

**KALAMAZOO TOWNSHIP
ZONING BOARD of APPEALS MEETING
AGENDA
WEDNESDAY JUNE 15, 2022 6:00 PM**

The agenda for the *meeting* will include the following items:

- #1 Call to order.
- #2 Roll call.
- #3 Approval of agenda for June 15, 2022
- #4 Approval of Minutes:
 - 4a. June 16, 2021
 - 4b. April 26, 2022
- #5 Public Hearings
 - 5a. 2015 Schippers Lane – variance requests for: increase a non-conformity; side yard setback; landscaping along public right-of-ways.
 - 5b. 1417 West “G” Avenue – variance request for: construction of a detached accessory building in a required side yard.
- #6 Old Business.
 - 6a. None
- #7 New Business.
 - 7a. None
- #8 Other matters to be reviewed by the ZBA.
 - 8a. Comments from the public on matters not already addressed.
 - 8b. Correspondence received
 - 8c. Zoning Board of Appeals members’ comments.
 - 8d. Report of the Planning Commission member.
- #9 Adjournment

Public Hearings. The following rules of procedure shall apply to public hearings held by the ZBA:

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes procedures/rules to be followed during the hearing.
3. Applicant presents request.
4. Township zoning administrator/planning consultant presents a summary or analysis of the request.
5. Persons wishing to comment on the request are recognized.
6. Chairperson closes public hearing.
7. ZBA deliberates and decides and action is taken.

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**Charter Township of Kalamazoo
Minutes of a Zoning Board of Appeals Meeting
Held on June 16, 2021**

A regular meeting of the Kalamazoo Charter Township Zoning Board of Appeals was conducted on June 16, 2021, commencing virtually at 7:00 p.m.

Present were:

James Short, Chairman
Nicolette Leigh
Fred Nagler
Shawn Blue
Robert Mihelich

Absent was:

Also present were Kalamazoo Charter Township Planners, Danielle Bouchard and Paul Lippens, Michael Warren (applicant), Kalamazoo Charter Township Manger, Dexter Mitchell, and Kalamazoo Charter Township Zoning Administrator, Katarina Kusmack

Call to Order

The Chairman called the meeting to order and called the roll.

Roll Call and Recognition of Visitors

Chairperson Short welcomed those in attendance.

Approval of the Agenda for the June 16, 2021 Zoning Board of Appeals Meeting

Motion from Blue, supported by Nagler, to approve the agenda. The **motion passed 5-0.**

Variance Requests

The next item on the agenda was consideration of the request from Michael Warren (applicant) regarding the property located at 1201 Healy Street within the Township following:

--A 4-foot variance from the required 30-foot side yard setback on the north side of the parcel in order to permit the building to be setback 26 feet from the northern boundary thereof.

--A 21-foot variance from the required 30-foot side yard setback on the on the south side of the parcel in order to permit construction of the proposed building with a 9-foot setback from the south property line.

--A 35-foot variance from the required 50-foot front yard setback requirement in order to permit the construction of the proposed building with a 20-foot front yard (street side) setback on the west side of the property.

The property is located in the I-2, General Industrial District Zoning Classification. Standards for variance consideration are contained in Section 25.02 of the Zoning Ordinance.

1 Township Planner Bouchard provided an overview of the requested variances. The I-2 District for
2 development notes a minimum of 1 acre. The Zoning Ordinance schedule of regulations requires a
3 minimum of 150 ft. lot width, 50 ft. front yard setback, 30 ft. side yard setback, and 50 ft. rear yard setback.
4

5 Further, if variances are approved, the applicant is proposing to utilize the property for landscape
6 contractor's operation, which is a permitted use in the I-2 District, subject to special land use and site plan
7 approval from the Township Planning Commission.
8

9 For current conditions, the existing site does not meet current area requirements. The site has an 80 ft.
10 lot width and is approximately 0.37 acres in size. It is likely this lot was created prior to the Zoning
11 Ordinance update in 2016, thus rendering the lot a legal nonconformity.
12

13 There are additional legal nonconforming lots within close proximity to the subject site in the I-2 District.
14 However, it should be noted that the current site is large enough to accommodate a development that is
15 in compliance with Ordinance standards. To comply with all setback requirements, a new development
16 will be 850 sq. ft. less than the proposed structure.
17

18 Short questioned the size of the proposed building being requested by the applicant. Bouchard explained
19 that the proposed building is 3,000 sq. ft. in size.
20

21 Leigh questioned if the administration compared the 20 ft. setback with other buildings zoned I-2 on the
22 same block. Bouchard explained that the 20 ft. front yard setback is comparable with surrounding
23 properties. Short commented that the adjacent lot to the south has a smaller lot with a larger building
24 than what the applicant is requesting.
25

26 Blue questioned what the lot coverage would be on the subject site once the building is developed. Nagler
27 noted that the lot coverage would be approximately 20%, which is in compliance with Ordinance
28 standards.
29

30 Applicant, Michael Warren, explained that the proposed building on the subject site is placed off-center
31 for fire access. The hardship, as described by the applicant, is that the existing lot size would not
32 accommodate business operations adequately.
33

34 Short questioned if the applicant utilizes a lot of heavy equipment. Warren explained that he does snow
35 plowing and minimal landscaping, but mostly mowing. It is not anticipated that the equipment used by
36 the applicant will cause any adverse effects to the road or surrounding properties.
37

38 Chairperson Short opened the public hearing at 7:34 p.m.
39

40 There being no comments from the public, Chairperson Short closed the public hearing at 7:35 p.m.
41

42 Nagler questioned the applicant to describe in further detail the reasons for the proposed building size.
43 Warren explained that having enough space is important to operating a lawncare company business. A
44 smaller building will make business operations difficult.
45

46 ZBA members discussed the decision criteria for granting variances as described in the Township Zoning
47 Ordinance. Members found that all requests meet variance granting criteria.
48

1 Motion from Leigh, supported by Nagler, to grant a 4-foot variance from the required 30-foot side yard
2 setback on the north side of the parcel in order to permit the building to be setback 26 feet from the
3 northern boundary thereof, provided that the applicant receives special land use and site plan approval
4 from the Planning Commission prior to any construction taking place on site. **Motion passed 5-0.**

5
6 Motion from Leigh, supported by Nagler, to grant a 21-foot variance from the required 30-foot side yard
7 setback on the on the south side of the parcel in order to permit construction of the proposed building
8 with a 9-foot setback from the south property line, provided that the applicant receives special land use
9 and site plan approval from the Planning Commission prior to any construction taking place on site.

10 **Motion passed 5-0.**

11
12 Motion from Leigh, supported by Nagler, to grant a 35-foot variance from the required 50-foot front yard
13 setback requirement in order to permit the construction of the proposed building with a 20-foot front
14 yard (street side) setback on the west side of the property, provided that the applicant receives special
15 land use and site plan approval from the Planning Commission prior to any construction taking place on
16 site. **Motion passed 5-0.**

17
18 **ZBA Members Comments**

19
20 Mihelich questioned if the Township is transitioning to in-person meetings in the near future. Kusmack
21 noted that the Township is keeping meetings virtual until further notice.

22
23 **Report of the Planning Commission Member**

24
25 Nagler noted that the Planning Commission recommended the Township Board to adopt the 2021 Non-
26 Motorized Plan and master plan work will commence soon.

27
28 **Report of the Township Planner**

29
30 None

31
32 **Adjournment**

33
34 There being no further business to come before the Zoning Board of Appeals, upon motion by Nagler,
35 supported by Blue, and unanimous approval, the June 16, 2021 Zoning Board of Appeals meeting was
36 adjourned at 8:17 p.m.

37
38 **SYNOPSIS OF ACTIONS**

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40 The Kalamazoo Township Zoning Board of Appeals undertook the following actions at the June
41 16, 2021 meeting:

- 42
43
 - Approved three variances to setback requirements located at 1201 Healy Street.

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Charter Township of Kalamazoo
Minutes of a Zoning Board of Appeals Meeting
Held on April 26, 2022

A special meeting of the Kalamazoo Charter Township Zoning Board of Appeals was conducted on April 27, 2022, commencing at 6:00 p.m. at the Township Hall.

Present were:

James Short, Chairman
Nicolette Leigh
Fred Nagler
Robert Mihelich
Shawn Blue
Maryanne Sydlick (1st Alternate)

Absent was:

Motion by Nagler, supported by Blue, to excuse Lisa Moaiery. Motion carried 4-0 (Leigh arrived at 6:20 p.m.)

Also present were Township Zoning Administrator Kyle Mucha, Kalamazoo Charter Township Fire Chief David Obreiter, Kalamazoo Charter Township Supervisor Don Martin, Zachary Flagle (Project Architect) and 3 members of the audience.

Call to Order

The Chairman called the meeting to order and called the roll.

Roll Call and Recognition of Visitors

Chairperson Short welcomed those in attendance.

Approval of the Agenda for the April 26, 2021 Zoning Board of Appeals Meeting

Motion from Blue, supported by Nagler, to approve the agenda. The **motion passed 4-0.**

Variance Requests

The next item on the agenda was consideration of the request of the request of the Charter Township of Kalamazoo Fire Department (applicant) regarding the property located at 2703 East Main Street within the township (Parcel No. 06-12-365-011) for the following:

--A 15% variance from the permitted 25% lot coverage in order to permit construction of a new fire station covering approximately 40% of the parcel.

--Relief/variance from the landscaping to adjacent roadway requirements contained in Section 5.02.B. of the Zoning Ordinance.

--Relief/variance from the screening requirements contained in Section 5.03 C. 4. of the Zoning Ordinance in which a landscaped berm, greenbelt or wall is required wherever a non-residential use abuts directly upon land zoned for residential purposes.

1 The property is located in the R-2-, Single- & Two-Family District Zoning Classification. Standards for
2 variance consideration are contained in Section 25.02 of the Zoning Ordinance.

3
4 Zoning Administrator Mucha provided an overview of the requested variances. Chief Obreiter also
5 addressed the Zoning Board as it pertained to the requested lot coverage, screening requirements and
6 fence/landscaping on the northern portion of the property.

7
8 Chairperson Short opened the public hearing at 6:21 p.m.

9
10 Project architect Flagle stated that the variances are needed to adequately service the Township in regard
11 to fire/rescue. In addition, the expanded fire station will allow for new and enhancement fire apparatus,
12 where currently, the size of the building limits the types of fire apparatus that can be operated from this
13 property.

14
15 Chairperson Short inquired about the ownership of the two existing homes located immediately north of
16 the existing fire station property. Chief Obreiter indicated that the Township has owned both homes for
17 several years and will be removed to accommodate the fire station expansion.

18
19 Chairperson Short inquired about existing parking for the site. Chief Obreiter stated that the new site will
20 maintain the existing number of on-site parking spaces for fire/rescue personnel.

21
22 Member Leigh stated that the application form lists Chief Obreiter as the applicant, however the project
23 is for the Township. Zoning Administrator Mucha informed the Board that the application was updated
24 via supplemental documentation, to reflect proper ownership and apologized that the supporting
25 documents regarding the application did not make it into the board agenda packet. Zoning Administrator
26 Mucha indicated that the supporting documents can be provided as supplemental information at the next
27 meeting.

28
29 Julia & Kim Murray, area residents, asked about the proposed construction length of the project. Project
30 Architect Flagle responded that construction is tentatively scheduled to begin in April 2023 and should be
31 completed within 18 months, if not sooner. Julia Murray asked about screening of the site for the residents
32 that live to the immediate north of the subject site. Project Architect Flagle indicated that fence screening
33 is still being work through, however the initial proposal is to install chain link fencing, with interwoven
34 vinyl screening slats to provide the visual buffer. Additional discussion regarding noise ensued.

35
36 There being no further comments from the public, Chairperson Short closed the public hearing at 6:32
37 p.m.

38
39 Motion from Blue, supported by Mihelich, to grant a 15% variance from the permitted 25% lot coverage
40 in order to permit construction of a new fire station covering approximately 40% of the parcel due to the
41 limited land available and site constraints. **Motion passed 5-0.**

42
43 Motion from Nagler, supported by Leigh, to grant a variance from the landscaping to adjacent roadway
44 requirements contained in Section 5.02.B. of the Zoning Ordinance along East Main, for reasons of public
45 safety and to get fire apparatus in and out of the site and offer proper site protections for motorists and
46 pedestrians. **Motion passed 5-0.**

47

1 Motion from Blue, supported by Mehilich, to defer the third variance request regarding the required
2 screening and berm, to the Planning Commission, as stipulated under Article 6 of the Zoning Ordinance.
3 **Motion passed 4-0-1** with Member Leigh abstaining.

4
5 **Election of Officers**

6
7 Motion from Nagler, supported by Blue, to re-elect existing officers in their current positions for another
8 year. **Motion passed 5-0.**

9
10 **Report of the Planning Commission Member**

11
12 Chairperson Short thanked the Board for their work over the 35 years he has been in service and indicated
13 that after his term expires in December of 2022, he will not be seeking to remain on the Zoning Board of
14 Appeals.

15
16 Nagler indicated his appreciation for being able to see all members in person.

17
18 Nagler provided an update regarding the Planning Commission and indicated that the Master Plan update
19 is underway and site plans have begun to come in for review by the Commission.

20
21 Mehilich inquired about the status of previous Zoning Administrator Katarina Kusmack. Township
22 Supervisor Martin responded that Ms. Kusmack is no longer with the Township.

23
24 **Report of the Township Planner**

25
26 None

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28 **Adjournment**

29
30 There being no further business to come before the Zoning Board of Appeals, upon motion by Nagler,
31 supported by Leigh, and unanimous approval, the April 26, 2022 Zoning Board of Appeals meeting was
32 adjourned at 6:53 p.m.

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35 **SYNOPSIS OF ACTIONS**

36
37 The Kalamazoo Township Zoning Board of Appeals undertook the following actions at the April
38 26, 2022 meeting:

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 - Approved variances to lot coverage and landscaping requirements for new Township fire station
41 at 2703 E Main Street.



MCKENNA

May 26, 2022

Hon. Members of the Zoning Board of Appeals
Kalamazoo Charter Township
1720 Riverview Drive
Kalamazoo, Michigan 49004

SUBJECT: ZBA Report

#22-02 Variance Request / Increase In Non-Conformity; Landscaping Requirements; Setback Requirements

APPLICANT: Bosch Architecture, Engineering, Interior Design (Seth Baar) on behalf of property owner: Mandeville Investments, LLC & J Riddle, LLC.

SECTION: Section 3.05(B)(1) Enlargement, Extension, or Alteration; 5.02(A)(1) General Site Requirements [Landscaping]; 5.02(B)(1) Landscaping Adjacent to Roads; 5.02(B)(2) Location and Dimensions; 25.02 Schedule of Regulations

LOCATION: 2015 Schippers Lane, Kalamazoo MI 49048 (Parcel ID: 06-14-435-030)

REQUEST: To obtain variances from Zoning Ordinance standards including:

Allow construction of a 12,000 square foot addition to an existing non-conforming building that increases the non-conformity of the existing building and does not meet the required setbacks.

Allow trees and shrubs to be planted within 10 feet of an uncurbed paved area and roadway.

Allow frontage plantings to be planted in a planting strip of four (4) feet in width where a 15-foot strip is required.

Allow for reduced frontage landscaping along Shippers Lane due to proximity of overhead utilities that prohibit placement of landscaping.

Dear Members of the Zoning Board of Appeals:

We have reviewed the above referenced application regarding variance requests pertaining to the increase of a non-conforming building, building setbacks and landscape requirements in coordination with the construction of a 12,000 square foot manufacturing expansion at 2015 Schippers Lane. We have prepared the following report, which identifies the relevant facts about the property and the proposal.

VARIANCE REQUEST SUMMARY

The applicant, Bosch Architecture, on behalf of the property owner (Mandeville Investments, LLC & J. Riddle, LLC), is proposing to obtain relief from Zoning Ordinance standards as it relates to increasing a non-conforming building, building setback requirements and landscape and screening requirements for the I-2, General Industrial District. The manufacturing, compounding, assembling, packaging, and industrial machinery & equipment manufacturing are permitted uses in the I-2 District, per Section 20.02 of the Zoning Ordinance.

Section 3.05., Modification to Nonconforming Uses or Structures, (B), Enlargement, Extension or Alteration, states that no person may engage in any activity that causes an increase in the extent of any nonconformity. For example, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in: an increase in the total amount of space devoted to a nonconforming use, or; greater

HEADQUARTERS

235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



nonconformity with respect to dimensional restrictions, such as setback requirements, height limitations, density requirements or other requirements in the district in which the property is located.

Section 5.02(A)(1) stipulates that all unpaved portions of the site shall be planted with grass, ground cover, shrubbery or other suitable live plant material. Such plant material shall extend to the edge of any abutting paved area, roadway or gravel shoulder, except that trees or shrubs shall be set back a minimum of ten feet from the edge of any uncurbed paved area, roadway or gravel shoulder.

Section 5.02(B)(1) [where required] stipulates the minimum amount of planting of vegetation adjacent to roadways. Furthermore, Section 5.02(B)(2) requires landscaping adjacent to roads shall be located totally on private property within a planting strip adjacent to the road right-of-way; the minimum width of the planting strip shall be fifteen (15) feet. The following table details the required landscaping per road frontage.

Type of Plant Material	Minimum Amount Required
Deciduous Shade or Evergreen Tree	1 per 40 linear feet of road frontage
Ornamental Tree	1 per 100 linear feet of road frontage
Shrubs	8 per 40 linear feet of road frontage

Section 25.02 – Schedule of Regulations for Principal Structures – stipulates the following required setbacks for principal structures located within the I-2, General Industrial District:

Minimum Required Setback	In Feet
Front	50'
Side	30'
Rear	50'

Note: footnotes within the Schedule of Regulations do not apply to this property due to it not being located adjacent to a residential district, nor located in an industrial park.

EXISTING SITE CONDITIONS

The subject site is approximately 1.19 acres (52,223 square feet). The subject site is currently zoned I-2, General Industrial. The use of the building as manufacturing is permitted within the zoning district. The existing building footprint is 17,360 square feet.

The property is located on Schippers Lane, with frontage also along Wallace Avenue. The properties to the north, east and south are zoned I-2, General Industrial. Properties to the west and southeast are located outside of the municipal boundary.

STANDARDS FOR VARIANCE APPROVAL

Section 26.05.B.4.a, of the Zoning Ordinance provides criteria for the review of variance requests by the Zoning Board of Appeals. The following are those criteria and how they relate to this request:

- a. *The ZBA may grant a requested "non-use" variance only upon a finding that practical difficulties exist and that the need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. In determining whether practical difficulties exist, the ZBA shall consider the following factors:*





- (1) *Strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.*

The applicant proposes to construct an additional 12,000 square feet of building, due to the increase of the manufacturing capabilities of the existing business. The existing building footprint does not meet the side yard setback requirements (30') for the zoning district. The building was constructed before 1958, prior to the adoption of the current setback requirements for the Township. As such, the existing building is a legal non-conformity due to its current location adjacent to the east property line. The applicant seeks to construct the new addition in line with the existing structure, which is set west of the eastern property one (1) foot. The requested 29' variance from the side yard setback requirements, where a minimum of 30' is required. It would appear that another building, located to the east (2105 Schippers Lane) encroaches into the side yard setback requirements as well.

The applicant proposes to plant trees and shrubs within ten (10) feet of an uncurbed paved area and roadway and to create a planting strip that is only four (4) feet in width, where a minimum of fifteen (15) feet is required. The applicant has provided a conceptual site plan (see sheet L001) showing the proposed location of the required landscaping along Wallace Avenue.

The applicant also seeks relief from the landscaping requirements along Schippers Lane, shown below.

Type of Plant Material	Minimum Amount Required
Deciduous Shade or Evergreen Tree	1 per 40 linear feet of road frontage
Ornamental Tree	1 per 100 linear feet of road frontage
Shrubs	8 per 40 linear feet of road frontage

The property is an estimated 111' wide along Schippers Lane. As such, the following landscaping elements would be required:

1. *Three (3) Deciduous Trees – one (1) proposed*
2. *Two (2) Ornamental Trees – zero (0) proposed*
3. *24 Shrubs – 11 proposed*

- (2) *The variance will do substantial justice to the applicant, as well as to other property owners.*

It is not anticipated that granting the variance requests will greatly impact neighboring properties. The building has been in existence prior to 1958 (oldest date Township records have regarding this property). The proposed addition will be located behind an existing, detached residential accessory building, located at 2023 Schippers Lane.

In regards to the relief from the landscaping requirements, the applicant still proposes to install the required landscaping along Wallace Avenue, however due to site constraints, is not able to meet both the ten (10) foot setback requirement and fifteen (15) foot planting strip.

- (3) *A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.*

As previously referenced, there appears to be another industrial use, located at 2105 Schippers Lane, that does not meet the minimum required side yard setbacks.

A lesser variance regarding the requested variance from the landscape requirements will not give substantial relief to the applicant. Due to site constraints, an increase in the planting strip



and location of landscaping along Wallace Avenue will impact the required maneuvering lanes for vehicular circulation and fire access.

