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**Charter Township of Kalamazoo  
Minutes of a Planning Commission Meeting  
Held on June 4, 2020**

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A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on June 4, 2020, commencing at 7:00 p.m., via Zoom remote teleconference pursuant to Michigan Governor's Order 2020-75 in light of the coronavirus outbreaks.

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18

**Present were:**

19  
20  
21  
22

William Chapman  
Denise Hartsough  
Fred Nagler, Chairman  
Warren Cook

23  
24

**Late was:**

25  
26  
27  
28

Christopher Mihelich (Motion made by Cook to excuse Mihelich's absence, supported by Hartsough, and unanimous vote.)

29  
30  
31  
32

Also present were Township Planner Patrick Hudson, Township Manager Dexter Mitchell, Township Attorney Roxanne Seeber, and approximately 71 additional interested persons were present electronically.

33  
34

**Call to Order**

35  
36  
37  
38

The Chairman called the meeting to order at 7:00 p.m. Due to Executive Orders issued by the Governor relating to the COVID-19 pandemic, this regular Planning Commission meeting was held electronically via Zoom and properly noticed so that any interested party could attend and participate.

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42

**Roll Call and Recognition of Visitors**

43  
44

Nagler welcomed those in attendance.

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46  
47  
48

**Approval of the Agenda for the June 4, 2020 Planning Commission Meeting**

The next item on the agenda was approval of the agenda for the June 4, 2020 regular Planning Commission meeting. The Commissioners received the revised meeting agenda in their packets. Seeber noted that two text amendments had been noticed for public hearing, which had not made it to the agenda. She suggested adding them as new items 6f and 6g under "public hearings". Nagler suggested re-ordering the agenda so as to permit the less controversial special land uses to be heard first.

Upon motion of Chapman, supported by Cook, and unanimous vote, the agenda was approved as amended.

**Secretary Appointment**

Hartsough made a motion to appoint Mihelich as the new secretary, supported by Cook, and unanimous vote.

1 **Approval of Meeting Minutes of the May 7, 2020 Regular Planning Commission Meeting**

2  
3 The next item on the agenda was approval of the May 7, 2020 regular Planning Commission meeting  
4 minutes. Copies of the draft meeting minutes were provided to the Commissioners in their agenda  
5 packets.

6  
7 Cook made a motion to accept the minutes as presented, but with no support, the motion failed due to a  
8 lack of support.

9  
10 Hartsough then made a motion to table the approval of the May 7, 2020 regular Planning Commission  
11 meeting minutes, supported by Cook, and unanimous vote.

12  
13 **Scheduled Reviews—gravel mines**

14  
15 Hudson stated that all gravel mine reviews would be conducted at the July 2, 2020 Planning Commission  
16 meeting.

17  
18 **Public Hearings**

19  
20 **6a. 2233-2325 Burdick Recreational Marijuana.**

21  
22 The first public hearing on the revised agenda was the request of Burdick Investment Group/Adam  
23 Tucker (applicant) and Lachie Equity Partners, LLC (owner) for special exception use approval for a  
24 proposed adult use marijuana retailer on the property located at 2233-2325 N. Burdick (Parcel Nos. 3906-  
25 10-180-030; 06-10-180-010; 06-10-115-210; and 06-10-130-30). The property is located in the "I-2"  
26 Industrial District Zoning Classification and is presently used as a medical marijuana facility, which will  
27 remain. Standards of review for an adult use marijuana retailer are located in Section 8.02 WW of the  
28 Township's Zoning Ordinance. Hudson read through his report. He stated that the site consists of 21  
29 acres and 5 buildings with an existing medical marijuana provisioning center, grower facility and future  
30 processor. He stated that the proposal will co-locate an adult use marijuana retailer in the existing  
31 provisioning center; 2940 square feet at the south end of the site and 2536 square feet at the north end  
32 of the site. Hudson stated that the surrounding properties are all zoned I-2 General Industrial. Properties  
33 to the west are vacant or back up to BL-131. Property immediately to the north is vacant and properties  
34 to the east are either used for a trucking yard or are undeveloped. Hudson noted that all setbacks are  
35 existing and that some buildings are lawfully non-conforming as to setbacks. The maximum lot coverage  
36 permitted is 75%, while the buildings take up 28.9% of the parcel and are not expected to expand in size  
37 as a result of this application.

38  
39 Hudson provided his parking calculations and stated that all parking needs were provided for. The  
40 drainage plan had been previously approved. He noted that the landscaping plan had been previously-  
41 approved as well. However, due to issues with the power lines, several of the landscaping areas had to  
42 be relocated and clustered. He also stated that the lighting fixture details and trash and security fencing  
43 had been previously-approved and would be unchanged. Signage had been separately approved.  
44 Hudson led the group through his report and his comments as to the standards for site plan approval.  
45 Even though a new use was being added, the site would remain largely unchanged from the prior  
46 approvals. Hudson stated that liability insurance would require an additional name or a name change.

47

1 Nagler invited Adam Tucker, applicant to speak. Tucker indicated that they are just looking for site plan  
2 approval to add recreational marijuana to the existing medical marijuana facilities. .

3  
4 Nagler had some technical issues, so Hartsough stepped in as Chair while Nagler corrected them.

5  
6 Seeber spoke then to clarify what the application said and that the applicant is requesting a special use  
7 and site plan approval for an addition for an adult use realtor.

8  
9 Hartsough said that they will first consider the special use request, then they will consider the site plan.  
10 Hartsough asked Tucker for more comment. Tucker thought he had a second application in for processing.  
11 Seeber clarified that he may have an application into the township, but that there was not a zoning  
12 application to add an adult use processor to the buildings.

13  
14 Hartsough opened public hearing on the request at 7:16PM. She asked for comments.

15  
16 Eric Misterovich, attorney for Burdick Investment Group asked Attorney Seeber what was submitted. He  
17 asked why the planning commission could not address the processing because he doesn't want to delay  
18 anything. He would like to review both today.

19  
20 Seeber spoke and said that there is a special use application for the addition of a retailer, but there is not  
21 one for the adult use processing center. The planning commission could not consider the processing  
22 center because there was no application for it, nor was it noticed for public hearing for adult use  
23 processing.

24  
25 Nagler joined again and resumed chair position. He clarified that the planning commission has to follow  
26 what was noticed, which was the special use request for the sale of adult use marijuana as noticed and as  
27 was in the application.

28  
29 Nagler asked for more public comment. No further comment. He closed the public hearing at 7:27PM.

30  
31 Christopher Mihelich joined.

32  
33 Cook questioned if that that they are considering parcels A and C, but not B and D. Hudson said that  
34 provisioning center was approved for A and D only. Thus, he reasoned that the adult use retailer would  
35 be in the same to parcels.

36  
37 Cook moved, supported by Chapman to approve the special use for the addition of adult use retailers to  
38 the properties at 2233-2325 N. Burdick conditioned upon the provision of liability insurance certificates  
39 with the new name/use; and all conditions on the prior medical marijuana approvals remain. The motion  
40 passed unanimously.

41  
42 The Planning Commission next considered the request for site plan approval. Since there was not any  
43 real change to the exterior, little discussion was needed. Upon motion of Hartsough, support by Cook and  
44 unanimous vote, the site plan was approved as submitted.

