

# PLANNING COMMISSION MEETING AGENDA

## April 4, 2024 THURSDAY 6:00 P.M.

**Location: Kalamazoo Charter Township Hall, 1720 Riverview Drive, Kalamazoo, MI 49004**

### **AGENDA:**

- #1 Call to Order
- #2 Roll call and recognition of visitors
- #3 Approval of the agenda for the April 4, 2024 meeting.
- #4 Approval of the minutes for the March 7, 2024 meeting.
- #5 Public Comment (3-minute limit)
- #6 Scheduled Reviews: None.
- #7 Public Hearings:
  - 7a. 3006 Douglas Rezoning Request
  - 7b. MHP proposed text amendment, Section 16.03.B
  - 7c. Master Plan Public Hearing
- #8 New Business:
  - 8a. 3006 Douglas Rezoning Request
  - 8b. MHP proposed text amendment, Section 16.03.B
  - 8c. Master Plan Resolution of Adoption
- #9 Old Business: None.
- #10 Open Discussion
  - 10a. Members of the Audience
- #11 COMMUNICATIONS:
- #12 REPORT OF THE TOWNSHIP BOARD REPRESENTATIVE.
- #13 REPORT OF THE TOWNSHIP ZBA REPRESENTATIVE.
- #14 COMMENTS FROM PLANNING COMMISSION MEMBERS.
- #15 REPORT OF THE PLANNER.
  - Zoning Ordinance update (MSHDA grant)
- #16 REPORT OF THE ZONING ADMINISTRATOR.
- #17 REPORT OF THE TOWNSHIP ATTORNEY.
- #18 ADJOURNMENT.

The public may attend this meeting for your information and comments. Please contact the Planning & Zoning Department if you have any questions at (269) 381-8085.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**Charter Township of Kalamazoo**  
**Minutes of a Planning Commission Regular Meeting**  
**Held on March 7, 2024**

A regular meeting of the Charter Township of Kalamazoo Planning Commission was conducted on March 7, 2024, commencing at 6:00 p.m. at the Charter Township of Kalamazoo Hall.

**Call to Order:**

Chairman Nagler called the meeting to order at 6:00 p.m.

**Roll Call and Recognition of Visitors**

Nagler welcomed those in attendance.

**Present were:**

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

Also present were Township Planner Danielle Bouchard, Township Attorney Seth Koches; and, two (2) interested members from the public.

**Absent was:**

Michael Seals

Upon motion by Cook, supported by Leuty, and 6-0 vote, Seals was excused from the meeting.

**Approval of the Agenda**

A copy of the meeting agenda was provided to the Commissioners in their agenda packet.

Upon motion by Cook, supported by Chapman, and 6-0 vote, the agenda was approved as presented.

**Approval of the minutes for the February 1, 2024, regular Planning Commission Meeting**

The next item on the agenda was approval of the minutes of the February 1, 2024, regular Planning Commission meeting.

1 A copy of the draft minutes of the February 1, 2024, regular Planning Commission meeting were  
2 provided to the Commissioners in their agenda packet. Several revisions were recommended to  
3 the draft minutes.

4  
5 Upon motion by Cook, supported by Chapman, and 6-0 vote, the minutes of the February 1, 2024,  
6 regular Planning Commission meeting were approved as revised.

7  
8 **Public Comment**

9  
10 None.

11  
12 **Scheduled Reviews**

13  
14 None.

15  
16 **Public Hearings**

17  
18 **2130 Ravine Road – Special Land Use Review**

19  
20 The next item on the agenda was the request of Azon Properties, LLC (property owner) for special  
21 land use approval in order to construct an administrative office building at the real property of  
22 2130 Ravine Road, parcel identification number 06-08-265-033, which is considered a special use  
23 within the I-2 Industrial District Zoning Classification, per Section 20.02.B of the Kalamazoo  
24 Township Zoning Ordinance. The parcel is approximately 3.9 acres in size and is located west of  
25 Nichols Road and east of Douglas Avenue.

26  
27 Bouchard prepared a staff report, which was provided in the Commissioners’ agenda packet and  
28 summarized it. Bouchard said that the existing building on the subject property is approximately  
29 5,608 square feet in size and functions as an office building. The applicant proposes to demolish  
30 the existing structure and replace it. Bouchard discussed combining several parcels that are  
31 owned by the applicant so that setback standards are satisfied and to allow for better access to  
32 the site. Bouchard discussed the standards for granting special land use requests, which are  
33 contained in Section 26.03.C. of the Township Zoning Ordinance. Bouchard discussed compatibility  
34 of the proposed use with adjacent land uses.

35  
36 Bouchard discussed public services available at the subject property including appropriate  
37 utilities. Bouchard said the proposed request is in compliance with the Township’s Master Plan.  
38 Bouchard next discussed potential impact on traffic and the need for the applicant to combine  
39 parcels so to provide direct access to Ravine Road. Bouchard noted that the applicant should  
40 provide more information regarding the anticipated traffic that may be generated on the subject  
41 property. Bouchard discussed sidewalks and indicated that the applicant needs to further discuss  
42 any plans regarding the installation of sidewalks on the site plan. Bouchard discussed detrimental  
43 effects of the proposed use and concluded that there were none. Bouchard did not expect the

1 potential use to have a detrimental impact to the economic well-being of the Township or the  
2 natural environment.

