

# **PLANNING COMMISSION MEETING AGENDA**

## **April 6, 2023 THURSDAY 6:00 P.M.**

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

### **AGENDA:**

- #1 Call to Order
- #2 Roll call and recognition of visitors
- #3 Approval of the agenda for the April 6, 2023 meeting.
- #4 Approval of the minutes for March 2, 2023 meeting.
- #5 Public Comment (3-minute limit)
- #6 Scheduled Reviews: None.
- #7 Public Hearings:
  - 7a. Section 8.02 Parts VV, WW, and XX, Marijuana Fencing and Screening – Amendment
  - 7b. 2017 N. Burdick Special Land Use – Contractor’s yards and storage facilities
- #8 New Business:
  - 8a. 910 Jenks Blvd. – Hope Reformed Church parking plan
- #9 Old Business:
  - 9a. 2017 N. Burdick – Tree Fellers Site Plan Review
- #10 Open Discussion
  - 10a. Members of the Audience
- #11 COMMUNICATIONS: None.
- #12 REPORT OF THE TOWNSHIP BOARD REPRESENTATIVE.
- #13 REPORT OF THE TOWNSHIP ZBA REPRESENTATIVE.
- #14 COMMENTS FROM PLANNING COMMISSION MEMBERS.
- #15 REPORT OF THE PLANNER.
- #16 REPORT OF THE ZONING ADMINISTRATOR.
- #17 REPORT OF THE TOWNSHIP ATTORNEY.
- #18 ADJOURNMENT.

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

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**Charter Township of Kalamazoo  
Minutes of a Planning Commission Regular Meeting  
Held on March 2, 2023**

8 A regular meeting of the Charter Township of Kalamazoo Planning Commission was conducted  
9 on March 2, 2023, commencing at 6:00 p.m. at the Charter Township of Kalamazoo Hall.

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**Present were:**

17 William Chapman  
18 Denise Hartsough  
19 Christopher Mihelich  
20 Fred Nagler, Chairman  
21 Steve Leuty  
22 Pete Morrison  
23 Warren Cook

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**Absent was:**

29 None.

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Also present were Township Planner Danielle Bouchard (via Zoom), Township Attorney Seth Koches, Township Fire Marshal, Todd Kowalski, Township Manager, Dexter Mitchell and one interested member from the public.

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**Call to Order**

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

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**Roll Call and Recognition of Visitors**

49 Nagler welcomed those in attendance.

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**Approval of the Agenda for the March 2, 2023, regular Planning Commission meeting**

58 The next item on the agenda was approval of the agenda for the March 2, 2023, regular Planning  
59 Commission meeting. The Commissioners received the meeting agenda in their packets.

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

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**Approval of the minutes for February 2, 2023, regular Planning Commission meeting.**

76 The item on the agenda was approval of the minutes of the February 2, 2023, regular Planning  
77 Commission meeting.

1 A copy of the draft minutes of the February 2, 2023, regular Planning Commission meeting were  
2 provided to the Commissioners in the agenda packet.

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4 Upon motion of Hartsough, supported by Cook, and unanimous vote, the minutes of the February  
5 2, 2023, regular Planning Commission meeting were approved as presented.

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7 **Public Comment**

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9 None.

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11 **Scheduled Reviews.**

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13 None.

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15 **Public Hearings – 2429 N. Burdick Street – Special Land Use, Change of Use**

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17 The next item on the agenda was the public hearing for 2429 N. Burdick Street. Bouchard  
18 prepared a staff report, which was provided to the Commissioners in their agenda packet, and  
19 summarized it. Park Consulting, the applicant, is requesting special land use for a change of use  
20 located at 2429 N. Burdick Street. The change of use is to remove the previously approved  
21 marijuana grow/cultivation operations from the site (approval for such use was received on  
22 January 7, 2021) to conduct processing of marijuana for adult use and medical marijuana use  
23 only. Bouchard noted that on May 4, 2023, the Township Planning and Zoning Staff (and fire)  
24 conducted an administrative review approving the alteration of parking spaces and several  
25 interior renovations. Bouchard summarized the standards for modification for special land use  
26 approval contained in Section 26.03.8.b and the standards for granting special land use approval  
27 contained in Section 26.03.C of the Township Zoning Ordinance. The applicant’s site plan was  
28 previously approved at the February 2, 2023, regular Planning Commission meeting.

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30 Nagler opened the public hearing and invited any interested party to speak in support of or in  
31 opposition to the applicant’s request. Hearing no additional public comment, Nagler closed the  
32 public hearing and the Planning Commission entered into deliberations.

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34 Allie Park spoke on behalf of the applicant and said that the hours of operation will from 9:00  
35 a.m. to 6:00 p.m., Monday through Friday. Park said that the business may expand in the future  
36 and any additional approvals will be obtained. Park and the Commission discussed the loading  
37 zone on the north end of the property. Fire Marshal Kowalski confirmed that the loading zone is  
38 compliant with applicable fire codes. The Commission confirmed that the applicant submitted  
39 proof of liability insurance to the Township. Morrison inquired about the size of the applicant’s  
40 operations. Park said that the building is limited to 23,000 square feet.

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42 Upon motion of Cook, supported by Hartsough, and unanimous vote, the Planning Commission  
43 approved the request of Park Consulting for a change of use and special land use approval to

1 change the previously approved grow/cultivation operations for 2429 N. Burdick to only conduct  
2 processing of marijuana for adult use and medical marijuana use, with the following condition:

- 3  
4 1. That Park Consulting obtain all state licenses before operating.  
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6 **New Business:**

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8 **Section 8.02 Parts VV, WW, and XX – Marijuana Fencing and Screening – Removal**  
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10 The next item on the agenda was consideration to repeal Section 8.02, parts VV., WW., and XX.  
11 from the Township Zoning Ordinance. A copy of Section 8.02, parts VV., WW., and XX. were  
12 provided to the Commissioners in their agenda packet. Kowalski said that the fencing  
13 requirements should be removed unless the Township allows outdoor grow operations, which is  
14 not allowed within the Township. Bouchard proposed to repeal Section 8.02, parts VV., WW., and  
15 XX. from the Zoning Ordinance because those parts are not needed. Kowalski confirmed that  
16 fencing is not required for an enclosed building. Chapman expressed concerns with vandalism.  
17 Kowalski said that surveillance equipment is still required. Mihelich asked whether the Planning  
18 Commission may require fencing as a condition of approval for a marijuana facilities application.  
19 Bouchard said yes. Koches confirmed that the Township needed to hold a public hearing to  
20 consider an ordinance repealing Section 8.02, parts VV., WW., and XX. from the Zoning  
21 Ordinance.  
22

23 Upon motion of Hartsough, supported by Chapman, and unanimous vote, the Planning  
24 Commission set a public hearing to consider an ordinance to repeal Section 8.02, parts VV., WW.,  
25 and XX. from the Zoning Ordinance on April 6, 2023, unless the April 6, 2023 regular Planning  
26 Commission meeting is canceled, in which case the public hearing will be held on May 4, 2023.  
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28 **Old Business.**

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30 None.  
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32 **Open Discussion – Members of the Audience**

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34 None.  
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36 **Communications**

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38 None.  
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40 **Report of the Township Board Representative.**

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42 Leuty updated the Planning Commission regarding Township Board matters.  
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44 **Report of the Zoning Board of Appeals Representative.**

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None.

**Comments of the Planning Commission Members.**

The Commissioners generally discussed planning and zoning updates.

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

Bouchard discussed general planning and zoning updates, and set a work session for March 16, 2023, at 6:00 p.m.

**Report of the Township Attorney.**

None.

**Adjournment**

There being no further business to come before the Planning Commission, the regular Planning Commission meeting was adjourned at 6:35 p.m.

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

**SUMMARY OF ACTIONS**

The Charter Township of Kalamazoo Planning Commission undertook the following actions at its regular Planning Commission meeting held on a March 2, 2023:

- 1. Approved the request of Park Consulting for a change of use and special land use approval to change the previously approved grow/cultivation operations for 2429 N. Burdick to only conduct processing of marijuana for adult use and medical marijuana use, with conditions.
- 2. Set a public hearing to consider an ordinance to repeal Section 8.02, parts VV., WW., and XX. from the Zoning Ordinance.