45  
46 **6b. 2609 N. Burdick Street-Special Use-Recreational Marijuana**

47

1 The next item on the agenda was a public hearing was the request of Razal Singh (applicant) and Ravi  
2 Sigh (owner) for special exception use and site plan approval for a proposed Class "A" (not more than  
3 500 plants) medical marijuana grow facility at 2609 N. Burdick Street within the Township (Parcel No.  
4 3906-10-130-020). The property is located in the I-2 "General Industrial" District Zoning Classification.  
5 The standards for approval of a medical marijuana grower are located in Section 8.02 VV of the  
6 Township's Zoning Ordinance. Standards for site plan review and approval are contained in Section 26.02  
7 of the Township's Zoning Ordinance.  
8

9 Hudson stated that the existing building is in poor condition and has been condemned by the building  
10 official. The site is .75 of an acre in area and is improved with a 11, 193 square foot building. The  
11 applicant proposed to use the front 7897 square feet of the building for an adult use marijuana grow  
12 facility. He noted that retail sales are not permitted on the property.  
13

14 Hudson indicated that the surrounding properties are all zoned I-2. The property to the west is vacant.  
15 The property to the north is a township-owned building, occupied as a single family residence by a  
16 member of the fire department working at the adjoining fire house. . The property to the east is vacant  
17 and used as a parking lot for semi-truck trailers. The properties to the south along Burdick Street are  
18 occupied by industrial buildings currently in use.  
19

20 Hudson indicated that the lot is 132' in width. The lot coverage is 34.4% whereas 75% is permitted. He  
21 noted that the south side setback and the east (front yard) setback are lawfully nonconforming. He  
22 provided his calculations and indicated that 21 parking spaces were needed, and only six were shown.  
23 As for parking lot landscaping, the need for 21 parking spaces would also require landscaping; however,  
24 there was not enough parking shown on the site plan.  
25

26 The planned landscaping did not meet the requirements, as it was short one ornamental tree Hudson  
27 stated. He indicated that the lightning fixture details, photometric characteristics and screening and  
28 security fencing were shown and met the ordinance's requirements. Signs were not shown and would  
29 have to be separately addressed.  
30

31 Continuing through his report, Hudson indicated that the liability insurance must be provided, and that  
32 all buffering for medical marijuana grow facilities was met. He recommended that the planning  
33 commission either table the application or grant conditional approval based on the need for interior  
34 space details on the building plans, liability insurance, inadequate parking and significant repairs needed  
35 to upgrade the building.  
36

37 Fire Marshal Todd Kowalski commented that he has not seen a site plan, nor has he been able to  
38 comment at it. Kowalski asked how will the additional lighting on the building will affect the fire station  
39 behind it.  
40

41 Nagler and Hudson reviewed the plan and noted that there are four motion lights on the North side.  
42 Cook asked Hudson about the platform lift and if there is a difference of floor levels. Hudson did not  
43 know. Applicant said there is a difference and there is a raised truck dock about 3 feet tall.  
44

45 Cook asked about the difference between the useable area and the case work area. Nagler said the  
46 applicant will speak on that later.  
47

1 Hartsough asked Hudson what he meant by the interior space details were not given and what he was  
2 looking for with that. Hudson said he was looking for the difference between the office space and the  
3 grow area because the parking area differs for each.

4  
5 The Chairman asked for comment from the applicant.

6  
7 Ravi Singh spoke. First, he spoke on the raised area issue and clarified that it will be gone soon. Then he  
8 spoke on the parking area. Their architect said that they did not need 21 parking spaces and is not sure  
9 where Hudson is getting that number, but they can update the plans if required. Singh clarified that they  
10 are wanting a special use permit for both medical and recreational marijuana.

11  
12 Nagler asked if this hearing was published for that. Seeber said it was noticed for medical. Singh  
13 understood that he needed medical first. He would also have to apply for a different marijuana use with  
14 the township.

15  
16 Cook asked about the overhead power lines and how that will affect trucks coming and going. Singh said  
17 that is not an issue, because big trucks will not be coming in and it is a small grow facility.

18  
19 Hudson spoke on where the parking requirements came from, Section 4.01 D 6 Table of Commercial  
20 Uses. He spoke on how he got the 21 parking spaces number. He had to account for the future use too,  
21 according to the applicant's Phase 2 plans. Hudson expressed concern about the non-conforming use  
22 provisions in the township zoning ordinance. He was unsure that the structure would be permitted to  
23 be upgraded, given its poor condition.

24  
25 Ravi Singh said he was never informed about this. Hudson said he put it in his original review and sent it  
26 to the architect.

27  
28 Nagler asked Razal Singh to speak. He said that the architect structured the parking lot for who will be  
29 involved with the project, but that they are willing to make any changes that the commission requires.

30  
31 Nagler asked for more questions for the applicant. There was none.

32  
33 The chairman opened a public hearing on the request at 7:48PM.

34  
35 Eric Misterovich, the application's attorney, spoke. He asked for a conditional approval of Phase 1.

36  
37 Township Supervisor Don Martin spoke on how this request needs to be approved by all departments,  
38 since this has not been approved by the fire department, it cannot go forward until it has been approved.

39  
40 Razal Singh said that they will come back for the fire department approval. He said that he submitted  
41 everything to the township and asked why the Fire Marshal did not see the plan. Nagler said he is not  
42 sure why Kowalski did not receive the plan.

43  
44 No further comment. The chairman closed the public hearing at 7:54PM.

45  
46 Cook questioned the parking spaces and if that could be a condition, along with approval from the Fire  
47 Marshal.

Commented [RS1]: Fire Marshal only one "L:"

1 Mihelich asked about the structure updates and how much the improvement investments will be.  
2 Nagler followed that questioning with who will determine the increase in value. Hudson said that the  
3 township assessor has the current value, then the building inspector will have the cost of construction  
4 and then they will judge it.  
5  
6 Hudson does not see a reason to deny the special use but is not sure of the site plan. Nagler agreed.  
7  
8 Razal Singh said that their architect is already talking to the building inspector. The exterior will stay the  
9 same, expect the painting and the sealing of the garage doors, and all of the construction will be inside.  
10 Also, he noted that the architect indicated the fire truck clearance.  
11  
12 Cook moved to approve the special use for the medical marijuana grow. Chapman supported.  
13  
14 Cook amended his motion to approve the special use for the medical marijuana grow to include  
15 submission of the liability insurance, Mihelich supported, unanimous vote motion passed.  
16  
17 Regarding the site plan review, Hartsough asked if the outstanding questions of the Fire Marshal's  
18 approval and the use of the interior are enough to make the application come back again.  
19  
20 Nagler asked Hudson if he was comfortable with an administrative approval on those issues. Hudson was  
21 hesitant to give an answer to that. Mihelich would like Kowalski to look at the plans. Hudson would like  
22 to see the construction bids so as to determine nonconforming use status.  
23  
24 Ravi Singh spoke that all the bids will be sent to Mike Alwine. He said the site plan review is simple and  
25 he does not want to prolong this process. Also, he realizes that it is right next door to the Fire  
26 Department, so he will be happy to do what the township likes, but just doesn't want to wait.  
27  
28 Hudson voiced that he is uncomfortable with it still. He noted that if the bids for repairs and  
29 improvements are more than 50% of the value of the structure, it will get brought back to the planning  
30 commission. Cook said as it should if that happens.  
31  
32 Hartsough questioned what would happen if the bids exceed the value of the property by more than  
33 50%. Hudson said that they would have to move the building to make it conforming.  
34  
35 Singh expressed his confusion. If they spend more money inside, he questioned why that would matter.  
36 The only improvements are inside. Nagler asked Hudson to explain.  
37  
38 Hudson and Mitchell mentioned that any improvements dealing with the building counts towards the  
39 value of the structure, anything dealing with the growing aspect would not.  
40  
41 Nagler said that it makes him uncomfortable that the Fire Marshal has not reviewed the plan. He would  
42 like to be safe and table it this decision.  
43  
44 Seeber said that yes, the commission can approve the special use, but can also table the site plan review  
45 until the next meeting without a new notice.  
46  
47 Mihelich expressed concerned about the setback.  
48