3  
4 Daniel Lewis (applicant’s engineer) addressed the Commission. Lewis discussed the proposed use  
5 and confirmed that the plan is to demolish the existing structure and replace it. Lewis confirmed  
6 that the hours of operation are from 8:00 a.m. – 5:00 p.m., and that there would be no outdoor  
7 storage of materials on the subject property. Lewis confirmed the applicant’s intent to combine  
8 the north and south parcels to allow for better site access and compliance with setback  
9 standards. Lewis confirmed that the new structure will be slightly smaller than the existing  
10 structure.

11  
12 Nagler opened the public comment portion of the public hearing and invited any interested  
13 person to submit public comment in support of or in opposition to the applicant’s request for  
14 special land use approval. Hearing no public comments, Nagler closed the public hearing. The  
15 Commissioners discussed the standards of review for approving a special land use and concluded  
16 that all of the standards contained in Section 26.03.C of the Township Zoning Ordinance were  
17 satisfied.

18  
19 Upon motion by Hartough, supported by Fred, and 6-0 vote, the Planning Commission approved  
20 the request of Azon Properties, LLC, for a special land use approval in order to construct an  
21 administrative office building at the real property of 2130 Ravine Road, parcel identification  
22 number 06-08-265-033, because the standards contained in Section 26.03.C. of the Township  
23 Zoning Ordinance are satisfied, with the following condition:

- 24  
25 1. That Azon Properties, LLC combine the north and south parcels;  
26 2. That the applicant obtains site plan approval.

27  
28 **New Business**

29  
30 **2130 Ravine Road – Site Plan Review**

31  
32 The next item on the agenda was the request of Azon Properties, LLC for site plan review to  
33 construct an administrative office building at the real property of 2130 Ravine Road, parcel  
34 identification number 06-08-265-033. The parcel is approximately 3.97 acres in size and is located  
35 west of Nichols Road and east of Douglas Avenue.

36  
37 Bouchard prepared a staff report and summarized it. Bouchard said that Section 26.02 of the  
38 Township Zoning Ordinance regulates site plan review. Bouchard said that the new building will  
39 be built in the existing footprint. Bouchard confirmed that the applicant will combine several  
40 parcels and is not located in a flood plain. The applicant submitted an updated site plan and  
41 discussed it with Bouchard and the Commissioners. The applicant confirmed that set back  
42 standards will be satisfied once the parcels are combined. The Commissioners confirmed that the  
43 parking standards were satisfied and the existing trees on the subject property satisfied  
44 landscaping requirements. Leuty discussed drive access to Ravine Road. Chapman confirmed ADA

1 compliance. Nagler reviewed the site plan, noting that it appeared acceptable. Leuty and the  
2 applicant discussed waste disposal plans.

3  
4 Upon motion by Mihelich, supported by Nagler, and 6-0 vote, the Planning Commission approved  
5 the site plan review submitted by Azon Properties, LLC for site plan review to construct an  
6 administrative office building at the real property of 2130 Ravine Road, parcel identification  
7 number 06-08-265-033, with the following conditions:

- 8  
9
1. Approval of the Township Planner;
  - 10 2. Approval of the Township Fire Marshal;
  - 11 3. Approval of the Township Engineer;
  - 12 4. That the applicant combines the applicable parcels to comply with
  - 13 Zoning Ordinance standards;
  - 14 5. That the applicant obtains Kalamazoo County Road Commission
  - 15 approval.
- 16

17 **Old Business**

18  
19 None.

20  
21 **Open Discussion – Members of the Audience**

22  
23 None.

24  
25 **Communications**

26  
27 None.

28  
29 **Report of the Township Board Representative**

30  
31 Leuty provided general Township Board updates for the Commission.

32  
33 **Report of the Zoning Board of Appeals Representative**

34  
35 Nagler discussed the recent business of the ZBA.

36  
37 **Comments of the Planning Commission Members**

38  
39 The Commissioners generally discussed planning and zoning updates.

40  
41 **Report of the Planner/Zoning Administrator**

42  
43 The Planning Commission discussed the next meeting date.

44

1 **Report of the Township Attorney**

2

3 None.

4

5 **Adjournment**

6

7 The March 7, 2024, regular Planning Commission meeting was adjourned at 7:50 p.m.

8

9

10 \_\_\_\_\_  
11 , Secretary

12

13

14

15

16 **SUMMARY OF ACTIONS**

17

18 The Charter Township of Kalamazoo Planning Commission undertook the following actions at its  
19 regular Planning Commission meeting held on March 7, 2024:

20

- 21 1. Approved the special land use and site plan of Azon Properties, LLC, 2130  
22 Ravine Road, with conditions.

23

24

25

26

27

28

\_\_\_\_\_  
, Secretary



# Memorandum

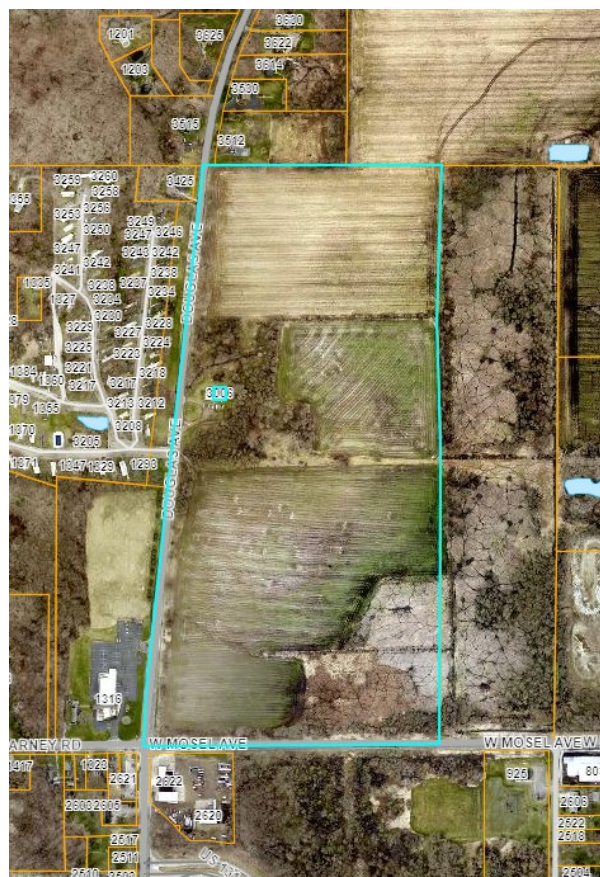
**TO:** Kalamazoo Charter Township Planning Commission  
**FROM:** Emily Huhman, Planning Intern  
Kyle Mucha, AICP, Senior Planner  
**SUBJECT:** Rezoning Request – 3006 Douglas Avenue  
**DATE:** March 12, 2024

