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**Charter Township of Kalamazoo
Minutes of a Planning Commission Meeting
Held on February 7, 2019**

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

Present were:

Jeremy Hathcock
Denise Hartsough
Tonnie Hitt
Fred Nagler, Chairman
Jim Cripps
Henry Dingemans

Also present were Township Manager Dexter Mitchell; Township Attorney Roxanne Seeber; and approximately 15 additional interested persons.

Call to Order.

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

Roll Call and Recognition of Visitors.

The chairman called the roll and recognized the visitors.

Approval of Meeting Minutes.

Hartsough suggested changes to three pages on the proposed minutes. Hudson suggested a change be made to page 5. Chapman moved, supported by Hitt to approve the minutes of the December 6, 2018 meeting as corrected. The motion passed unanimously. Seeber hand wrote the changes onto the minutes and Dingemans signed them and transmitted them to Hudson for Township staff.

Approval of Agenda for the February 7, 2019 Planning Commission Meeting.

Nagler commented that the Planning Commission bylaws require election of officers at the first meeting of the year. There was no meeting in January, so the agenda needed to be changed to include the election of officers. Hathcock moved, supported by Dingemans to replace empty item 5a with "election of officers." The motion passed unanimously. Hartsough moved, supported by Dingemans to approve the agenda as modified. The motion passed unanimously.

Election of Officers.

In response to an inquiry from Hartsough, Nagler indicated that the officers are as follows: Chairperson—Nagler; Vice-chairperson, Cripps; Secretary—Dingemans. Hartsough was in favor of continuing the officers of the Planning Commission in their present positions. This was agreeable to the present officers.

1 Hartsough moved, supported by Chapman to retain the current officers in their current positions. The
2 motion passed unanimously.

3
4 **Public Hearings.**

5
6 None.

7
8 **New Business.**

9
10 2244 Ravine Road, Proposed Billboard.

11
12 At Nagler's invitation, Hudson read through his report. He indicated that the request was for a 492-square
13 foot, electronic display billboard facing the business loop. It was to be located at the north end of the
14 gravel pit. The property will remain being used as a gravel pit with a communications tower. The proposal
15 is to place the billboard near the center of the parcel on a berm overlooking the US-131 business Loop.
16 Hudson indicated that the property is presently zoned I-2, as are the properties to the south. The nearest
17 residential zoning district is 300 feet across the highway.

18
19 Hudson noted that the submitted plan provided for change to the copy on the billboard more often than
20 permitted by the zoning ordinance's 10-second minimum interval. He also commented that the
21 photometric plan that was submitted with the application showed that the light emitted from the sign
22 will exceed .5 foot-candles at the highway, as opposed to the property line.

23
24 Hudson stated that he had talked to the fire marshal about access to the site. Fire Marshal Kowalski
25 agreed that if there were an injury in the sign location, an ambulance could get through the gravel pit to
26 a person. However, a fire situation would require accessing the billboard from the highway.

27
28 Hudson suggested that engineered designs for the access drive showing its adequacy to support
29 emergency equipment should be required.

30
31 He continued, indicating that the 35' tall sign is to be located on the top of a 10-foot high berm which was
32 installed to screen the gravel pit from surrounding uses. The top of the existing berm is 930 feet above
33 sea level. The highway surface is approximately 900 feet above sea level. The top of the billboard would
34 be 65 feet above the highway surface. The billboard will be 65 feet in height from the top of the berm
35 which is required to be six feet above-grade. The proposed location is conforming as to setbacks, Hudson
36 said. The existing trees would be retained. He voiced concern about the light effects upon residential
37 properties north of the highway. As for ingress and egress, the existing access drive only reaches the cell
38 tower which is on the property.

39
40 Hudson indicated that staff's recommendation was as follows:

- 41 1. Provide engineered designs for the access drive showing its adequacy to support emergency
42 equipment.
- 43 2. There should be a written agreement signed by the sign company not to exceed the minimum 10
44 second timing of sign change, nor the .5 foot candle light limitation at the property line.
- 45 3. A prohibition against video displays, animation, scrolling text, flashing, whirling or dissolving
46 transitions should be part of any motion to approve.
- 47 4. The lighting location and screening details should be provided.