1 Cook moved, supported by Hartsough to table the site plan review to the July 2, 2020 planning  
2 commission meeting in order to provide the applicant with time to provide the missing application details  
3 and the liability insurance, and also receive the Fire Marshal's review and Hudson's administrative  
4 review. Unanimous affirmative vote.  
5

6 **6c. Adult Use marijuana retailer 937 Foster Avenue and overflow parking at 3714 Lake**  
7

8 The next item on the agenda was the request of Maridell Corporation (lessor) and Chevalier Holdings, LLC  
9 (owner) for special exception use and site plan approval for a proposed adult use marijuana retailer on  
10 the property located at 937 Foster Avenue within the Township (Parcel No. 3906-24-285-180). This  
11 request also includes the addition of a parking lot to service the special use to be located at 3714 Lake  
12 Street. The property is located in the I-1 "Light Industrial" District Zoning Classification and is being  
13 prepared for occupancy as a medical marijuana provisioning center, which will remain on the site. The  
14 standards for approval of an adult use marijuana retailer are located in Section 8.02 WW of the Township's  
15 Zoning Ordinance. Standards for site plan review and approval are contained in Section 26.02 of the  
16 Township's Zoning Ordinance.  
17

18 Hudson read through his report, stating that the request was to add an adult use marijuana retailer to the  
19 existing medical marijuana provisioning center and to expand the operation across Foster Avenue to a  
20 separate lot for parking. He stated that the proposal was to co-locate an adult use marijuana retailer in  
21 the 1,519 square foot provisioning center without changing the internal arrangements of the building.  
22 Additionally, the applicant proposed to add a parking lot at 3714 Lake Street. Hudson explained that the  
23 properties to the east and south were zoned Light Industrial. The property to the west of the proposed  
24 parking lot was zoned C-2 Commercial Corridor. However, the property immediately adjacent to the  
25 proposed parking lot was a lawfully nonconforming single family residence. Properties to the north across  
26 Lake Street are zoned C-2 and are vacant floodplain or are occupied by commercial uses.  
27

28 Hudson indicated that the proposal to allow additional off-street parking was authorized by section 4.01A  
29 of the Township Zoning Ordinance. The parking area was to include 725 square feet of landscaping, and  
30 a sign setback 13' from the street right of way. The parking lot landscaping adjacent to roads was not  
31 met, he said. 9 trees were needed along the road frontage. 4 shade trees were required in the same area  
32 and 90 shrubs are also required, he said. Hudson continued through his report, indicating that the special  
33 use buffering standards were all met or exceeded. Additionally, with the exception of the new off-street  
34 parking the site plan had been previously approved and remained unchanged.  
35

36 Hudson recommended that the planning commission table the application until receipt of all required  
37 documentation or that it approve the special use with conditions. He asked the planning commission to  
38 review the justification for additional parking; to require the street landscaping requirements as  
39 established by the ordinance, and to ensure receipt of liability insurance.  
40

41 Nagler asked for comments and questions from the commission.  
42

43 Mihelich asked about the proposed sign and if the township received a plan or not. Hudson said no they  
44 did not, but then corrected himself and said they did receive a plan.  
45

46 Cook asked for clarification on the residential use adjacent to the proposed parking lot. Hudson clarified  
47 and said that the requirements are based on being a parking lot next to a nonconforming residential lot  
48 and less with being a buffer area for marijuana.

1  
2 Cook stated that it seemed that everything had been covered in the ordinance.  
3  
4 Chairman asked the applicant to speak. Jason Blaauw, representative for Chevalier Holdings, LLC spoke.  
5 He mentioned how they are beautifying the neighborhood and are willing to answer any questions.  
6  
7 Cook asked about any water, gas, or sewer lines going to the structure. Blaauw said they have already  
8 been removed and they are in the process of applying for a demolition permit.  
9  
10 Hartsough asked about the research that Blaauw found regarding the number of parking spots needed.  
11 Blaauw explained and said that they expect 200 patrons a day (about 20 patrons per hour) and 6  
12 employees a day, so that is their need for more spaces.  
13  
14 Narmin Jarrous spoke on how they had to switch to curbside service during COVID-19 and that this too  
15 has shown them that they need more spaces.  
16  
17 The chairman opened a public hearing on the request at 8:27PM.  
18  
19 Trustee Jen Strebs spoke. She spoke on how there is a residential property adjacent to the proposed  
20 special use. They are two elderly, long term Kalamazoo Charter Township residents living at this address.  
21 These proposals are causing them distress. They would prefer additional setbacks and landscaping. Strebs  
22 wanted to make the commission aware of the residents' concerns.  
23  
24 Blaauw spoke. He has never spoke to the couple but has spoken to the kids. He said that they were happy  
25 with the updates but would be glad to speak to them further about the concerns. He was under the  
26 impression that they thought it was positive.  
27  
28 Nagler reminded the group that this s public hearing was for the special use exception only.  
29  
30 The chairman closed the public hearing at 8:32PM.  
31  
32 Hartsough asked if the necessary screening could be handled administratively. Hudson noted the Article  
33 5.02 of the Zoning Ordinance regarding general parking lot landscaping requirements.  
34  
35 Nagler asked more comments and questions from the board regarding the special use.  
36  
37 Cook made a motion to accept the special use exception request.  
38  
39 Hudson mentioned that the planning commission needs to consider if the number of the parking spaces  
40 is reasonable and necessary or not.  
41  
42 Cook thought the number of spots made sense due to the nature and design of the lot. It seems like a  
43 reasonable request to him.  
44  
45 Mihelich mentioned the landscaping and read from the zoning ordinance regarding site plan approval. He  
46 noted that he thought that it is missing too much screening for it to be considered harmonious due to the  
47 residents adjacent to it.  
48



1 Blaauw said they are willing to do anything to make the neighboring property happy.  
2  
3 Hudson suggested moving the privacy fencing back 10 feet or more and adding a vegetation screen along  
4 the property line too, such as shrubs.  
5  
6 Nagler asked Hudson if he would administratively approve that suggestion. Hudson said yes, he would.  
7  
8 Nagler then said he thinks that after seeing other facilities today, this additional parking makes sense and  
9 they do not want traffic going out onto the road. He also said that he liked the report from the soil  
10 engineer. He noted that they are handling the runoff well.  
11  
12 The chairman reopened a public hearing on the request at 8:42pm.  
13  
14 Strebs spoke again. She asked if the residential neighbors would be approached to discuss this. Blaauw  
15 said yes and that he could stop by their property tomorrow. Strebs said she would make contact for him  
16 with the couple's children.  
17  
18 Scott Olson spoke on how they are limited to moving the buffer to the East because they need to be  
19 careful of the retention area and runoff.  
20  
21 The chairman reclosed the public hearing on the request at 8:44pm.  
22  
23 Hartsough made a motion to approve the special use request including the extra parking spaces,  
24 supported by Cook. The motion passed unanimously.  
25  
26 The planning commission next considered the request for site plan approval. Upon motion of Mihelich  
27 to approve the site plan with the condition that Hudson can administratively approve any changes that  
28 are discussed with the adjacent property owner, support by Hartsough, and unanimous vote, and the site  
29 plan was approved.  
30  
31 **6d. 2425 King Highway Special Use Concrete Crushing**  
32  
33 The next item scheduled for public hearing was the request of Aggregate Resources (applicant) and  
34 Universal Guaranty Co. (owner) for special exception use and site plan approval to add a concrete and  
35 asphalt crushing operation to the existing contractor's yard at 2425 King's Highway. The property is  
36 located in the I-2 "General Industrial" district zoning classification. Standards of review for special  
37 exception uses are contained in Section 26.03 C of the Township Zoning Ordinance. Special exception use  
38 standards related to freight yards are to be contained in Section 8.02AA of the Township Zoning  
39 Ordinance. Standards for site plan review and approval are contained in Section 26.02 of the Township  
40 Zoning Ordinance.  
41  
42 Seeber explained that the zoning ordinance text amendment that was considered and approved by the  
43 planning commission last month was not yet effective. It would be about a month before it went through  
44 two hearings at the township board and it would be effective on the 8<sup>th</sup> day after publication. She asked  
45 the group to recall that it had inadvertently written over the letters that it had used for this section of the  
46 ordinance, so it had to be re-adopted to use the next spaces available in the zoning ordinance.  
47 Additionally, the planning commission had added concrete crushing as a special use in freight yards with

1 the same ordinance amendment. Any approval, then, would not be effective until the text amendment  
2 was approved and published.