**Request:** The request of Kent Fisher (Owner) with technical support from Jason Raleigh (AR Engineering), to rezone the property located at 3006 Douglas Avenue (Parcel No. 06-04-455-011) from R-2, Single- and Two-Family Residential, C-1, Commercial, C-2, Commercial Corridor, and I-1 Light Industrial to I-1 Light Industrial and C-2 Commercial Corridor to develop a logistics and warehousing operation in the I-1 Light Industrial portion and services and retail that complement industrial operations in the C-2 Commercial Corridor portion.

The subject parcel currently has multiple zoning designations, including R-2 Single- and Two-Family Residential, C-1 Local Business, C-2 Commercial Corridor, and I-1 Light Industrial. The parcel is approximately 73 acres in area and is located on the northeast side of the intersection formed by Douglas Avenue and West Mosel Avenue.

If approved, the applicant anticipates developing a logistics and warehousing operation on approximately 64 acres of the subject site. On the southwestern portion of the site, encompassing 8.97 acres, the applicant envisions plans to develop services and retail that complements the logistics and warehousing activities.

It should be noted that the Planning Commission provides a recommendation to the Kalamazoo Charter Township Board of Trustees regarding rezoning requests. The rezoning application shall be subject to review and approval by the Kalamazoo Township Board.





## RECOMMENDATION

Based on the application submission and supporting documents provided by the applicant, we recommend that the Planning Commission make a positive finding to the Township Board approving the applicant's request to rezone the subject site at 3006 Douglas Avenue, from R-2, C-1, C-2, and I-1 to C-2 and I-1 with the following supportive findings, with some items that should be considered during the site plan review process:

1. The proposed I-1 and C-2 zoning would be consistent with recommendations for change in the Future Land Use for the area.
2. While the proposed I-1 and C-2 zoning is more intensive than many of the existing conditions in the area, which include significant amounts of undeveloped land, the rezoning request is generally consistent with existing zoning classifications and permitted uses in the general region of the site.
3. The proposed I-1 and C-2 zoning is consistent with the pattern of development in the area parcels east of the subject site. However, considerations will need to be made to protect the health, safety, and welfare of residential areas immediately north, west, and south of the site.
4. The proposed I-1 and C-2 zoning does not reduce the permitted uses on the site.
5. The proposed I-1 and C-2 zoning fulfills all of the Criteria for Amendment of the Official Zoning Map of Section 26.06.C of the Zoning Ordinance.

Respectfully Submitted,

**McKenna**

Kyle Mucha, AICP  
Senior Planner

Emily Huhman  
Planning Intern

CC: Danielle Bouchard, AICP – Community Manager





## REZONING REVIEW

- Existing Conditions.** The site is currently improved with a 3,900 square foot barn-style building. The majority of the site appears to be utilized for agricultural purposes.

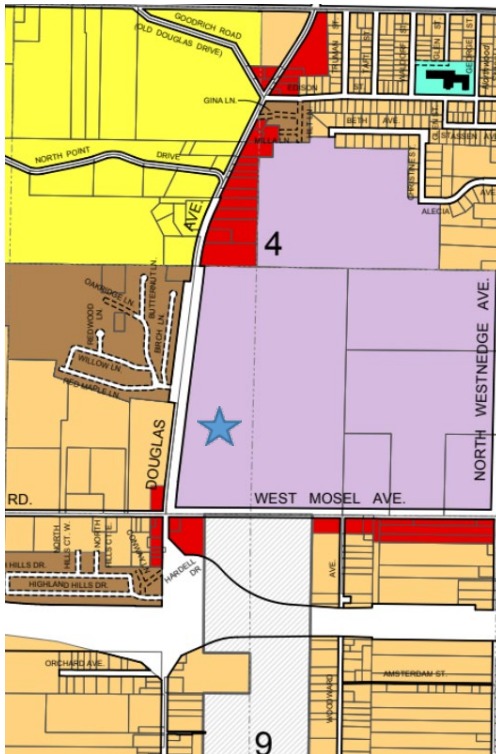
The current land use, future land use, and existing zoning classifications of the site and surrounding parcels are summarized in the following table:

### Zoning and Existing/Planned Use of Site and Area:

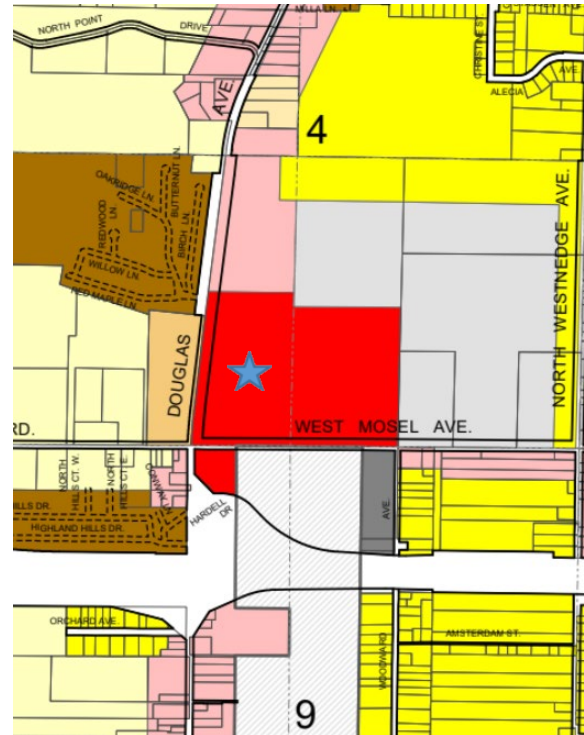
	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Existing Zoning</b>
<u>Site</u>	General market, open green space & agricultural production	Multi-Use (M.U.D)	R-2 Single- and Two-Family Residential, C-1 Local Commercial, C-2 Commercial, & I-1 Light Industrial
<u>North</u>	Open green space Residential	Commercial Multi-Use (M.U.D)	R-2 Single- and Two-Family Residential & C-1 Local Commercial
<u>West</u>	Religious facility, manufactured housing community, multi-family housing	Commercial	R-1 Single Family Residential MHP Mobile Home Park RM-2 Multiple Family
<u>South</u>	RV repair, woodlands, general market	Commercial, with one parcel within the City of Kalamazoo	C-2 Commercial Corridor RS5 Residential Single Dwelling (City of Kalamazoo)
<u>East</u>	Vacant/undeveloped	Multi-Use (M.U.D.)	R-2 Single- and Two-Family Residential, I-1 Light Industrial, & C-2 Commercial Corridor



Future Land Use Map (Area)



Existing Zoning Map (Area)



Subject Site: ★

## 2. Review Procedures

- a. ***Will the proposed amendments be in accordance with the basic intent and purpose of the Zoning Ordinance?*** The applicant proposes to rezone the subject property to I-1 Light Industrial and C-2 Corridor Commercial, which are established districts within the Township Zoning Ordinance. Therefore, we find that the proposed amendment, in this case the rezoning of 3006 Douglas Avenue, will be in accordance with the Zoning Ordinance. Further review of development applications, such as site plan and, if applicable, special land use requests, will ensure that the proposed project meets ordinance requirements.
- b. ***Will the proposed amendment further the comprehensive planning goals of the Township as reflected in the Master Plan?*** The Future Land Use designation for 3006 Douglas Avenue is M.U.D Multi-Use. The parcel is surrounded by multiple Future Land Use designations, including Medium-Density Residential, Mobile Home Residential, M.U.D Multi-Use, and Commercial. The current master plan, adopted in 2014, defines the M.U.D. designation as follows:

*The Multiple Use Development (MUD) designation supports the ability to establish a*



*mixture of compatible land uses within a coordinated development plan. It is not limited to just residential, but can be a residential development, an industrial development, a mixed commercial/residential development, or a public use site. The concept for implementing this type of land use is based upon a Planned Unit Development (PUD) concept, with density and open space calculations critical to preserve natural areas. These types of development options should be considered based upon the compatibility of the proposed uses with surrounding land use and zoning. The MUD is a tool not only for new development, but for redevelopment as well. It provides opportunities for new ideas and creativity in the Township that would not be possible under conventional zoning standards or districts. It is not just applicable to large sites, either. Smaller sites such as a strip of commercial uses, a prominent intersection, or a portion of a residential block could all be candidates for use of the MUD. (Potential sites for use include the Berkeley area in Westwood, the North Westnedge area in Northwood with the sinking groundwater, Lake Street in Lakewood, and specific portions of Eastwood where housing or commercial structures could be redeveloped.)*

We find that the proposed rezoning for 3006 Douglas Avenue is consistent with the Kalamazoo Township's 2014 Master Plans M.U.D. Multi-Use future land use designation, as the designation allows for both industrial and commercial development. It should also be noted that although the Township has not completed the 2024 Master Plan update, this area is designated for the Neighborhood Commercial future land use designation, which is intended to provide small-scale services, retail, and amenities in a walkable format to one to three neighborhoods. A logistics and warehousing facility and complementary retail is not consistent with this intended future land use designation. We find the proposed rezoning of this site to I-1 and C-2 is consistent with the current 2014 Master Plan, but does not fully align with the draft 2024 Master Plan update. However, until such a time as the 2024 Master Plan – Draft – is fully adopted, this application requirement has been satisfied.