1 5. The Planning Commission may impose additional conditions.
2

3 Tony Lockridge spoke on behalf of the sign company applicant. As for lighting, he said, the vendor is
4 "Watchfires Display". At the 50' setback where the proposed sign starts, they will meet the requirement
5 not to exceed .5 foot candles at the property line. The billboard would be quite a ways off of the highway.
6 He provided the independent testing laboratory's documentation establishing that the light display is well
7 within the requirements.
8

9 Lockridge indicated that the average ground measurement in the area without the berm is 920 feet above
10 sea level. The top of the berm is 929 feet above sea level. Because of setback requirements, the proposed
11 sign would be located on the back side of the berm, on a downward edge. The average grade to the end
12 of the sign is 921 feet above sea level. The sign will be located below the six-foot height of the berm. The
13 sign is not getting additional height from the berm. It was basically one foot over the normal grade
14 ignoring the existence of berm.
15

16 Lockridge continued, indicating that there is a limitation of 80% of the sign face for electronic copy in the
17 Ordinance. Their proposed sign is actually 400 square feet in size. On the unused part of the billboard,
18 they will put some kind of welcoming sign, such as "Welcome to the Charter Township of Kalamazoo".
19 The sign company will yield to the Township as to the color. The applicant indicated that a traditional
20 outdoor billboard sign is close to 700 square feet in area. The proposed sign is a "medium sized" one,
21 which will be set back at least 50 feet from the property line. In his opinion, it will have a small viewing
22 window from interstate traffic. Due to newer technology, it was now possible to direct light out, as
23 opposed to down. This made it easy to meet the requirement of .5 footcandles at the property line. The
24 reflected light will be much lower in measurement than that of a neighborhood porch light. Additionally,
25 in this area, Lockridge noted, there was no ambient light to compete against.
26

27 Dingemans voiced concern about the frequency of changing the sign face. Lockridge stated that he had
28 provided correspondence to Hudson regarding how the sign frequency could be reduced to meet the 10-
29 second requirement of the Township. In Lockridge's experience, most municipalities are at a 10-second
30 frequency of display limitation. Hudson indicated that the fire marshal was satisfied as to the ability to
31 get to the sign with emergency equipment. Chapman indicated that the fire department will go by
32 address, which will not be on the business loop. Hudson stated that if there is an injury, the ambulance
33 will need to go up the existing driveway and through the gravel pit. In response to an inquiry from Nagler,
34 the applicant indicated that they have already obtained the required MDOT permit. It was an interim
35 permit and there will be a "swap" from another location. Nagler inquired about static displays. Lockridge
36 indicated that only one side will be electronic. The other side will be a traditional billboard with static vinyl
37 on the face. Hathcock moved, supported by Cripps to approve the proposed sign in the location specified
38 with the understanding that the 10-second minimum change limitation on the electronic side of the sign
39 would be met. Hartsough indicated that she did not get copies of the written agreement. Lockridge
40 stated that he had provided them to Hudson four days previously. Hudson confirmed receipt. The
41 motion passed unanimously.
42

43 **Preliminary Site plan discussion---4201 W. Main.** 44

45 The next item on the agenda was a preliminary site plan request for a proposed car wash on a portion of
46 the old Davenport University site. Hudson stated that he had some preliminary discussion with the fire
47 marshal earlier in the day. He has some concerns about the proposed site. It could not meet some of the
48 ~~special land use conditions. The request was going to the zoning board of appeals in February for~~

1 variances. The ordinance, Hudson said, requires a 100-foot distance between the car wash property and
2 any residentially-zoned district. The location of the proposed car wash abuts an RM 2 district.
3 Additionally, the applicant was seeking a variance from the requirement that vacuums be located in the
4 back of the building. The applicant wished to put the vacuums next to the building. The applicant was
5 not proposing to use the entire property, but just a portion of it. He thought that the proposed use could
6 solve the Popeye's access problem.

7
8 Hartsough inquired as to what the Planning Commission's role was at this time. Hudson indicated that
9 the special land use required a preliminary site plan. This could be done by the Zoning Administrator, but
10 he had sent it up to the Planning Commission for a more detailed look. Chapman inquired about sound
11 barriers to the adjoining apartments. Hudson was not sure that any were planned. Hartsough inquired
12 about vacuums. Hudson indicated that vacuums were proposed inside as well as outside.

13
14 Dingemans suggested that the reason for the setbacks from residential were to shield the adjoining
15 apartments from the noise made by blowers and vacuums. Hudson indicated that if the vacuums are by
16 the road, they will be more than 100 feet from the adjoining residential. Hudson said he was going to
17 suggest that they move them to the east side of the building. Nagler indicated that it was a wide open
18 site. There should be some ability to move the building and vacuums around to meet the ordinance's
19 requirements. Hudson said that if the property was site condo'd, then there would not be an abutting
20 RM 2 use.