A lesser variance regarding setback requirements pertaining to the proposed addition will not give substantial relief to the applicant. The site is required to have a 50-foot setback along the front yard (Wallace Avenue) and 30 feet along the east property line. The subject site, at its widest point, is measured at 175 feet, which reduces the building envelope substantially to 95 feet. The applicant proposes to construct a 90-foot-wide addition and expanded parking lot. A lesser variance would then alter the proposed construction of the addition.

Strictly from a zoning standpoint, based on the site plan (sheet C001), the building could potentially be constructed in a more north/south orientation as compared to the east/west orientation shown on the sheet and fit within the building envelope of the I-2, General Industrial District. We will defer to the applicant to provide any additional engineering data pertaining to this viewpoint.

- (4) *The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors. (For example, a variance needed for a proposed lot split would, by definition, be self-created, so such a variance typically would not be granted.)*

We find that the problem and resulting need for the variances is self-created.

- b. *In all variance proceedings, it shall be the responsibility of the applicant to provide information, plans, testimony and/or evidence from which the ZBA may make the required findings. Administrative officials and other persons may, but shall not be required to, provide information, testimony and/or evidence on a variance request.*

Application information, plans, fees, and testimony was provided by the applicant to the administration for review.

Conditions

The ZBA may impose reasonable conditions in connection with an affirmative decision on an appeal, interpretation or variance request.

Based on the variance requests, we are not recommending any additional conditions be imposed at this time. Should the Zoning Board, after holding a public hearing, feel inclined to impose additional conditions, those conditions may be explored during Board discussion.

STAFF FINDINGS

McKenna offers the following for consideration by the Zoning Board:

1. The existing structure at 2015 Schippers Lane is non-conforming due to the setback requirements of the I-2, General Industrial District.
2. If approved, the resulting 12,000 square-foot addition would increase the non-conformity of the existing structure.
3. It is possible to construct a structure on the site that is in compliance with the required, front, side and rear yard setbacks for the I-2 District.
4. The structures to the east (2023, 2029 & 2033 Schippers Lane) are non-conforming due to their principal use being residential in nature, however, are zoned I-2, General Industrial.
5. If approved, the resulting side yard setback (east) will be an estimate of one (1) foot where a 30-foot side yard setback is required.
6. If approved, the required landscaping along Wallace Avenue will be closer than ten (10) feet to the property line and have a four (4) foot wide landscaping strip where a minimum of fifteen (15) feet is required. Special consideration should be given to any potential conflict with vehicle sight distances, should this request be approved.



7. No construction on site can commence without site plan approvals from the Kalamazoo Charter Township Planning & Zoning Department, Planning Commission, applicable safety personnel, and other applicable engineering and/or reviewing organizations.
8. The need for the requested variances is self-created. The subject site is 1.19 acres and may not be conducive to type of expansion the applicant is seeking to undertake. We acknowledge the applicants desire for expanding their business is a benefit for the continued economic growth of the Township, this particular business may have outgrown the subject parcel. While we do not seek to have the business move out of the Township, a site that is larger in acreage may be of more benefit than the limited potential this existing 1.19 acres offers.

Please feel free to reach Danielle Bouchard, Senior Planner, at DBouchard@mcka.com or Kyle Mucha, AICP, Senior Planner at KMucha@mcka.com you have any questions about this variance request or review.

Respectfully,

McKenna

Danielle Bouchard
Senior Planner

Kyle Mucha, AICP
Senior Planner

APPLICATION FOR VARIANCE, INTERPRETATION OR APPEAL FORM

Seth Baar
(applicant --person filing the appeal)
8065 Vineyard Parkway
(address)
Kalamazoo, MI 49009
(city, state, zip code)
(269) 321 - 5151
(telephone, home and business)

OFFICE USE ONLY

Case number _____
Date Rec'd _____
Fee Rec'd _____
Receipt # _____
Hearing date _____

Action: _____
Date: _____
Expiration Date: _____

Applicant's standing (interest) in the appeal
(check one):

- Property owner (attach inspection report sheets)
- Adjacent property owner
- Other affected individual. Explain: _____
- Other. Explain: Project Engineer

PROPERTY OWNER'S (OF LAND SUBJECT TO APPEAL) NAME AND ADDRESS
(if not the applicant)

Mandeville Investemnts, LLC & J. Riddle, LLC
2015 Schippers Lane
Kalamazoo, MI 49048

Phone (2 6 9) 9 9 8 - 0 3 0 2

ADDRESS OF LAND SUBJECT TO APPEAL (if known) 2015 Schippers Lane
Kalamazoo, MI 49048

(If new construction, an address will not be known yet. An address is obtained after a zoning permit is issued.)

PARCEL SUBJECT TO APPEAL SIZE 52,223.5 SF - 1.2 Acres
PROPERTY DESCRIPTION FOR LAND SUBJECT TO APPEAL _____

See attached sheet.

PARCEL DATA PROCESS (tax) NUMBER FOR LAND SUBJECT TO APPEAL
06 - 14 - 435 - 030

ZONING DISTRICT OF PROPERTY SUBJECT TO APPEAL (see zoning ordinance)

I - 2: General Industrial

ACTION REQUESTED: (check one)

- To interpret a particular section of the ordinance, as it is felt the Zoning Administrator/Planning Commission is not using the proper interpretation:
The Section is: _____
- To interpret the zoning map, as it is felt the Zoning Administrator/Planning Commission is not reading the map properly. Describe the portion of the zoning map in question (attach detail maps if applicable): _____
- To grant a variance to certain requirements of the zoning ordinance, (parking, setbacks, lot size, height, floor area, sign regulations, location of accessory buildings, maximum amount of lot coverage, etc.). Specify the section and specific regulations a variance is being sought from: See attached
- To overturn an action of the zoning administrator. The zoning administrator erred (did not issue a permit, issued a permit, enforcement): _____

RULING SOUGHT:

What is the sought ruling by the Kalamazoo Township Zoning Board of Appeals? _____

See attached

(attach sheets if necessary)

(attached)

STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

State specifically the reason for this demand for appeal request: _____

See attached

(attach sheets if necessary)

(attached)

ATTACH THREE COPIES OF A SITE PLAN PLUS ONE ELECTRONIC COPY, as specified in Section 26.05 (C) 2.

(attached)

Attach a copy of the initial application concerning this issue and the zoning administrator's (or planning commission's) written ruling on this issue.

(attached)

VARIANCE QUESTIONS:

If you are seeking a variance, on attached sheets, provide answers to the following questions. Please number the answers the same as they are numbered here. Please be specific, and explain your answers. (If the answer to any of the questions numbered 1-5 is "no," a variance may not be granted, Sec. 26.05 (B) 4.a. (1 through 4

(attached)

1. Does strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, unreasonably prevent the owner from using the property for a permitted purpose or does the ordinance render conformity unnecessarily burdensome?
2. Would a variance do substantial justice to the applicant, as well as adjacent property owners?
3. Would a lesser variance not give substantial relief to the applicant and/or be consistent with justice to other property owners?
4. Is the problem and resulting need for the variance not self-created by the applicant and/or the applicant's predecessors?

VARIANCE, MAP INTERPRETATION INFORMATION:

If you are seeking a variance, or a map interpretation, the following must be provided:

1. Attach or list all deed restrictions for the property in question.
(attached)
2. Attach a list of names and address of all other persons, firms, or corporations having a legal or equitable interest in the property in question.
(attached)
3. This area is (check one): unplatted platted will be platted.
If platted, name of plat: Sherwood Park
4. What is the present use of the property? Manufacturing, Office Space, and Warehouse Storage

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, any Zoning Board of Appeals ruling that may be issued may be void. Further I agree, any Zoning Board of Appeals ruling and subsequent permit that may be issued is with the understanding all applicable sections of the Kalamazoo Township Zoning Ordinance will be complied with. Also, I agree to notify the zoning administrator for the Kalamazoo Township for inspection before the start of construction and when locations of proposed uses are marked on the ground. Further, I agree to give permission for officials of Kalamazoo Township, Kalamazoo Area Building Authority, Kalamazoo County and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Also I understand any zoning action by the Zoning Board of Appeals conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, building code, deed restriction or other property rights.

Signed: Seth Base

Date: 2022-05-09

When completed send two copies to:

Planner / Zoning Administrator
Kalamazoo Township
1720 Riverview Drive
Kalamazoo, MI 49004-1099

planner@ktwp.org



May 9, 2022

Planner/Zoning Administrator
Kalamazoo Township
1720 Riverview Drive
Kalamazoo, MI 49004-1099

Subject: Application for Variance Letter

Dear Zoning Administrator,

Enclosed within are our responses to the variance application, our responses are in red below:

- Property description for land subject to appeal:

TAX DESCRIPTION: (DEED NOT PROVIDED) LAND SITUATED IN THE TOWNSHIP OF KALAMAZOO, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

SEC 14-2-11 COM AT INT S LI RECD PLAT SHERWOOD PARK WITH W LI CHICAGO AVE TH N 89DEG 46MIN 00SEC W ALG S LI OF SD PLAT 299.42 FT FOR POB TH S 07DEG 53MIN 37SEC E 292.83 FT TH S 89DEG 58MIN 06SEC W 68.33 FT TH N 00DEG 05MIN 36SEC W 120.41 FT TH N 89DEG 35MIN 09SEC W 175.14 FT TO ELY LI WALLACE AVE TH N 00DEG 06MIN 18SEC W THEREON 169.24 FT TO S LI OF SD PLAT TH S 89DEG 46MIN 00SEC E 203.77 FT TO POB

ALSO: SEC 14-2-11 BEG AT PT IN E LI WALLACE AVE 96.1 FT N OF ITS INT WITH N LI MICHIGAN AVE TH N 0 DEG 06 MIN W ALG SD E LI 240.18 FT TH S 89 DEG 39 MIN E 175 FT TH S 0 DEG 06 MIN E 173.9 FT TH S 1 DEG 11 MIN W 145.71 FT TO N LI SCHIPPERS LANE TH S 73 DEG 31 MIN W ALG N LI SD LANE 111.34 FT TH N 0 DEG 24 MIN E 109 FT TH N 87 DEG 32 MIN W 65.8 FT TO BEG

- To grant a variance to certain requirements of the zoning ordinance, (parking, setbacks, lot size, height, floor area, sign regulations, location of accessory buildings, maximum amount of lot coverage, etc.). Specify the section and specific regulations a variance is being sought from:
 - 3.05(B)(1):

Except as specifically provided in this section, no person may engage in any activity that causes an increase in the extent of any nonconformity. For example, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

 - a. An increase in the total amount of space devoted to a nonconforming use, or
 - b. Greater nonconformity with respect to dimensional restrictions, such as setback requirements, height limitations, density requirements, or other requirements in the district in which the property is located.

- 5.02(A)(1):

All unpaved portions of the site shall be planted with grass, ground cover, shrubbery, or other suitable live plant material. Such plant material shall extend to the edge of any abutting paved area, roadway, or gravel shoulder, except that trees and shrubs shall be set back a minimum of ten feet from the edge of any uncurbed paved area, roadway, or gravel shoulder.

- 5.02(B)(1):

Where required, landscaping adjacent to roads shall comply with the following planting requirements: (1) deciduous tree per 40 LF of frontage. (1) ornamental tree per 100 LF of frontage. (8) shrubs per 40 LF of frontage. In accordance with section 5.02(I), minimum distance from center of tree trunk to nearest overhead utility line (using 20 feet).

- 5.02(B)(2):

Required landscaping adjacent to roads shall be located totally on private property within a planting strip adjacent to the road right-of-way. The minimum width of the planting strip shall be fifteen (15) feet.

- 25.02:

Schedule of Regulations: For I-2, General Industrial. Minimum required setbacks, Front Yard: 50 feet, Side Yards: 30 feet, Rear Yard: 50 feet.

- Ruling Sought:

What is the sought ruling by the Kalamazoo Township Zoning Board of Appeals?

- To be granted a setback variance to allow the construction of a new 12,000 SF addition that will be attached to an existing non-conforming structure. In addition, a variance allowing trees and shrubs to be planted within 10 feet of an uncurbed paved area and roadway. Incidental to that, a variance is needed to allow frontage plantings to be planted in a planting strip of 4 feet in width rather than 15 feet. Lastly, a variance to reduce the frontage landscaping along Shippers Lane due to the proximity of overhead utilities that prohibit the placement of landscaping.

- Statement of Justification for Requested Action:

State specifically the reason for this demand for appeal request:

- The parcel in which the project is located on causes unreasonable problems with grading. To conform with the required setbacks in the I-2 zoning district would cause the addition to be detached from the existing building and be placed around 10 feet higher in elevation. On the parcel, the elevation change increases 40 feet from the existing building finished floor to the highest point to the North. With the building being placed where requested, this will mitigate the amount of natural tree and soil removal per section 26.02(F)(5).

- Variance Questions:

1. Does strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, unreasonably prevent the owner from using the

property for a permitted purpose or does the ordinance render conformity unnecessarily burdensome?

Yes, to comply with the governing setback would prohibit the owner from attaching the new 12,000 sf addition to the existing building and would hinder the employee's ability to work seamlessly in both buildings. If the building were placed to conform with the governing setback this would result in the excavation of thousands of yards of soil and countless existing trees.

2. Would a variance do substantial justice to the applicant, as well as adjacent property owners?

Yes, this would help with efficiency and practicality. If the new addition was detached from the existing building, the new additions finished floor would be around 10 feet higher than the existing finished floor, along with steep grades in between the buildings. For adjacent property owners, this helps mitigate the visual impact, the new addition will replace a portion of the existing non-conforming structure while keeping the maximum roof height as low as possible in comparison to it being 10 feet taller.

3. Would a lesser variance not give substantial relief to the applicant and/or be consistent with justice to other property owners?

Yes, any less of a variance would hinder the other variance requests, mostly pertaining to landscaping. This would reduce the buffer strip width along Wallace Street, and would result in the excavation of more trees and soil.

4. Is the problem and resulting need for the variance not self-created by the applicant and/or the applicant's predecessors?

Yes, this problem is naturally occurring and not the from the result of any actions performed by the owner or any previous owner.

If you have you have any additional questions or comments, you can contact me via email or at 269-321-5151.

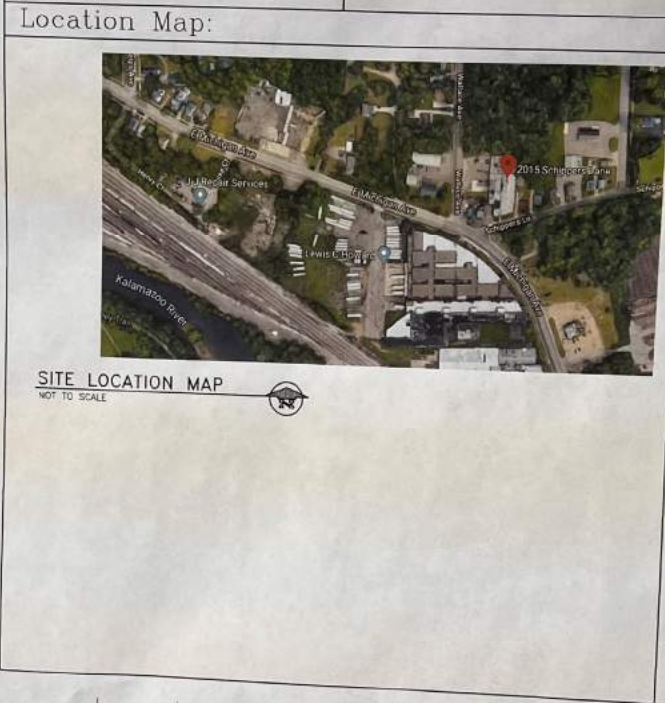
Sincerely,



Nicholas J. Loeks, PE

Project for:
VDI Manufacturing
 2015 Schippers Lane, Kalamazoo, MI 49097

Site Data: SEE SITE PLAN TO LEFT.	Applicable Codes: 2015 MICHIGAN BUILDING CODE 2015 MICHIGAN PLUMBING CODE 2015 MICHIGAN MECHANICAL CODE 2014 NATIONAL ELECTRICAL CODE (NEC) AS AMENDED BY STATE OF MICHIGAN 2015 MICHIGAN UNIFORM ENERGY CODE WHICH ADOPTS ASHRAE 90.1-2013 AS AMENDED ADA-ICC A117.1-2009	Drawing Index: CA10 GENERAL SITE PLAN, OWNER INFORMATION, PARKING CALCULATIONS, MAIN LEVEL FLOOR PLAN
Owner Information: JEFF BECKER, VDI MANUFACTURING 2015 SCHIPPERS LANE KALAMAZOO, MI 49048 269-998-0302		NOTE: PROJECT IS A CHANGE OF USE ONLY. EXISTING BUILDING FOOTPRINT NOT CHANGED. EXISTING BASEMENT FLOOR AREA IS CONSIDERED AS UNUSABLE AND IS NOT INCLUDED IN THE CALCULATIONS.



Parking Calculations:

BUILDING HEIGHT, EXISTING (NO CHANGE)

SQUARE FOOTAGE, EXISTING (NO CHANGE)

ZONING: 1-2 GENERAL INDUSTRIAL

PARKING REQD.

BUSINESS AND PROFESSIONAL OFFICES USES

(1) PARKING SPACE FOR 250 S.F. U.F.A.
 $647 \text{ S.F.} / 250 =$ (3) SPACES

GENERAL INDUSTRIAL AND MANUFACTURING USES

(1) PARKING SPACE FOR 750 G.S.F.
 $5,732 \text{ S.F.} / 750 =$ (8) SPACES

WAREHOUSE USES

(1) PARKING SPACE FOR 1500 G.S.F.
 $8,403 \text{ S.F.} / 1500 =$ (6) SPACES

TOTAL PARKING REQD. (17) SPACES
 (INCLUDING (1) B.F. VAN ACCESSIBLE SPACE)

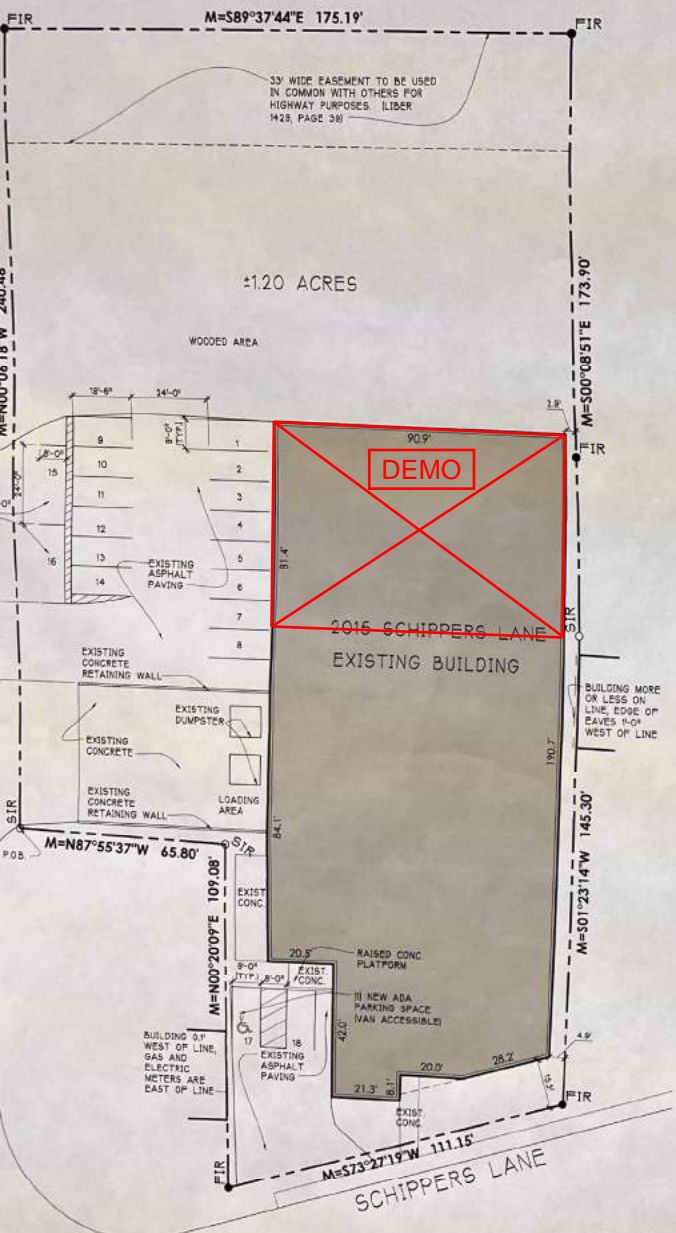
PARKING PROVIDED

(2) PARALLEL PARKING SPACES @ 8'-0" x 24'-0"