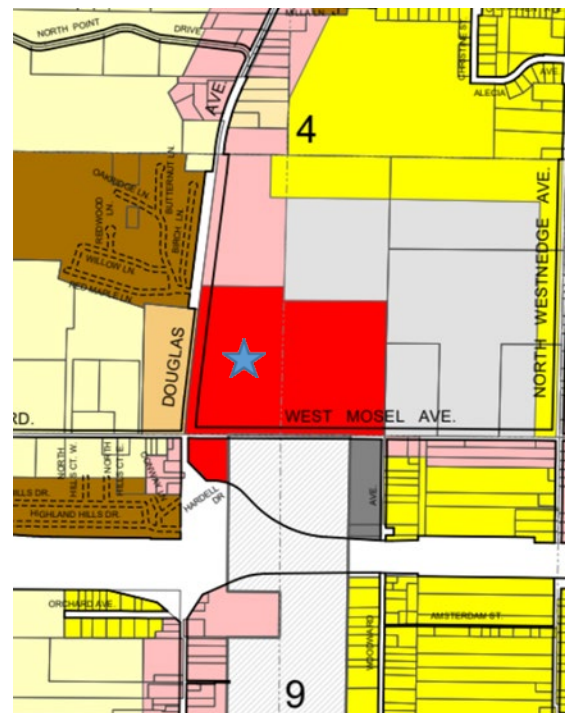
- c. ***Have conditions changed since the Zoning Ordinance was adopted or was there a mistake in the Zoning Ordinance that justifies the amendment?*** The current use of the subject property is that of a general market and open green space. There has not been a mistake identified in the zoning ordinance to warrant this amendment.
- d. ***Will the amendment correct an inequitable situation created by the Zoning Ordinance, rather than merely grant special privileges?*** For the portion of the parcel proposed to be rezoned I-1 Light Industrial, the portion currently zoned I-1 Light Industrial currently allows for warehousing and wholesale facilities, while the C-2 Commercial Corridor allows mini-warehousing and similar storage uses as a special land use. Meanwhile, the portions currently zoned C-1 Commercial and R-2 Single- and Two-Family Residential do not allow for this use. The portion of the property the applicant proposes C-2 zoning is currently zoned C-2. We do not find that the amendment would correct an inequitable situation created by the Zoning Ordinance nor do we find that such an amendment would grant special privileges due to the fact that the applicant's proposed use is already permitted on a portion of the site, as outlined by the Township Zoning Ordinance. Further, it is our understanding that the applicant seeks to utilize the property for permitted uses as outlined within the Township Zoning Ordinance.
- e. ***Will the amendment result in unlawful exclusionary zoning?*** The proposed rezoning would expand the number of permitted uses on portions of the site, while maintaining the same number of



permitted uses on other portions of the site. Therefore, we do not find that the amendment would result in unlawful exclusionary zoning.

**f. Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?** The proposed amendment is consistent with the 2014 Township Master Plan Future Land Use Plan. We do not find that the amendment would set an inappropriate precedent. The proposed use of the subject site as a warehousing and logistics facility with related commercial uses in the southwest corner is consistent with the purpose of the M.U.D. Mixed-Use future land use classification. Additionally, the proposed use aligns with adjacent I-1 Light Industrial and C-2 Commercial Corridor uses. However, the proposed industrial use may negatively impact adjacent residential uses to the east, which should be addressed in the site planning process.

**g. If a rezoning is requested, is the proposed rezoning consistent with the zoning classification of surrounding land?** As previously referenced earlier in this report, the current zoning classifications of the surrounding parcels are R-1, R-2, MHP, RM-2, C-1, C-2, I-1, and I-2. The graphic depicted to the right shows the surrounding zoning classifications. Both Douglas Avenue and West Mosel Avenue connect to residential uses on adjacent properties. Due to the applicant seeking to expand a zoning classification that is already in existence on the site, we find that the proposed rezoning would be consistent with the surrounding classifications.



**h. If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?** Full review for compliance with the Zoning Ordinance will take place during the site plan and special land use application review. Protection of emergent wetlands and screening to protect the health, safety, and welfare of adjacent residential uses will be strongly considered.

**i. If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?** The trends in land development in the general vicinity of 3006 Douglas Avenue lean towards residential uses west of Douglas Avenue and commercial and industrial uses east of Douglas Avenue. While not located within Kalamazoo Township municipal limits, the parcel to the south in the City of Kalamazoo is currently zoned for single-family residential. Therefore, we find that should the rezoning request be approved, the proposed redevelopment of 3006 Douglas Avenue is generally consistent with land development trends within the vicinity.

**j. Will the proposed amendment be consistent with the purposes of this Ordinance, and, in particular, will the proposed amendment promote the public health, safety and welfare?** The proposed rezoning is compliant with the current Master Plan, although it is not consistent with the working Master Plan update. Additionally, also as stated, the proposed rezoning is harmonious with



the current zoning districts east of the site. It is possible that the rezoning to I-1 and C-2 on the subject site will promote public health, safety, and welfare because the I-1 and C-2 zoning district permits a more varied type of land uses, while preventing incompatible land uses, such as industrial and residential, on the site. In turn, this can promote public welfare with more investment and employment opportunities coming into the Township.

Additionally, the proposed C-2 zoning helps buffer single-family residential zoning in the City of Kalamazoo. However, great consideration should be made into how increased truck traffic will impact residential uses to the west. With more development opportunities being proposed, the Planning Commission will have the opportunity to promote for public safety and welfare in terms of sidewalk connections, landscaping and beautification standards, traffic circulation standards, and more.

Further review in terms of site development analysis will be conducted upon submission of building permits and development applications.