21
22 Nagler wondered aloud whether a car wash was the highest and best use of the site. Cripps recalled that
23 there was a driveway realignment planned on the prior site plan approval for the redevelopment of the
24 Davenport site. He suspected that the MDOT would still require that. Hartsough commented that there
25 was at least one nearby car wash. Cripps agreed. Hudson stated that the matter goes to the ZBA first.
26 If the variances were granted, then it would come to the Planning Commission for special land use
27 approval. Nagler inquired about the proposed lube center showing on the site. Hudson stated that it was
28 part of the request.

29
30 **Preliminary Site plan Discussion---3715/3725 E. Main. Approval expired from 2002.**

31
32 The next item on the agenda was a request from Dale and Duane Griffith regarding the property at 3715
33 and 3725 ^{East} West Main. The property owners and Ron Bagh were present. They indicated that they had
34 approval for a second building on the site. They were surprised when Hudson indicated that they needed
35 to get site plan approval for the second building. Hudson stated that the only approval he could find was
36 a 2004 approval from the zoning board of appeals, when it was functioning as the site plan approval body.
37 He had inquired of Bob VanderKlok, who stated that he did not remember anything since that time.

38
39 Bagh and Griffith stated that the approved site plan showed a proposed future building. They thought it
40 had been approved at that time. Hudson had the original approved site plan from 2004 with him. He
41 stated that the proposed future building was not shown on the site plan. Griffith stated that it was on
42 his set of plans. Hudson stated that a new zoning ordinance had been adopted. He had looked through
43 all of the minutes from 2004 onward and was unable to find any reference to this property coming before
44 the ZBA or the Planning Commission. The applicant stated that there was another site plan in 2010 or
45 2011. He was unable to produce it. Hudson was unable to determine that it was ever in front of the
46 Planning Commission. Bagh showed the location where they wished another building, which would be
47 the same size at the existing one on the site. Hudson said that there may be topography and elevation
48 issues. There would also likely be storm water issues.

1
2 An aerial view of the site was considered. The applicants showed where the proposed building would go
3 and where they are parking and accessing the site presently. The applicants inquired as to what the
4 steps for approval for a new building would be. Mitchell indicated that the applicants may have talked
5 to the assessor, who may have plotted the proposed building on the GIS. However, there was no approval
6 for a site plan. Hudson stated that if the approval was more than two years ago, it would have expired
7 anyway. He suggested that the Planning Commission could extend the approval; however, there was no
8 record that the approval existed. Cripps indicated that he did not recall approving a second building on
9 this site at any time. Nagler indicated that the applicant would need to start from scratch with a new
10 site plan amendment request. Bagh stated that a house was torn down on the site.

11
12 **Open Discussion.**

13
14 Members of the audience.

15
16 Dan Grippinger of Beach Specialized Living and the owner, Garrett Hodges wished to discuss a potential
17 walk-up (only) dog park at a property adjacent to theirs at 2710 West Main. Hodges explained that they
18 are the largest service provider in Michigan for residential housing for people with developmental
19 disabilities. They own a house with several residents in it next to the proposed dog park. They presented
20 a sketch plan showing the adjoining lot bifurcated. One half was the proposed enclosed off-leash dog
21 park and the other was to be a community garden. They wanted the opinion of the Planning Commission
22 before they submitted a special use request. The property is located in the R-2 residential district zoning
23 classification. The group considered the proposal and the aerial view of the parcel in question. The
24 applicants indicated a desire to permit their residents to engage with local community members and their
25 dogs. They proposed exercise stations, dog clean up stations and no or limited parking.

26
27 They did not want to do a pay-to-participate dog park, so much as they wished to provide a place for
28 community members to walk their dogs and then let them off leash if they desired. Hodges indicated that
29 they thought it would be good pet therapy and a way to involve their residents in the local community.
30 His clients, he said, are generally very high functioning individuals that simply cannot live by themselves.
31 Hartsough commented favorably on the request. She appreciated the upkeep of the building. She
32 thought that the dog park was a great idea but, she had a lot of concerns about parking. The street in
33 that location is very narrow so it would not be possible to have a lot of people driving up with their cars.
34 Hodges stated that the fence alone was thousands of dollars. He did not want to invest if it appeared that
35 it wouldn't work. Hartsough suggested that they consider going to the west side neighborhood
36 association meeting to share their ideas and to get their feedback. Nagler suggested that there may be
37 some hurdles to get over. He inquired about liability. Hodges indicated that he had already received
38 assurance from his insurance company that their umbrella policy would cover incidents. Grippinger stated
39 that he owns a dog kennel in Battle Creek. Hathcock suggested a sign or billboard indicating that the park
40 was for walk-up only and that there was no parking available. Hodges wanted to make sure that the
41 Planning Commission was okay with the concept. He would get to work on the details.