3  
4 Hudson worked through his report, indicating that the freight yard had been previously-approved.  
5 Hudson indicated that in 2017 the applicant had received approval to use the old Georgia-Pacific site for  
6 storage and distribution of sand and gravel stockpiles. The operation utilizes the CONRAIL site for delivery  
7 of sand and gravel and has access to M-96 for a truck route. The proposal was to add a concrete crusher  
8 within a 7.4 acre area on the west side of the site. He stated that the site is that of the former Georgia-  
9 Pacific paper mill. It is partially within the floodplain of the Kalamazoo River. The site abuts the  
10 CONRAIL/AMTRAK rail line to the north and East Michigan Avenue beyond that. To the east is the city  
11 limit and additional former Georgia Pacific property. To the south is King Highway (M-96) and primarily  
12 vacant land along the Kalamazoo River. To the east is a nightclub. A non-motorized public trail runs along  
13 the river from the west side to King Highway.

14  
15 Hudson indicated that one parking space would be required for one employee; however none were  
16 shown. The loading areas for the trucks should also be designated, he said. Parking lot landscaping is not  
17 required. No lighting was indicated on the site plan, he said. The plan proposes a row of 22 evergreen  
18 trees to be planted along the west side of the property and a row of 29 evergreen trees to be planted  
19 along the non-motorized trail. Existing vegetation already in place along King Highway would remain, he  
20 said.

21  
22 Hudson indicated that the site was difficult to read and interpret. The existing office building is not shown.  
23 The trees shown on the plan are spaced further apart than intended. He questioned the adequacy of  
24 the proposed evergreen screening along the trail. The number and proposed spacing of trees should be  
25 clearly marked on the plan, he noted. The proposed stockpile locations comply with the ordinance.  
26 Hudson stated that the fire marshal had previously requested that access on the east side from E.  
27 Michigan Avenue be preserved to provide emergency services access. He was unsure as to whether a  
28 soil erosion and sedimentation control permit was required. The proposal met the EGLE requirements  
29 for dust control and provided a pollution prevention plan. Hudson commented that a separate sign  
30 application would be needed, if a sign was desired.

31  
32 Hudson concluded his report with his recommendation that the planning commission review the storm  
33 water management elements and approve the special use and site plan with the following conditions:

- 34 1. The special use and site plan is not effective until the ordinance amendment is effective;
- 35 2. Landscaping to be improved along the non-motorized trail;
- 36 3. If lighting is desired, a lighting plan shall be provided;
- 37 4. Revise the site plan to establish fire department access from E. Michigan Avenue and maintain  
38 egress width as required.

39  
40 Nagler asked for comment and questions from the board.

41  
42 Cook asked about the aerial photos and the tree height requirement of 6 feet. Nagler said that he sees  
43 that according to the plan, they are 6 feet tall. Hudson clarified that at time of planting they were 5 feet  
44 and need to reach 6 feet high by 2 or 3 years of age according to the zoning ordinance.

45  
46 Jessica Routley, in house counsel for the applicant, spoke and gave a description of the project. Then she  
47 asked if the commission had any questions.

48

1 Cook asked about the 3 circle piles in the site plan. He also asked where the entrance and exit will be.  
2 Routley said they will be using the current entrance and exit.

3  
4 Cook asked about the logistics of the sorting process when the trucks arrive. Dan Balkema spoke that the  
5 material will be stockpiled. It is only crushed once or twice a year, then it is stocked piled most of the year  
6 with trucks picking up portions of the piles. He mentioned that everything comes in by truck and goes out  
7 by truck.

8  
9 Mihelich asked if there was spur access to the railroad at the site. Balkema said yes, but it is only used for  
10 limestone at this point.

11  
12 Cook asked about the removal of rebar in the concrete. Balkema mentioned that magnets are used to  
13 recover most of it, then that gets recycled.

14  
15 The chairman opened a public hearing on the special use request at 9:00PM

16  
17 Jim Cripps, 2216 W. Main Street, spoke. He was a part of the original planning commission approval and  
18 believes this is just an extension of the original approval.

19  
20 Colleen Retherford, 1626 Hillcrest, questioned the noise and possible cement dust. Nagler asked Balkema  
21 to answer. Balkema said there are dust control measures and requirements.

22  
23 The chairman closed the public hearing at 9:03PM.

24  
25 Mihelich asked about the non-motorized path in the plan and where it goes. Nagler said that it is a part  
26 of the KRVT and that it is supposed to connect all the way to the East side of the state when it is done.

27  
28 Cook made a motion to approve special use expectation, with the condition of approval and publication  
29 of the zoning ordinance and given that more screening is put in as recommended by the county parks.  
30 Mihelich supported the motion and it was unanimously approved.

31  
32 The Planning Commission next considered the request for site plan approval. Upon motion of Mihelich,  
33 support by Cook and unanimous vote, the site plan was approved with the condition of more screening  
34 as recommended by the county parks department. .

35  
36 **Recess at 9:07PM for a 5 minute break. Motion by Nagler, support by Mihelich, unanimous vote.**

37  
38 **Nagler declared open and back in session at 9:15PM. He started with some housekeeping rules and a  
39 basic overview of the application. Nagler noted that there will be a two (2) minute speaking time.**

40  
41 **6e. Special Use Application--Waste Not Recycling---3333 Ravine Road**

42  
43 The next item on the agenda was the request of AKKG, LLC (Art Mulder), 3333 Ravine Road, Kalamazoo  
44 Michigan and Waste Not Recycling, LLC for special exception use and site plan approval for a proposed  
45 recycling center for construction and demolition waste, municipal solid waste, and other materials' sorting  
46 and processing to be located at 2206 Nichols Road (Parcel No. 06-08-170-010). The property is  
47 approximately 5.19 acres in area and is located in the I-2 "General Industrial" District Zoning Classification.  
48 Standards of review for special exception uses are contained in Section 26.03.C of the Township Zoning

1 Ordinance. Standards for site plan review and approval are contained in Section 26.02 of the Township's  
2 Zoning Ordinance.

3  
4 Nagler indicated that the property is located in I-2 zoning district, which is the highest intensity district in  
5 the township. Parallel to the application to the township is the need for the County to reconstitute its  
6 Solid Waste Management Committee. This is in the early stages, as the county board of commissioners  
7 has just authorized the reconstituting/appointment of individuals with required amount of experience.  
8 The committee will need to consider a plan amendment to get this type of facility permitted in Kalamazoo  
9 County. This requires a 2/3 vote of the municipal entities in the county in order to get passed. He  
10 explained that the he applicant understands that it needs this approval before it can operate and Seeber  
11 has suggested that the Township Planning Commission place a condition on any approval that will require  
12 amendment to county solid waste management plan to allow the facility before it can operate. Seeber  
13 had nothing more to add.