PLANS PREPARED BY:  
  
**AR ENGINEERING**  
 CIVIL ENGINEERING & SURVEYING  
 MICHIGAN | INDIANA | ILLINOIS | OHIO  
 289.250.5911 PHONE | 866.569.0004 FAX  
 www.ar-engineering.com

DRAWN: LM  
 CHECKED: JR

No.	ISSUED FOR:	DATE	BY
0	REZONE	2/21/2024	JR
1			
2			
3			
4			

REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED © AR ENGINEERING, 2024

**REZONE EXHIBIT**  
 KALAMAZOO NORTH - MOSEL AVE  
 NORTHEAST PROPERTY GROUP  
 3006 DOUGLAS AVE  
 SECTION 4, T02S, R11W

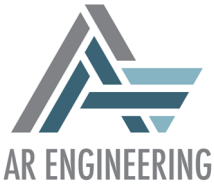
SHEET TITLE:  
 PROJECT:  
 CLIENT:  
 SITE ADDRESS:  
 SITE SECTION:

JOB NUMBER  
**24173001**

DATE  
**03/04/2024**

SHEET NUMBER  
**A**





Kalamazoo Township Planning and Zoning

1720 Riverview Drive

Kalamazoo, MI 49004

Thank you for taking the time to review the proposed partial rezoning of parcel 06-04-455-011. We would like to address the considerations listed in Article 26.06 of the Kalamazoo Township Zoning Ordinance. We are hoping this information will further provide what the plan with the parcel is for the rezone and moving forward. The current parcel is zoned C-2, I-1, C-1, and R-2. The new planned zoning would keep some of the C-2 along the Mosel Corridor and bring the rest of the property to be zoned entirely I-1. This zoning will match adjacent zoning to the east as well as the south. This rezoning of this property also coincides with the Master Plan for this area. The master plan calls for future zoning as an MUD classification to establish a mixture of land uses with a development plan. The MUD classification can include a mix of residential, commercial, industrial, and public use. The site will be similar uses to adjacent business and zoning within the C-2, I-1 zoning districts already in the area. The rezoning of this parcel will also allow future developments to fit within the parcel without the need for a text amendment to conform to the site. It will allow for adequate space for parking, storm, and building improvements upon the parcel.

This parcel does have some outlying features on it that may provide some difficulty with the development, including but not limited to, a County Drain located along the frontage of Mosel, isolated freshwater wetlands located along the east property line and a portion of the southeast corner. These plus additional consumers B-II exceptions on the parcel with the rezone will allow for better usage of the entire property under the new zoning district. When the rezoned property is developed it will be able to connect to existing sanitary and water services already provided along Mosel and Douglas Ave.

We appreciate your consideration for the rezone and look forward to working with the township on the future development of this property.

Thank you,

AR Engineering

Northeast Property Group, LLC



# Memorandum

**TO:** Kalamazoo Charter Township Planning Commission

**FROM:** Emily Huhman, Planning Intern  
Kyle Mucha, AICP, Senior Planner

**SUBJECT:** **Text Amendment – Mobile Home Park District**

**DATE:** March 19, 2024

To Kalamazoo Charter Township Planning Commission,

Integrated Services and Housing Resources, Inc., on behalf of Highland Hills, is requesting a zoning text amendment to allow a setback reduction from 10 feet from the edge of an internal road to 3 feet from the edge of an internal road. Further, the applicant proposes to modify the existing ordinance regulations to permit homes to be constructed 4 feet from a hill or culvert.

The associated application for a text amendment has been reviewed in accordance with Section 26.03.C. – Review Standards – of the Kalamazoo Township Zoning Ordinance.

## EXISTING STANDARDS

The dimensional standards for the MHP Mobile Home Park District specify the following minimum distances, as outlined in the Township’s Zoning Ordinance – Section 16.03 – Development Standards, subsection B – minimum requirements, number 3 – setbacks (16.03.B.3):

- a) *Mobile homes shall be set back a minimum of ten (10) feet from the edge of an internal road, if such road is not dedicated to the public. Mobile homes and other structures in the MHP district shall set back a minimum of twenty (20) feet from the right-of-way line of a dedicated internal public road within the mobile home park.*
- b) *All mobile homes, accessory buildings, and parking shall be set back not less than twenty (20) feet from any mobile home park boundary, except that a minimum setback of fifty (50) feet shall be provided from existing and future rights-of-way of abutting streets and highways.*

The proposed text amendments, if approved, would have an impact on the entire Township’s parcels that are zoned Mobile Home Park (MHP). The existing conditions within Highland Hills note that most dwelling units do not meet the minimum ten (10) foot setback from the edge of an internal road. Based on an aerial inventory, there are perhaps less than 12 dwelling units that meet the current standard.

For additional comparisons, dwelling units within Country Acres, located along Barney Road (north and west of Highland Hills) appear to meet the minimum 10-foot setback provision. Hillcrest Acres, located off of Douglas Avenue, has dwelling units that do not appear to meet the 10-foot setback provision. Dwelling units located in





Oakbrook Estates appear to not be compliant with the minimum 10-foot setback. Dwelling units in Sherwood Forest, located along Olmstead Road, do not appear to meet the minimum requirements of 10 feet.

### **TEXT AMENDMENT REVIEW CONSIDERATIONS**

As stipulated within the Zoning Ordinance, Section 26.03, the text amendment application has been analyzed for consideration.

- a. ***Will the proposed amendment be in accordance with the basic intent and purpose of the Zoning Ordinance?*** The subject site is currently located within an MHP, Mobile Home Park District. The existing use (mobile home residential) is not proposed to change with this text amendment. The Zoning Ordinance establishes minimum setbacks for new dwelling units from roads edge. Minimum setbacks aid in the establishment of safety, privacy and environmental protections. Further, setbacks assist in creating a uniform appearance in neighborhoods and prevent structures from crowding roadways.

As previously referenced, homes located within the Highland Hills development do not currently comply with the minimum setbacks of the District. The applicant seeks to modify the existing requirement of 10-feet from an internal road to three (3) feet, a loss of seven (7) feet of required setback dimensions.