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, Secretary



# Memorandum

**TO:** Kalamazoo Charter Township Planning Commission  
**FROM:** Danielle Bouchard, AICP, Principal Planner  
 Kyle Mucha, AICP, Senior Planner  
**SUBJECT:** **Special Land Use Review #3 – Jack Livingstone, Tree Fellers Wood Products & Furniture, 2017 North Burdick**  
**DATE:** March 24, 2023

**The Applicant, Jack Livingstone of Tree Fellers Wood Products and Furniture, is seeking special land use approval to utilize several parcels for a contractor’s yard as it relates to outdoor storage at 2017 N. Burdick et. al.** The applicant indicates outdoor storage will primarily be for raw wood materials (not cut lumber) that are then in turn used for the creation of wood products within the industrial building, located at 2017 N. Burdick.. The subject sites are zoned I-2, General Industrial. While the applicant’s business operations would create wood furniture from raw materials is not explicitly listed as a special land use, we note that the outdoor storage of wood piles **is** closely related to the permitted special land use “Contractor’s yards and storage facilities for building materials, sand, gravel, stone, lumber, equipment and supplies.”

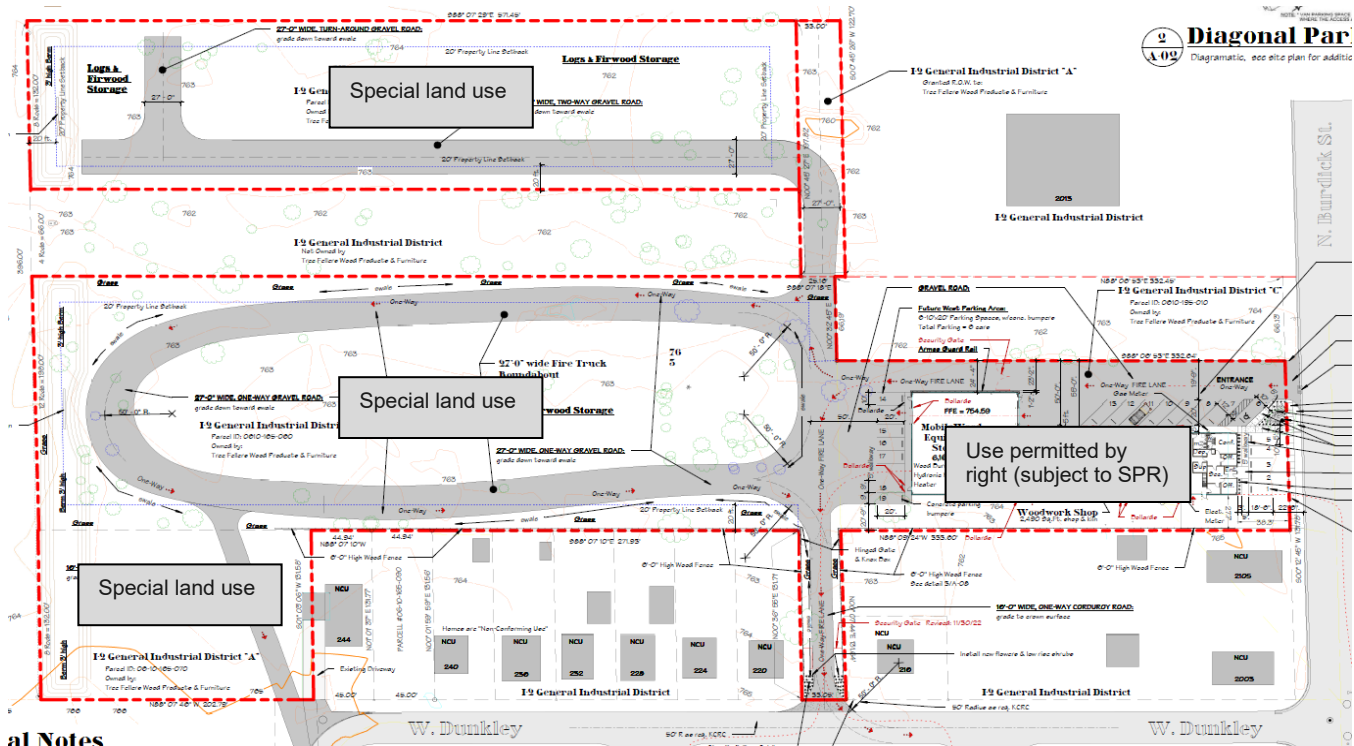
The proposed business, to be operated out of the building located at 2017 N. Burdick, is a principal permitted use in the I-2 District, “Wood products manufacturing, including furniture manufacturing” per Section 20.02.A. The nature of this review pertains to the outdoor storage uses located on parcels -070, -060, and -030.

The applicant applied for initial special land use review in March 2022, after it was discovered that the applicant was using additional parcels for outdoor storage uses without approvals. The Planning Commission approved a special land use for this proposed use at the August 4, 2022 Meeting for just parcel -060 **conditioned on site plan approval**. However, a new approval is required due to the change of intensity as it relates to the proposed contractors yard now extending to three parcels, instead of the original parcel, presented in August 2022.

**To date, the applicant has yet to comply with Township planning, zoning, and fire safety standards and continues to intentionally operate an UNAPPROVED business on several Township properties. The applicant has been made aware on several occasions of these ordinance violations and continues to operate business activity without required approvals.**

## SUMMARY OF REQUEST

As noted above, the applicant is requesting special land use approval to operate a contractor’s yard and storage facility for building materials, lumber, equipment and supplies in association with the wood furniture making business located at 2017 North Burdick. The manufacturing component will be conducted in the existing industrial building located at 2017 N. Burdick, with the contractor yard/storage yard located on parcels -030, 060, and -070. See image below for more information.



## STANDARDS FOR GRANTING SPECIAL LAND USE APPROVAL

Section 26.03.C of the Township Zoning Ordinance outlines the standards for granting special land use approval. Those standards are as follows.

### 1. Compatibility with Adjacent Uses

*The proposed special land use shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:*

#### a. The location and screening of vehicular circulation and parking areas in relation to surrounding development.

The applicant proposes to construct a six (6) foot tall wooden fence, which is required as part of conflicting land use screenings, along the southern portion of the property to screen the vehicular circulation and parking area from adjacent residential uses. Further, the applicant proposes to construct parking spaces adjacent to the existing industrial building, which is anticipated to reduce the apparent impact on adjacent residential uses. Parking and site circulation will be reviewed during the Site Plan Review.

The applicant has indicated that vehicles will be traveling frequently across the yard to deposit and retrieve raw materials for use in the manufacturing process. The applicant proposes to operate the business Monday through Saturday, 9:00 a.m. to 5:00 p.m. We find that the proposed business hours



of operation are within the Township's General Ordinance as it pertains to operational hours. The applicant is further advised to review Section 324.004 of Township Ordinance's to ensure full compliance.

The Township has received complaints from surrounding property owners with regard to how the applicant is accessing parcel -070 to the south. The applicant is utilizing a residential driveway to access the southernmost parcel. Further, the applicant has constructed a makeshift driveway between two residential homes off W. Dunkley Street, where frontage and width requirements for driveways in the I-2 District are not met.

We note the Planning Commission to also consider the use of large vehicles and industrial equipment used for the purposes of the special land use as they relate to the adjacent residential homes. Site visits have shown that large trucks and vehicles are parked (at the time of photo documentation) within close proximity to the homes. See site plan review for more detail.

- b. *The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.*

The applicant indicates the outdoor storage, proposed for the western portion of the subject site, will be screened from adjacent residential uses by installation of a six (6) foot tall wooden fence. The applicant has not indicated if any equipment will be stored outdoors at this time. Further details pertaining to mechanical equipment will be needed to ensure compliance with the Township Zoning Ordinance. We note that site visit conditions reveal that several large vehicles and trucks related to tree cutting operations are currently stored on site without approval.