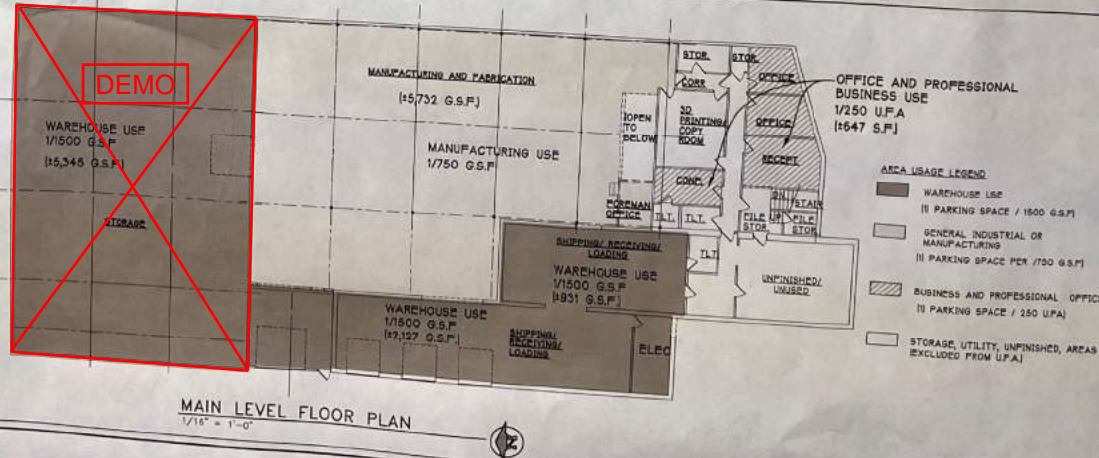
(5) PARKING SPACES @ 9'-0" x 18'-6"

(1) B.F. VAN ACCESSIBLE PARKING SPACE @ 9'-0" x 18'-6" W/ 8'-0" ACCESSIBLE AISLE

TOTAL PARKING PROVIDED (8) SPACES
 (INCLUDING (1) B.F. VAN ACCESSIBLE SPACE)



SITE PLAN
1" = 20'-0"



MAIN LEVEL FLOOR PLAN
1/16" = 1'-0"

Project for:
VDI Manufacturing
 2015 Schippers Lane, Kalamazoo, MI 49048

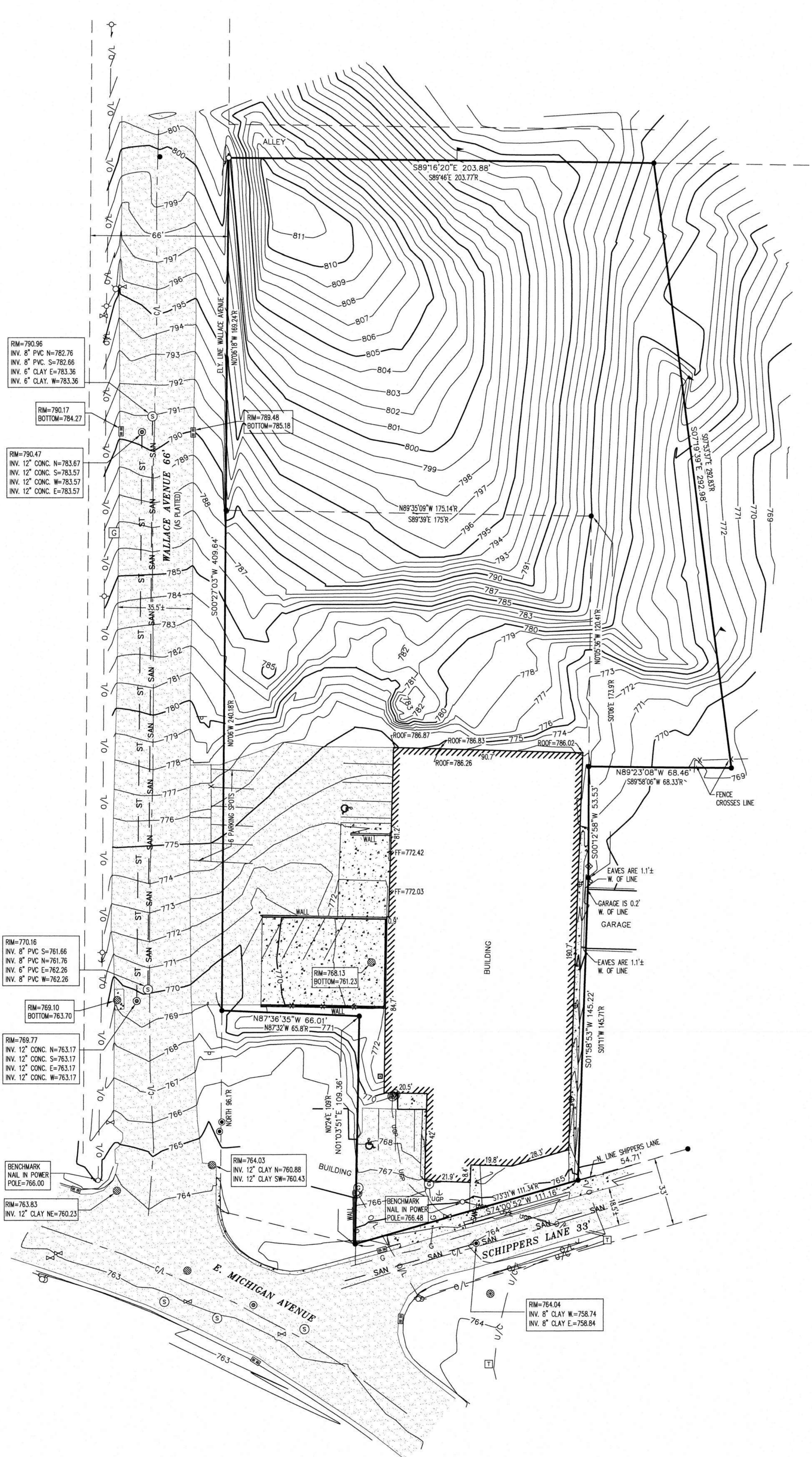
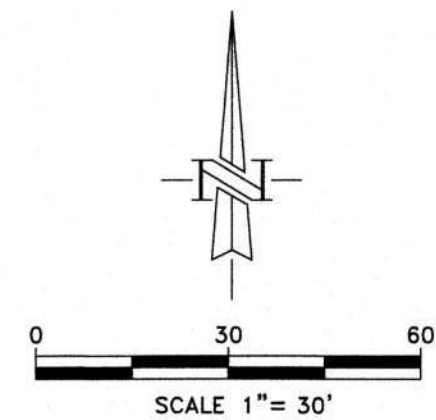
Rev. Date
 Rev. Date
 Rev. Date
 Rev. Date
 Rev. Date
 Rev. Date
 Issue Date: April 19, 2018
 Schley Nelson Architects
 Project No.
19-119
 Sheet Name
 GENERAL PROJECT INFORMATION
 OWNER INFORMATION
 Sheet No.
CA1.0
 CADDWG 2018
 Gray Nelson Architects, Inc.

TOPOGRAPHICAL BOUNDARY SURVEY:~

TAX DESCRIPTION: (DEED NOT PROVIDED)
 LAND SITUATED IN THE TOWNSHIP OF KALAMAZOO, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

SEC 14-2-11 COM AT INT S LI RECD PLAT SHERWOOD PARK WITH W LI CHICAGO AVE TH N 89DEG 46MIN 00SEC W ALG S LI OF SD PLAT 299.42 FT FOR POB TH S 07DEG 53MIN 37SEC E 292.83 FT TH S 89DEG 58MIN 06SEC W 68.33 FT TH N 00DEG 05MIN 36SEC W 120.41 FT TH N 89DEG 35MIN 09SEC W 175.14 FT TO ELY LI WALLACE AVE TH N 00DEG 06MIN 18SEC W THEREON 169.24 FT TO S LI OF SD PLAT TH S 89DEG 46MIN 00SEC E 203.77 FT TO POB

ALSO: SEC 14-2-11 BEG AT PT IN E LI WALLACE AVE 96.1 FT N OF ITS INT WITH N LI MICHIGAN AVE TH N 0 DEG 06 MIN W ALG SD E LI 240.18 FT TH S 89 DEG 39 MIN E 175 FT TH S 0 DEG 06 MIN E 173.9 FT TH S 1 DEG 11 MIN W 145.71 FT TO N LI SCHIPPERS LANE TH S 73 DEG 31 MIN W ALG N LI SD LANE 111.34 FT TH N 0 DEG 24 MIN E 109 FT TH N 87 DEG 32 MIN W 65.8 FT TO BEG



N89°46' W 299.42' R
 N89°11'59" W 298.91'
 S. LINE, SHERWOOD PARK

INTERSECTION OF THE S. LINE SHERWOOD PARK WITH W. LINE CHICAGO AVE.

CHICAGO AVENUE

LEGEND

- X FENCE
- G UNDERGROUND GAS
- O/L OVERHEAD LINE
- SAN SANITARY SEWER
- ST STORM SEWER
- U/C UNDERGROUND CABLES
- UGP UNDERGROUND POWER
- C/L CENTER LINE
- A/C UNIT
- CATCH BASIN
- DRAIN
- ELECTRIC METER
- WOOD LATH SET
- FIRE HYDRANT
- GAS LINE MARKER
- GAS METER
- GUY WIRE
- HANDICAPPED
- INLET
- MANHOLE
- POST
- SANITARY MANHOLE
- SIGN
- SPOT ELEVATIONS
- STORM MANHOLE
- TELEPHONE PEDESTAL
- UTILITY POLE
- WATER VALVE
- IRON PIN SET
- IRON PIN FOUND
- RECORD
- ASPHALT
- CONCRETE

GENERAL NOTES:

- 1) BEARING BASIS IS USING MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, PER MDOIT CORS NETWORK. ELEVATION DATUM IS USING NAVD 88 PER MDOIT CORS NETWORK
- 2) ALL BEARINGS AND DISTANCES ARE FIELD MEASURED UNLESS OTHERWISE NOTED.
- 3) THE PARCEL NUMBERS ARE 06-14-435-030 & 06-14-435-013.
- 4) THE PROPERTY ADDRESS IS 2015 SCHIPPERS LANE, KALAMAZOO MI 49048.
- 5) AN ONLINE MISS DIG REQUEST WAS SUBMITTED ON 2/21/2022, TICKET #2022022100841. THIS SURVEYOR IS NOT LIABLE NOR RESPONSIBLE FOR ANY UTILITIES NOT MARKED BY MISS DIG.
- 6) THERE ARE 15 REGULAR PARKING SPACES AND 2 HANDICAPPED PARKING SPACES.
- 7) A CALL WAS MADE TO THE KALAMAZOO COUNTY ROAD COMMISSION REGARDING ANY PROPOSED CHANGES IN THE STREET RIGHT OF WAY LINES. NO INFORMATION HAS BEEN PROVIDED.
- 8) THERE WAS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF SURVEY.
- 9) THE SITE WAS SNOW COVERED AT THE TIME OF SURVEY. ALL GROUND FEATURE MAY NOT HAVE BEEN VISIBLE TO LOCATE.

NOTE: THIS SURVEY MADE FROM DESCRIPTION FURNISHED.

TO: VDI MANUFACTURING

I, THOMAS A. STEPHENSON, A PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION.

Thomas A. Stephenson
 THOMAS A. STEPHENSON, P.S.#4001046689



Know what's below.
 Call before you dig.

STEPHENSON LAND SURVEYING

	27873 WHITE STREET CASSOPOLIS, MICHIGAN 49031 (269) 445-8903	
	SCALE: 1"=30'	REVISIONS:
	DATE: 2/25/2022	BY: _____
	DRW: SM	DATE: _____
INDEX: _____	SHEET 1 OF 1	
TITLE: TOPO. SURVEY FOR VDI MANUFACTURING IN PART OF SEC. 14, KALAMAZOO TWP., KALAMAZOO CO., MI		NO. 22082



SITE DEMOLITION PLAN
SCALE: 1" = 30'

NDI Manufacturing
2015 Schippers Lane
Kalamazoo, Michigan 49048

PRELIMINARY
NOT FOR
CONSTRUCTION
4/18/22

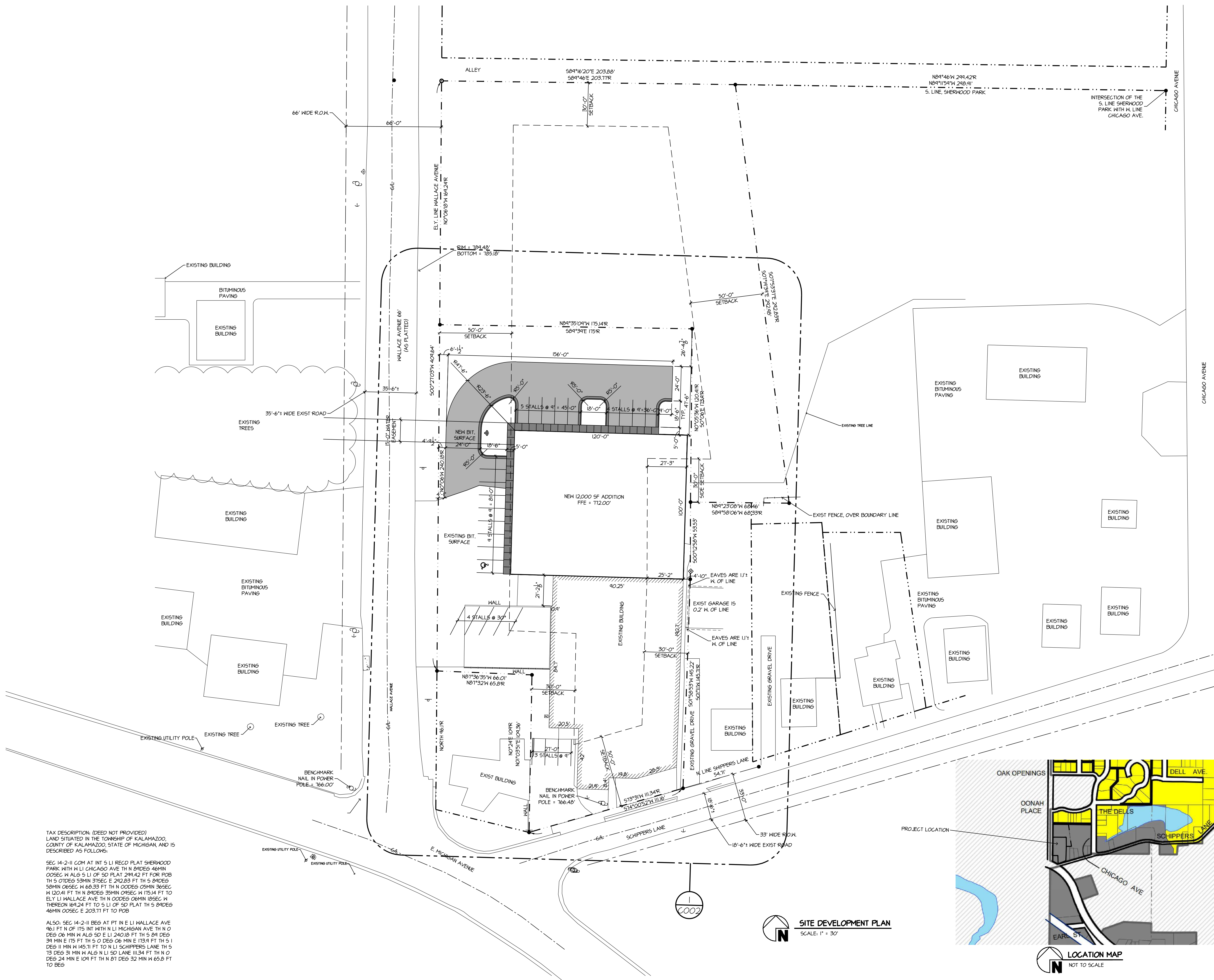
ISSUED
2022-05-09 FOR ZBA REVIEW

bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8065 Vineyard Parkway
Kalamazoo, Michigan 49009
ph: 269-321-5151
www.boscharch.com

JOB NUMBER
22001

SITE
DEMOLITION
PLAN

CD001

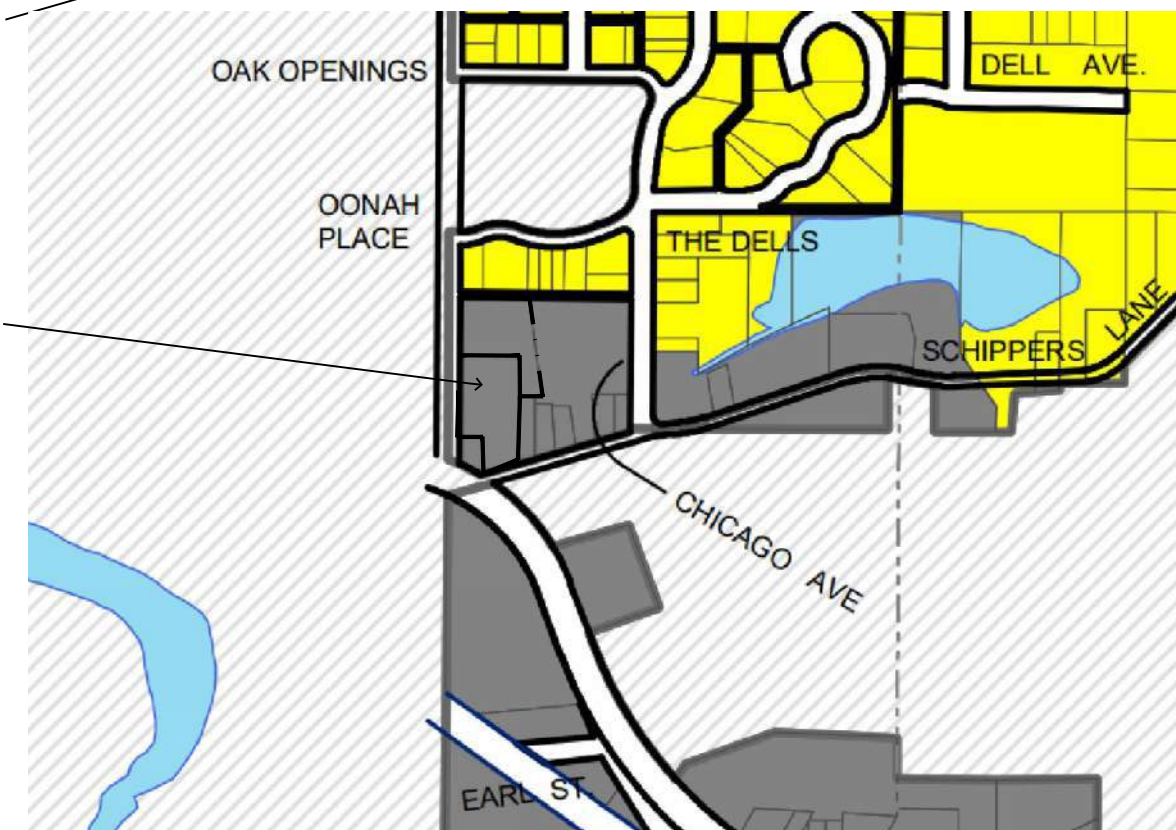


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 COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND IS
 DESCRIBED AS FOLLOWS:

SEC 14-2-II COM AT INT 5 LI RECD PLAT SHERWOOD
 PARK WITH W LI CHICAGO AVE TH N 81DEG 46MIN
 00SEC W ALG S LI OF SD PLAT 249.42 FT FOR POB
 TH S 07DEG 53MIN 31SEC E 242.83 FT TH S 84DEG
 58MIN 09SEC W 68.33 FT TH N 00DEG 05MIN 36SEC
 W 120.41 FT TH N 81DEG 39MIN 09SEC W 175.14 FT TO
 ELY LINE WALLACE AVE TH N 00DEG 06MIN 10SEC W
 THEREON 164.24 FT TO S LI OF SD PLAT TH S 84DEG
 46MIN 00SEC E 203.71 FT TO POB

ALSO: SEC 14-2-II BEG AT PT IN E LI WALLACE AVE
 46.1 FT N OF ITS INT WITH N LI MICHIGAN AVE TH N O
 DEG 06 MIN W ALG SD E LI 240.10 FT TH S 84 DEG
 34 MIN E 175 FT TH S O DEG 06 MIN W ITS 84 FT TH S 1
 DEG 11 MIN W 145.71 FT TO N LI SCHIPPERS LANE TH S
 73 DEG 31 MIN W ALG N LI SD LANE 113.34 FT TH N O
 DEG 24 MIN E 104 FT TH N 81 DEG 32 MIN W 65.8 FT
 TO BEG

SITE DEVELOPMENT PLAN
 SCALE: 1" = 30'



SITE INFORMATION

1. PARCEL ADDRESS: 2015 SCHIPPERS LANE, KALAMAZOO, MI 49048
2. OWNER: VDI MANUFACTURING MANDEVILLE INVESTMENTS, LLC & J. RIDDLE, LLC 2015 SCHIPPERS LANE KALAMAZOO, MI 49048
3. ARCHITECT: BOSCH ARCHITECTURE 8065 VINEYARD PARK KALAMAZOO, MI 49008 5805SCH@BOSCHARCH.COM (264) 321-5151
4. SURVEY: STEPHENSON LAND SURVEYING
5. ZONING: I-2 GENERAL INDUSTRIAL
6. PROPOSED LAND USE: MANUFACTURING 12,000 SF EXISTING 12,000 SF ADDITION
7. TOTAL SITE AREA: 52,223.44 SF - LOT 1
8. LAND USE PERCENT (%): OPEN: XX% BULD: 45.86% PAVEMENT: XX%
9. BUILDING TYPE(S): 24,000 SF FOOTPRINT
10. MAXIMUM BUILDING HEIGHT: 45' MAXIMUM OR 2 STORIES ACTUAL

THE SITE SHALL CONFORM TO THE AREA, HEIGHT, AND DEVELOPMENT REGULATIONS OF THE I-2 GENERAL INDUSTRIAL DISTRICT UNLESS THE PROPER VARIANCES ARE GRANTED BY THE BOARD OF ZONING APPEALS.