14  
15 Hudson indicated that the request was to construct a recycling center, which would include a 1,080 square  
16 foot scale building; a new 10,000 square foot solid waste building; a 10,000 square foot C & D building; a  
17 third 10,000 square foot building; and a 5,000 square foot building. The property is vacant and was  
18 formerly occupied by a junk yard. The site is 5.2 acres in area and is on the southwest corner of Nichols  
19 and Ravine Road. It has 355' frontage on Nichols and 803' frontage on Ravine Road. The applicant  
20 proposed the immediate construction of 3 buildings totaling 20,540 square feet. An additional 15,000  
21 square feet under roof was planned for the future. All setbacks would be met. The lot coverage  
22 percentage was proposed at 14%; wherein 75% lot coverage is permitted. The primary use of the  
23 property will be for recycling of building materials from demolition projects.

24  
25 Hudson stated that the property to the east is zoned I-2 and is vacant. The property across Nichols Road  
26 on the west side corner is zoned C-1 and is occupied by a retail business. The property on the south of  
27 that is zoned R-2 and is occupied by a single-family dwelling. The properties across Ravine Road to ten  
28 north are zoned C-1 and are occupied by a barn used commercially and four non-conforming single-family  
29 dwellings. The property to the south is zoned R-2 and is occupied by a single-family dwelling.

30  
31 Turning to the parameters of the site, Hudson explained that he had calculated a need for one parking  
32 space per employee, requiring 12 parking spaces. 14 were shown. However, if the planning commission  
33 considered the use as a "warehouse", then 24 parking spaces would be required. No interior parking lot  
34 landscaping would be required for 14 parking spaces, he said. Grading and surface drainage appeared to  
35 be satisfactory according to his calculations.

36  
37 The required shade tree landscaping had been met along Nichols and Ravine Road. However, Hudson  
38 noted that 4 ornamental trees needed to be added to Nichols Road; and 8 ornamental trees had to be  
39 added to Ravine Road, to comply with the landscaping requirements of the ordinance. Additionally 72  
40 shrubs must be added to Nichols Road and 160 shrubs must be added to Ravine Road in order to comply  
41 with the ordinance.

42  
43 Hudson continued, indicating that a lighting photometric plan was identified in the documents; but it had  
44 not been provided. One freestanding sign was permitted and one was shown; however no details were  
45 given. Hudson outlined the special use parameters for composing facilities, metal recycling operations,  
46 and development standards for the I-2 district zoning classification. He noted that in accordance with  
47 Section 20.03, all manufacturing, compounding, assembling, processing, packaging, or other industrial or  
48 business activity shall be conducted within a completely enclosed building. Outside storage may be

1 permitted, under certain conditions specified in Section 20.03.3. of the Zoning Ordinance. He noted that  
2 only temporary outdoor storage of materials was planned.

3  
4 Nagler asked for comments and questions from the board.

5  
6 Cook said that it seems like it is consistent with the zoning.

7  
8 Fire Marshal Kowalski said that he expressed his concerns to the applicant regarding the April 29, 2020  
9 site plan, included a fire hydrant placement concern, the proposed trees being too close to the emergency  
10 drive, and fire lane concerns. He noted that he has not seen an updated site plan.

11  
12 Matthew VanDyk, Attorney from Miller Johnson, spoke on behalf of the applicant. He provided a power  
13 point on the screens. He discussed the history of the site. VanDyk clarified that the proposed use is to be  
14 a recycling center for construction and demolition waste, a transfer station for municipal solid waste, and  
15 a drop-off for household disposables, brush, leaves, roofing, and other recyclables. VanDyk showed how  
16 the application is consistent with current zoning and that it is compatible with adjacent land uses. He  
17 noted that there will be minimal impact on traffic generation and that there will be no hazard to the  
18 health, safety, and welfare of the community. VanDyk finished by discussing the benefits to the local  
19 economy and he provided answers to some frequently asked questions.

20  
21 Dan Schaafsma spoke next about the site plan details and the logistics of the business.

22  
23 Nagler asked for comments from the commission. No comments.

24  
25 The chairman opened a public hearing on the request at 10:04PM.

26  
27 Nagler asked Attorney Seeber to read the names of who submitted written communication.

28  
29 Written communications in opposition were received from: Brien Leonard; Henry Dingemans; Chelsea  
30 Dilla (1621 Kaywood); Janet Grimm (Nichols Road); Chris Sipsma; Clare Banonis (1803 Kaywood); Jakob  
31 Berzins (1803 Kaywood); Mike and Karen Bolle (1812 Kaywood); Andrew Bolton (1724 Nichols) Mary Ann  
32 Carey (5749 Stadium) Theresa L. Denton (1519 W Lovell); Anne Dueweke (121 Arbor); Douglas A. Duncan  
33 (1519 W Lovell); Sher Marie Farrell (2910 Alamo); Kenneth Allan Fletcher (2914 Junedale); Linda Gonzalez  
34 (1809 Nichols); Jennie Hill (2330 Midvale Terrace); Robert Hill (2330 Midvale Terrace); Martha Huckabee  
35 (307 Creston); Brett Huckabee (307 Creston); Grace Kiel (926 W Main); Tracy Kiel (2201 Nichols); Jane Kiel  
36 (2201 Nichols); Julie Kline (1724 Nichols); Janice and Robert Lang Jr. (2034 Nichols); Curtis Leibbrand (308  
37 Woodside); Paige Maguire (4116 Aspen); Roger Siewert (3613 Grand Prairie); Louise Wright (308  
38 Woodside); Dennis and Jan VanDenBerg (2905 Doncrest); Melanie Crow (3715 Grand Prairie) Adelina  
39 Turner (3715 Grand Prairie); Lynette Abbate (4016 Grand Prairie); Candace Strong (2121 Nichols); Robert  
40 and Lynn Horton (1127 Fletcher); Van Noll (2121 Nichols Road) Jo Ellen King (723 Nichols Road); Sandra  
41 Blair (114 Woodwind Circle); Daniel Blair (114 Woodwind Circle); Edward Lang (2108 Nichols Road); Justin  
42 Jenkins (2926 Ravine Road); and Paul Yelsma (2833 Junedale). Concerns voiced included loss of property  
43 values, increase in traffic, safety of children, safety of those using the KRVT; environmental issues; noise;  
44 truck traffic and perceived loss of quality of life.

45  
46 Seeber also noted that 490 people signed an online petition as of 9:44PM, however she was not able to  
47 receive names associated with it.

