

**Charter Township of Kalamazoo
Minutes of a Planning Commission Meeting
Held on April 2, 2020**

A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on April 2, 2020, commencing at 7:00 p.m., via Zoom remote teleconference pursuant to Michigan Governor's Order 20-15 in light of the coronavirus outbreaks.

Present were:

William Chapman
Denise Hartsough
Christopher Mihelich
Fred Nagler, Chairman
Warren Cook

Absent was:

Jeremy Hathcock

Nagler noted that Hathcock was absent from the meeting and asked the Commission to consider a motion to excuse him.

Upon motion of Cook, supported by Chapman, and unanimous vote, Hathcock was excused from the meeting.

Also present were Township Planner Patrick Hudson, Township Manager Dexter Mitchell, Township Attorneys Roxanne Seeber and Seth Koches, and approximately five (5) additional interested persons were present electronically.

Call to Order

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 any interested party may attend and participate in this meeting.

Roll Call and Recognition of Visitors

Nagler welcomed those in attendance.

Approval of the Agenda for the April 2, 2020 Regular Planning Commission Meeting

The next item on the agenda was approval of the agenda for the April 2, 2020 regular Planning Commission meeting. The Commissioners received the meeting agenda in their packets.

Hudson noted a correction to the agenda, stating that item 6.a. was not set for a public hearing.

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

Approval of Meeting Minutes of the February 6, 2020 and March 5, 2020 Regular Planning Commission Meeting

The next item on the agenda was approval of the February 6, 2020 and March 5, 2020 regular Planning Commission meeting minutes. Copies of the draft meeting minutes were provided to the Commissioners in their agenda packets.

Several Commissioners recommended revisions to the proposed February 6, 2020 regular Planning Commission meeting minutes.

Upon motion of Hartsough, supported by Chapman, and unanimous vote, the minutes of the February 6, 2020 regular Planning Commission meeting were approved as revised.

The Commissioners next considered approval of the March 5, 2020 regular Planning Commission meeting minutes. Hartsough and Nagler recommended several revisions to the proposed meeting minutes.

Upon motion of Chapman, supported by Mihelich, and unanimous vote, the minutes of the March 5, 2020 regular Planning Commission meeting were approved as revised.

Attorney Seeber made the revisions to the February 6, 2020 and March 5, 2020 regular Planning Commission meeting minutes and said that she would forward them to Cook for signature. The minutes will then be transmitted to the Township staff.

Scheduled Reviews

None.

Public Hearings

Amend I-2 Zoning District Classification, 8.02 Special Uses to add concrete crushing operation and add to I-2 General Industrial District Zoning Classification

Hudson previously noted that this agenda item was not set for public hearing.

Amend 8.02.WW and VV to add government buildings to the 500-foot buffer for Medical Marijuana Facilities.

The next item on the agenda was the public hearing for text amendments to amend Section 8.02.WW and VV of the Township Zoning Ordinance to add government buildings to the 500-foot buffer for both Medical Marijuana Facilities. A copy of the proposed text amendments were provided to the Commissioners in their agenda packets.

Hudson summarized the proposed text amendments and said that the Fire Marshal was concerned about a medical marijuana grow operation next to the Northwood Fire Station located at the corner of Mosel Avenue and Burdick Street. Hudson noted that the Northwood Fire Station was the only station located in an Industrial District Zoning Classification; the other three Township Fire Stations are located in Residential Districts. Mitchell said he supported blocking a medical marijuana grow operation at this location. Don Martin said that the Northwood Fire Station was built in 1940 and was zoned as a Residential District back then. Mihelich said that any concerns regarding odor are addressed and enforced through the Township Zoning Ordinance. Mihelich said that traffic concerns and buffer requirements were discussed when the Planning Commission drafted and reviewed the Zoning Ordinance authorizing medical marijuana facilities within the Township.

Nagler opened the public hearing and invited any interested party to speak in support of or in opposition to the proposed text amendments. Attorney Seeber clarified that the public hearing only considers text amendments that effect medical marijuana facilities and confirmed that the public hearing for a similar text amendment regarding Adult Use Recreational Marijuana is set for the May 7, 2020 regular Planning Commission meeting. Hearing no public comments, Nagler closed the public hearing and the Commission entered into deliberations.

Cook discussed possible traffic issues. Nagler discussed traffic impact, odor concerns and noted that a firefighter and his family live at the Northwood Fire Station. Cook asked the Commissioners to consider what the Commission wants to accomplish in terms of zoning. Cook noted that the district moved from a Residential District Zoning Classification to an Industrial District Zoning Classification. Cook suggested that if the district is zoned "Industrial" then a family living at the Northwood Fire Station is an incidental use in that location. Hartsough said that the Township Zoning Ordinance provides for a special exception use process to grant approvals, including medical marijuana grow operations. Cook said that if the intent of the Zoning Ordinance is to promote Industrial uses, then the proper types of uses should be authorized within that type of zoning district classification. Cook expressed concerns regarding spot zoning.

Upon motion of Cook, supported by Mihelich, and unanimous vote, the Planning Commission recommended denying the proposed text amendment to Section 8.02.WW and VV of the Township Zoning Ordinance to add government buildings to the 500-foot buffer for Medical Marijuana Facilities to the Township Board.

Attorney Seeber said that the proposed building where the medical marijuana grow operation may go is condemned/sub-standard. Mitchell confirmed that a testing lab had considered using the building; however its dilapidated condition made them change their minds. Presently there is no activity at the building and it has been condemned as dangerous and unsafe by the building official. Mihelich said that the more the Commission limits the use of the building, the less likely the building will be rehabilitated.

New Business

None.

Old Business

Master Plan – 5-Year Mandatory Update

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

Tali's Market Special Use – action postponed to April 2, 2020.

Hudson confirmed that the Tali's Market property has sold and no further action needs to be taken on this matter. Nagler recommended removing this item from the agenda moving forward.

Open Discussion – Members of the Audience

Jared Glover discussed concerns regarding yard waste pick-up. Mitchell said that the Township is currently negotiating with Republic Services for trash pick-up. Glover asked whether the negotiations include yard-waste pick-up. Mitchell said the parties are in negotiations and want to ensure a healthy and safe work-force during the COVID-19 pandemic.

Report of the Township Board Representative

None.

Report of the Township ZBA Representative

None.

Comments from Planning Commission Members

Mitchell discussed the use of Zoom virtual meetings. Mitchell discussed the small business loan program offered by the Federal Government during the COVID-19 crisis. Mitchell said that the payroll protection program is applicable to small businesses.

Report of the Planner/Zoning Administrator

None.

Report of the Township Attorney

None.

Adjournment

There being no further business to come before the Planning Commission, upon motion of Mihelich, seconded by Cook, and unanimous approval, the April 2, 2020 regular Planning Commission meeting was adjourned at 8:03 p.m.

Warren Cook, Secretary

SYNOPSIS OF ACTIONS

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

1. Planning Commission recommended denying the proposed text amendment to zoning sections 8.02.WW and VV to add government buildings to the 500-foot buffer for Medical Marijuana to the Township Board.