- b. ***Will the proposed amendment further the comprehensive planning goals of the Township as reflected in the Master Plan?***

This designation is directly oriented to the development of mobile, or manufactured home parks in the Township. This type of land use is especially prevalent in the Northwood neighborhood along Barney Road and Douglas Avenue. This designation is typically adjoining other medium to high-density residential areas, with a density of up to eight (8) units per acre provided for under the Michigan Mobile Home Commission Rules.

Further, the applicant indicated in a supporting narrative that additional dwelling units are proposed within the Highland Hills community. The 2014 Master Plan notes *Revitalization* as a housing policy, which is further expanded upon by the following:

*Revitalization encompasses the production of additional housing units through construction and the rehabilitation of existing properties. It attempts to build value in a neighborhood by taking advantage of buildable sites and, through zoning incentives, promote new development.*

The applicant indicates that by reducing the setback requirements for new homes, additional dwelling units can be placed within the Highland Hills community. Based on the 2022 aerials, Highland Hills has a significant number of pre-constructed home sites available for new dwelling units. However, these pre-constructed home sites appear to be located closer than ten (10) feet to the edge of the internal roadway, which partially indicates to staff that the sites were intended to be developed with dwelling units in close proximity to the roads edge.

Based on the 2014 Master Plan as previously outlined, it is noted that this provision can be satisfied.



c. ***Have conditions changed since the Zoning Ordinance was adopted or was there a mistake in the Zoning Ordinance that justifies the amendment?***

No apparent conditions have changed since the Zoning Ordinance was adopted, nor does there appear to be a mistake in the Zoning Ordinance that justifies the amendment.

However, the applicant notes that by reducing the setbacks, additional homes can be added to the community. Further, the applicant indicates that the new homes will provide a community benefit to the unhoused population, housing shortage and local economy. The reduced setbacks would permit, according to the applicant, larger homes to be placed within the development.

d. ***Will the amendment correct an inequitable situation created by the Zoning Ordinance, rather than merely grant special privileges?***

The proposed amendment is not anticipated to correct an inequitable situation created by the Zoning Ordinance, nor would the proposed amendment grant special privileges. Should the amendment be approved, any community facility/development located within the MHP District would be subject to the new setback provisions. While the proposed amendment may appear to directly benefit the applicant, other mobile/manufactured housing developments would also benefit from the ordinance modification.

e. ***Will the amendment result in unlawful exclusionary zoning?***

The applicant does not propose a rezoning; therefore, this provision does not apply.

f. ***Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?***

The Department of Licensing and Regulatory Affairs (LARA), has provisions for manufactured housing. Per R125.1941 – Required Distances Between Homes and Other Structures – the following shall apply:

*Rule 941.(2) A home, including an accessory, shall be set back all the following minimum distances, where applicable;*

1. *Seven feet from the edge of the back of the curb or the edge of an internal road paving surface.*
2. *Seven feet from a parking space on an adjacent home site or parking bay off a home site.*
3. *Seven feet from a common sidewalk.*
4. *Twenty-five feet from a natural or man-made lake or waterway.*

While staff is encouraged by the desire of the applicant to increase the housing units within the Township, we find that such an amendment to the Zoning Ordinance would be in direct conflict with LARA provisions, as outlined above. Therefore, staff finds that the proposed ordinance amendment, if approved, would set an inappropriate precedent and would be in direct conflict with State requirements.

g. ***If a rezoning is requested, is the proposed zoning consistent with the zoning classification of surrounding land?***

The applicant does not propose a rezoning – therefore this provision is not applicable.



**h. If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?**

A rezoning is not requested within this application. Therefore, this provision is not applicable.

**i. If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?**

A rezoning is not requested within this application. Therefore, this provision is not applicable.

**j. Will the proposed amendment be consistent with the purposes of this Ordinance and, in particular, will the proposed amendment promote the public health, safety, and welfare?**

The proposed amendment of permitting new dwelling units to be three (3) feet from the edge of the road would not promote the public safety, as outlined within the LARA provisions for manufactured housing, which requires a minimum of seven (7) feet dimensional setback.

However, reducing the setback provision from ten (10) feet to seven (7) feet would permit larger homes on pre-constructed sites and would be in compliance with the LARA provisions. The applicant could consider amending their request from the proposed three (3) feet to seven (7) feet.

A seven (7) foot setback provision would still permit the construction of a five (5) foot sidewalk, as stipulated within the Township's Sidewalk Ordinance. A reduced setback as proposed by the applicant would not permit the construction of interior pedestrian pathways, which in turn would not promote the public health and welfare for non-motorized transportation.

In addition to these setback requirements, other general standards in the Township's Zoning Ordinance conflict with the proposed text amendment. These include:

**1. Section 2.18 Sidewalks**

Requirements – "Sidewalks shall be required in conjunction with all new development or change of use. In new residential subdivisions and condominiums sidewalks shall be required on both sides of the street"

Location and Width – "Required sidewalks shall be a minimum of five (5) feet in width and shall be generally located one (1) foot off the property line in the road right-of-way, except where the planned right-of-way is greater in width than the existing road right-of-way in which case the sidewalk shall be located one (1) foot inside the planned right-of-way. The Planning Commission may modify these requirements in consideration of the location of utilities, landscaping, or other site improvements."

- The language of the proposed text amendment does not allow for the construction of a five (5) foot sidewalk, which is required for all new development and key in promoting walkability and pedestrian safety in a manufactured housing community.