11. REQUIRED PARKING:
 I-2 GENERAL INDUSTRIAL BUSINESS AND PROFESSIONAL OFFICES:
 (1) STALL PER 250 SF OF BFA
 841 SF / 250 SF = 3 STALLS

GENERAL INDUSTRIAL AND MANUFACTURING:
 (1) STALL PER 150 SF OF GFA
 1312 SF / 150 SF = 8 STALLS

WAREHOUSE:
 (1) STALL PER 1500 SF OF GFA
 7050 SF / 1500 SF = 5 STALLS

REQUIRED STALLS = 3 + 8 + 5 = 26
 26 PARKING STALLS REQUIRED
 26 STALLS PROVIDED

12. LANDSCAPING REQUIREMENTS:
 (1) TREE REQUIRED PER EACH 3,000 SF UNPAVED OPEN AREA; 15' WIDE PLANTING AREA REQUIRED ADJACENT TO ROADS
 52,421 SF UNPAVED OPEN SPACE / 3,000 = 18 TREES REQUIRED; 18+ EXISTING TREES LOCATED ON NORTH PROPERTY TO SATISFY REQUIREMENT

PARKING:
 30 SF OF INTERIOR LANDSCAPE AREA REQUIRED PER EACH PARKING STALL; (1) TREE REQUIRED PER EACH (B) PARKING STALLS, LANDSCAPE AREAS TO BE A MINIMUM OF 4' WIDE AND 300 SF AND PROTECTED BY 6" HI. CURB
 26 PARKING SPACES X 30 = 780 SF INTERIOR LANDSCAPE AREA REQUIRED, 1,000 SF PROVIDED

FRONTAGE:
 (1) TREE PER EACH 40 LF OF FRONTAGE
 (1) ORNAMENTAL TREE PER EACH 100 LF OF FRONTAGE
 (8) SHRUBS PER EACH 40 LF OF FRONTAGE

SCHIPPERS LANE FRONTAGE: 154 LF
 54 / 40 = (1) TREES REQUIRED; 0 PROVIDED
 54 / 100 = (1) ORNAMENTAL TREES REQUIRED; (1) PROVIDED
 54 / 40 * 8 = (1) SHRUBS REQUIRED & PROVIDED

WALLACE AVE FRONTAGE: 140 LF
 140 / 40 = (4) TREES REQUIRED & PROVIDED
 140 / 100 = (1) ORNAMENTAL TREE REQUIRED & PROVIDED
 140 / 40 * 8 = (28) SHRUBS REQUIRED & PROVIDED

13. LEGAL DESCRIPTION: SEE THIS SHEET

14. OCC. CLASSIFICATION: F-1 - INDUSTRIAL

15. CONSTRUCTION TYPE: 2B

16. ALL SITE PARKING STRIPES, ARROWS, CROSSHAKES AND LINES TO BE YELLOW PAINT. ALL BARRIER FREE MARKINGS, LINES AND SYMBOLS TO BE BLUE.

GENERAL NOTES (SITE WORK)

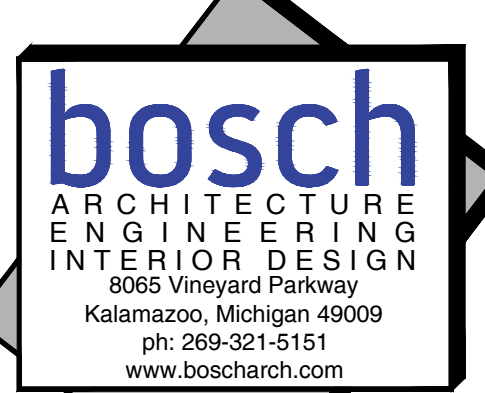
1. SITE PREPARATION:
 - a. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PERFORMED BY THE CONTRACTOR IN COMPLIANCE WITH PART 91 OF PUBLIC ACT 451 OF 1994.
 - b. ORGANIC TOPSOIL SHALL BE STRIPPED FROM THE CONSTRUCTION AREA AND STOCKPILED AS INSTRUCTED BY THE G.C. FOR LATER USE.
2. EARTHWORK:
 - a. CALL MISS DIG AT 1-800-482-7111 BEFORE BEGINNING EXCAVATION.
 - b. EXCAVATION SHALL BE LEVEL TO EXACT DEPTHS AND DIMENSIONS INDICATED ON DRAWINGS.
 - c. CONSTRUCTION OF FOUNDATIONS AND SLABS-ON-GRADE WILL BE ON COMPACTED FILL IN MOST AREAS. LAYERED COMPACTION SHALL BE PERFORMED TO A MINIMUM DENSITY OF 95 MAXIMUM DRY DENSITY AS DETERMINED BY ASTM DESIGNATION D-1557 VALUES.
 - d. PLACE A MIN. 6 INCHES OF BANK RUN SAND COMPACTED TO 95% OF MAXIMUM DENSITY UNDER ALL FLOOR SLABS ON GRADE.
 - e. SOIL TESTING WILL BE CONTRACTED AND PAID FOR BY THE GENERAL CONTRACTOR.
 - f. SITE SHALL BE FINE GRADED BEFORE PLACING TOP SOIL OR GRANULAR BASE MATERIAL.
 - g. EXTERIOR SURFACE DRAINAGE SHALL BE AWAY FROM BUILDINGS, 5'-10'-0" OUT FROM BLDGS.
 - h. ALL TOPOGRAPHICAL INFORMATION WAS FURNISHED BY HIGHMAN AND ASSUMED CORRECT. THE CONTRACTOR SHALL VERIFY ALL EXISTING AND NEW GRADES PRIOR TO COMMENCEMENT OF ANY WORK. THIS OFFICE SHALL NOT BE HELD RESPONSIBLE FOR ANY MISSING OR ERRONEOUS INFORMATION.

VDI Manufacturing
 2015 Schippers Lane
 Kalamazoo, Michigan 49048

PRELIMINARY
NOT FOR
CONSTRUCTION
 4/18/22

ISSUED

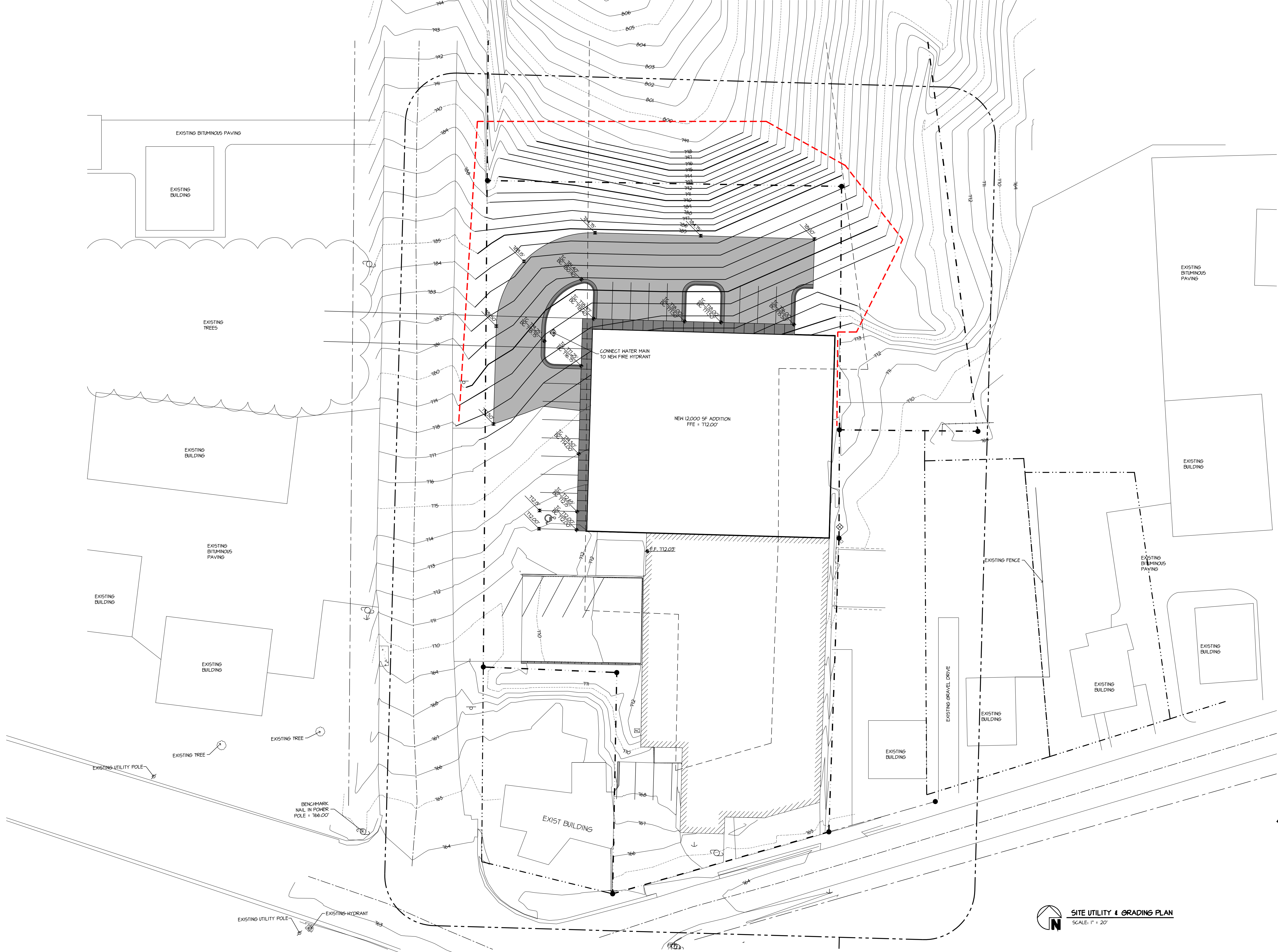
2022-05-09 FOR ZBA REVIEW



JOB NUMBER
22001

SITE DEVELOPMENT PLAN

0001



VDI Manufacturing

2015 Schippers Lane
Kalamazoo, Michigan 49048

PRELIMINARY
NOT FOR
CONSTRUCTION
4/18/22


ISSUED
2022-05-09 FOR ZBA REVIEW

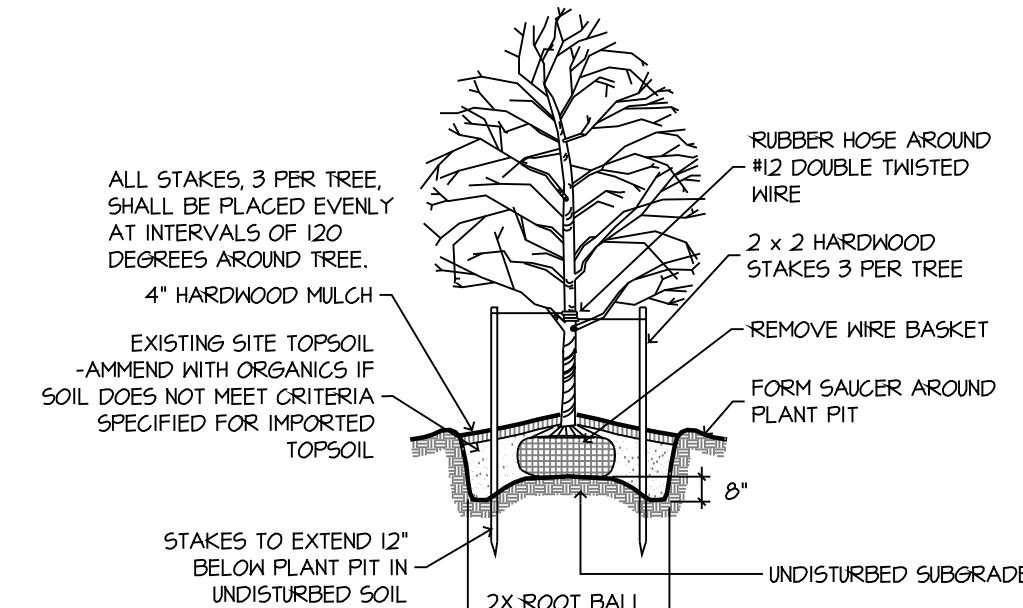
bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8065 Vineyard Parkway
Kalamazoo, Michigan 49009
ph: 269-321-5151
www.boscharch.com

JOB NUMBER
22001

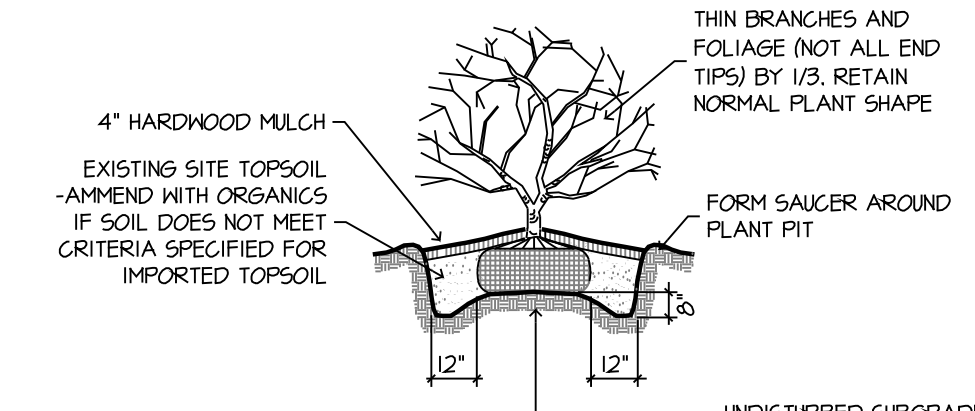
ENLARGED
SITE UTILITY &
GRADING PLAN

C002

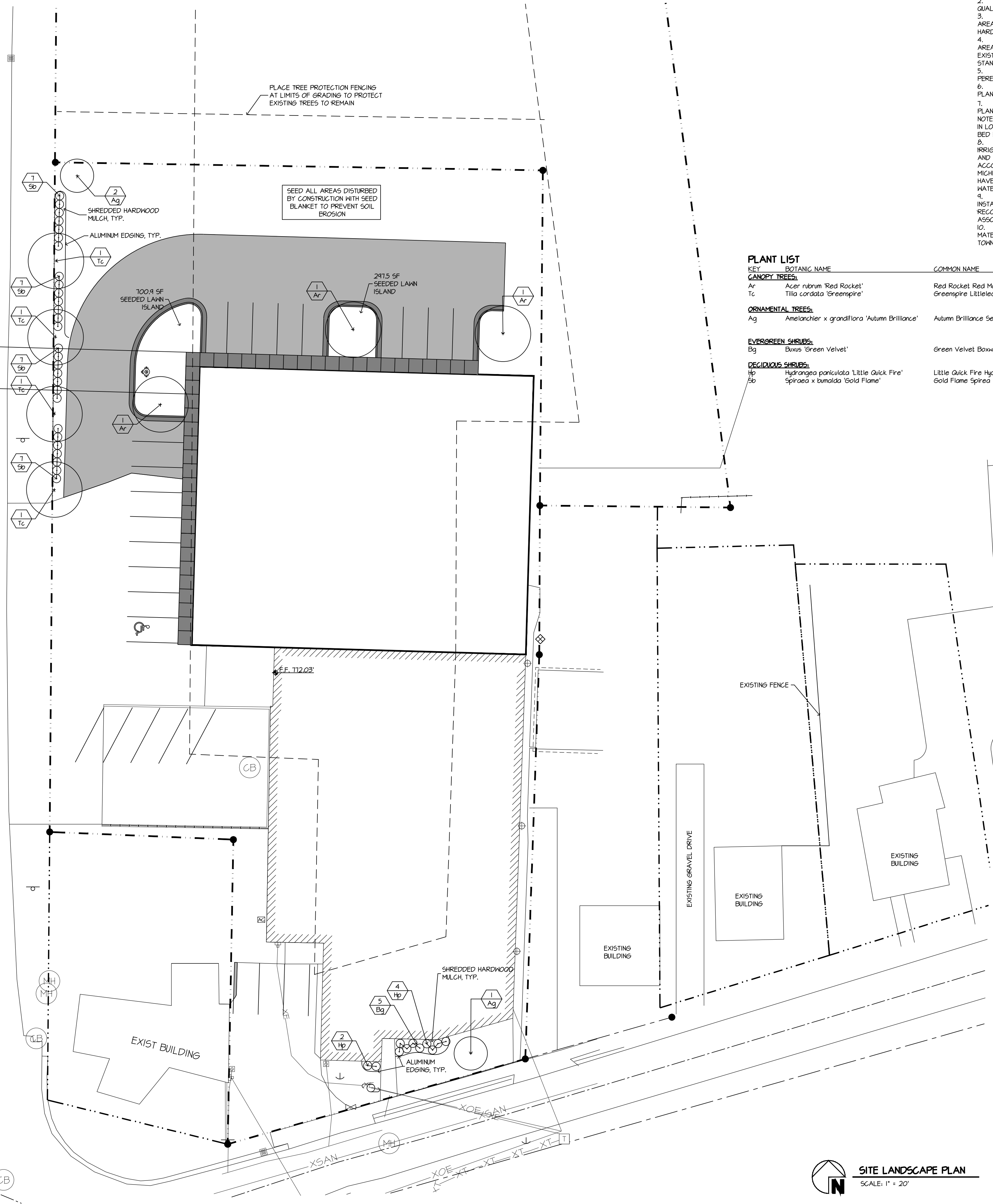
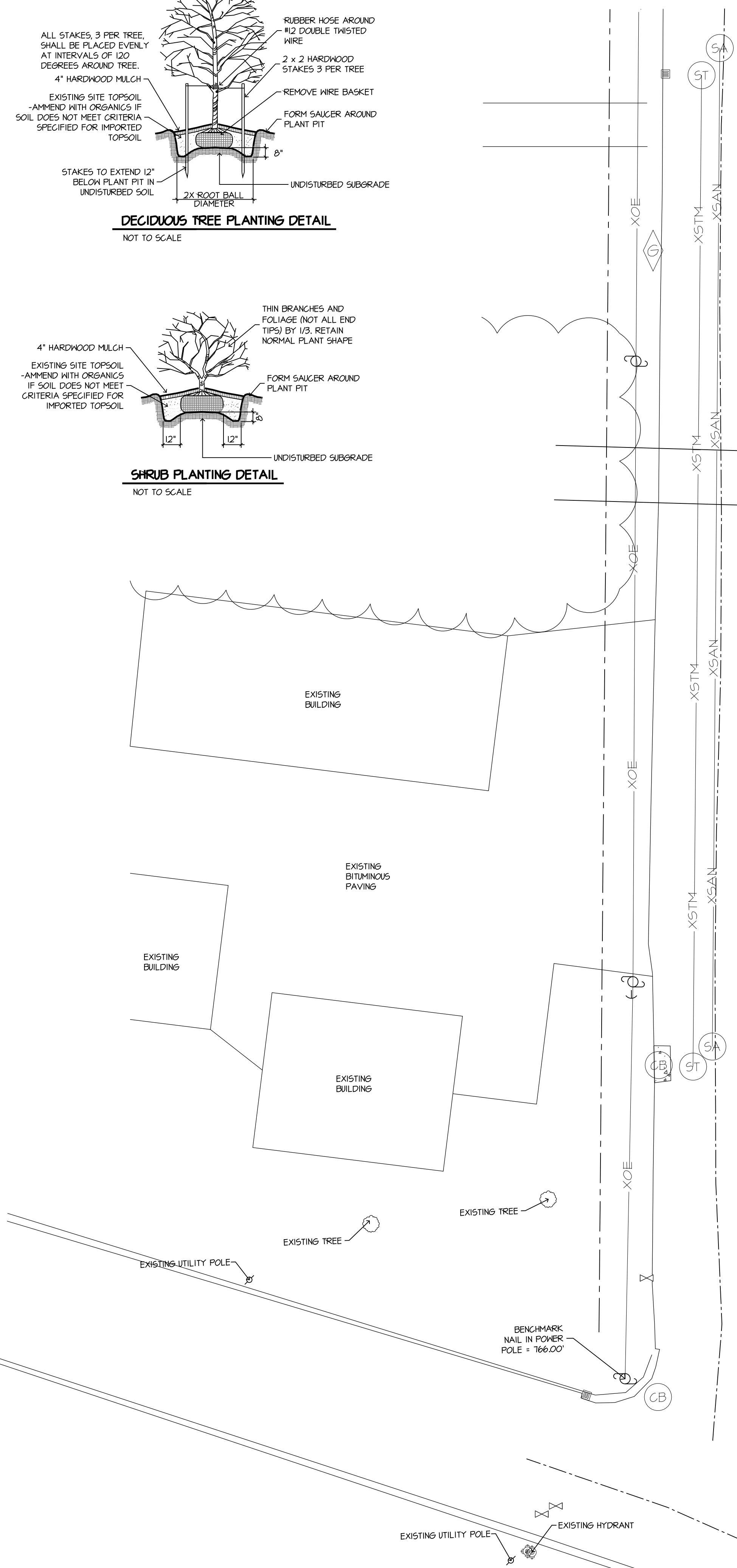
 SITE UTILITY & GRADING PLAN
SCALE: 1" = 20'



DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE



SHRUB PLANTING DETAIL
NOT TO SCALE



- LANDSCAPING NOTES**
1. COMPLY WITH ALL KALAMAZOO TOWNSHIP STANDARDS.
 2. ALL LANDSCAPING TO BE INSTALLED BY A QUALIFIED LANDSCAPE CONTRACTOR.
 3. ALL PLANTINGS, INCLUDING TREES IN LAWN AREAS, SHALL BE MULCHED WITH 3\"/>

KEY	BOTANICAL NAME	COMMON NAME	SIZE	QTY
CANOPY TREES:				
Ar	Acer rubrum 'Red Rocket'	Red Rocket Red Maple	2 1/2 cal. min	3
Tc	Tilia cordata 'Greenspire'	Greenspire Littleleaf Linden	2 1/2 cal. min.	4
ORNAMENTAL TREES:				
Ag	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	1 1/2 cal. min. single stemmed	3
EVERGREEN SHRUBS:				
Bg	Buxus 'Green Velvet'	Green Velvet Boxwood	30\"/>	

VDI Manufacturing
2015 Schippers Lane
Kalamazoo, Michigan 49048

PRELIMINARY NOT FOR CONSTRUCTION
4/18/22

ISSUED
2022-05-09 FOR ZBA REVIEW

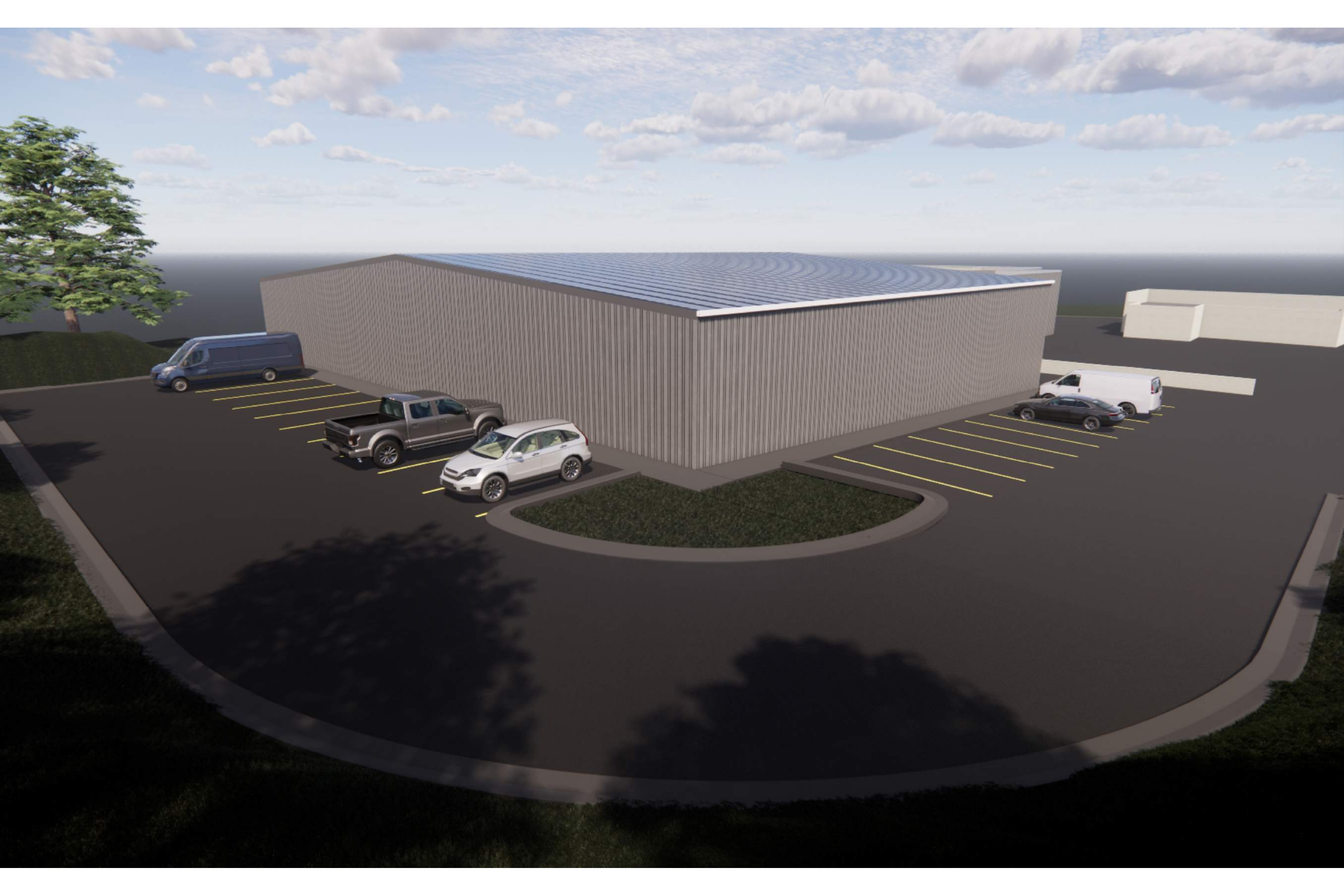
bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8065 Vineyard Parkway
Kalamazoo, Michigan 49009
ph: 268-321-5151
www.boscharch.com

JOB NUMBER 22001

SITE LANDSCAPE PLAN

001







MCKENNA

May 26, 2022

Hon. Members of the Zoning Board of Appeals
Kalamazoo Charter Township
1720 Riverview Drive
Kalamazoo, Michigan 49004

SUBJECT: ZBA Report
#22-03 Variance Request / Accessory Structure Placement

APPLICANT: Tim Westdorp, owner

SECTION: Section 2.03(C)(1) – Detached Accessory Buildings, Location

LOCATION: 1417 West “G” Avenue, Kalamazoo MI 49009 (Parcel ID: 06-04-110-040)

REQUEST: To obtain relief from the detached accessory building location – side yard:

Allow construction of a 30’ x 40’ (1,200 square foot) detached accessory building, with a 28’ x 6’ (168 square foot) covered port (1,368 square foot total) in a required side yard where ordinance does not permit.

Dear Members of the Zoning Board of Appeals:

We have reviewed the above referenced application regarding the variance request pertaining to the construction of a 1,368 square foot accessory structure in a required side yard at 1417 West “G” Avenue, where ordinance requires detached accessory buildings to be located in the rear yard. We have prepared the following report, which identifies the relevant facts about the property and the proposal.

VARIANCE REQUEST SUMMARY

The applicant, Tim Westdorp (property owner), is proposing to obtain relief from Zoning Ordinance standards as it relates to the placement of a detached accessory building in a required side yard, as stipulated per Section 2.03(C)(1). The applicant proposes to construct the detached accessory building east of the existing residential dwelling, behind the front plane of the home (as indicated in the graphic to the right).

EXISTING SITE CONDITIONS

The subject site is approximately 12.82 acres in size. The site is currently zoned R-1, Single Family Residential. The site is predominately wooded, with the northern portion developed as the single-family use (see image to the right).

The property has frontage along West “G” Avenue to the north, and Old Douglas Avenue along the northeast of the parcel.



HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



Due to the parcel having frontage along two roadways, the subject site is considered to have two front yards.

As shown in the below graphic (Kalamazoo County Parcel Viewer), the subject site has significant grade changes, from elevations of 866' along West "G" Avenue to 844' towards the pond located in the rear yard (southeast) of existing dwelling. The applicant has provided supplemental documentation showing water runoff from West "G" Avenue flowing southwards on the property.



STANDARDS FOR VARIANCE APPROVAL

Section 26.05.B.4.a, of the Zoning Ordinance provides criteria for the review of variance requests by the Zoning Board of Appeals. The following are those criteria and how they relate to this request:

- a. *The ZBA may grant a requested "non-use" variance only upon a finding that practical difficulties exist and that the need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. In determining whether practical difficulties exist, the ZBA shall consider the following factors:*
 - (1) *Strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.*

The applicant proposes to construct the 1,368 square foot detached accessory building in a required side yard due to site constraints: two front yards; natural topography (slope); rainwater runoff from West "G" Avenue. The applicant indicates that strict compliance with



the ordinance, locating the detached accessory building in the rear yard, will create an unnecessary burden that are not typically shared by other property owners. The applicant indicates that due to the topography (slope) of the area in question, flooding of the rear yard is common. In addition, the applicant indicates that placing the detached accessory building in the rear yard will negatively impact the existing septic and drainage field system, located towards the southwest of the residential dwelling.

(2) The variance will do substantial justice to the applicant, as well as to other property owners.

It is not anticipated that granting the variance request will greatly impact neighboring properties. The proposed location, east of the existing residential dwelling, is primarily screened from view natural vegetation along the two road frontages. Additionally, the proposed location will eliminate the need for a secondary driveway and an increase in impervious surface on the subject site. The applicant has also indicated that the proposed location will allow for a berm to be constructed on the north side of the proposed accessory building, which will help address the water runoff the property is subject to from West G Avenue.

The applicant has provided a site sketch of the natural flow of surface waters. A conforming location for the detached accessory building would place the new structure in a low area, which is subject to flooding. The applicant has provided documentation of site flooding (see #9 & #10), which shows significant surface water in the conforming location for a detached accessory building. The applicant has also expressed concerns that, should the detached accessory structure be constructed in a conforming location, any rainfall will negatively impact the foundation of the structure.

(3) A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.

It is not anticipated that a lesser variance than requested would give substantial relief to the applicant. The subject site is 12.82 acres and has no adjacent residential dwellings to the east that would be impacted by the proposed location of the detached accessory building. The applicant indicates the new structure will be a significant distance from the east and northeast property lines. The subject site has significant vegetation screening along the property boundaries.

(4) The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors. (For example, a variance needed for a proposed lot split would, by definition, be self-created, so such a variance typically would not be granted.)

While the applicant acknowledges that a detached accessory structure could be built in the rear yard and that the requested need for the variance is self-created, the owner indicates existing site constraints (topography slope, natural water runoff, natural features of the property) preclude conformance with the ordinance requirements.

- b. In all variance proceedings, it shall be the responsibility of the applicant to provide information, plans, testimony and/or evidence from which the ZBA may make the required findings. Administrative officials and other persons may, but shall not be required to, provide information, testimony and/or evidence on a variance request.*

Application information, plans, fees, and testimony was provided by the applicant to the administration for review.



Conditions

The ZBA may impose reasonable conditions in connection with an affirmative decision on an appeal, interpretation or variance request.

We find that additional/reasonable conditions in connection with the variance request are not applicable at this time. Should the Zoning Board find, after a public hearing is held, additional conditions may be warranted, those can be deliberated during Board discussion.

STAFF FINDINGS

McKenna offers the following for consideration by the Zoning Board:

1. The subject site has two front yards: West G Avenue & Old Douglas.
2. Natural topography of the subject site may preclude the applicant from constructing the detached accessory building in a conforming location due to the natural flow of surface water.
3. The existing septic system and drainage field located to the west and south of the residential dwelling preclude the applicant from constructing the detached accessory building in a conforming location for risk of compromising this system.
4. There are no residential dwellings located to the east of the proposed detached accessory building location that would be impacted by its placement.
5. The subject site has natural vegetation screening along the north and east property boundaries that will limit site impacts of the detached accessory building on adjacent properties.

Please feel free to reach Danielle Bouchard, Senior Planner, at DBouchard@mcka.com or Kyle Mucha, AICP, Senior Planner at KMucha@mcka.com you have any questions about this variance request or review.

Respectfully,

McKenna

Danielle Bouchard
Senior Planner

Kyle Mucha, AICP
Senior Planner

APPLICATION FOR VARIANCE, INTERPRETATION OR APPEAL FORM

Tim Westdorp
(applicant --person filing the appeal)

1417 West G Ave
(address)

Kalamazoo MI 49009
(city, state, zip code)

(269) 998-6582
(269) 349-8985
(telephone, home and business)

OFFICE USE ONLY

Case number _____
Date Rec'd _____
Fee Rec'd _____
Receipt # _____
Hearing date _____

Action: _____
Date: _____
Expiration Date: _____

Applicant's standing (interest) in the appeal
(check one):

- Property owner (attach inspection report sheets)
- Adjacent property owner
- Other affected individual. Explain: _____
- Other. Explain: _____

PROPERTY OWNER'S (OF LAND SUBJECT TO APPEAL) NAME AND ADDRESS
(if not the applicant)

Phone (___) ___ - ____

ADDRESS OF LAND SUBJECT TO APPEAL (if known) _____

(if new construction, an address will not be known yet. An address is obtained after a zoning permit is issued.)

PARCEL SUBJECT TO APPEAL SIZE 3906-04-110-040
 PROPERTY DESCRIPTION FOR LAND SUBJECT TO APPEAL 1003590 3906 04 110 040
64-30-16 SEC 4-2-11 That Pt of The 3 E 90 FT OF The NW 1/4 of NW
 PARCEL DATA PROCESS (tax) NUMBER FOR LAND SUBJECT TO APPEAL
06-04-110-040 RRL 1/4 of SEC 4 E 16 That Pt RES for ROW purposes
12.7A

ZONING DISTRICT OF PROPERTY SUBJECT TO APPEAL (see zoning ordinance)

Kalamazoo County

ACTION REQUESTED: (check one)

- To interpret a particular section of the ordinance, as it is felt the Zoning Administrator/Planning Commission is not using the proper interpretation:
The Section is: _____
- To interpret the zoning map, as it is felt the Zoning Administrator/Planning Commission is not reading the map properly. Describe the portion of the zoning map in question (attach detail maps if applicable): _____

- To grant a variance to certain requirements of the zoning ordinance, (parking, setbacks, lot size, height, floor area, sign regulations, location of accessory buildings, maximum amount of lot coverage, etc.). Specify the section and specific regulations a variance is being sought from: Road Set back
- To overturn an action of the zoning administrator. The zoning administrator erred (did not issue a permit, issued a permit, enforcement): _____

RULING SOUGHT:

What is the sought ruling by the Kalamazoo Township Zoning Board of Appeals? I have
2 Front Yards And not complying with Road offsets

(attach sheets if necessary)

(attached)

STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

State specifically the reason for this demand for appeal request: #1 Road water
#2 Elevation Change #3 Closer TO house
#4 Drive Way Access

(attach sheets if necessary)

(attached)

ATTACH THREE COPIES OF A SITE PLAN PLUS ONE ELECTRONIC COPY, as specified in Section 26.05 (C) 2.

(attached)

Attach a copy of the initial application concerning this issue and the zoning administrator's (or planning commission's) written ruling on this issue.

(attached) This is initial Application

VARIANCE QUESTIONS:

If you are seeking a variance, on attached sheets, provide answers to the following questions. Please number the answers the same as they are numbered here. Please be specific, and explain your answers. (If the answer to any of the questions numbered 1-5 is "no," a variance may not be granted, Sec. 26.05 (B) 4.a. (1 through 4

(attached)

1. Does strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, unreasonably prevent the owner from using the property for a permitted purpose or does the ordinance render conformity unnecessarily burdensome? yes
2. Would a variance do substantial justice to the applicant, as well as adjacent property owners? yes
3. Would a lesser variance not give substantial relief to the applicant and/or be consistent with justice to other property owners? yes
4. Is the problem and resulting need for the variance not self-created by the applicant and/or the applicant's predecessors? yes

VARIANCE, MAP INTERPRETATION INFORMATION:

If you are seeking a variance, or a map interpretation, the following must be provided:

1. Attach or list all deed restrictions for the property in question.
(attached)
2. Attach a list of names and address of all other persons, firms, or corporations having a legal or equitable interest in the property in question.
(attached)
3. This area is (check one): unplatted platted will be platted.
If platted, name of plat: _____
4. What is the present use of the property? Home

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, any Zoning Board of Appeals ruling that may be issued may be void. Further I agree, any Zoning Board of Appeals ruling and subsequent permit that may be issued is with the understanding all applicable sections of the Kalamazoo Township Zoning Ordinance will be complied with. Also, I agree to notify the zoning administrator for the Kalamazoo Township for inspection before the start of construction and when locations of proposed uses are marked on the ground. Further, I agree to give permission for officials of Kalamazoo Township, Kalamazoo Area Building Authority, Kalamazoo County and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Also I understand any zoning action by the Zoning Board of Appeals conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, building code, deed restriction or other property rights.

Signed: Tin U...
Date: 5-8-22

When completed send two copies to:

Planner / Zoning Administrator
Kalamazoo Township
1720 Riverview Drive
Kalamazoo, MI 49004-1099

planner@ktwp.org

To Whom it may concern:

We would like to construct a barn on our property at 1417 W G Ave in Kalamazoo. We are purposing to place it on the East side of the house. We have been told that the spot we would like to build at is not in compliance with the township. The township proposes that in order to comply we need to move the barn over (away from the road further) or in the backyard. While we understand that we have the room on our property to comply with the request, we are filing an appeal.

We are filing an appeal due to a few issues with the spots where we are being asked to place the structure. Number one issue is water run off. We get an enormous amount of road run off that has been diverted to come along the west side of the house and cuts along the back yard and down to the pond (please see pictures and video sent). What doesn't make it down there, makes its way down our driveway and just past the driveway to the West. (again please see pictures and video sent) There has also been several times that water comes down from the woods and makes its way to the pond, all running together and into the pond. We are also not able to put a driveway in on the West side of the house as that is where our septic system is. If and when it needs replacing we can't have a driveway near it.

Our second issue with the placement purposed is that we have an 11 year old daughter with special needs and her play area is in the backyard. For her safety, we need her playing in the back of the house where the road is not visible to her and not on the side where the road is visible. If we place the barn in the back yard, we will have to move her play area to the side yard, we don't believe that's a safe spot for her to play.

We are asking for an appeal to be able to construct a barn on the East side of the house. We feel this is the best placement for it as we can get it out of waters way and leave our daughters play area safely in the backyard.