- c. *The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.*

As previously noted, the applicant indicates hours of operation will be between 9:00 a.m. and 5:00 p.m. Monday to Saturday.

- d. *The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.*

The applicant proposes to construct an outdoor storage yard on the western portion of the subject site. The storage area will be accessed via a 27' wide interior gravel road and corduroy road. The storage yard is proposed to have logs, firewood and trees. Further consideration of the placement of the storage yard will be considered during the Site Plan Review process. We also note that Township Engineer opinion states disapproval of the use of a corduroy road due to outdated construction practices and concerns with regard to stability. See site plan review for more information.

For the purpose of special land use approval the applicant is required to provide dimensions and a height limit for the firewood are delineated on the plan. We recommend the height not exceed the proposed fence height to adequately screen it from public view. Further, during site inspections and ordinance violation follow-up review, staff has noted that the outdoor storage of materials has





significantly grown beyond what was proposed in August of 2022. Staff is not confident that the applicant will adhere to the proposed storage area, as evidenced in supplemental photographs.

- e. *Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.* The applicant has provided details pertaining to landscaping which are intended to enhance the current vegetative state of the subject parcel. We find that the applicant is generally meeting the intent of the ordinance. Further landscaping requirements and analysis have been conducted during the site plan review process.

## 2. Compatibility with the Master Plan

*The proposed special land use shall be consistent with the general principles and objectives of the Township's Master Plan.*

The subject site and surrounding sites are zoned and planned for general industrial uses.

## 3. Public Services

*The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, roads, police and fire protection, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the special land use is established.*

The subject site has frontage along North Burdick Street. The applicant proposes to construct an egress access drive onto West Dunkley Street, between 216 & 206 W. Dunkley. Additional review of public services will be conducted during the Site Plan Review process to ensure that this stipulation is met.

## 4. Impact of Traffic

*The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:*

- a. *Proximity and access to major thoroughfares.*

The site currently has frontage along North Burdick Street. The applicant proposes ingress access along N. Burdick and egress access onto W. Dunkley Street. Access onto West Dunkley Street will need to be granted by the City of Kalamazoo Right-of-Way Coordinator. We understand that the applicant has received a permit from the City of Kalamazoo for a residential driveway off Dunkley. This is not sufficient given the industrial nature of the proposed land use. Further, all proposed driveways off Dunkley do not meet ordinance standards in terms of both width and material.

- b. *Estimated traffic generated by the proposed use.*

With data provided by the Kalamazoo Area Transportation Study, N. Burdick has an average daily traffic volume of 1,563 vehicles. The additional traffic generated by the applicant's proposal, anticipated at eight (8) vehicles a week, is not anticipated to significantly impact traffic volumes on N. Burdick. Due to on-site visits, we note that it does not seem likely the site will only have 8 vehicles per week.



c. *Proximity and relation to intersections.*

The subject site is located near the intersection of N. Burdick Street and West Dunkley Street.

d. *Adequacy of driver sight distances.*

The applicant proposes an egress access along West Dunkley Street, between 206 & 216 W. Dunkley. As noted, the proposed driveway conditions are not compliant with ordinance requirements. This is discussed further in site plan review. We will defer any additional sight distance concerns to the Township Engineer and the City of Kalamazoo.

e. *Location of and access to off-street parking.*

Proposed off-street parking is to be located on the front (east), side (north) and rear (west) of the existing industrial building. Ingress access to the off-street parking is proposed to be from N. Burdick St. The site plan indicates internal traffic patterns to be that of a one-way. As discussed further in the site plan review, we find the proposed additional driveways off Dunkley, to be in violation of ordinance standards for industrial land uses. We will defer to the Fire Marshal to speak further about the location of off-street parking facilities as it relates to fire safety access and circulation.

f. *Required vehicular turning movements.*

The applicant has provided dimensions regarding the proposed maneuvering lanes. Zoning ordinance requires internal circulation routes within industrial districts to be a minimum of 31 feet wide.

g. *Provisions for pedestrian traffic.*

A 5-foot-wide sidewalk has been included on the proposed site plan, traversing north/south along N. Burdick Street.

5. *Detrimental Effects*

*The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the level of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.*

We advise the Planning Commission to take into consideration any and all public comment that may be received during the Public Hearing to determine if this provision has been satisfactorily met by the applicant. We also advise the Planning Commission to consider the effects to surrounding property owners as a result of the use of the contractor's yard. This is discussed further in the site plan review letter (with images of existing conditions).

6. *Economic Well-Being of the Community*

*The proposed special land use shall not be detrimental to the economic well-being of those who will use the land, residents, businesses, landowners, and the community as a whole.*

It is not anticipated that the proposed use will cause any adverse effects to the economic well-being of the community.



7. Compatibility with Natural Environment

*The proposed special land use shall be compatible with the natural environment and conserve natural resources and energy.*

The subject site and surrounding sites are all currently zoned and planned for industrial uses. However, the applicant has conducted site work (tree removal, earth change) without apparent permits nor consideration for the natural environment.

**RECOMMENDATIONS & CONSIDERATIONS**

The Kalamazoo Township development review team finds that the site plan, dated and revised March 10, 2023, is still in violation of several ordinance requirements, as noted in detail above and in the site plan review. Given the potential adverse effects to adjacent residential homes, the applicant's continued refusal to comply with ordinance requirements, despite being made aware of said requirements on numerous occasions, via email, in-person conversations and during a hearing before the Planning Commission on August 4, 2022, spanning almost 2 years (plus a signed court order), and the number of safety concerns the current activities produce, we recommend denial of the proposed special land use for parcels 06-10-195-010, 06-10-165-060, 06-10-165-070, and 06-10-165-030.

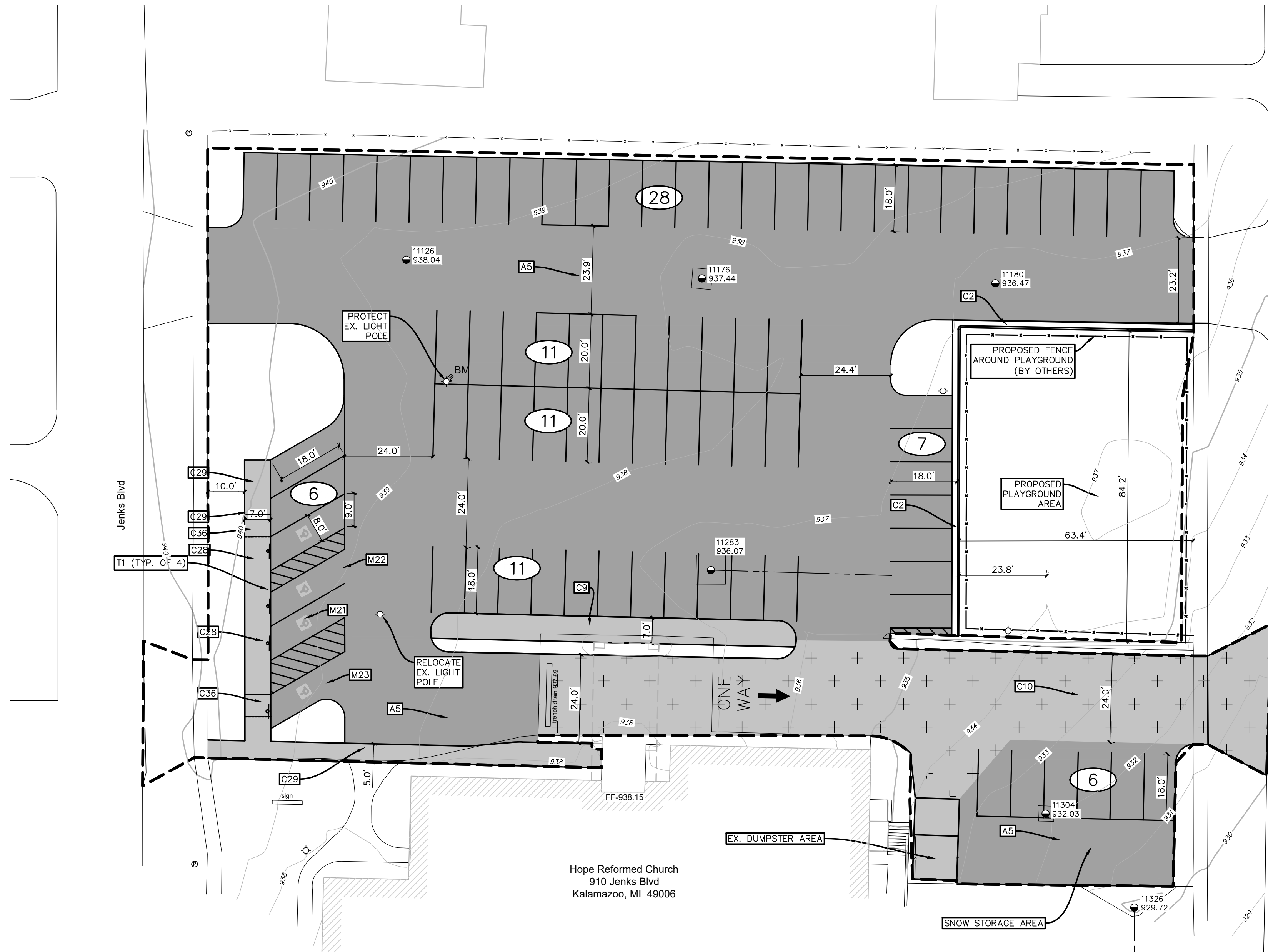
IF the applicant were to show good faith to remove all lumber and debris abutting adjacent residential homes, cease utilizing unapproved and noncompliant driveways, and restore parcels -030, -060, and -070 back to the original state, we COULD support approval of a woodworking business STRICTLY on parcel -010 within the enclosed building. Given that a woodworking business is a principally permitted use in the I-2 District and not subject to special land use approval, unless outdoor storage of lumber or equipment is proposed.