## THE MOBILE HOME COMMISSION ACT AND MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS

The Mobile Home Commission Act, Act 96 of 1987, Section 125.2307 specifies that “a local government ordinance shall not contain a manufacturing or construction standard that is incompatible with, or more stringent than, a standard promulgated by the federal department of housing and urban development pursuant to the national manufactured housing construction and safety standards act of 1974, 42 USC 5401 to 5426”. Neither the Mobile Home Commission Act nor the Manufactured Home Construction and Safety Standards specify minimum setback distances. Therefore, we do not find that the proposed zoning text amendment violates the standards of these regulations.

### RECOMMENDATION

Based on the application submission provided by the applicant, we recommend that the Planning Commission **deny** the requested zoning text amendment to allow a setback reduction from 10 feet from the edge of an internal road to 3 feet from the edge of an internal road and modification of the existing ordinance regulations to permit homes to be constructed 4 feet from a hill or culvert with the following findings:

- The proposed zoning text amendment is in direct conflict with provisions set by LARA that stipulate a minimum setback distance of seven (7) feet from an internal street, parking space, or sidewalk.
- The proposed zoning text amendment conflicts with other sections of the Township’s Zoning Ordinance, specifically Sidewalks, Section 2.18.
- The proposed zoning text amendment does not support the public health, safety, and welfare due to its conflict with LARA regulations and its ability to prevent the construction of pedestrian and non-motorized connections.

To address these concerns while still increasing the number of dwelling units that could be constructed, the applicant could consider a resubmission of their application that amends their request from the proposed three (3) feet to seven (7) feet.

Respectfully submitted,

**McKENNA**

Kyle Mucha, AICP  
Senior Planner

Emily Huhman  
Planning Intern

cc: Danielle Bouchard, AICP – Community Manager



1400 Belleville Street  
Richmond VA, 23230

Local Office: Highland Hills & Swan Lake  
2425 Douglas Ave  
Kalamazoo, MI 49007

Office Phone: 269-363-2734  
Email: [highlandhills.manager@ctrecap.com](mailto:highlandhills.manager@ctrecap.com)

3/12/2024

Dear Kalamazoo Township,

This letter will provide you with further information regarding our setback request at Highland Hills. It is Highland Hills' intention over the next 5-10 years to bring 10 new homes in per year until the 93 vacant sites are fully occupied. **We are requesting that the setbacks be changed when new homes are added to the community. We would like the new setbacks adjusted to 3ft from the internal roadway to the home and 4ft from the home to the hillside or the culvert.**

We believe adding more homes will have many benefits to the homeless population, housing shortage and local economy. We are currently working with multiple agencies in Kalamazoo to assist housing families in need. The ability to bring in larger homes is very important. Integrated Services and Housing Resources Inc. have the funding available and 60 or more families in need of housing. My office has 7-10 walk in customers looking for housing on a weekly basis.

Attached to this letter is a map of the community showing our occupied & vacant sites. Along with a list of measurements of homesite setbacks over the past few years.

We appreciate your time and consideration.

Sincerely,

Mandy Fuller  
Community Manager  
Highland Hills  
269-363-2734  
[Highlandhills.manager@ctrecap.com](mailto:Highlandhills.manager@ctrecap.com)

CHARTER TOWNSHIP OF KALAMAZOO  
COUNTY OF KALAMAZOO , MICHIGAN

Planning Commission Resolution Regarding Approval of Master Plan

WHEREAS, the Michigan Planning Enabling Act (MPEA) authorizes the Planning Commission to prepare a Master Plan for the use, development and preservation of all lands in the Township; and

WHEREAS, the Kalamazoo Township Planning Commission has prepared a proposed Master Plan (Kalamazoo Township Master Plan 2023) and submitted the plan to the Township Board for review and comment; and

WHEREAS, the Kalamazoo Township Board received and reviewed the proposed Master Plan prepared by the Planning Commission and authorized distribution of the Master Plan to the Notice Group entities identified in the MPEA at MCL 125.3839; and

WHEREAS, notice was provided to the Notice Group entities as provided in the MPEA; and was published in the Kalamazoo Gazette on March 19, 2024; and

WHEREAS, the Planning Commission held a public hearing on the Master Plan 2023 on April 4, 2024 to consider public comments on the proposed Master Plan, and to further review and comment on the proposed Master Plan; and

WHEREAS, the Planning Commission finds that the proposed Master Plan is desirable and proper and furthers the use, preservation and development goals and strategies of the Township;

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Charter Township of Kalamazoo Planning Commission hereby approves the proposed Master Plan 2023, including all of the chapters, figures, maps and tables contained therein.

2. Pursuant to MCL 125.3843, the Township Board has asserted by resolution its right to approve or reject the proposed Master Plan and therefore the Planning Commission Secretary or his/her designee is hereby directed to forward the proposed Master Plan 2023 to the Township Board for its consideration.

3. The Planning Commission has made the foregoing determinations based on a review of existing land uses in the Township, a review of the existing Master Plan provisions and maps, input received from the public hearings, and with the assistance of a professional Planning Consultant and finds that the proposed Master Plan will accurately reflect and implement the Township's goals and strategies for the use, preservation and development of lands in Kalamazoo Township.

4. The Charter Township of Kalamazoo Planning Commission recommends adoption of the Master Plan 2023 to the Township Board.

Ayes:

Nays:

Absent:

The chairman declared the resolution adopted.

---

Fred Nagler  
Planning Commission Chairman

\*\*\* A copy of this Resolution shall be attached to the front cover of the Master Plan prior to transmission to the Township Board. Danielle Bouchard will forward the Master Plan, as approved by the Planning Commission to the Township Board and to Township General Counsel, Roxanne C. Seeber.