Thank you,

Tim and Katie Westdorp

Property line 1420'

G AVE

330'

119'

113'

Porch

House

Drive way

Garage

801'

30'

40'

28'

Stop Sign

Old Douglas
75'

Property Stake

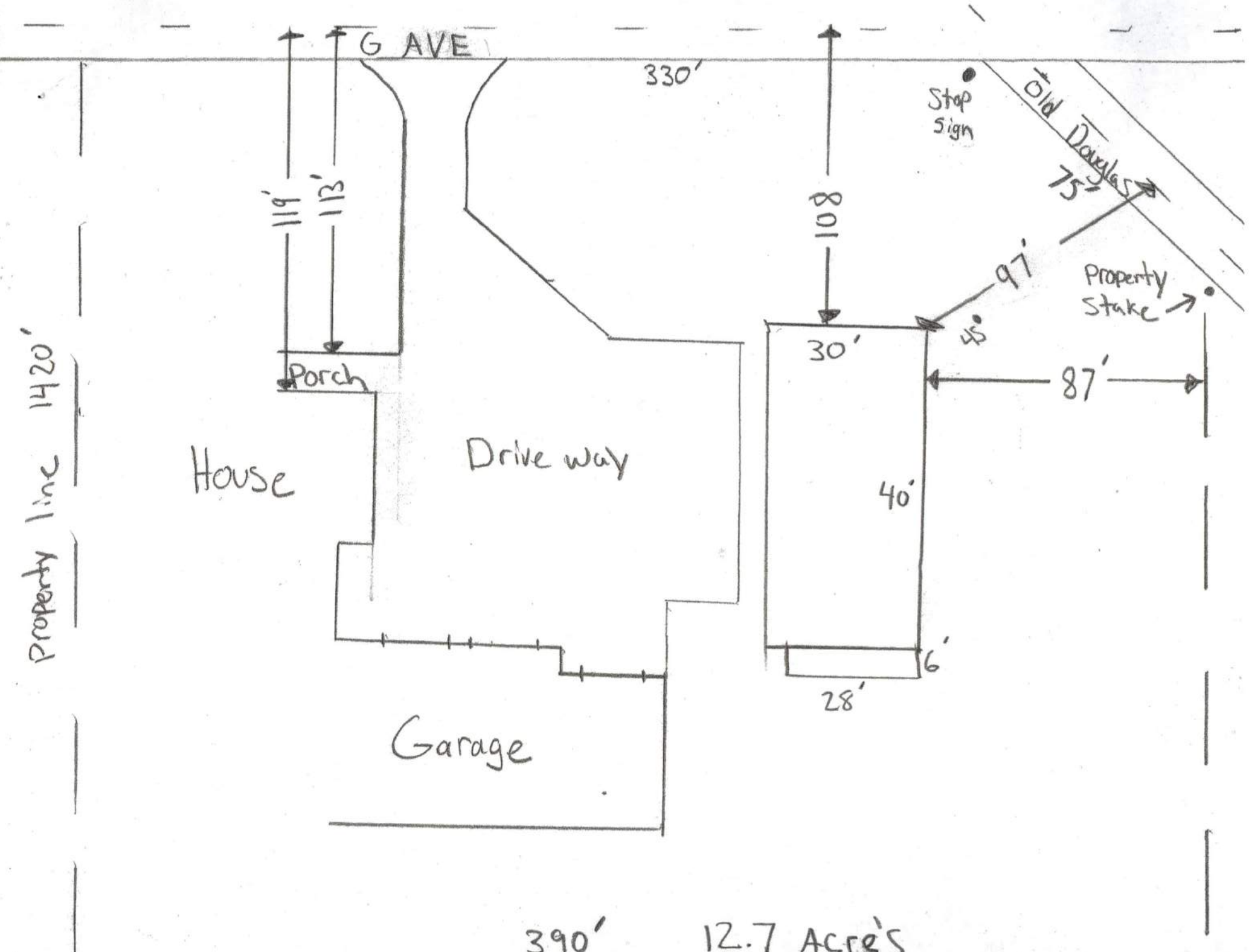
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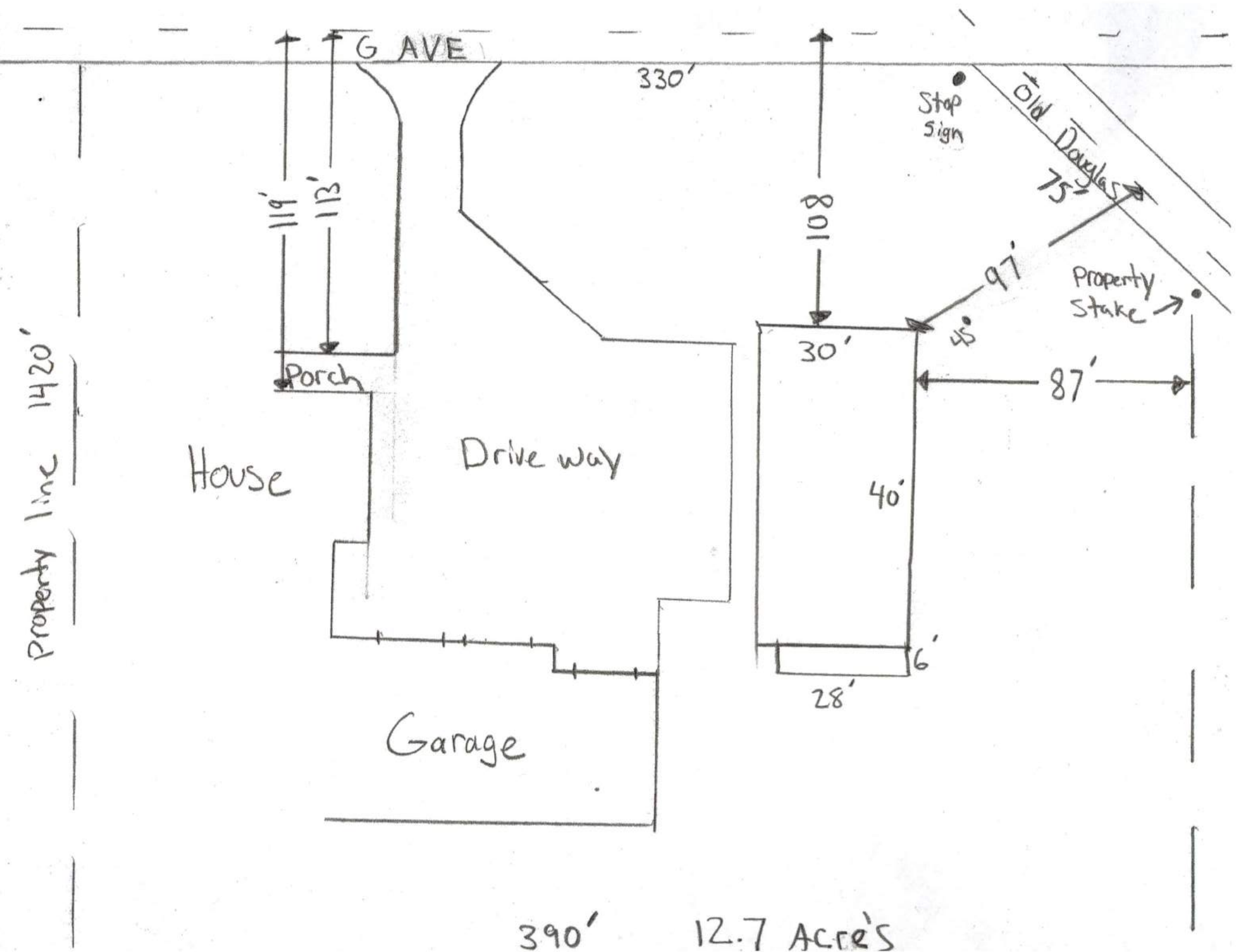
45°

87'

390'

12.7 Acres





390' 12.7 Acres

Property line 1420'

G AVE

330'

119'

113'

Porch

House

Drive way

Garage

801'

30'

40'

28'

Stop Sign

Old Douglas
75'

Property Stake

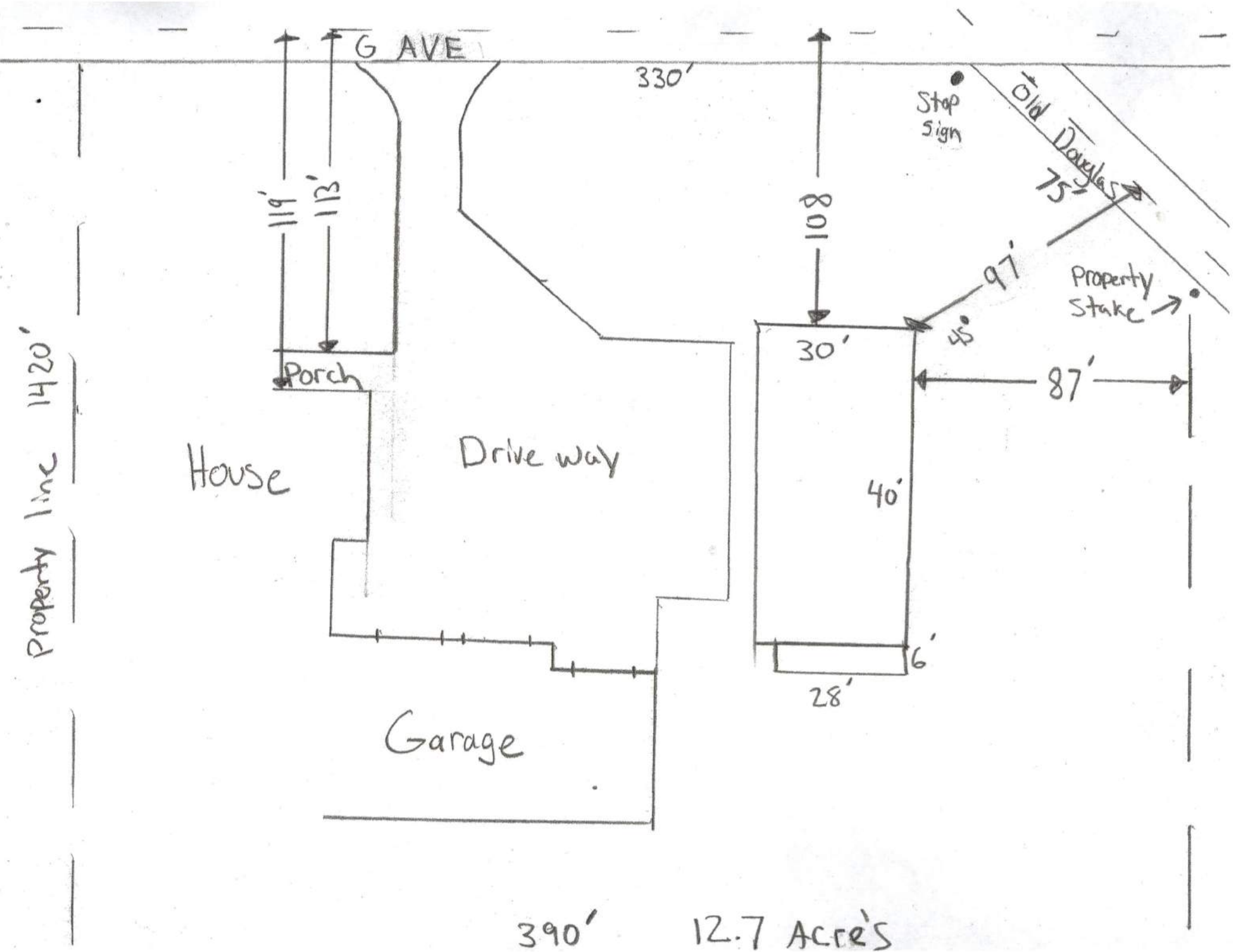
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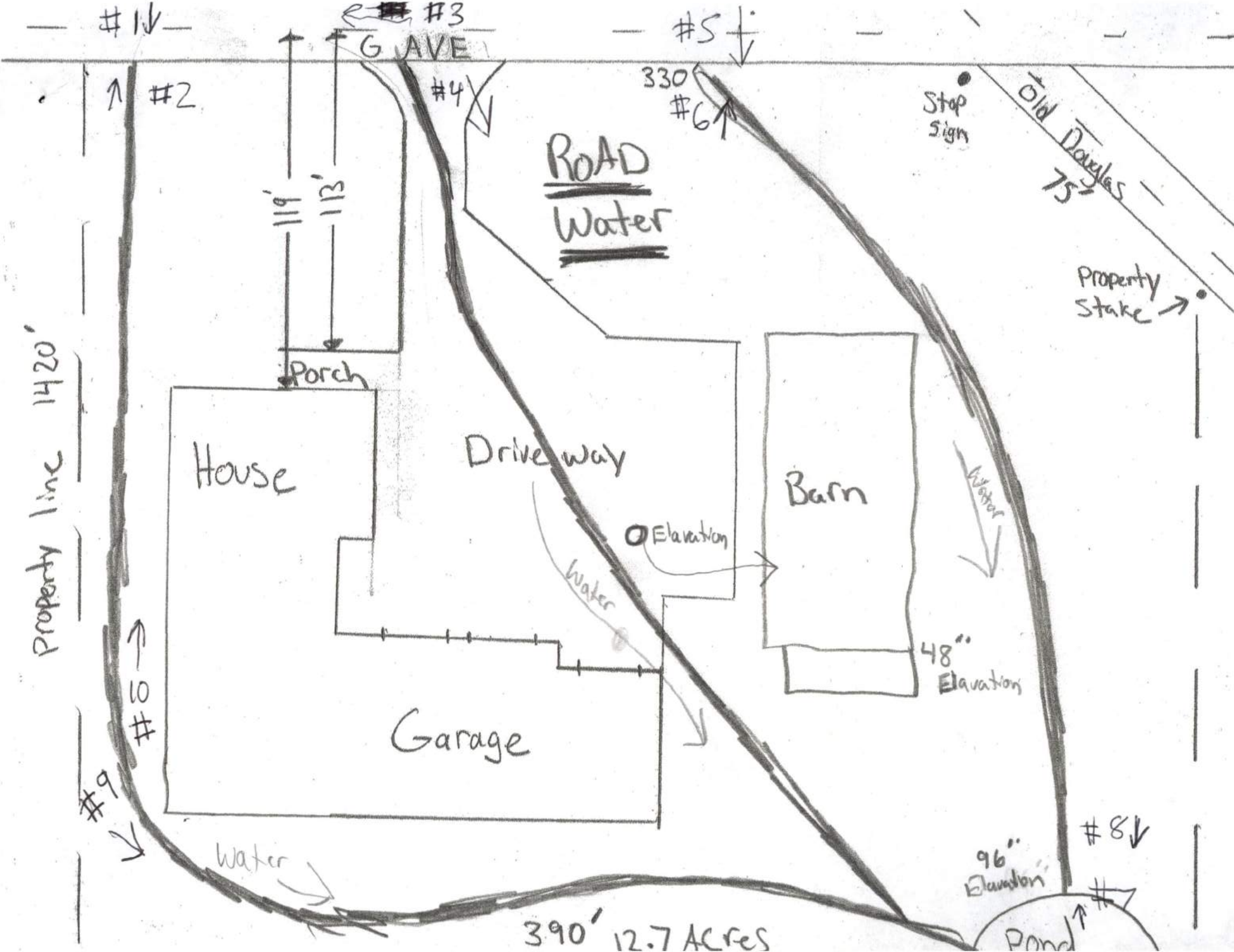
45°

87'

390'

12.7 ACRES





#1 ↓

#3 ←

#5 ↓

#2 ↑

119'

113'

330'
#6 ↑

Stop Sign

Old Dazeles
75'

Property Stake →

Property line 1420'

Porch

House

Drive way

Barn

○ Elevation

Water

Water

48" Elevation

Garage

#10 ↑

#9 ↓

Water

#8 ↓

96" Elevation

390' 12.7 ACRES

Pond ↑

G AVE

330

ROAD
Water

Stop Sign

Old Dazeles
75'

Property Stake →

119'

113'

Porch

House

Drive way

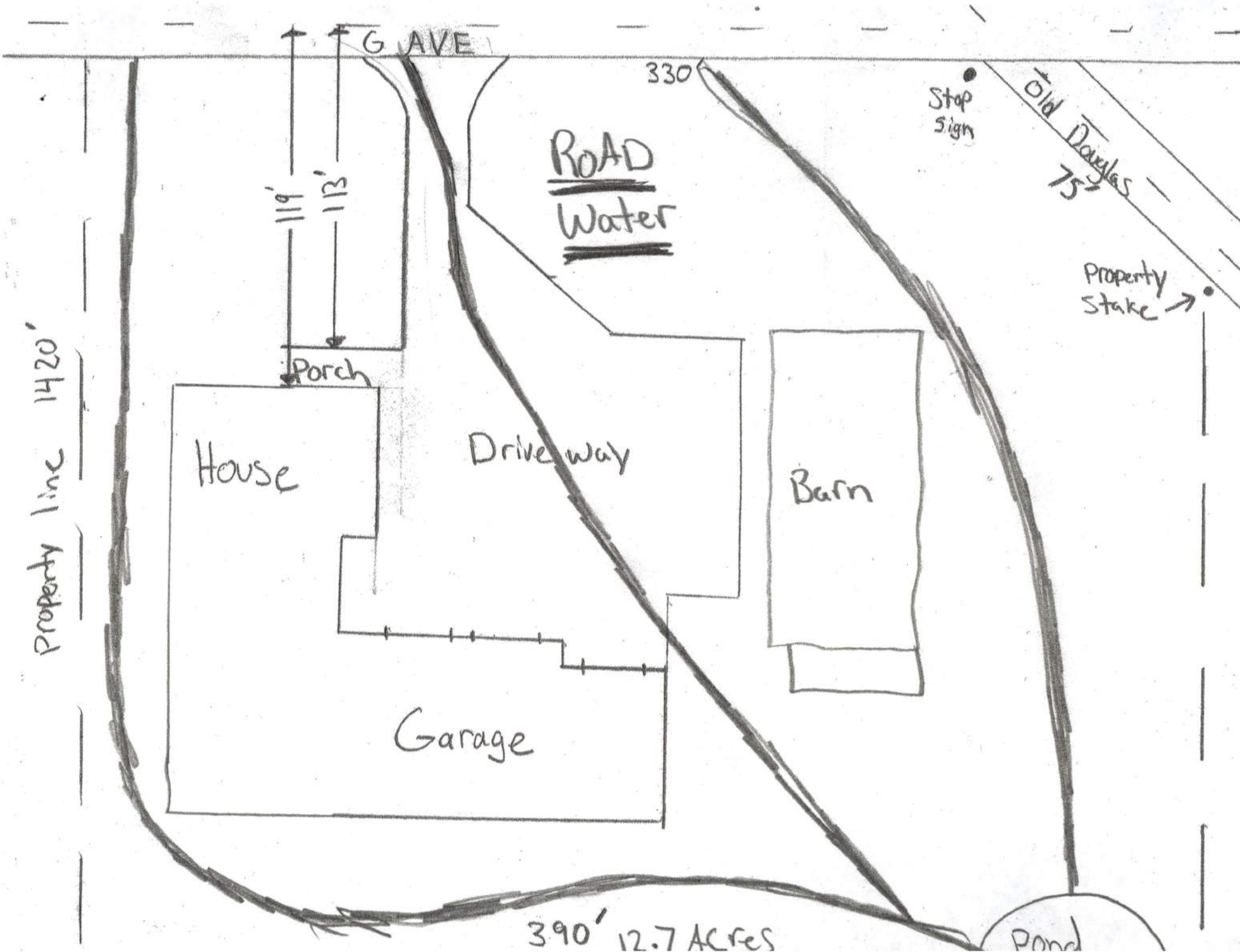
Barn

Garage

Property line 1420'

390' 12.7 ACRES

Pond



G AVE

330

ROAD
Water

Stop
Sign

Old Daxilas
75'

Property
Stake →

119'

113'

Porch

House

Drive way

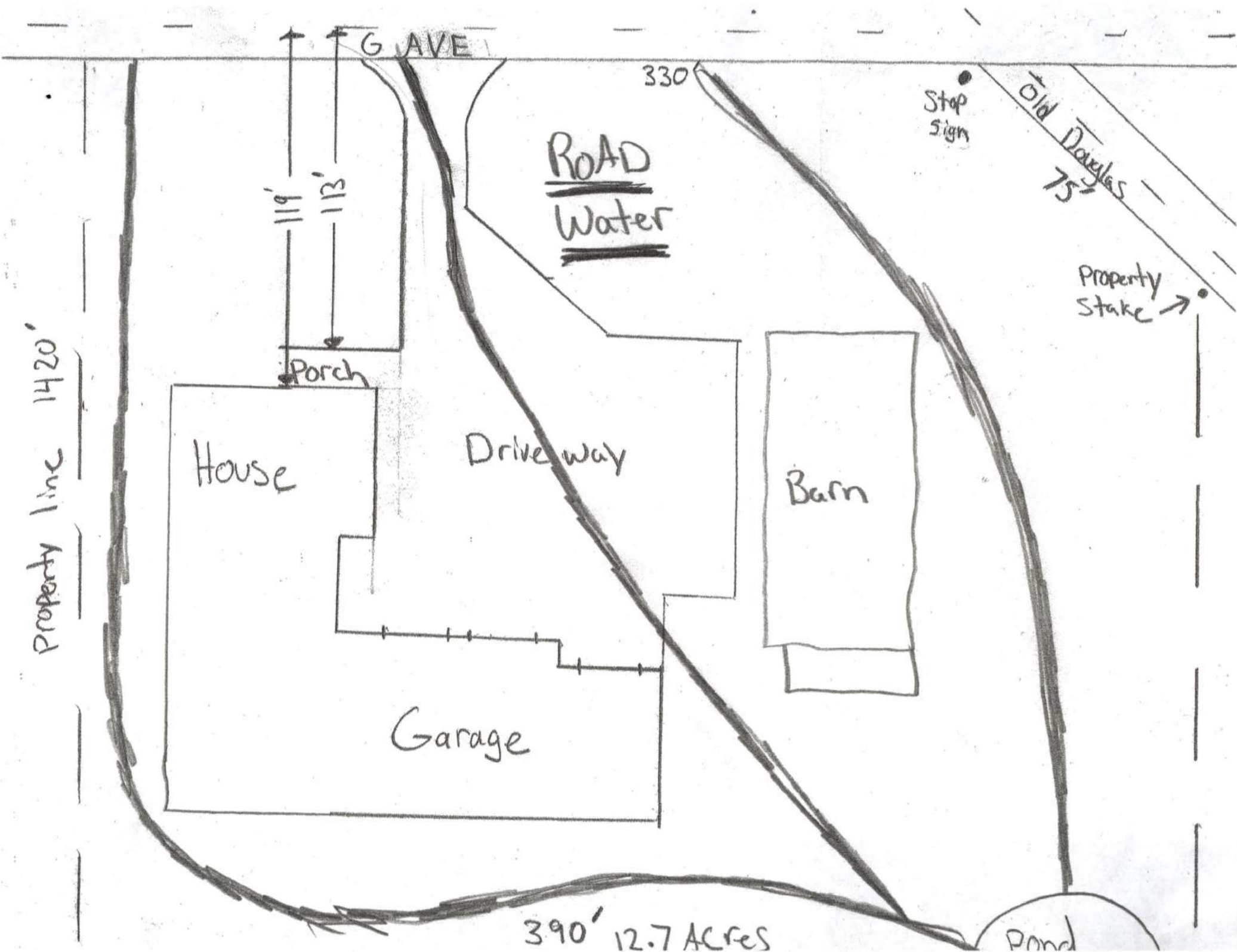
Barn

Garage

Property line 1420'

