemans, Secretary

41

42

43

44

1 **SYNOPSIS OF ACTIONS**

2
3 The Kalamazoo Township Planning Commission undertook the following actions at the
4 July 11, 2019 meeting:
5

- 6 1. Denied the request of Dan Rippinger of Beacon Specialized Living Services, Inc., for
7 special exception use approval and site plan approval for a proposed recreational
8 facility, a dog park, open to the public at 2710 W. Main Street, Kalamazoo, MI 49009;
9
- 10 2. Approved the request of Balkema Sitework & Development for a site plan amendment
11 to erect a storage building on property addressed as 2702 Ravine Road, with the
12 Township, with conditions;
13
- 14 3. Approved the request of Arie Luiten of Luiten Greenhouse Tech, Orange Tree Properties,
15 LLC, for a site plan amendment to add a 2,520 square foot storage building to property
16 addressed as 1100 Foster Ave. (Parcel No. 60-24-430-032), within the Township, with
17 conditions;
18
- 19 4. Approved the request of Cavel Young for a change of use to convert a 12,820 square
20 foot former public assembly building to a retail thrift store with offices on property
21 addressed as 2238 E. Main Street, within the Township, with conditions;
22
- 23 5. Denied the request of the Kalamazoo Rugby Club for a special meeting;
24
- 25 6. Approved the request of Kalsec for a site plan extension regarding sidewalks for a period
26 of two (2) years;
27
- 28 7. Set a special workshop meeting to discuss the recreational marijuana administrative
29 rules released by the Michigan Department of Licensing and Regulatory Affairs.
30
31