42
43 Question from Kevin Keene re: possible zoning map error - 2334 Nazareth.

44
45 Dr. Kevin Keene, whose dental office is at 2334 Nazareth for the last thirty years, had checked with Hudson
46 about setback issues when he learned that his ~~property~~ ^{property} was in the light industrial district zoning
47 classification. Hudson stated that both this property and the KABA property were in the LI zoning district.
48 ~~He suggested that this may have occurred when the zoning ordinance was updated. Cripps~~

1 recommended that the properties should be zoned C-1. The group consulted the permitted uses in the
2 C-1 district zoning classification and concluded that both offices would fit within it. Upon further
3 discussion, it was determined that the zoning may have been a Township error when the new ordinance
4 was adopted. Mitchell agreed to request the rezoning to C1 for these two parcels. Seeber explained the
5 process to Keene, who was satisfied that he would get notices.

6
7 Question from Michael Capp re: "Birthing Center" in RM-2.

8
9 Mrs. Capp handed out a brochure to the Planning Commission members. She was looking at the property
10 addressed as 3125 West Main. She was considering doing a birthing center/midwife center on the
11 property. She explained that she is licensed as a midwife. A birthing center is a new concept for those
12 who want to use a midwife but for whatever reason, did not want to have their child at their own home.
13 She was not affiliated with any hospital. Hudson indicated that the property was located in the RM 2
14 district zoning classification. The group discussed whether this facility would be treated as a "medical
15 office". Hartsough explained that the activity was medical in nature, even if there was not a physician on
16 site. The property used to be a dentist's office, explained Capp. The Planning Commission was satisfied
17 that the proposed use, as described, would be permitted in the zoning district.

18
19 Hudson inquired about a proposed addition to a building on Boardman Street. He wondered what an
20 "alley" would be considered in terms of setbacks. Nagler felt that an alley setback is the same as that for
21 a public street.

22
23 **Report of Township Board Representative.**

24
25 Hathcock reported that the Township Board meeting had been cancelled due to bad weather.

26
27 **ZBA.**

28
29 Nagler stated that there would be a ZBA hearing on the car wash's variance requests in February.

30
31 **Comments from Planning Commission members.**

32
33 Cripps indicated that Leuty had requested an estimate on sidewalk plowing. He had not heard anything
34 else. The sidewalks are not plowed, despite the ordinance. Mitchell stated that Gallagher had sent out
35 letters, but that the recent snow and ice events had made enforcement difficult. Nearly everyone present
36 had observed an incident where lack of plowing/snow removal from the sidewalks had caused a hardship
37 for people. Mitchell reported that there were some "snow angels" that had taken it upon themselves to
38 clear bus stop enclosures.

39
40 Hitt commented on the single hauler and lack of attention to the trash situation in Lakewood over the last
41 week. People were told to stack their excess trash up next to their dumpsters on the street. This was
42 not a feasible situation due to deer, coyotes and raccoons in the area.

1 **Report of the Planner and Zoning Administrator.**

2

3 None.

4

5 **Adjournment.**

6

7 Hathcock moved, supported by Nagler 8:30 p.m. The motion passed unanimously.

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Henry Dingemans, Secretary

13

14

SYNOPSIS OF ACTIONS

15

KALAMAZOO TOWNSHIP PLANNING COMMISSION

16

2-7-19

17

18

The Charter Township of Kalamazoo Planning Commission undertook the following actions at its meeting of February 7, 2019:

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20

21

1. Granted special land use and site plan approval for electronic billboard at 2244 Ravine Road.

22

23

2. Considered preliminary site plan review for proposed car wash and lube station on a portion of the former Davenport University property.

24

25

3. Suggested that the Township undertake the rezoning of two properties on Nazareth Road which had inadvertently been zoned I-2 when the new zoning ordinance was enacted.

26

27

4. Received preliminary site plan for proposed dog park adjacent to 2710 East Main.