48

1 Then Henry Dingemans' emailed letter was read into the record by Nagler. It was read as follows:  
2 Please share this email by reading out loud during the PC meeting or forwarding my email  
3 on to the PC members.  
4

5 "Mulders did a very nice job putting this package together.  
6 My concerns with this are very similar to the concerns the PC had for the proposed gas  
7 station last year, which is pedestrian safety on the KRVT. Having 100 trucks driving  
8 potentially up to 4 times per day (400 crossings total/day) across the KRVT creates very  
9 large risk of an accident occurring. This calculation is making the assumption that all truck  
10 traffic will take Nichols to Ravine and leave by taking Ravine to Nichols. If this were not  
11 true, the count per day would still be between 200-400 crossings per day. I used to drive  
12 semi trucks during my college years and know that it can be very difficult to see adult  
13 pedestrians, let alone children.  
14

15 In addition to this, the new Kalamazoo Public school bus garage needs to be taken into  
16 consideration. I understand that around 140 buses will be using the Ravine location. I am  
17 not sure if all 140 buses are used every day, but assuming they are, we are looking at an  
18 additional 240 (including both ways, it will be 480) large vehicles driving on Ravine Road,  
19 and this does not include the employees. I might be wrong in this, but I am assuming that  
20 this count also does not include individuals dropping off material. This is a substantial  
21 increase of large vehicles. Since we don't know yet how the bus traffic will affect the  
22 general traffic in this area, I am very concerned about adding an additional 200 count. Has  
23 a traffic study been done to determine how this will affect the Ravine/Nichols 4-way stop  
24 and traffic on Ravine in general?  
25

26 Do to pedestrian safety and the very substantial increase of large vehicles, I do not  
27 support this proposal.

28 Thank you,

29 Henry

30 Henry Dingemans [hdingemans@yahoo.com]

31 Sent: Monday, June 01, 2020 4:33 PM  
32  
33

34 Seeber continued by reading the written communications in support. Written communications in support  
35 were received from: CDRA Construction (Chicago); Building Restoration, Inc. (2423 Ravine Road); Utility  
36 Contracting Co. (Sparta, MI); Michael Van Duine (Kalamazoo Township); Debra Jo Rhodes; Jim Roberts  
37 Construction (Kalamazoo); DeVisser Landscape Services (Kalamazoo); D & J Lawn and Landscaping  
38 (Bellevue, MI); Naylor Landscape Management (Kalamazoo); Pennings and Sons (Kalamazoo); West  
39 Michigan Lawn Services (Kalamazoo); Sportel Greenhouses (Kalamazoo); Earthworks (Kalamazoo); Bishop  
40 Construction(Kalamazoo); Mulder Glass (4244 Ravine Road); Mulder Waterproofing and Sealants (3420  
41 Ravine Road); Pro-Turf Management (Kalamazoo); Deep Roots Landscaping ; Miracle Lawn Maintenance  
42 LLC (Comstock); Westrate Greenhouses (Kalamazoo); Wenke Flooring and Design (3428 Ravine Road);  
43 Balkema Sitework and Development (2702 Ravine Road); Extreme Power Equipment (Kalamazoo);  
44 Whitaker Insurance Group (Kalamazoo); Servicemaster (3344 Ravine Road); Kalamazoo Township  
45 residents Keith Landis; Doug Pennock; Kenneth A. Anderson; Tim Jensins; Joel Lindmer; Tabatha Lawrence;  
46 Phil Esluis; Russ Veldt; Robert Voss; Gary M; Brian Kuart; Christopher Garrett; Cory Voltman; John B  
47 Pawlak; TC Belco; Chad (?); and Robert L. Mulder; Trin Cass; Rick Eshuis; Dan DeYoung; John Post  
48 Landscape Services (Kalamazoo); Hailey Mulder; Rylee McPhee; Thomas S. Beussoe; LDW Custom

1 Landscapes and Outdoor Spaces; Top Grade Aggregates (Hamilton, MI); Matt Kirch; Jesus Rhodes (5617  
2 Arbor Point Cr); David Rhodes (5617 Arbor Point Cr); Anglea Rhodes (34900 s. 23<sup>rd</sup>); David Hall (5900  
3 Whitetail Way); Dave DeVries (129 Leona); Ben Madison (7807 N 26<sup>th</sup>); Kalamazoo Habit for Humanity  
4 Building Official Tom Tishler; Julie Pieper (3580 W C Ave); Jim Pieper (3580 W C Ave); Jeff Thiede, J&J Lawn  
5 Service (Portage); Sue Meiner; Chad Mulder (4509 Canterbury); Megan Mulder (4509 Canterbury); Justin  
6 Rhodes (34900 S 23<sup>rd</sup>); Tom Van Dien; Bruce Triemstra (8737 Angling Rd); Pure Green Lawn and Tree  
7 Professionals; David Willems (5064 E Michigan); David Beason, Beason Property maintenance; Kim Mulder  
8 (3302 Oakharbro) Bryon G.; Mingas Minor; Linsey Cook; Andrew Shur; Seth Martin; Gerald Thomas;  
9 Joshua Borma; Anna Colynn Stoker; Wolverine Lawn Maintenance; Alyson Roberts; Brooklyn Block (5508  
10 N Westnedge); Amy Block (5508 N Westnedge); Margaette Blue (5508 N Westnedge); Kayligh Veloit 5025  
11 W F Ave); Eric Barnard (6378 Bayfield); Santa Barnard (6378 Bayfield); Billie Lighvoit Ward (8514 S 12<sup>th</sup>);  
12 and Phyllis Lightvoit (8514 S 12<sup>th</sup>)

13  
14 She noted that support for the project centered on a perceived need for a location in which to take  
15 construction and demolition waste; and past history dealing with the owner in his other businesses.

16  
17 All written comments were included in the record of the meeting.

18  
19 The Chairman opened a public hearing on the request at 10:16PM.

20  
21 Jane Kiel, 2201 Nichols Road, spoke on the moderating of pollutants, including asbestos and lead, and  
22 how that will affect the ground water. She voiced concern about the hours of operation and the traffic.  
23 She also asked what kind of light contamination will be emanating from the site.

24  
25 Edward Lang, 2108 Nichols Road, spoke on the noise and pollution. He asked how Mulders are going to  
26 cover 75% of the building so the public won't see it. He also mentioned that his parents live close and it  
27 can be detrimental to their health. He also voiced concern over the hours of operation.

28  
29 Art Mulder, business owner, spoke. He thanked the commission members for their service. He explained  
30 the business's history, practices, and their community involvement.

31  
32 Dan Merchant, 2026 Nichols Road, spoke. He has been in the trucking industry and is concerned of how  
33 things will stay contained. He also expressed concern about the possible future roundabout planned for  
34 Nichols and Ravine.

35  
36 Justin Jenkins, 2926 Ravine, spoke on how the privacy fence will do nothing for him and his neighbors. He  
37 mentioned that the neighboring land will have heavy truck impact. He mentioned that he thought they  
38 wanted a transfer station too, but has not seen mention of that.

39  
40 Theresa Bell, 1724 Kaywood Drive, expressed love of the neighborhood and her concerned for the water,  
41 air, and nature.

42  
43 Janet Grimm, 1715 Nichols Road, expressed concern for the big building and how the landscaping will not  
44 work in the wintertime. She also voiced issues with homeowners dropping off brush and leaves. She  
45 questioned where another facility like this is. She stated she is opposed.

46  
47 Dave Hoekstra, 1328 Huron, spoke on his thankfulness that Art cleaned up "that pit". He mentioned how  
48 the township will be hurting for money soon and this will be of benefit to the Township. He talked about