If you have any questions or would like additional information on this recommendation, please feel free to reach out to Danielle Bouchard, AICP, Principal Planner at [dbouchard@mcka.com](mailto:dbouchard@mcka.com) or Kyle Mucha, AICP, Senior Planner at [kmucha@mcka.com](mailto:kmucha@mcka.com).

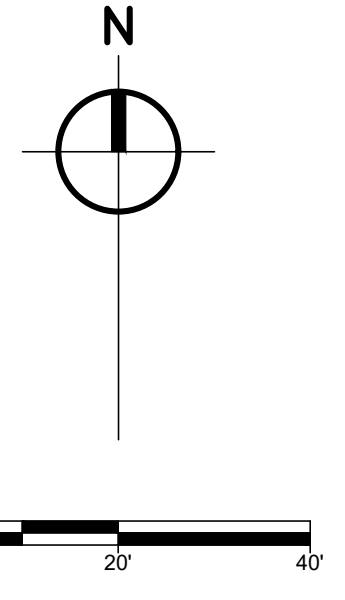
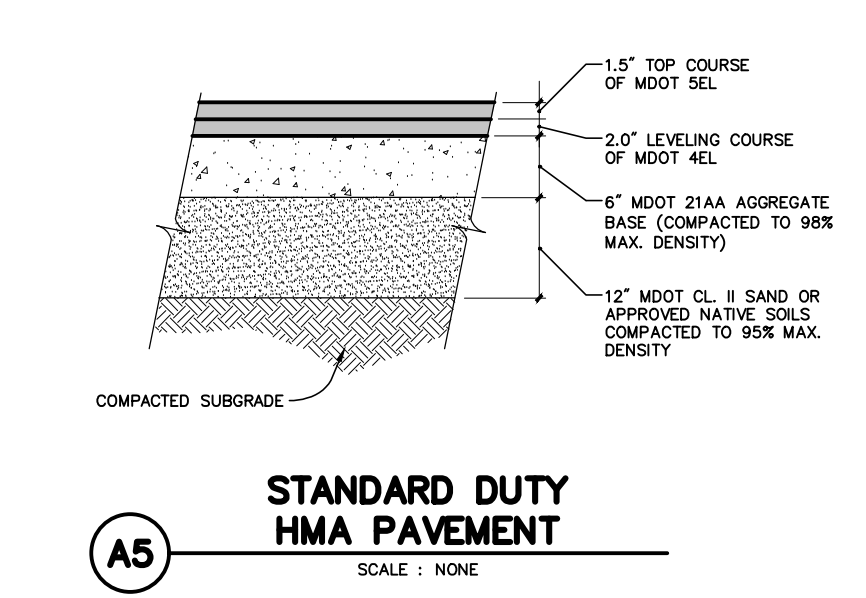
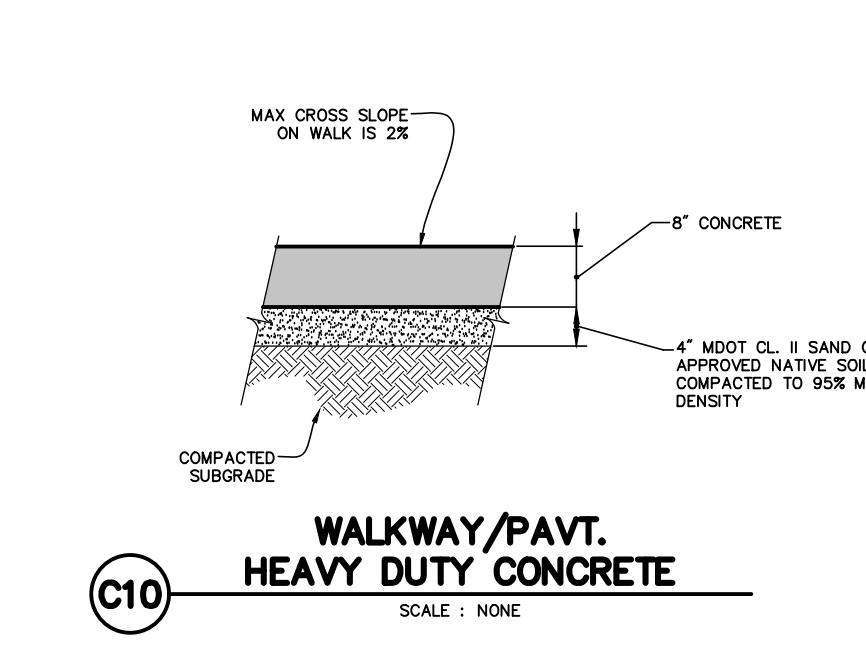
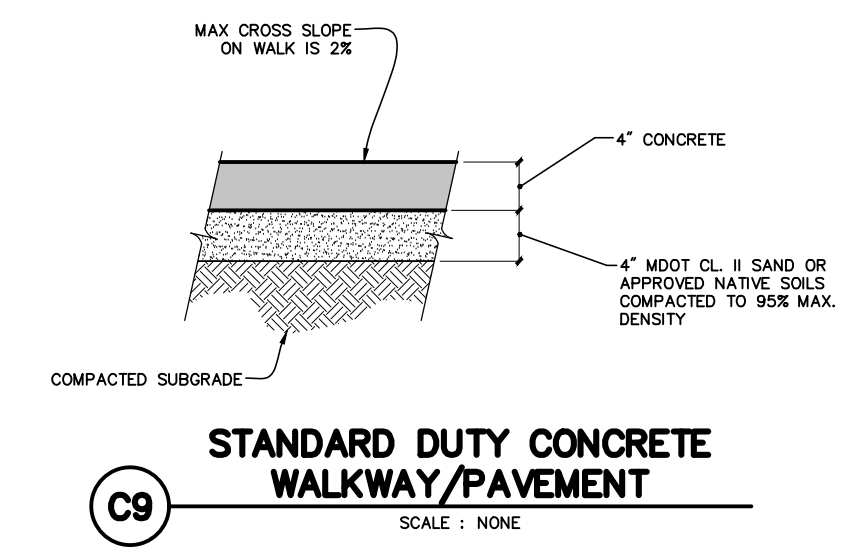
Respectfully Submitted,  
**McKenna**

