

**Charter Township of Kalamazoo  
Minutes of a Planning Commission Meeting  
Held on June 3, 2021**

A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on June 3, 2021, commencing at 7:00 p.m., via Zoom remote teleconference pursuant to the Kalamazoo Township Remote Meeting Policy and Emergency Order of the Kalamazoo County Board of Commissioners due to the COVID-19 public health crisis.

**Present were:**

William Chapman  
Denise Hartsough  
Christopher Mihelich  
Peter Morrison  
Fred Nagler, Chairman  
Warren Cook  
Steve Leuty

**Absent was:**

None.

Also present were Township Zoning Administrator Katarina Kusmack, Township Manager Dexter Mitchell, Township Fire Marshal Todd Kowalski, Township Planning Consultants Paul Lippens and Danielle Bouchard, Township Attorney Roxanne Seeber; and approximately 6 additional interested persons.

**1. Call to Order**

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

**2. Roll Call and Recognition of Visitors**

Nagler welcomed those in attendance. All members stated that they were participating electronically from Kalamazoo Township, Kalamazoo County, Michigan.

**3. Approval of the Agenda for the June 3, 2021 Planning Commission Meeting**

The first item on the agenda was approval of the agenda for the June 3, 2021 regular Planning Commission meeting. Upon motion of Cook, supported by Chapman, and unanimous roll call vote, the agenda was approved as submitted.

**4. Approval of Meeting Minutes of the May 6, 2021 and May 7, 2021 Planning Commission Meetings.**

The next item on the agenda was approval of the May 6, 2021 regular Planning Commission meeting minutes. Copies of the draft meeting minutes were provided to the Commissioners in their agenda packets. Mihelich moved, supported by Cook to approve the minutes as submitted. The motion passed unanimously.

1 The next item on the agenda was consideration of the minutes of the May 7, 2021 Planning Commission  
2 work session meeting. Upon motion of Hartsough, supported by Cook, and unanimous vote, the minutes  
3 of the May 7, 2021 Planning Commission work session meeting were approved as submitted.

4  
5 **5. Public Comments**

6  
7 None.

8  
9 **6. Scheduled Reviews**

10 **6a. 1100 Nazareth Road (Top Grade)—gravel mine renewal.** Bouchard indicated that the  
11 inspection had taken place on May 19. All required submittals, including the inspection fee, the  
12 earth move permit and insurance had been provided, with the insurance coming in earlier in the  
13 day. No one was present to speak on behalf of the applicant. Leuty moved, supported by Cook  
14 to extend the gravel mine special land use for another year. The motion passed unanimously.

15 **6b. 1950 Ravine (Superior)—gravel mine renewal.** Bouchard indicated that the on-site inspection  
16 had taken place on May 19. The bond was valid through 2-27-2022. Liability insurance certificates  
17 had been submitted. The inspection had revealed no adverse effects from on-site crushing. The  
18 application fee had been paid. No one was present to speak on behalf of the applicant.  
19 Hartsough moved, supported by Cook to approve a one-year extension for the gravel mine at  
20 1950 Ravine Road. There was no discussion on the motion and it passed unanimously.

21 **6c. 2702 Ravine (Hillside)—gravel mine renewal.** Bouchard reported that the property had been  
22 inspected on May 19. The owners have now purchased property north of the Ravine Road  
23 property and are hoping to get it rezoned so as to allow it to be considered for a new mining  
24 application on it in the future. Josh and Mark Balkema were present to answer inquiries. Cook  
25 inquired as to the map provided by Balkema. Bouchard indicated that Page 1 of the memo had  
26 red circles, which indicated the future use location. Bouchard reported that a bond had been  
27 received for the extra property. Josh Balkema indicated their intention to continue moving  
28 north. Nagler stated that the newly-acquired property was not part of the special use at this  
29 time. Hartsough recalled an issue regarding a rezoning for a property nearby several years ago,  
30 which was not approved by the Planning Commission. Josh Balkema stated that the only reason  
31 it was in the application was to show why the bonding amount had increased. Cook inquired as  
32 to the Barney Road area and how far they could excavate and not affect the property to the north.  
33 Balkema stated that they would not undermine the use of neighboring properties. Nagler stated  
34 that it looked like they could mine 300 feet deep before it affected the water table, based on the  
35 numbers provided. Cook moved approval of the gravel mine renewal for 2702 Ravine for one  
36 year. Chapman supported the motion and it passed unanimously.