1 his support for Art and his plans and said that he is grateful for his community support. “[Art is a] first  
2 class business man.” He said.  
3  
4 Jim Cripps, 2216 W. Main Street, voiced his support for the projecting, indicating that the proposed use is  
5 well intended for this zone. He would like the commission to consider that this is a positive advancement  
6 for this area.  
7  
8 Bill Rose, 4693 Thistle Mill Court, supports the idea and the importance for the environment, but has  
9 concerns about the compatibility of adjacent land uses.  
10  
11 Ronald Huster, 1314 Coolidge Ave, expressed concern about the traffic when school is in session and the  
12 noise. He also mentioned the need for a traffic light.  
13  
14 Supervisor Don Martin, 1303 Calhoun Street, mentioned that there will be a foot path and curbs on Nichols  
15 Road. He does not know where the status of a roundabout is but hopes there will be a new light. He  
16 supports this 100%.  
17  
18 Nagler asked for a second round of comments.  
19  
20 Justin Jenkins, 2926 Ravine, asked about the rest of this process, the assessment, and when the public will  
21 be made aware of when these reports will be available. He also asked how the public will be able to find  
22 out updates on this project.  
23  
24 Nagler commented that he is not sure if the planning commission and township does updates like that,  
25 but believes it is up to the private business owner. Seeber explained the process and how once the  
26 planning commission gives approval for a special use application, it goes to the building department as is  
27 inspected and enforced by building and zoning.  
28  
29 Supervisor Don Martin, 1303 Calhoun Street, spoke how Ravine and Nichols are primary roads, so the  
30 Kalamazoo County Road Commission will have meetings about any changes to those roads.  
31  
32 Hudson mentioned that there were 114 opposed written communications and 92 in support.  
33  
34 Nagler closed the public hearing at 10:47pm. Then Nagler asked for commissioners’ input.  
35  
36 Cook inquired about any other recycling centers like this to Hudson. Hudson said that there are none in  
37 Kalamazoo County, but he believes there is one in Berrien County and another in Calhoun County.  
38  
39 Cook then asked Hudson about the reference to a transfer station and if there is anything in the zoning  
40 ordinance about zoning for transfer stations. Hudson said he did not believe there is, but Hartsough  
41 mentioned in permitted uses Number 30 and that transfer stations could go there.  
42  
43 Hartsough asked Hudson what is the reason for consolidating waste. Hudson said this is mostly waste  
44 from buildings that would go to dumps. Hartsough inquired what is the municipal solid waste. Nagler  
45 provided an example, such as bulk trash day pickups. These types of items could be sorted out before  
46 possibly going to the landfill.  
47



1 Hartsough asked how the traffic in and out of the facility will yield to all trail users. Hudson said there  
2 would need to be signage. Cook inquired if that would be DNR signage. Hudson said it would need to be  
3 because the road commission would not have control of that.

4  
5 Mihelich asked what the hours of operation would be. Hudson said it is not in the application, so the  
6 commission asked Vandyk and Mulder. Vandyk answered 7AM through 5PM, Monday through Friday, and  
7 a half day on Saturday or Sunday.

8  
9 Cook asked about the landscape waste. Mihelich read from the plan to clarify. Cook then said that it  
10 sounds like it is mostly construction and demolition waste.

11  
12 Cook mentioned leaking and waste runoff. He noted that he did not hear any real plan for that, other than  
13 that it would be cleaned up daily.

14  
15 Nagler would like to see details on runoff and storm water.

16  
17 Cook said that this does keep a lot of stuff out of landfills and helps contractors. People do need a source  
18 like this.

19  
20 Mihelich brought up the wetland to the east. Hudson said that the pond outlet will go to the ditch and  
21 stream.

22  
23 Hartsough asked if there was anything unresolved about the emergency exits. The Fire Marshal had to  
24 leave, but Mitchell said that Kowalski was reasonably certain that it would not be an issue, but he needed  
25 confirmation on width of driveways.

26  
27 Nagler said that he believes that most of the concerns can be curbed with design. He also mentioned that  
28 they could make hours of operation a condition of approval.

29  
30 Mitchell asked if there should be a decibel reading and where that level should be at. Attorney Seeber  
31 said there is in the noise ordinance. She also mentioned that violation of that is a misdemeanor and will  
32 be prosecuted by the police department, then will go to criminal court. Mitchell said that this would then  
33 give reassurance to residents.

34  
35 Seeber read from the noise ordinance and said that industrial noise would need to remain under 80  
36 decibels between the hours of 7AM to 10PM, and 75 decibels between the hours of 10PM to 7AM.

37  
38 Hartsough asked if there is anything the township can do to make that area better regarding the non-  
39 motorized usage. Nagler said that most of those issues are right-of-way issues and the township doesn't  
40 have those rights.

41  
42 Cook mentioned the biggest thing is the noise. Then said that all of the conditions have been laid out.

43  
44 Seeber discussed some of the conditions that have already been mentioned, including:

- 45
- 46
  - No composting to occur on the property
- 47
  - No metal recycling to occur on the property
- 48
  - Building heights limited to one story

- 1           ▪ Addition of two rows of trees along the KRVT trail, fence to remain
- 2           ▪ Grading and surface drainage to be reviewed according to drain
- 3           commissioner's standards
- 4           ▪ Provide details for site drainage and calculations
- 5           ▪ Add 30 feet interior landscaping 9 x 33 minimum.
- 6           ▪ Add 4 evergreens along Nichols
- 7           ▪ Add 72 shrubs along Nichols
- 8           ▪ No road frontage landscaping required on Ravine.
- 9           ▪ Outside storage to be in compliance with setbacks; screened by wall or
- 10          fence.
- 11          ▪ No aggregate materials storage.
- 12          ▪ All processing to take place inside.
- 13          ▪ Temporary outdoor storage permitted only; must remove items from
- 14          outdoor storage daily.
- 15          ▪ Earth change permit required prior to construction.
- 16          ▪ Installation of fire hydrant consistent with spacing requirements along
- 17          Ravine Road
- 18          ▪ Ensure 26-foot-wide driveway and drive aisles throughout for Fire
- 19          Department Access
- 20          ▪ No evergreens in fire department emergency drive; and Width of
- 21          proposed driveway to meet 26-foot ingress for fire department access
- 22          ▪ No concrete crushing
- 23          ▪ Sweep site regularly to limit dust
- 24          ▪ Approval of access/entry location and details by Road Commission of
- 25          Kalamazoo County
- 26          ▪ Securing crossing rights for Kal-Haven Trail from Michigan DNR, add signs
- 27          as required
- 28          ▪ Issuance of required permitting and licensing for conducting the use from
- 29          Michigan Department of Environment Great Lakes and Energy (EGLE)
- 30          ▪ Approval of required plan amendment to Kalamazoo County's Solid
- 31          Waste Management Plan by Kalamazoo County's Solid Waste
- 32          Management Planning Committee and EGLE
- 33          ▪ Concrete over 24" aggregate over trail driveway vehicles must yield to
- 34          trail users.
- 35          ▪ Customer/truck access to be off of Ravine
- 36          ▪ Existing trees along the road to remain
- 37          ▪ Must have 8' high fence required by EGLE.
- 38          ▪ Fence not less than 8' high and 75% screened from adjoining residence
- 39          ▪ Lighting on buildings to be directed downward; scale house lighting to be
- 40          directed downward. No lighting to be shown off site.
- 41          ▪ Separate sign application required
- 42          ▪ Hours of operation limited to 7AM to 5PM Monday through Friday, 8AM
- 43          to noon Saturday, and closed Sunday
- 44

45 Nagler then opened the discussion the Standards for Granting Special Land Use Approval.

46  
47 1. Compatibility with Adjacent Uses

1 Cook mentioned that the plan meets all of that, short of the adjacent land use, however it is compatible  
2 with the zoning district in which it is located. Hartsough recognized that this change is jarring, however it  
3 is zoned industrial and can be used in so many different ways.

4  
5 Commission agreed that this standard is met.

6  
7 2. Compatibility with the Master Plan

8  
9 Commission agreed that this standard is met.

10  
11 3. Public Services

12  
13 Commission agreed that this standard is met. Only concern is access to the road, but that will be addressed  
14 in the conditions.

15  
16 4. Impact of Traffic

17  
18 Commission agreed that this standard is met.

19  
20 5. Detrimental Effects

21  
22 Commission agreed that this standard is met. Commission mentioned that they make a condition  
23 that it is swept every day to keep it clean and ensure that anything dropped outside gets cleaned  
24 up. Also, everything will be done inside excepting of the roofing and brush outdoor drop off that  
25 will be removed daily. Commission also said that approval will be subject condition that applicant  
26 obtains approval from Michigan Department of Natural Resources (DNR), Michigan Department  
27 of Environment Great Lakes and Energy (EGLE), and Kalamazoo County's Solid Waste  
28 Management Planning Committee.