390' 12.7 ACRES

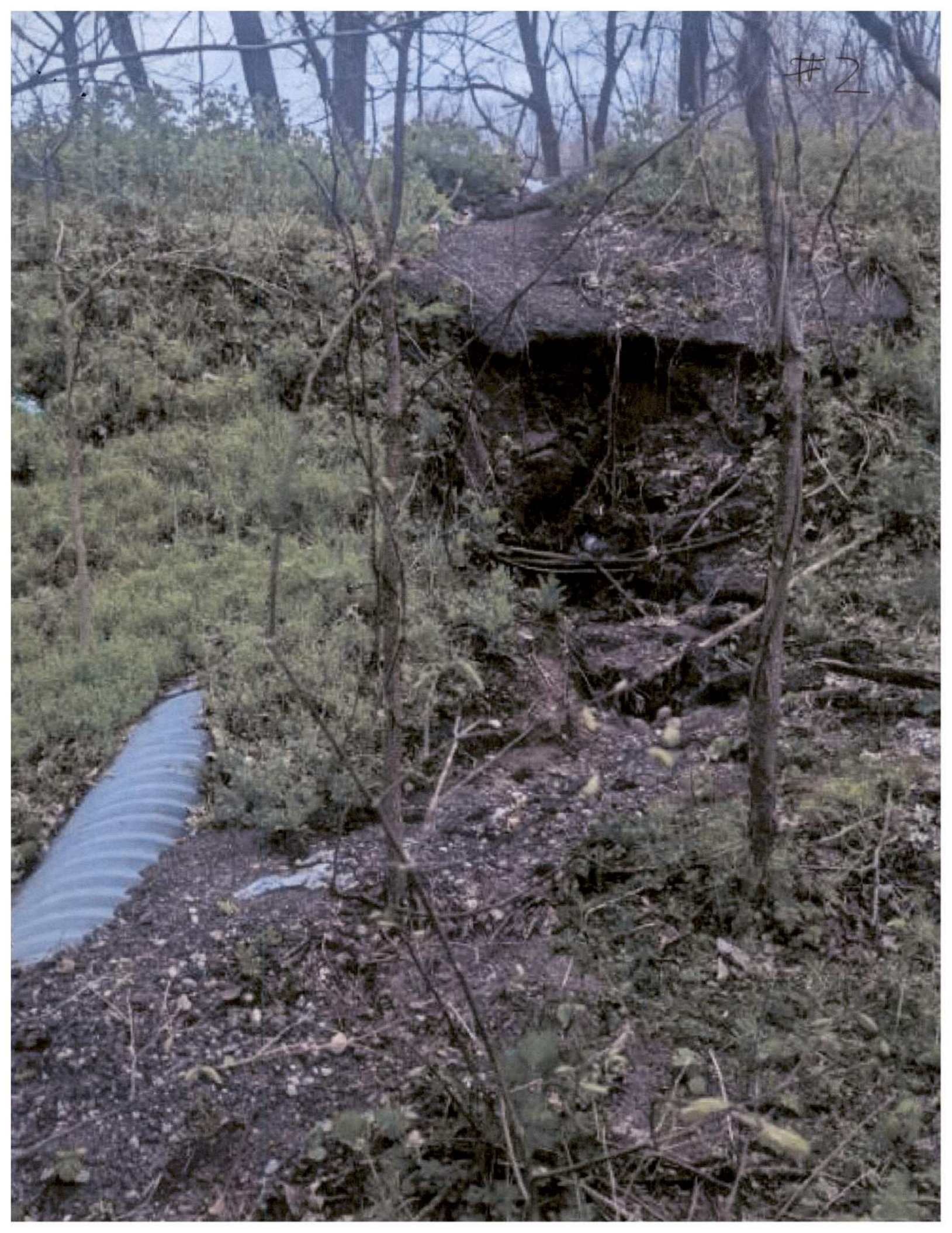
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#1



#2

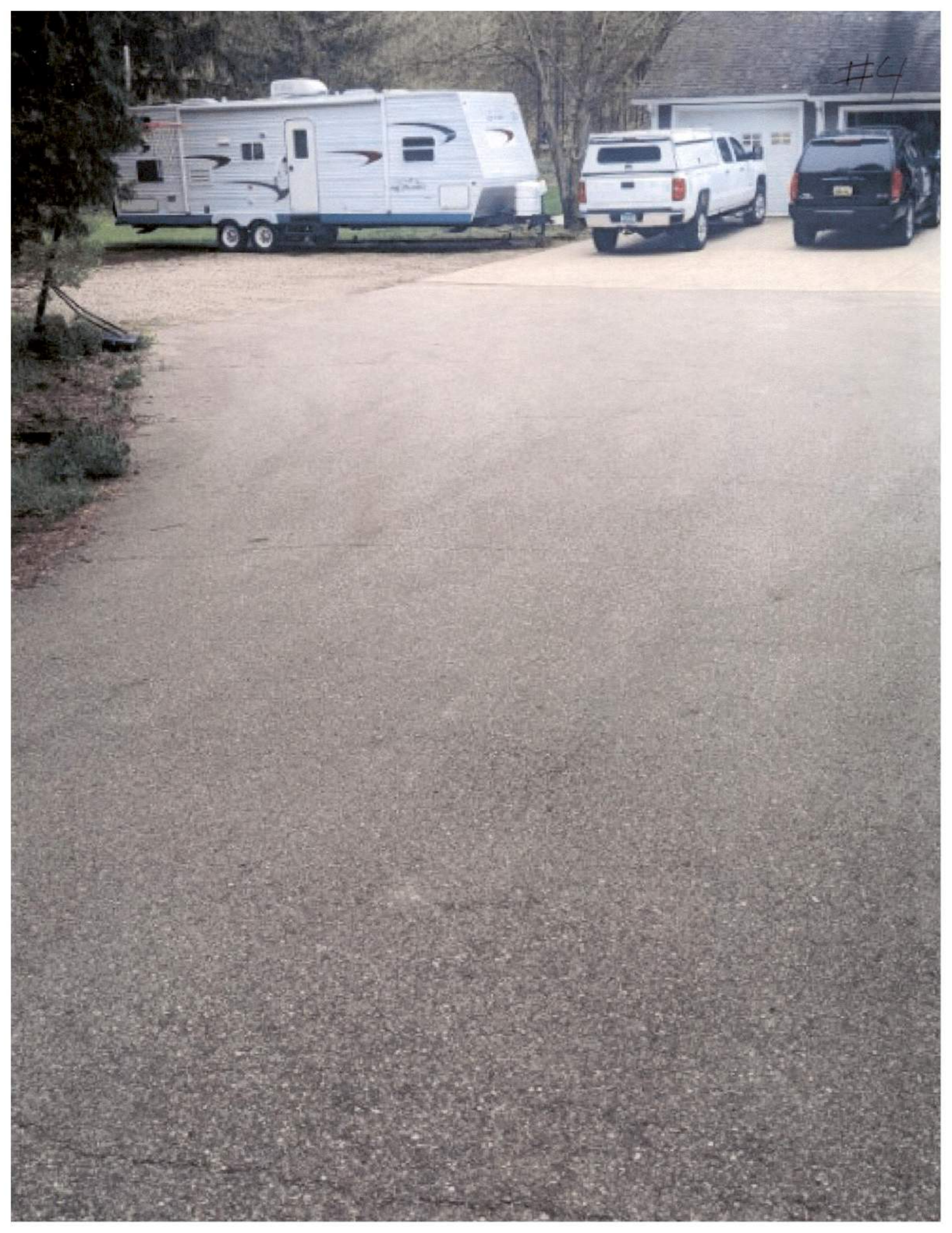




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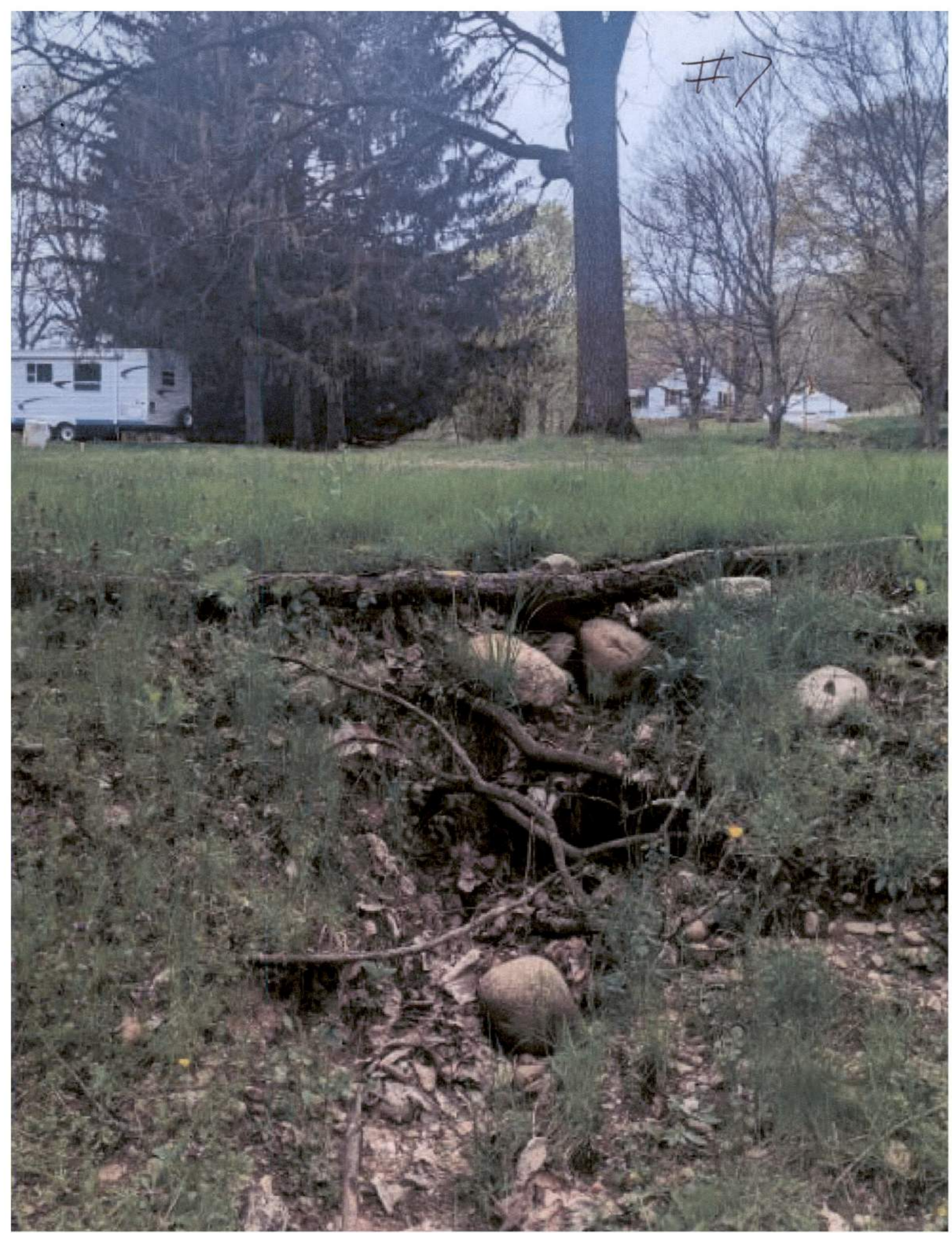
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#5







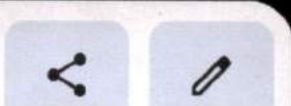
#8



#9

~~*~~

○



#10





















**Charter Township of Kalamazoo
Minutes of a Planning Commission Meeting
Held on June 2, 2022**

A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on June 2, 2022, commencing at 6:00 p.m. at the Kalamazoo Township Hall.

Present were:

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

Absent was: None.

Also present were Township Manager Dexter Mitchell; Fire Marshal Todd Kowalski; Planning Consultant Danielle Bouchard; Township Attorney Roxanne Seeber; and 4 additional members of the audience.

1. Call to Order

The chairman called the meeting to order.

2. Roll Call and Recognition of Visitors

All members were present.

3. Approval of the Agenda for the June 2, 2022 Planning Commission Meeting

On motion of Cook, supported by Hartsough, the agenda for the meeting was unanimously accepted as proposed.

4. Approval of Meeting Minutes of the May 19, 2022 Planning Commission Meeting.

The next item on the agenda was the approval of the minutes of the May 19, 2022 special meeting. The minutes had been provided to the members in their packets. Upon motion of Hartsough, supported by Chapman, the motion passed unanimously.

5. Public Comments.

None.

6. Scheduled Reviews.

2702 Ravine Road, Hillside Gravel, Gravel Mine Renewal.

1 Bouchard reported that a site inspection of the gravel mining operation was conducted on May
2 11, 2022 and the fee paid. The owners are anticipating expanding the mining area further north, into an
3 area that had been considered and approved for expansion on the original site plan approved in 2008.
4 The Township has received a bond for the expansion. The liability insurance expires on June 24, 2022.
5 The earth change permit is valid until May 11, 2024; and the bond expires on June 1, 2023. Bouchard
6 further reported that the owners are planning on an expansion to the operation into additional properties
7 located further south and west of the current operation. She stated that this expansion would require
8 rezoning of multiple properties; site plan review; operational and land use approval; and a new bond to
9 the Township. Public hearings on the rezoning and the special use will be required. The Township has
10 not received any complaints about the site in the last year.

11
12 The applicant had nothing to add. Leuty inquired as to whether there was a timeline for the
13 proposed expansion/rezoning. Bouchard indicated that the applicants were looking to purchase adjoining
14 parcels. In response to an inquiry from Hartsough, Bouchard stated that they are looking at purchasing
15 vacant residential land adjacent to existing homes.

16
17 *1950 Ravine Road, Superior Gravel, Gravel Mine Renewal.*

18 Bouchard reported that a site inspection of the gravel mining operation was conducted on May
19 11, 2022 and the fee paid. The slopes around the cell tower have been stabilized on all sides and
20 vegetation covers the slopes. The operators undertake occasional concrete crushing near the center of
21 the site where it is well buffered from adjacent uses. The operation has no plans to expand at this time.
22 Non-working slopes have all been stabilized. No complaints have been received by the Township for this
23 site in the last year.

24
25 Cook moved, supported by Leuty to renew the special use permits for Superior Gravel and Hillside
26 Gravel for another year. The motion passed unanimously.

27
28 **7. Public Hearings**

29
30 None.

31
32 **8. New Business.**

33
34 *8a. 2703 E Main Street, Fire Station #2, Conceptual Site Plan*

35
36 Mucha indicated that the Township is looking to reconstruct the fire station at 2703 E. Main. He
37 indicated that the fire department had received two variances from the Township Zoning Board of Appeals
38 in April. Those were for lot coverage and vegetation along East Main Street. The architect for the new
39 fire station had indicated a need for visibility. The fire department and architect were now asking for a
40 deviation from the required berm and north side landscaping requirement, which deviation was within
41 the purview of the Planning Commission. The architect had stressed the need for visibility for emergency
42 vehicles and ingress/egress access. Mucha indicated that the new fire station needed to fit in a smaller
43 space within the neighborhood. The goal, Mucha said, was for the fire station to be transitioned from a
44 part-time station to a full-time one. This transition would require additional building space and additional
45 equipment. The landscaping berm was problematic, he said, because some of the fire trucks would need
46 to encroach onto it due to their turning radius. The fire department wished to substitute a fence with
47 slats for the berm and to provide a small landscape barrier on the north side.

1 Leuty inquired as to the juxtaposition of the proposed fence and plantings. Mucha stated that
2 there are some trees on the far north side and that the plantings were planned to be located north of the
3 fence. Nagler reported that several members of the Zoning Board of Appeals were uncomfortable in
4 granting a variance for the berm and landscaping because it was thought to interfere with the purview of
5 the Planning Commission. Some neighbors at the Zoning Board of Appeals meeting voiced support for
6 elimination of the berm, he stated.

7
8 There were no additional questions or comments. Leuty moved to accept the conceptual plan
9 for the new fire station as proposed, to allow the berm to be eliminated and replaced with a fence and
10 plantings on the north side of the property, with plantings to be located north of the fence. Mihelich
11 supported the motion and it passed unanimously. Mihelich inquired about maneuvering of the dump
12 truck. Fire Marshal Kowalski felt that it was intended to be backed out, but he was not sure.

13
14 *8b. 4123 W Main, Drive & Shine, Site Plan Amendment*

15 Bouchard introduced the matter, admitting that a lot of content had been produced and that
16 some of it had been received late that afternoon. She indicated that the applicant is proposing a
17 modification to the northern drive aisle and vacuum space at the Drive & Shine facility at 4120 W. Main.
18 She stated that changes in site circulation needed to go to the Planning Commission for a site plan
19 amendment. The facility had moved from a two-way drive design on the north side of the building to a
20 one-way drive design and had placed temporary cones in the area to direct traffic. She stated that they
21 had gone back and forth with the applicant on the matter and finally convinced them to go to the Planning
22 Commission due to the site circulation change. The original site plan was approved with a two-way traffic
23 pattern by the vacuum cleaners on the north side of the building. She asked the Planning Commission to
24 consider the changes that the applicant was proposing.

25
26 Bouchard had included different correspondence she had with the applicant over the fall of 2021.
27 They had considered the change in site circulation change a significant modification of the original
28 approval. Bouchard stated that they had recommended denial of the site plan in their 4-26-22 staff
29 report. The applicant had asked the Township to cancel the May Planning Commission meeting in order
30 to give it more time to add additional reports. She stated that there was too much of a difference of
31 opinion as to the deviation from the original site plan and that they had been unable to come to any
32 compromise. Part of the problem, she stated, was the use of temporary cones to direct traffic in a new
33 direction. There was also some thought that the goal of the change in site circulation was to eliminate a
34 potential to use the self-vacuums without paying for a service before accessing them. Bouchard stated
35 that other changes had been made to the site without approval, including the installation of an electronic
36 gate on the east side of the site, the addition of chains and traffic cones to direct traffic. Additionally,
37 there was a water barrier placed without approval. The applicant had agreed to remove it. Bouchard
38 stated that there was no new service being offered and no change to needed parking at this time. She
39 stated that the main situation at present was the change to the site circulation.

40
41 Bouchard explained that the northern portion of the site was approved originally for two-way
42 traffic flow. This had been changed to a one-way traffic flow. This was contrary to common cross-access
43 design standards. The proposed drive aisle width was 26 feet, which was required by the fire code
44 ordinance of the Township. She indicated that the applicant had notified them as of that day that KABA
45 had received permit applications for the installed electronic gate on the east entrance. Bouchard had
46 provided the Planning Commission with the 12 conditions contained in the original approval.
47 Additionally, a sign needed to be added where the applicant stated a snow plow had knocked it out.