37  
38 **7. 1100 Foster Site plan continued from January.**

39  
40 Lippens indicated that the request was for an additional special use for Class A recreational marijuana  
41 grow, which would be in addition to the existing Medical Marijuana Permit that had already been  
42 approved. He stated that the application was incomplete, in that the applicants are changing the nature  
43 of the site and the intensity of the use on the site. A site plan application and site plan review would be  
44 required. Lippens indicated that the Planning Commission could hold the public hearing on the special  
45 land use, and delay consideration of the decision until a site plan was provided.

46  
47 Eric Misterovich, as the attorney on behalf of EMT Cultivation was present. He expressed surprise and  
48 inquired as to why the application was deemed incomplete when the Township's former planner had

1 indicated that there were no changes to the site plan that were needed. Lippens stated that under the  
2 special use requirements for adult use marijuana, a site plan is required. He suggested that the Planning  
3 Commission move forward with the public hearing on the special use and then table it pending receipt  
4 of the site plan. Misterovich argued that he had submitted everything. Lippens stated that more  
5 information than what is on the land use application is required. They had a site plan for medical  
6 marijuana only. Misterovich commented that there is no difference in the uses, one plant is tagged  
7 "medical" and the other "recreational".

8  
9 Kowalski commented that he had reviewed a site plan for a contractor. There was a CO<sub>2</sub> tank added,  
10 which was not on the prior site plan. Additionally, there was relocation of the fence and gate planned,  
11 for which a site plan and fire marshal approval was required. The approved site plan had changed from  
12 the present status of the site itself.

13  
14 Nagler recalled that under the prior site plan approval, the majority of the concrete covering on the site  
15 was to remain in place to act as a cap on the underlying contaminated soil. Rozal Singh, the applicant,  
16 stated they had not changed the building itself. They were planning on putting gravel in the parking lot,  
17 and that they were planning on doing concrete in the parking areas. Nagler noted that there is no  
18 concrete along the building site presently. Mihelich recalled that the concrete was to be capped and not  
19 removed. It appeared that it has been removed. Concluding that there had been changes made to the  
20 existing site plan, Nagler inquired as to whether the Planning Commission was interested in following  
21 Lippens' recommendation to hold the public hearing and request a site plan. Singh indicated that he  
22 had spoken with the fire marshal about the CO<sub>2</sub> and fencing, but they hadn't done anything yet. The  
23 building official has the plans. He could provide an updated version as soon as tomorrow, Singh stated.

24  
25 Singh stated that the guidelines were followed. They made sure that there was no growth within the  
26 setbacks. The only change was the fencing and they had already checked with the fire marshal on it.  
27 They had taken his suggestion and added it to the front as well. Kowalski recalled that he indicated to  
28 the applicants that a new plan was required. Leuty noted that the site plan contained in the board packet  
29 did not include sidewalks or fencing. Singh stated that the facility does not need a fence at all per the  
30 state. They had decided to keep it because of security issues. He described the landscaping that is  
31 planned. Leuty inquired as to whether the Planning Commission required sidewalks. Singh stated that  
32 there is no sidewalk on the plan. He stated that a lot of materials are backordered. They were going to  
33 install the power on Monday, then get the gravel, sidewalks and concrete done.

34  
35 The chairman opened a public hearing on the request. No one spoke for or against it. Chapman recalled  
36 that the site plan with sidewalk was approved with the medical marijuana special use hearing. Singh  
37 stated that they had planned to ensure that the light from the building was not disturbing to the  
38 neighbors. The chairman closed the public hearing.

39  
40 Hartsough moved to table consideration of the special exception use to July 1, 2021 or until a complete  
41 application and revised site plan is provided. Cook seconded the motion. Lippens confirmed that the  
42 Planning Commission was tabling consideration of the special use. The motion passed unanimously.

#### 43 44 **8. Site plan review for Dollar General at the southwest corner of Mosel and Woodward.**

45 The next item on the agenda was consideration of a site plan for Dollar General at the former Sports  
46 Forum property. Some members of the Planning Commission recalled that they had approved a  
47 rezoning for the former parking lot behind the building. Bouchard indicated that the parcel is 1.64 acres,  
48 comprised of three individual parcels. It was proposed to be developed with a 10526 square-foot Dollar