29  
30 6. Economic Well-Being of the Community

31  
32 Commission agreed that this standard is met.

33  
34 7. Compatibility with Natural Environment

35  
36 Cook mentioned the wetlands concerns and if anything has been done to mitigate any possible concerns.  
37 Nagler said that he would like to see what processes they will have for water filtration before it goes to  
38 the basin. Commission agreed to add a condition grading and surface drainage to be reviewed by the  
39 Drain Commissioner's standards and along with consideration of nearby wetland.

40  
41 Commission agreed that this standard is met.

42  
43 Cook moved, supported by Hartsough, to approve the special use permit subject to the following  
44 conditions:

- 45
- 46 ■ No composting to occur on the property
  - 47 ■ No metal recycling to occur on the property
  - 48 ■ Building heights limited to one story
  - Addition of two rows of trees along the KRVT trail, fence to remain

- 1  
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44
- Grading and surface drainage to be reviewed according to drain commissioner’s standards, along with consideration of nearby wetland
  - Provide details for site drainage and calculations
  - Add 30 feet interior landscaping 9 x 33 minimum.
  - Add 4 evergreens along Nichols
  - Add 72 shrubs along Nichols
  - No road frontage landscaping required on Ravine.
  - Outside storage to be in compliance with setbacks; screened by wall or fence.
  - No aggregate materials storage.
  - All processing to take place inside.
  - Temporary outdoor storage permitted only; must remove items from outdoor storage daily.
  - Earth change permit required prior to construction.
  - Installation of fire hydrant consistent with spacing requirements along Ravine Road
  - Ensure 26-foot-wide driveway and drive aisles throughout for Fire Department Access
  - No evergreens in fire department emergency drive;
  - Width of proposed driveway to meet 26-foot ingress for fire department access
  - Sweep site regularly to limit dust
  - Approval of access/entry location and details by Road Commission of Kalamazoo County
  - Secure crossing rights for Kal-Haven Trail from Michigan Department of Natural Resources (DNR), add signs as required
  - Issuance of required permitting and licensing for conducting the use from Michigan Department of Environment Great Lakes and Energy (EGLE)
  - Approval of required plan amendment to Kalamazoo County’s Solid Waste Management Plan by Kalamazoo County’s Solid Waste Management Planning Authority and EGLE
  - Concrete over 24” aggregate over trail driveway vehicles must yield to trail users.
  - Customer/truck access to be off of Ravine
  - Existing trees along the road to remain
  - Must have 8’ high fence required by EGLE.
  - Fence not less than 8’ high and 75% screened from adjoining residence
  - Lighting on buildings to be directed downward; scale house lighting to be directed downward. No lighting to be shown off site. Photometric plan to be provided.
  - Separate sign application required
  - Hours of operation limited to 7AM to 5PM Monday through Friday, 8AM to noon Saturday, and closed Sunday

45 The motion passed unanimously.

46

1 Since there was not any real change to the exterior, little discussion was needed. Cook moved to amend  
2 this approval to include the site plan, supported by Hartsough. The motion passed unanimously, the site  
3 plan was approved.  
4

5 **6e. Text Amendment---remove references to non-existent item 12 in measurement of adult use**  
6 **marijuana buffers.**  
7

8 Seeber indicated that this item had been noticed for public hearing and an ordinance prepared after last  
9 month's discussion regarding the buffering for marijuana uses. She suggested that the public hearing be  
10 tabled until the July 2, 2020 planning commission meeting. Hartsough moved, supported by Nagler to  
11 table this agenda item to July 2, 2020. The motion passed unanimously.  
12

13 **6f. Text Amendment---ground-mounted solar energy systems**  
14

15 Seeber indicated that this item had been noticed for public hearing and an ordinance prepared after last  
16 month's discussion regarding ground-mounted solar energy provisions. The ordinance has ground-  
17 mounted solar energy panels counting as an accessory building. This has been eliminated from the  
18 definitions section. A sentence has been added to the ground-mounted solar energy systems provisions  
19 to establish that setbacks are subject to the special use provisions for solar energy. Steve Leuty had  
20 additional recommendations and the ZBA had referred his request to the PC. Those considerations were  
21 not before the planning commission at this time. Seeber suggested that, due to the lateness of the hour,  
22 that the public hearing on this text amendment be tabled to the July 2, 2020 planning commission  
23 meeting. Hartsough moved, supported by Nagler to table this agenda item to the July 2, 2020 planning  
24 commission meeting. The motion passed unanimously.  
25

26 **New Business**  
27

28 None.  
29

30 **Old Business**  
31

32 **Master Plan – 5-Year Mandatory Update**  
33

34 The next item on the agenda was continued discussion regarding the 5-year mandatory Master Plan  
35 update. Hartsough said that she was not ready to continue the discussion regarding the Master Plan.  
36 Attorney Seeber said that she did not have a current version of the updated plan. Hudson said that he is  
37 working on amending the plan to reflect recommended revisions submitted by the Commissioners.  
38 Hudson said that he will keep working on the updated Master Plan and provide it to the Commissioners  
39 at the next regular Planning Commission meeting. Hudson asked the Commissioners how soon a public  
40 hearing could be held. Nagler recommended going to the various neighborhoods for input, but the COVID-  
41 19 stay-at-home Executive Orders prohibits that right now. Hudson suggested mailing a survey. Cook said  
42 that the Township has established neighborhood associations and wants to provide them a draft copy of  
43 the updated Master Plan and accept feedback. Nagler asked Hudson to continue working on the draft  
44 copy of the updated Master Plan and forward it to the Commissioners.  
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46 Hartsough said that she appreciates all of the work Hudson has done on the master plan.  
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48 **Open Discussion – Members of the Audience**

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None.

**Report of the Township Board Representative**

None.

**Report of the Township ZBA Representative**

None.

**Comments from Planning Commission Members**

None.

**Report of the Planner/Zoning Administrator**

None.

Hudson mentioned about greenhouses. Commission gave Hudson permission to talk to Seeber about that.

**Report of the Township Attorney**

None.

**Adjournment**

There being no further business to come before the Planning Commission, upon motion of Mihelich, seconded by Nagler, and unanimous approval, the June 4, 2020 regular Planning Commission meeting was adjourned at 11:53PM.

\_\_\_\_\_  
Christopher Mihelich, Secretary

1 **SYNOPSIS OF ACTIONS**

2  
3 The Kalamazoo Township Planning Commission undertook the following actions at the June 4,  
4 2020 regular Planning Commission meeting:

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- 7 • Approved a special use application with conditions for the addition of an adult  
8 use marijuana retailer to the medical marijuana facilities at 2609 N. Burdick, but  
9 tabled the site plan review to the July 2, 2020 regular Planning Commission  
10 meeting
  - 11 • Approved a special use application and site plan with conditions for the addition  
12 of an adult use recreational marijuana retailer to the medical marijuana facilities  
13 at 2233-2325 N. Burdick
  - 14 • Approved the addition of an adult use marijuana retailer to a medical marijuana  
15 provisioning center with conditions at 937 Foster and site plan approval for off  
16 street parking for the business at 3714 Lake Street
  - 17 • Approved a special land use and site plan application for concrete crushing  
18 facilities at Aggregate Industries site at 2425 King Highway
  - 19 • Approved a special land use and site plan application, with conditions for  
20 proposed recycling center at 2206 Nichols Road
  - 21 • Tabled consideration of text amendments to July 2, 2020 planning commission  
22 meeting
- 23  
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