Danielle Bouchard, AICP  
Principal Planner

Kye Mucha, AICP  
Senior Planner



Hope Reformed Church  
910 Jenks Blvd  
Kalamazoo, MI 49006



**SITE LEGEND LAYOUT**

CONCRETE CURB & GUTTER	
CONCRETE STRAIGHT CURB	
SIGN	
BARRIER FREE RAMP	
BARRIER FREE LANDING	
PARKING AREA STRIPING ISLAND	
STANDARD DUTY CONCRETE PAVEMENT	
STANDARD DUTY BITUMINOUS PAVEMENT	
HEAVY DUTY BITUMINOUS PAVEMENT	
GRAVEL PAVEMENT	
LANDSCAPE MAINTENANCE STRIP	
H.D. CONCRETE PAVEMENT	
TRAFFIC FLOW	
PARKING STALL COUNT	
TRANSITION FROM NORMAL TO REVERSE SLOPE GUTTER SECTION (5' TRANSITION LENGTH)	
LIGHT POLE (REFER TO AE PLANS)	

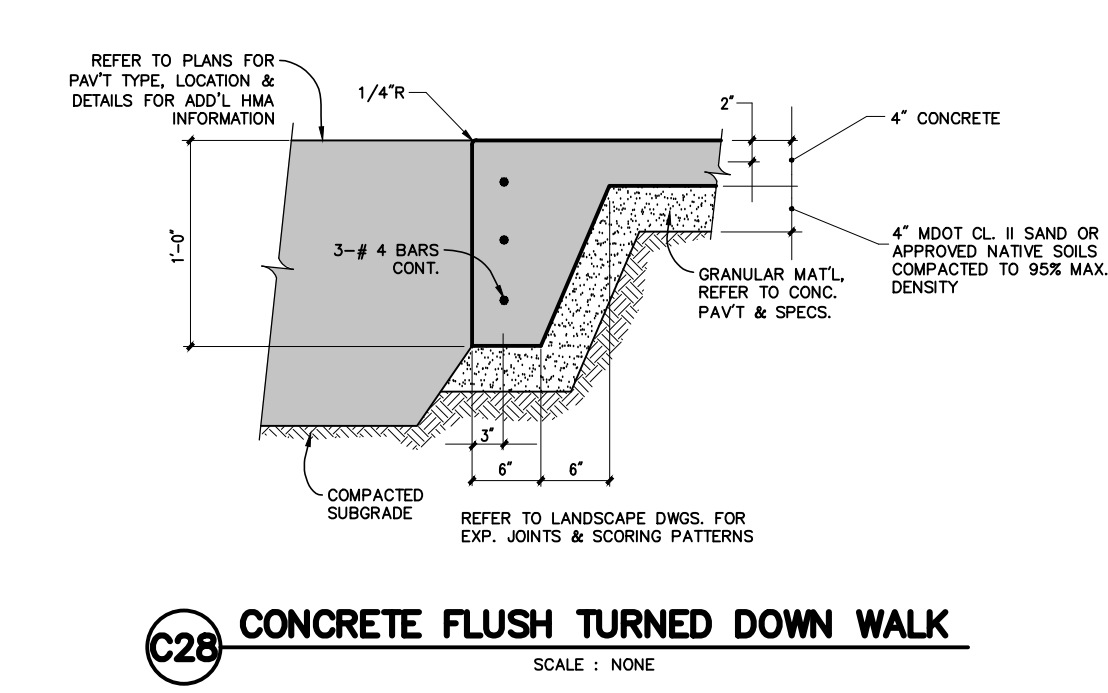
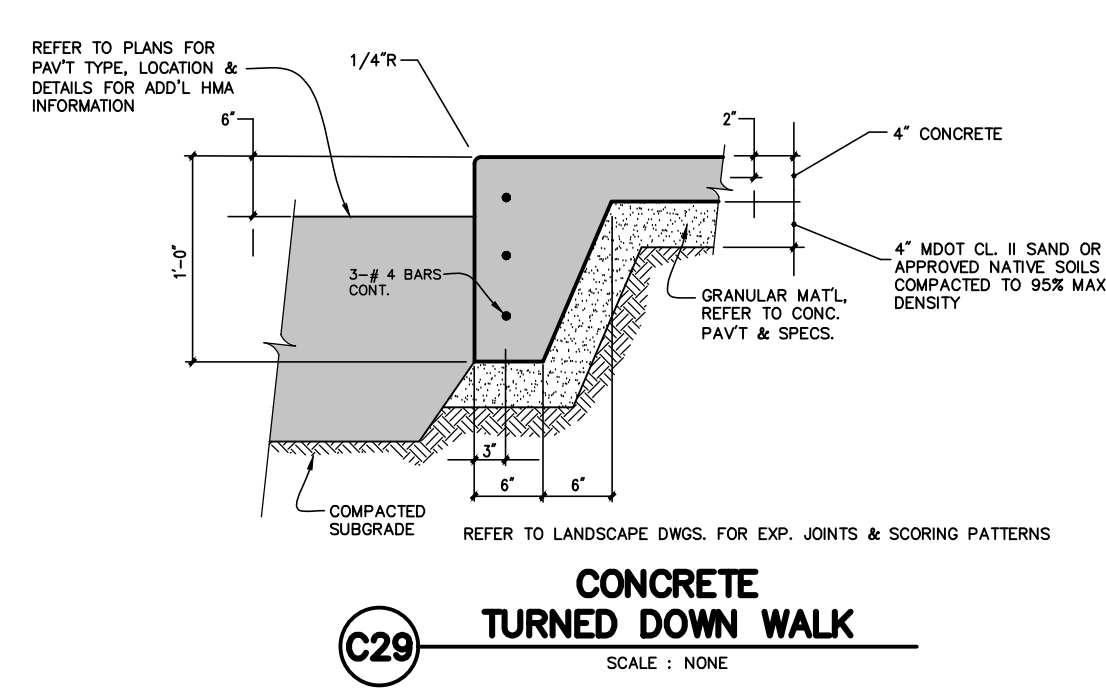
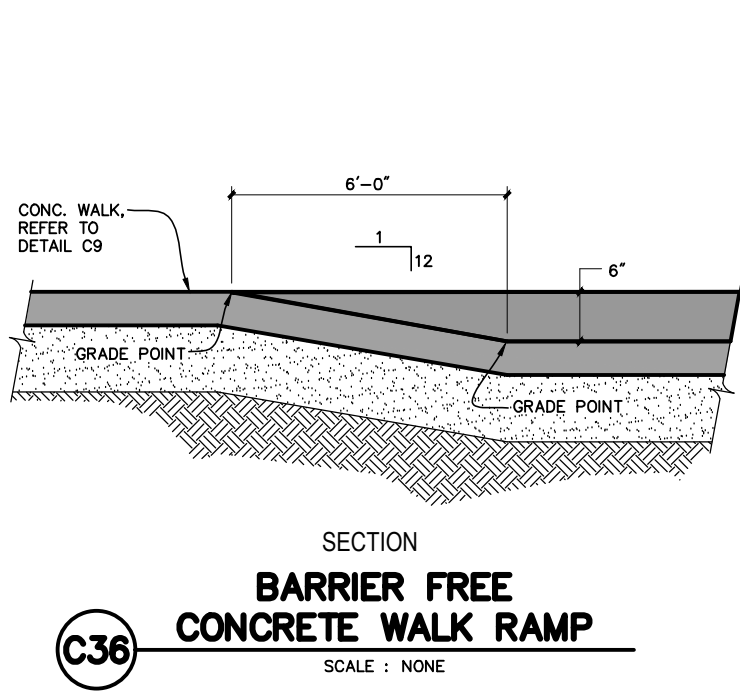
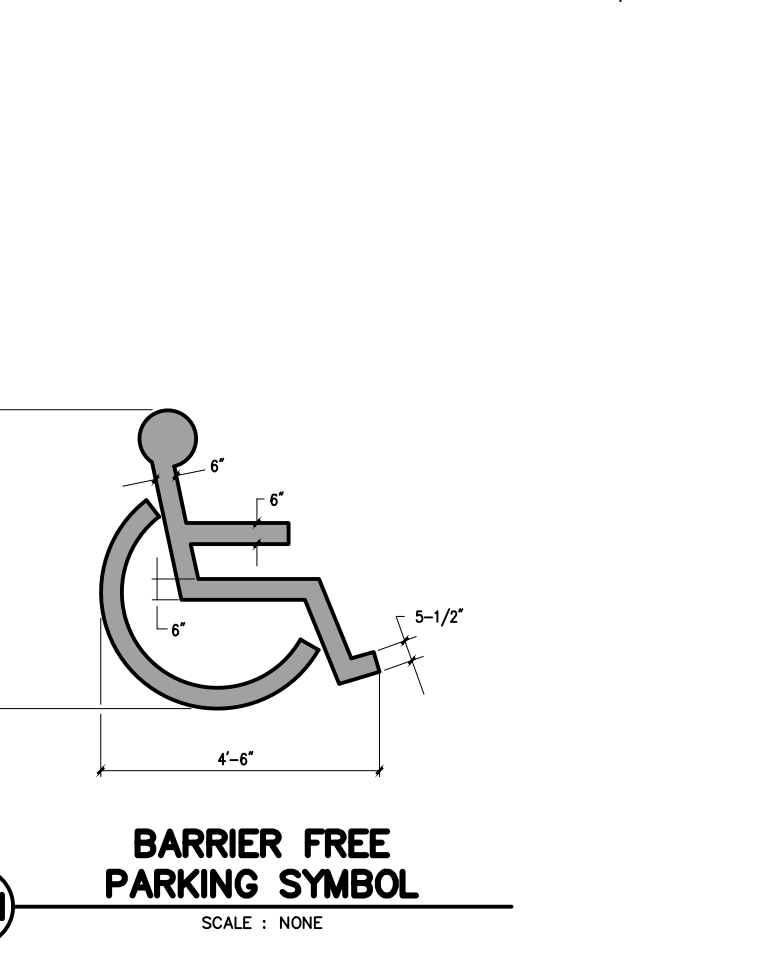
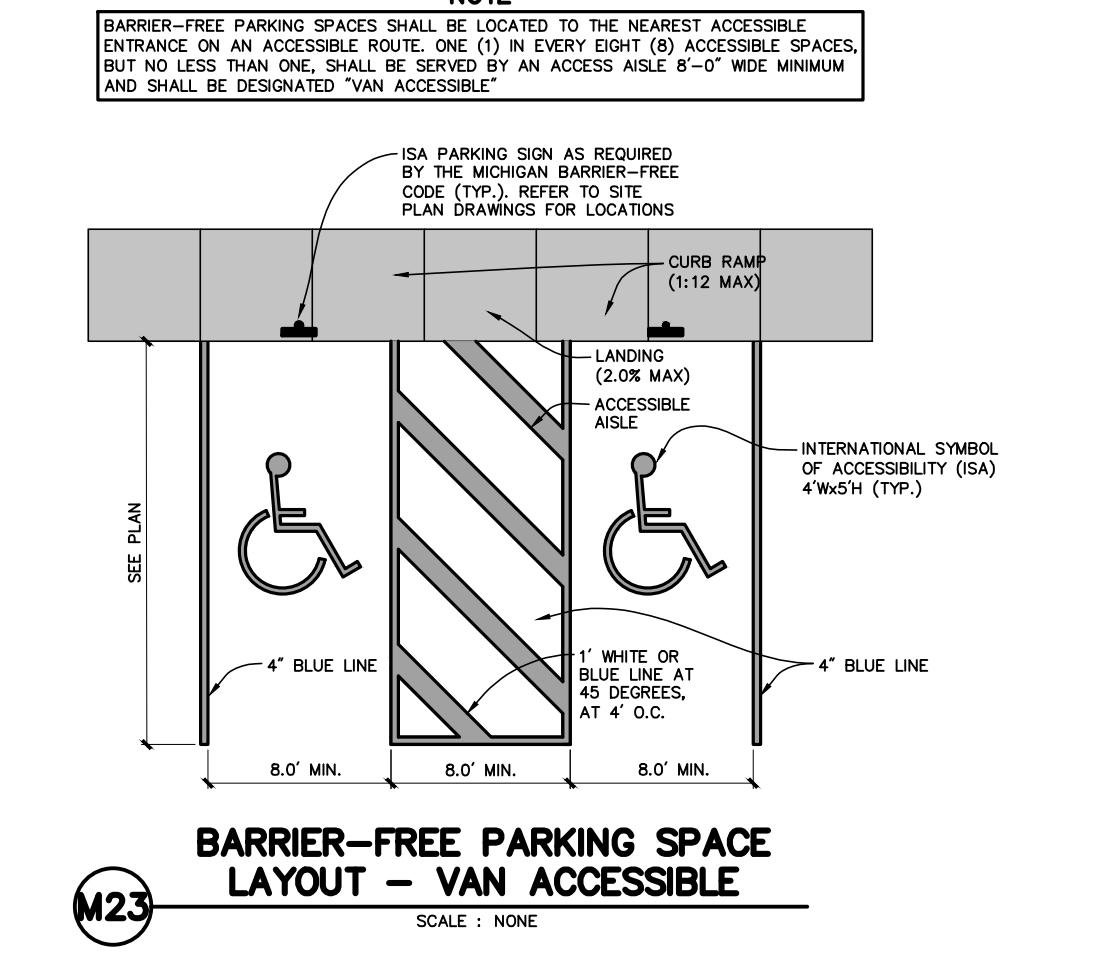
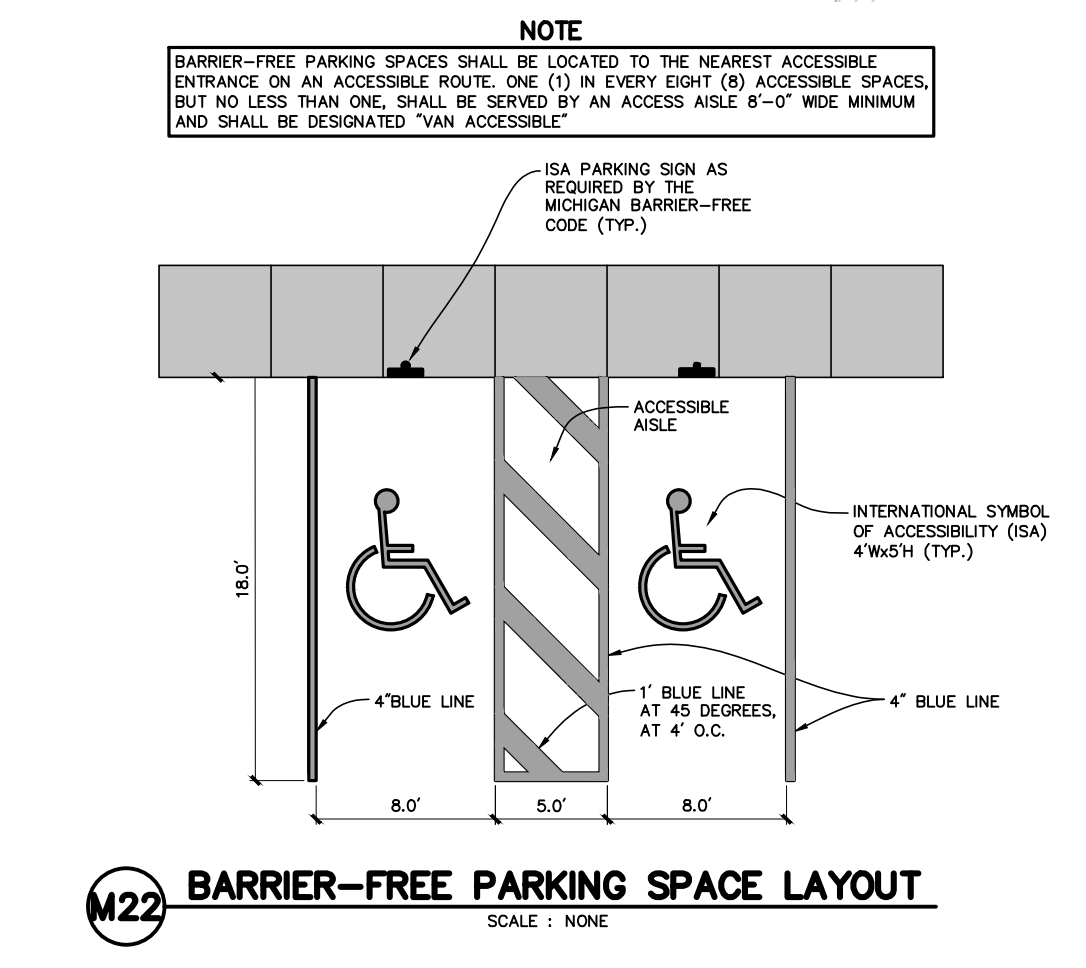
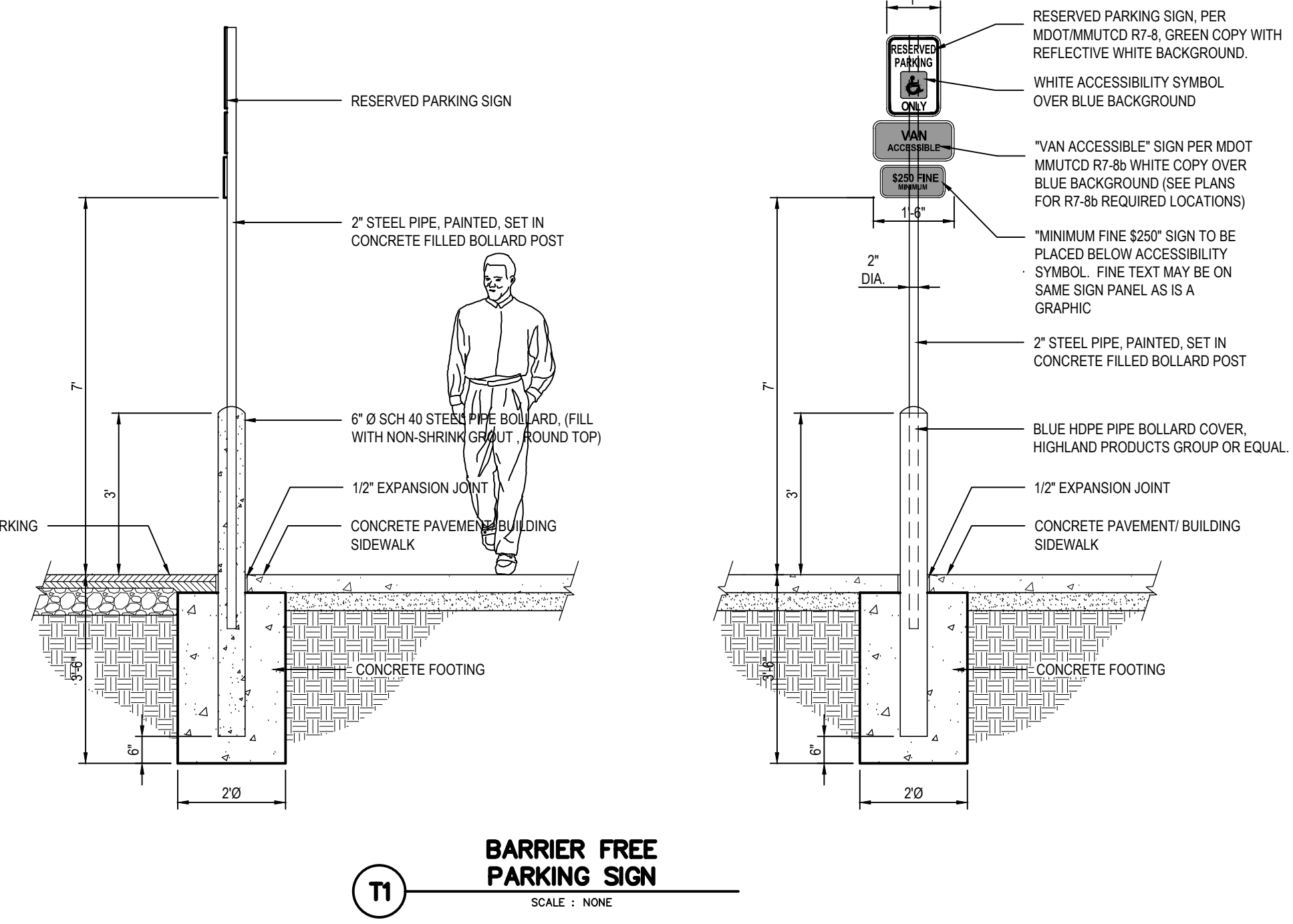
**SITE DATA**