1 General Retail Store. The landscaping plan had been provided, along with an irrigation system. Ingress  
2 and egress were proposed via Mosel and on Woodward Avenue, together with 39 parking spaces. The  
3 applicant had indicated that they will remove the existing concrete. Bouchard noted the location of the  
4 enclosed dumpster on the west side of the store. The property was zoned C-1 "Local Commercial" and  
5 the use was in the district. The surrounding properties, she said, are zoned I-1, I-2 and some residential.  
6 Bouchard continued, indicating that all dimensional requirements are met. The ordinance requires 1  
7 space for every 200 square feet of usable floor area. She had determined that 8777 square feet of usable  
8 floor area was proposed, which would require 44 parking spaces. She noted that the ordinance permits  
9 the Planning Commission to modify the parking requirements if it deemed the number provided on the  
10 site plan adequate for the use. Bouchard stated that the proposed drive aisle width was compliant; as  
11 were the parking space sizes as proposed. The parking lot and site landscaping are compliant with  
12 ordinance standards. No signage had been proposed. She notified the applicant that if signs are desired,  
13 a separate sign application would be needed. Bouchard stated that the trash disposal is proposed to be  
14 located fronting Woodward Avenue on the west side of the site. The Zoning Ordinance requires that on  
15 a corner lot, the dumpster is to be located in the rear or side yard, not in front of the structure. No  
16 specific building and/or site design was required by the ordinance. As planners, they would like to see  
17 windows added to the building, and the use of high-quality materials was noted. She stated that  
18 sidewalks are required fronting Woodward and Mosel Avenues.

19  
20 Bouchard referred the group to her recommendations, which were located on the bottom of page four  
21 of her report. In short, they were:

- 22 --combine the parcels for zoning purposes (not yet received from assessor); and
- 23 --consider whether 29 parking spaces are acceptable; add parking area for bicycles; and
- 24 --add sidewalks on both streets; and
- 25 --relocate dumpster and enclosure so it is not in front of the building on Woodward Avenue; and
- 26 --comply with requirements of other township ordinances.

27  
28 Ryan Ysseldyke appeared as the architect for the applicant. Chapman inquired about handicapper parking  
29 spaces and standards for accessibility. Ysseldyke stated that they had been provided. Chapman inquired  
30 as to whether the applicants needed to enclose the dumpster. Nagler confirmed that the site plan showed  
31 the dumpsters as being enclosed. Leuty inquired about parking and whether there were reasons to justify  
32 a lesser number of parking spaces. Bouchard indicated that the rationale could be a reduction in the  
33 amount of concrete. At a normal Dollar General retail site, according to the applicant, the amount of  
34 parking required by the ordinance may not be necessary. She stated that the Planning Commission can  
35 always invoke its banked parking provision. In that case, if there was a future issue with the number of  
36 parking spaces, the banked property could be used for them.

37  
38 Leuty understood the proposed location for the trash enclosures because heavy garbage trucks damage  
39 the asphalt. Therefore, the applicant would want the shortest distance between the enclosure and the  
40 road; and to keep the larger trucks away from the store itself. Bouchard suggested that an option would  
41 be to move the dumpster and enclosure a little further south, so that it is behind the building. Leuty  
42 appreciated this suggestion, indicating that even a little further south may help with sight distances.

43  
44 Jared Devoursney of Westland Construction stated that they are willing to move the dumpster a little  
45 further south. His engineer had spoken with the Township's former planner, and the initial thought was  
46 that the proposed location would work. He stated that they had added fencing and landscaping to shield  
47 some of it from the south. Leuty inquired as to bike parking and sidewalks on Woodward and Mosel. He

1 noted that a good amount of the clientele would likely be from the nearby mobile home park, which may  
2 result in a lot of foot traffic.

3  
4 Devoursney said signage will be applied for by the tenant. Nagler stated that sidewalks are required by  
5 the Ordinance. Ysseldyke stated that the locational requirements for sidewalk may be difficult, given the  
6 particularly wide right of way the county has on the corner. The adjacent properties only have 33 feet of  
7 right-of-way, so matching them up in the future would be difficult. Nagler indicated that he would be  
8 willing to consider granting a site plan approval, with conditions. Ysseldyke commented again on the  
9 dumpster location, stating that moving it back will move it closer to the residential properties to the south.  
10 They had proposed a happy medium allowing for garbage truck access. Kowalski stated a need to review  
11 for compliance with the fire code. Lippens stated that the applicant should seek a ROW permit from the  
12 County Road Commission, and that the township would support putting the sidewalks in the ROW so that  
13 they would align with future connections.