1 Bouchard continued, indicating that another part of the proposed change which was not
2 consistent with best zoning practices was the use of temporary cones and chains to effect a permanent
3 traffic-pattern change. In short, she said, the planning consultants have an issue with using temporary
4 cones and chains as permanent fixtures on a site. The change in traffic flow and the ability to change
5 temporary improvements would lead to confusion among clients, she stated. Additionally, there were
6 fire safety concerns relevant to the change that had already been made. The planning consultants were
7 recommending a more permanent solution, if the site circulation change was allowed to be maintained.
8

9 Staff had noted during a site visit that an employee had parked a Jeep in such a manner as to
10 obstruct a fire lane during an inspection. Bouchard stated that the Township Engineer had been consulted
11 and that they agreed that the cones/chains were not a long-term solution. A sign proposed on the west
12 entrance saying 'do not enter' had rendered the west entrance to the site virtually useless. Based on the
13 cars wanting to turn into the site off of West Main Street, it may encourage drivers to make a U-turn to
14 approach in a different direction. One sign was required by the MDOT, to be placed in the right-of-way.
15 Bouchard stated that the situation was an unusual one because they were recommending denial the
16 application. She referred the Planning Commission to her memo which outlined 6 reasons for denial.
17

18 Bouchard stated that their proposed shared access point was not on the west side of the property;
19 but on the former Davenport University property, both of which were owned by the developer. The
20 applicant was also required to submit information for the fire department's review for changes to the site
21 that adhere to the fire standards site plan ordinance. She stressed the need for a cross-access agreement
22 with the owner of the Davenport site. If that property is sold, the easement will be necessary, she said
23 indicating that the proposal for cross-access was a preemptive measure in case the properties were not
24 under the same ownership in the future. The MDOT had required a right turn only sign on the east
25 entrance to the site.
26

27 Bouchard stated that their biggest concern was the use of temporary cones and chains which are
28 not conducive to best practices. The significant circulation change needed to be reviewed and approved
29 by the Planning Commission. She also stated that if the applicant was denied, they would continue to try
30 to work with them to find a mutually-agreeable solution. Some of their thoughts included moving the
31 self-serve vacuums to another location and/or to add charging mechanisms to the machine. She stated
32 that one of the goals of the applicant was to ensure that anyone using the vacuums paid for a car wash
33 first.
34

35 Kowalski reported on a recent site visit, indicating that they saw chains, gates, temporary cones
36 and a water barrier, none of which were on the original site plan. He also found that the gate had been
37 installed without an electrical permit or permission from the Township. He had a lengthy discussion with
38 the applicant in preparation for the May Planning Commission meeting, in which he indicated that the
39 fire access requirements, including the fire department 26' wide access lane. They had allowed the
40 sidewalk on West Main to be poured a little wider and thicker to allow for fire department access, if
41 needed. The applicant had stated that changing the drive aisle to 26' in width for the fire department
42 would not be a problem at the time of initial approval. His biggest concern was the change to the
43 circulation of the site, the installation of different traffic measures without permission from the Township.
44 Kowalski also commented on the Jeep that was on site parked parallel to the new cones in an area
45 reserved for fire department access. The staff person stated that he had parked there because when he
46 saw the cones, he thought they were for a marked parking space. Kowalski reported that he had multiple
47 conversations with the Owner and his staff at their headquarters in Indiana. He felt that there were

1 methods to achieve what they are trying to do, if approved. For example, he said, electric gates could be
2 placed on each side of the ingress/egress and that would solve the situation at hand, in Kowalski's mind.
3

4 Morrison voiced concern about access to the rear of the site and safety concerns. Bouchard
5 stated that according to the minutes, the original discussion on the vacuum situation was to move them
6 as far north on the site as possible, due to a complaint from the owners of the apartments to the south.
7 The Township was concerned that it had no opportunity to comment on the safety of the proposed
8 changes. Hartsough inquired about the current traffic pattern and why it was preferable to the applicant.
9 Andrew Roselle, engineer for the applicant explained the general new site circulation being proposed and
10 established whether a person driving through the car wash would have an opportunity to know whether
11 he could turn right or left. He stated that a patron can turn right and go around in order to get out on
12 the west entrance and turn left. In response to a further inquiry from Hartsough, Nagler explained that
13 there was a bypass lane on the outside. A person may have to drive around the site more than once to
14 get to all of the services he or she wanted.
15

16 Owner Haji Tehrani wished to address the Planning Commission. He stated that he has a number
17 of other car washes in Michigan and Indiana and they all use a circular traffic pattern, in which all cars go
18 either clockwise or counterclockwise through the site. He didn't ever want the two-way traffic by the self-
19 vacuums but the Township had required it. Matthew Van Dyk, attorney for the applicant did a screen
20 share. He stated that there was already a cross access from the former Davenport site to the Briarwood
21 Valley complex. He did not understand why the planning consultants were requiring it. Bouchard stated
22 that she had been mistaken as to the ownership of the site on which the cross-access was required. It
23 was the former Davenport site and not the Briarwood Valley site that she asked for cross-access on. Van
24 Dyk stated that the cross-hatched area on the screen was an existing cross-access easement with
25 Briarwood Valley. Upon her request, Van Dyk agreed to provide the easement document to Bouchard.
26 On the former Davenport University site, the east side is presently an open lot. The Davenport site, Drive
27 N Shine, and the vacant parcel all have access rights to the middle drive shown on the site.
28

29 Van Dyk stated that there had been a handful of issues. To his knowledge, most of them had been
30 addressed. He stated that his client owns 15 car washes in Michigan. His primary concern is safety. Car
31 washes are his life's work. Van Dyk indicated that it is very common on a car wash site to utilize chains
32 and cones to direct traffic. In this case, they were being used to direct traffic in a one-way circular pattern.
33 They had already encountered near misses between vehicles going in opposite directions. He stated that
34 a one-way traffic flow on the site was a must for safety purposes. He noted that Chick-Fil-A located up
35 the street from this site utilized a one-way traffic pattern with cones and chains. A one-way pattern
36 assures the least disruption for traffic flow. Van Dyk noted that there was conflict between the fire
37 department and the township engineer. The engineer preferred a more permanent change while the fire
38 department was more concerned with an unobstructed traffic flow. He assured the group that the best
39 way to ensure a one-way traffic pattern was to use cones and chains. Van Dyk also voiced concerns about
40 the application of a non-zoning ordinance by the fire marshal. He stated that the signs had already been
41 taken care of. The "right turn only" on the east driveway was required by the MDOT. He stated that the
42 Township could always issue citations for zoning violations. There was no reason to hold up site plan
43 approval. He felt that the conditions provided by the planning consultants were unreasonable and
44 objectionable. He asked for permission to change-up the traffic flow to improve on-site safety.
45
46
47
48

1 Andrew Rossell 5725 Venture Park spoke as the engineer for the applicant. He stated that they
2 had been back and forth with the planning consultants. Their purpose was to get the Planning
3 Commission's feedback regarding the revised site circulation and barriers. They had considered several
4 options. The planning consultants had proposed gates at either end. His client preferred cones because
5 they could be easily moved, making the driveways accessible for snow removal. Fire trucks, he said, could
6 drive over them if necessary. Due primarily to safety concerns, the desire was to revise the site circulation
7 to provide for one-way traffic. The site is a unique configuration, he stated, because there are both two-
8 way and one-way circulations on it presently. As a customer of the site, Rossell felt that one-way traffic
9 was preferred. He indicated that knowing which way to turn when a driver comes off of the car wash
10 conveyor or out of the oil change or self-vacuums made sense, so that a person did not always have to
11 look both ways before getting back into the circulation pattern. The 26-foot-wide drive aisle on the east
12 side of the site provides an area for a vehicle to move out of the way if it needs to miss another vehicle in
13 its path. He placed the proposed amended site plan on the screen and went through the proposed
14 revisions. He explained that the center drive aisle off of West Main served all three properties, only one
15 of which was the Drive & Shine site.

16
17 Rossell recalled that the Township wanted to close the west access point during the prior site plan
18 review, and a compromise had been reached to require a right-turn only. The MDOT had approved this
19 detail and required a sign at the exit. The sign has been installed since day one. On the back side of the
20 site there is a "do not enter" sign. There is also a one-way sign adjacent to the one-way drive on the west
21 side. This sign had been previously damaged by a snow plow and has been replaced, he said. Rossell
22 acknowledged that there were differing opinions as to the chains and cones. His client wished to speak
23 to their usefulness. The water barrier was still present, he said, but it would be removed. In Rossell's
24 opinion, most of the customers were repeat customers and they had gotten the hang of the new traffic
25 pattern. The cones and chains are enough to guide new clients around the site.

26
27 Tehrani stated that gates in two locations would be even more confusing because people don't
28 know what the gates are for. He did not think that they were a better safety mechanism. These chains
29 and cones were used throughout all of his facilities. They do not hamper emergency access and they are
30 used in airports and banks all over the country, he said. Tehrani commenced showing his different
31 facilities in Michigan and Indiana, indicating that chains and cones were used in all of them. Additionally,
32 with the exception of the one in Kalamazoo Township, they all had one-way traffic.

33
34 Tehrani stated that his main concern is safety over aesthetics. He wished he did not have to
35 appear and prove this to the Planning Commission, he said. He did not think that it was necessary to
36 argue over cones. He stated to Bouchard that she had no experience with a car wash business which
37 meant to him that she didn't really know what she was talking about. Cones are used everywhere in the
38 business, he said. Her lack of industry-specific experience made her ideas untenable. Tehrani stated
39 that he feels very strongly about the cones to accommodate snow plows and the concerns of the fire
40 marshal. Tehrani stated that he did not consider a two-sided gate. Part of the problem, he said, was that
41 the fire marshal here had required a 26-foot-wide drive aisle. This was unheard of in the business and
42 was much larger than that required by all of the other municipalities that he operated in. He has a site
43 with two gates in Indiana. Sometimes a pile-up on the street is created, forcing them to provide cones
44 and directionals to customers. Tehrani stated that his store in Cassopolis always has cones.

45
46 Tehrani reported that on SR 19 in Indiana there are high traffic cones, less than 100 feet away from the
47 main road. They have the cones out there so that they can move them, he said. He next pointed to
48 Store No. 10 in Niles, Michigan. He provided a photograph, showing the cones and indicating that their

1 purpose was to prevent cars from going both in and out. In this store, no car can make a left turn. The
2 only way to exit is to the right. He showed the main entrance to another car wash facility, with the main
3 entrance on the street in the exact same situation. When cars are moved off of the conveyor belt in the
4 wash facility, it is hard to stop them with other cars coming up from behind. Tehrani explained that he
5 didn't understand that the need for a 26-foot opening would cause such a big problem, but he had to
6 comply with what the fire marshal wanted in order to accommodate his turning radius. Kowalski
7 explained that the Township had adopted a national fire code and contained within that was the 26-foot-
8 wide fire access aisle. It was not unique to Kalamazoo Township.

9
10 Tehrani stated that the chains and cones on the site were required because drivers on site didn't know
11 what they were doing and would cause a collision. The difference with respect to the vacuum bays was
12 that a person has control of their own car. They don't know to look both ways when they pull out and
13 they are unaware of the conveyor situation at the wash area. Tehrani stated that at Store 4 they service
14 55,000 cars a day. It is located less than 50 feet from the road. He was never questioned about chains
15 and cones, he said, in fact that particular site has quite a few chains and cones. They were very common.
16 He did not invent the idea to use them. It is an industry standard. Tehrani stated that he happened to be
17 an expert in the carwash industry. He serves on the governing board for the industry and had seen
18 thousands of chains and cones on sites. He had borrowed the idea from industry experts and applied it
19 in Kalamazoo Township, he said.

20
21 Tehrani continued his photographic presentation, showing different sites with landscaping and showing
22 how the cones and chains were not visible. Tehrani stated that he had worked at KitchenAid before he
23 joined the car wash industry. He did not want his facilities to look like a car wash. He built them to be
24 gorgeous. If anyone cares about the aesthetics of the facilities, it was him. His number one objective, he
25 stated, was to "wow you" and a chain and cone were not significant enough to "un-wow" you. Tehrani
26 continued, stating that he had driven between West Main Street and his Comstock location off of Gull
27 Road. He had seen a number of car washes on the trip and every one of them had chains and cones. No
28 carwashes he saw had magnificent landscaping like his. Appearance is critical to him. He stated that he
29 is not doing it to impress people, but as a service to his customers. If a person's eyes go to a beautiful
30 building and landscaping, he or she is more likely to participate in the services offered. Next, Tehrani
31 showed photos of the circulation patterns and cones at the Chick-Fil-A on West Main Street. Van Dyk
32 stated that it is common for businesses with high volumes predicting to use cones to direct the on-site
33 traffic. Tehrani showed the landscaping near the Popeye's facility, indicating that safety was the number
34 one reason for it. Tehrani stated that when his contractor came from Indiana to put the gates in, they
35 did not get a permit. They now have the permit. He never considered that placing cones would create
36 such confusion.

37
38 Morrison inquired as to whether the original site plan showed the cones and chains? Bouchard stated
39 that the original site plan was for two-way traffic. Tehrani stated that the plan was never to have two-
40 way traffic. The left entrance also had to be 26-feet-in width. The original design he said, showed no
41 entrance from the west. The only reason he changed it was because the Township had forced him to.
42 The Township required an exit-only and they had kept the same curb cuts, he said.

43
44 Leuty recalled that there was an expectation at the time of site plan review that two-way traffic was
45 planned. Tehrani stated that some cars would have to do a U-turn. They had blocked off the west side
46 linkage to Popeyes, he said. Leuty stated that the original site plan had looked as though two-way traffic
47 was anticipated. Tehrani stated that all they had done was put up a couple of posts and chains that can
48 be driven through from Popeyes. These had replaced the three bollards. He stated that the initial gate

1 had the wrong lock on it, but that had been corrected and the fire department had access to the key. Van
2 Dyk showed a photograph of the Popeye's blocking. Rossell showed the location of the mutual drive aisle
3 on the plan. Tehrani stated that the east side entrance is two-way traffic to each side. The driveway
4 itself sits on the property to the east. Van Dyk stated that there is an existing easement. They may have
5 to shift the driveway over to the right a bit, he said. Van Dyk reported on a bid discussion they had if a
6 new owner were to purchase the southern site.

7
8 Cook, recalled that the two properties on the east and west of the site in question were part of a larger
9 plan at one time. He understood the need to control access points to M-43. Usually a multiple-use
10 large parcel such as this would provide an interior drive aisle, he said. Van Dyke stated that it will not
11 come into play until the property to the east is developed. Tehrani walked the members through the
12 circulation on site. He explained that when cars come into the site, they cannot make a right turn. They
13 must be forced to go straight. He indicated that there are three lanes for the car wash; and two for the
14 lube. Most customers go the car wash first, but there is an option to go the lube. He was not yet offering
15 full-service interior clean and drive-through wash. If a person wanted to access the vacuums, they had to
16 access them through the lube or car wash site. There is a gate or outgoing traffic when a customer is
17 done. Cook theorized that a person would have to loop around the site if he or she needed more than
18 one service. Tehrani stated that there is a special lane provided for interior self-vacuums. There are 20
19 spaces for this service on the north side of the site. In response to an inquiry from Mihelich, Tehrani
20 acknowledged that it was possible to enter and access without using any services.

21
22 Morrison inquired about the cones in the winter. Tehrani stated that they just take them out to allow the
23 plow to come at 3:00 a.m. Mihelich indicated that he had spoken with the manager who stated that he
24 takes the cones out because they are so dangerous. Mihelich noted two prominent signs indicating that
25 entry was prohibited from the direction he was coming from. At the Gull Road site, if services are not
26 desired a person just drives straight out. Tehrani stated that not wanting any services happened
27 sometimes. On the current site, the lube and car wash are spilling out to the self-vacuum area.

28
29 Tehrani compared the site in question with the newer Comstock Township site indicating that the two
30 main differences were no required continuous 26-foot-wide access lane around the site; and room for
31 landscaping. Kowalski recalled that the original site plan showed two-way traffic. Nagler agreed. In
32 response to an inquiry from Nagler, Rossell stated that the original plan had a west entrance. At that
33 time, Popeyes was so congested that it was required to be right-turn only. They had put up a sign to
34 deter people from making a left-hand turn out of this exit. Nagler suggested removing the two-way
35 arrow from the site plan. It was determined that a revised site plan, without the arrow had been provided
36 just a couple of hours before the meeting and the Planning Commission didn't have it.

37
38 Bouchard stated that she would require documentation of approval on the do not enter sign. The
39 Township had required the right turn only sign. MDOT required the one-way. Kowalski commented that
40 the change in site circulation, the on-site parking, the addition of cones and a water feature; and the lack
41 of a permit for a gate that that Township had not been advised of were his main concerns. The group
42 discussed the proposed site circulation with respect to the potential need for a left turn either off of or
43 onto West Main Street. Kowalski inquired of the applicant as to whether they were willing to forego the
44 chains, which had done damage to a fire truck when the Township had to drive over them at another site.
45 Tehrani stated that he wanted both. Kowalski stated that he had recommended more than one gate.
46 Tehrani stated that he uses chains and cones everywhere else.

1 Bouchard voiced concerns with using a temporary structure to direct traffic. They would prefer a
2 permanent structure, she said. Kowalski stated that permanent structures are more troublesome to him
3 because they tend to fall apart and/or be unstable. Leuty stated that he would share the concerns about
4 the site aesthetics. Kowalski stated that the original design was flawed with the self-vacuums being forced
5 all the way to the north. Tehrani stated that the only way to solve the problem was with temporary
6 cones. Comparing this site with that at Comstock he commented that Comstock had used permanent
7 curbs. Van Dyk stated that temporary cones are much easier to remove if fire department access is
8 needed.

9
10 The Planning Commission moved to deliberation. Leuty inquired about various methods of access from
11 different parts of West Main Street. He stated that the “do not enter” sign should be turned to face the
12 west. The point of the sign was to avoid people turning in to the site and then getting confused.

13
14 Nagler stated that as an engineer, he appreciates the one-way traffic flow and keeping everyone in the
15 same direction. This being said, if one-way was the desire, then there should be a way to make it one-
16 way. He wished to avoid dangerous left turns in or out of the site. He was not comfortable discussing
17 aesthetics. As to the temporary nature of the cones and chains, he inquired of the applicant as to his
18 willingness to remove them when the business was closed. Bouchard would be more inclined to approve
19 a temporary cone if it was removed at night and kept out only during operational hours. Nagler stated
20 that the vacuum issue was easily solved by making the machines coin-operated. Morrison agreed with
21 using as many right-turns as possible and incorporating proper directional signs. He stated that if the
22 traffic volume in the car was not sufficient to fill three lanes, the traffic should be directed to the two
23 eastern-most lanes. Hartsough agreed that making all of the traffic go in the same direction was
24 preferable. Cook felt that the Planning Commission could be pretty accommodating to get the traffic
25 pattern in one direction and the site appropriately signed. Nagler stated that development of adjoining
26 sites may present additional issues. Hartsough wondered why gates would not be required. The group
27 discussed various methods of signage, permanent barriers; gates versus cone and chains and other
28 possibilities in terms of traffic flow on the site. Hartsough suggested painting arrows on the asphalt to
29 show driving directions. Tehrani reminded the group that cars are being pushed out of the car wash.
30 Sometimes his stores have 200 cars to wash in an hour in the winter. Van Dyk stated that the exit of the
31 car wash is the most dangerous spot on the site. Hartsough appreciated Morrison’s comments about
32 directing car wash traffic to the two lanes furthest away from the oil change. The group discussed
33 whether a barrier to the vehicles leaving the lube preventing a sharp right turn was appropriate. Mihelich
34 stated that making a left turn out of the lube would avoid this conflict. He voiced concern that the issue
35 was really about preventing free access to the self-vacuums. Mihelich inquired as to whether a “go” or
36 “stop” signal could be placed from the lube area angled toward the car wash. Rossell stated that this
37 might be possible with a reverse wiring.

38
39 Leuty suggested a second gate on the NE corner in the area where vehicles would be leaving the vacuums.
40 He did not think that two cones were enough to stop cars from going the wrong way. The gate, he
41 suggested, was a more permanent solution. Morrison inquired about speed humps.

42
43 Seeber suggested that the Planning Commission had determined that one-way traffic was appropriate;
44 however, it was now stretching to solve a problem that the applicant should be assigned to solve. Several
45 ideas had been voiced but it was up to the applicant to provide a solution. Hartsough and Nagler agreed.
46 Bouchard stated that she had been keeping notes that she would share with Rossell. Leuty noted that
47 the applicant was the expert on car washes. He should provide his expertise to the engineer and come
48 up with a design that the Planning Commission and applicant would be comfortable with. Hartsough

1 moved to table the request to the next Planning Commission meeting in order to give the applicant time
2 to provide an updated plan. Chapman supported the motion. It passed unanimously.

3
4 **9. Old Business.**

5
6 None.

7
8 **10. Open Discussion.**

9
10 **10a. Members of the audience.** Byron Swift is the owner of a grow facility on Burdick Street. He
11 had been in business for a year and a half and was interested in selling his company to a business that
12 would be requesting a new special use for more plans. He stated that he would work carefully with
13 Bouchard and Mucha during the transition process and provide the Township with whatever it needed,
14

15
16 **11. Communications.**

17 None.

18
19 **12. Report of the Board Representative.**

20
21 None.

22
23 **13. Report of the ZBA Member**

24
25 Nagler reported on the special Zoning Board of Appeals meeting for the new fire station in Eastwood.
26

27 **14. Comments of the Planning Commissioners**

28
29 Recalling the autism center's recent approval, Leuty inquired about a bonus or preference for native
30 plantings. He and Bouchard would be discussing this in the future.

31
32 Leuty reported that Prein and Newhof is going out to bid for non-motorized transportation improvements.
33 The present plan focused on solving a number of orphan corners in Eastwood. The goal was to have the
34 whole neighborhood become ADA accessible.

35
36 Cook inquired about MTA planning and zoning upcoming trainings. Several Planning Commission
37 members were interested.

38
39 Hartsough stated that native plants are harder to come by than you would think. She suggested providing
40 native-plant retailers lists to applicants.

41
42 **15. Report of the Planner.**

43
44 Mucha discussed the home occupation ordinance. They had obtained 10 samples from other communities
45 and were working on finding commonalities. They were planning on providing a "highlight and strike"
46 discussion document to the Planning Commission along with their initial findings. Trends were also being
47 considered. Depending on how involved the matter became they may just want to schedule a special
48 meeting for discussion.

1 Bouchard reported that they had approved a minor site plan review for a marijuana facility, changes to
2 parking.

3
4 She also stated that a Master Plan Work Session Number was scheduled for June 16. They were still
5 soliciting feedback on the surveys. So far, only about 140 surveys had been returned. Hartsough inquired
6 as to whether there was an email list available. Bouchard stated that they were checking into that.

7
8 There being no further discussion and without objection, the chairman adjourned the meeting at 8: 25
9 pm.

10

11

SUMMARY OF ACTIONS

12

13 The Charter Township of Kalamazoo Planning Commission undertook the following actions at its regular
14 meeting of June 2, 2022:

15 Granted one-year special use extensions for gravel mines to Hillside and Superior Gravel.

16 Tabled consideration of a revised site plan for Drive & Shine.

17

18

19

20

21