ZONING	= R-2
SITE AREA	= 2.0 ACRES
EX. PARKING	= 107
PROPOSED PARKING	= 80

- SITE LAYOUT NOTES**
- ALL DISTURBED NON-PAVEMENT AREAS TO BE REPAIRED WITH 4 INCHES OF TOPSOIL AND SEED UNLESS OTHERWISE SPECIFIED.
  - REFER TO SPECIFICATIONS FOR PAVEMENT EXPANSION AND CONTROL JOINTS.
  - COORDINATE WITH IRRIGATION AND ELECTRICAL CONTRACTOR FOR SIZE AND PLACEMENT OF ALL SLEEVES PRIOR TO PAVING, CONCRETE AND RESTORATION WORK.
  - STANDARD PAVEMENT MARKINGS SHALL BE YELLOW. BARRIER FREE PAVEMENT MARKINGS SHALL BE BLUE.

**SITE LAYOUT KEY**

A5	STANDARD DUTY BITUMINOUS PAVEMENT	SEE DETAIL A5
C2	ROLLED CONCRETE CURB & GUTTER	SEE DETAIL C2
C9	STANDARD DUTY CONCRETE WALKWAY/PAVEMENT	SEE DETAIL C9
C10	HEAVY DUTY CONCRETE WALKWAY/PAVEMENT	SEE DETAIL C10
C28	CONCRETE FLUSH TURNED DOWN WALK	SEE DETAIL C28
C29	CONCRETE TURNED DOWN WALK	SEE DETAIL C29
C36	BARRIER FREE CONCRETE WALK RAMP	SEE DETAIL C36
M16	MISCELLANEOUS CROSS WALK STRIPING	SEE DETAIL M16
M21	MISCELLANEOUS BARRIER FREE SYMBOL	SEE DETAIL M21
M22	BARRIER-FREE PARKING SPACE LAYOUT	SEE DETAIL M22
M23	BARRIER-FREE PARKING SPACE LAYOUT - VAN	SEE DETAIL M23
T1	BARRIER FREE PARKING SIGN	SEE DETAIL T1



NO.	REVISIONS	BY	DATE	DRAWN
	PLANNING SUBMITTAL		12/16	JEV
			2022	JEV
			2022	JEV

**Prein & Newhof**  
Engineers • Surveyors • Environmental • Laboratory

**HOPE REFORMED CHURCH**  
910 JENKS BLVD.  
KALAMAZOO TOWNSHIP, MI  
269-349-9788

**PARKING LOT IMPROVEMENTS**

PROJECT NO. 2220834  
SHEET NO. 2 OF 2

T:\O\10\PROJECTS\2022\220834 HOPE REFORMED CHURCH PARKING LOT\4\_1000\220834 - C20 SITE PLAN.DWG - JAEER\JNK - Dec. 20 2022 - 02:59pm - Plot:SitePlan.dwg