14  
15 Mihelich, stated they had not received a photometric plan for the site. He did not find any inadequacies  
16 with it. Nagler inquired as to whether administrative approval was an option. Lippens stated that the  
17 main issues were sidewalks, and the location of the dumpster. Mihelich suggested adding some outdoor  
18 trash receptacles, as most of the properties on East Main do not have them and there is a lot of trash  
19 blowing about in the fronts of buildings there. He also asked for a fence line extension to catch some of  
20 what may be blowing around. Devoursney, stated that he could provide a letter from Dollar General  
21 Corporate stating that parking is adequate. Hartsough was satisfied with the current proposed dumpster  
22 location. Nagler agreed. He was not in favor of moving it any further south because it could then conflict  
23 with parked cars during garbage pick-up. Cook inquired as to whether the developers considered adding  
24 some art as part of the outside of the property. The applicants stated that they had not considered that.  
25 Devoursney stated that the operator may have an issue with that concept. Mihelich inquired about a  
26 berm on the east side, with plantings on top of the berm. Nagler liked the bike rack idea, but it is not  
27 required by the Ordinance. Seeber suggested that the addition of the bike rack could be part of a reason  
28 to support a lesser number of parking spaces. Nagler indicated that he appreciated the underground  
29 water storage. He requested a storm water calculation.

30  
31 Morrison inquired about loading. Scott Knowlton, developer of the property indicated that there is  
32 usually one semi-truck a week, which loads and unloads a racked system. It will not back up from the  
33 roadway, but will enter the service area in a pull-through fashion. Additionally, he said that there are box  
34 trucks with deliveries, and those would also all be a straight pull-through without the need to back up.  
35 The lighting system, he said, was on a timer which would shut off automatically. Devoursney indicated  
36 that the parking and loading would be on the west side. He understood the need for 26-foot clear width  
37 at all times for fire department access. Hartsough inquired about the windows. Devoursney indicated  
38 that it would be difficult to do with the configuration of the store. Kowalski discussed the site plan,  
39 indicating that they will need to plan for their fire lane, which may require moving it to the Woodward  
40 side. Lippens requested a radius diagram, establishing how the various-sized trucks would get in and out  
41 of the site. He felt that submitting a revised site plan to the Planning Commission would be more  
42 appropriate than administrative review. Knowlton was more interested in getting administrative  
43 approval so that the project would not be delayed. Ysseldyke commented that he had a pretty good  
44 direction on what the Planning Commission wants to see. Hartsough was comfortable putting the matter  
45 up for consideration with conditions and administrative approval. Lippens commented that the revisions  
46 seemed fairly major, but he was willing to do administrative approval if that was what the Planning  
47 Commission wanted. If there was an issue, he could ask that the Planning Commission review it.  
48 Michelich wanted to see the updates done and in black and white. He was not comfortable with

1 administrative approval at this point, especially with the new relationship. Leuty suggested that  
2 arborvitae or a berm could be used to screen the dumpster. Morrison inquired about the request for  
3 the lower number of parking spots. Nagler stated that he would be satisfied with a letter from the owner.  
4 Ysseldyke commented that the changes are pretty minor. Nagler appreciated the quality of the site plan.  
5 The group discussed administrative approval verses tabling the matter for next month's meeting. Cook  
6 moved that the Planning Commission table the consideration of the site plan to the next regular Planning  
7 Commission meeting. Morrison supported the motion. The motion passed 6-1 with Hartsough voting in  
8 the negative.

9  
10 **9a. Old Business.**

11 **Master Plan Update.** Bouchard and Lippens noted that they had received drafts of the master  
12 plan that the Planning Commission had been working on. They felt it would be a good idea for the Planning  
13 Commission to have a work session. They wanted an opportunity to consider the draft and to sit down  
14 with the township Planning Commission and manager and consider a plan for implementation of it. They  
15 indicated that they would be in a better position to discuss the progress and proposal for moving forward  
16 at the next regular Planning Commission meeting, with a possible work session set for sometime in July  
17 after the July Planning Commission meeting.

18  
19 **9b. Non-motorized plan.**

20  
21 Leuty stated that the original non-motorized plan was adopted by the Township Board in November of  
22 2013. The Planning Commission and he had been working on getting an update to the non-motorized  
23 plan completed. It was now in a position for adoption by the Planning Commission or board, whatever  
24 was the appropriate body. Seeber indicated that the non-motorized plan was not originally adopted as  
25 part of the master plan, but as a voluntary initiative by the Township. As such, an update to the plan  
26 should follow the same procedure that was done in the past. It appeared from her research that the  
27 Planning Commission had done the planning work, in consultation with a planner, and that the Township  
28 Board had done the approval. Thus, it would be appropriate for the Planning Commission to recommend  
29 adoption to the Township Board, like it had done in the past. Leuty inquired as to whether there were  
30 any additions or modifications.

31  
32 Cook thought that giving the new planners an opportunity to consider the plan and review it was  
33 appropriate. This, he said, may be a way to incorporate it into the master pan. Lippens appreciated  
34 Cook's comments. He stated that a process had already been undertaken by the Planning Commission  
35 and that holding it up for them to undertake a more substantial review may not be worthwhile. He  
36 recommended acting on the plan presently, with the idea that they would likely be incorporating it into  
37 the master plan as part of the master plan adoption process. The group appreciated that effort  
38 undertaken by Leuty to move the plan forward and upgrade it. It was no small undertaking and no one  
39 saw a reason for delay. Cook moved, supported by Hartsough to recommend adoption of the  
40 non-motorized plan update, as amended. Leuty thanked the commission for making the effort. He stated  
41 that the Township has already spent more than \$1,000,000 on sidewalks, and now the public is  
42 demanding more. The Township Board is committed to this goal, he said. The motion passed  
43 unanimously.

44  
45 **10. Open Discussion—Members of the Audience.**

46  
47 Kowalski was appreciative of the new planning team and zoning administrator.  
48

1 **11. Communications.**

2

3 Nagler stated that the Planning and Zoning News had been provided in the packets.

4

5 **12. Report of the Township Board Representative**

6

7 Leuty stated that the Township Police Department is working with WMU to undertake a community  
8 engagement survey.

9

10 **13. Report of the Township ZBA Representative**

11

12 No report.

13

14 **14. Comments from Planning Commission Members**

15

16 Mihelich commented about storage units and PODS. He was concerned that a lot of them appear to be  
17 becoming permanent in Eastwood. He wondered whether the commission would consider an overlay  
18 zone for greenhouses, since there is no agricultural zoning district. The Zoning Board of Appeals had a  
19 number of issues come up with respect to greenhouses. Chapman inquired about the solar conference.  
20 Kowalski said he was hoping to hear something within the next couple of weeks.

21

22 **15. Report of the Planner/Zoning Administrator**

23

24 Bouchard had prepared and provided an application and deadline/packet preparation schedule for  
25 Planning Commission meetings. Their reasoning was that they wanted to make sure that when a matter  
26 was before the Planning Commission, the submittal requirements were mostly fulfilled. Leuty and  
27 Hartsough discussed this and provided a suggestion about putting things on the website, including the  
28 Planning Commission packet. That may help people enlarge and see what they are looking at without  
29 having to wait for the meeting.

30

31 Kusmack indicated that she was now working as the Zoning Administrator for the Township, with the  
32 assistance of McKenna as planners. She has been fielding a lot of zoning questions. The transition with  
33 McKenna was going well. She stated that the most current zoning ordinance is on the Township's website.  
34 The group should be looking at that for updates, rather than using their paper books. It was determined  
35 that a lot of the updates had not been provided to Planning Commission members. They are working on  
36 getting the ordinance updated online and they will be producing new paper books as soon as it is available.  
37 There are several text amendments in the works, and the plan was to wait until those were incorporated  
38 into the Ordinance before producing new books.

39

40 **16. Report of the Township Attorney**

41

42 Seeber stated that the Township Board has allowed the Planning Commission and Zoning Board of Appeals  
43 to decide whether they want to consider meeting remotely.

44

1 **17. Adjournment**

2

3 There being no further business to come before the Planning Commission, upon motion of Mihelich,  
4 seconded by Cook, and unanimous approval, the June 3, 2021 Planning Commission meeting was  
5 adjourned at 9:15 p.m.

6

7

**SYNOPSIS OF ACTIONS**

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9 The Kalamazoo Township Planning Commission undertook the following actions at the June 3,  
10 2021 regular Planning Commission meeting:

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1. Approved 1-year extensions for gravel mine special uses at 1100 Nazareth, 1950 Ravine and 2702 Ravine.
- 13 2. Tabled consideration of special use for recreational marijuana at 1100 Foster pending receipt  
14 of site plan.
- 15 3. Tabled consideration of the site plan for proposed Dollar General at the southwest corner of  
16 Mosel and Woodward.
- 17 4. Recommended adoption of update non-motorized plan to Township Board.
- 18

 Aug 06, 2021  
Christopher Mihelich, Secretary