# Memorandum

**TO:** Kalamazoo Charter Township Planning Commission

**FROM:** Kyle Mucha, AICP, Senior Planner  
Danielle Bouchard, AICP, Principal Planner

**SUBJECT:** Site Plan Review #1: Hope Reformed Church – 910 Jenks Boulevard

**DATE:** March 13, 2023

## OVERVIEW

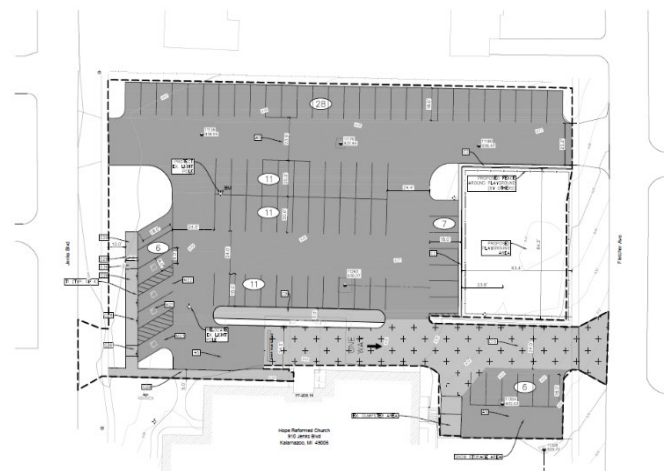
The applicant, Hope Reformed Church, is proposing the following site enhancements to the property located at 910 Jenks Boulevard:

- installing a new children’s playscape
- enhancing on-site landscaping
- closing off a driveway access point along Jenks Blvd.

Because the proposed project involves more than 20 parking spaces, the application is not deemed minor and therefore needs approval from the Planning Commission. The general proposed site modifications include the reconfiguration of the parking lot, elimination of a driveway, and construction of a playground area.



County GIS Aerial  
Site Plan Submission







## PROPOSED IMPROVEMENTS

The applicant proposes to resurface the existing parking lot, remove one access driveway along Jenks Boulevard, install a child’s playscape and enhance the existing landscaping/vegetation. It should be noted that the subject site has frontage along three (3) roadways: Jenks Boulevard to the west, Althea Street to the south, and N. Fletcher to the east.

Due to the proposed site improvements involving a modification to more than 20 parking spaces and site landscaping, review and approval of the site plan by the Planning Commission is warranted.

## USE OF THE PROPERTY

The site is currently zoned R-2, Single & Two Family Residential. The current use of the property is that of a religious institution. The subject site also includes a residential dwelling, located in the southeastern portion of the parcel.

## SITE PLAN REVIEW

The Schedule of Regulations: Section 25.02, includes the following provisions for accessory buildings. It is our understanding that no building modifications are to take place, based on the submitted site plan. As such, the following table provides the setback requirements, however the existing structures have not been reviewed for compliance regarding these standards.

Regulation Type	R-2-, Single & Two-Family Residential District Requirements (Principal Structures)	Site Plan Conditions	Compliance with Ordinance Standards
Front Yard Setback	25 ft.	Not Shown	Existing Structures prior to recent Zoning Ordinance amendments in 2016
Side Yard Setback	5 ft.	Not Shown	Existing Structures
Rear Yard Setback	35 ft.	Not Shown	Existing Structures
Maximum Lot Coverage	25%	<b><u>Not Provided</u></b>	<b><u>Not Able to Confirm</u></b>
Accessory Structures			
Front Yard Setback	Not Permitted	Not Shown	Not Applicable
Side Yard Setback	5 ft.	Not Shown	Not Applicable
Rear Yard Setback	5 ft.	Not Shown	Not Applicable

### Off-Street Parking

The applicant desires to resurface the existing parking lot at 910 Jenks Boulevard. In addition, the submitted site plan indicates the proposed closure of the southern access point along Jenks Blvd. Per Section 4.01(D)(4) of the Township Ordinance, 0.33 parking spaces are required per seat. The applicant has indicated that a total of 716 feet of pew space is on-site, which equates to a total seat capacity of 358. At 0.33 spaces per seat, a total of 118 parking spaces would be required. The resurfacing proposal notes a total parking space count of **80 spaces**.



The applicant has indicated to Township staff that the attendance level of patrons averages less than 150 and has been held consistently at or below this amount since 2015. Should the Planning Commission agree, we find that a reduced parking standard to 80 spaces is appropriate.

### Outside Storage

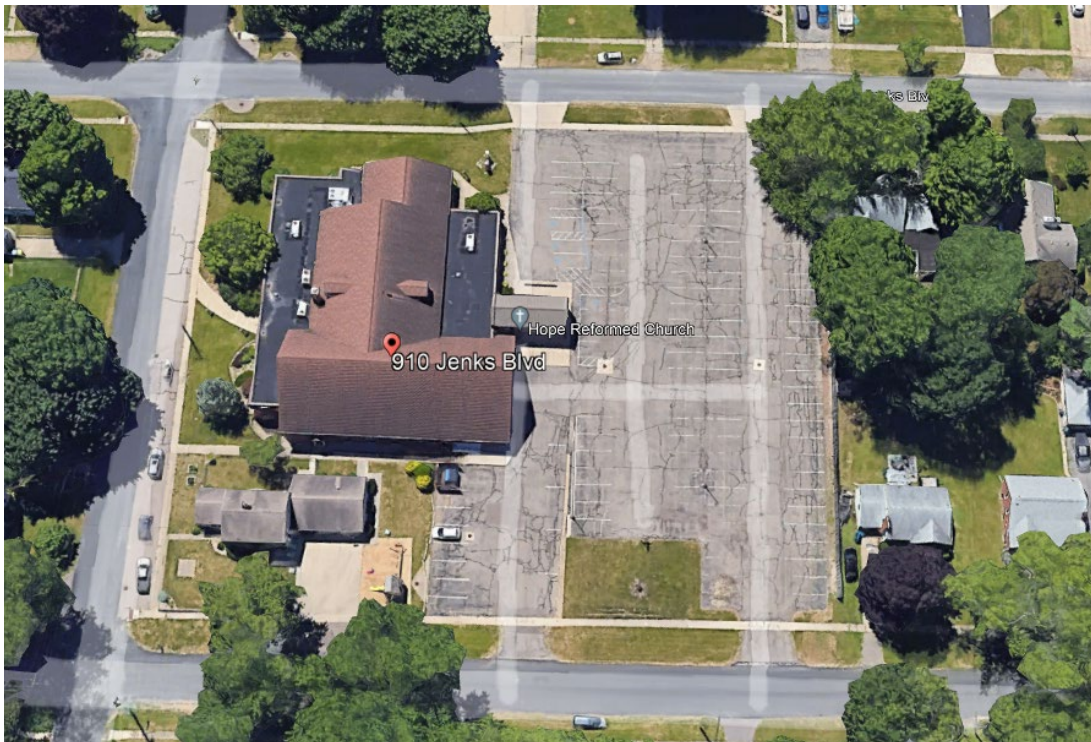
Based on the submitted site plan and application, no apparent outside storage is proposed. No further review of this section has been conducted.

### Parking Lot Landscaping

Article 5 of the Township Zoning Ordinance regulates landscaping and screening. Section 5.02.F – Parking Lot Landscaping – requires at least 30 square-feet of interior landscaping per parking space for parking areas that contain greater than ten (10) spaces. We note that the applicant seeks to resurface and reduce the total number of parking spaces on site. The applicant has submitted the following site enhancements regarding parking lot landscaping:

- A. Planting area 1: 6' x 75' = 450 square feet
- B. Planting area 2: 50 square feet
- C. Planting area 3: 1,000 square feet
- D. *Total Planting area (proposed): 1,500 square feet.*

The submitted site plan indicates a total of 80 spaces (proposed), which would require a total of 2,400 square feet of parking lot landscaping. We do note that the existing site does not currently have parking lot landscaping. It is our understanding that the applicant seeks to bring the landscaping into closer compliance with current zoning regulations.





### Landscaping Adjacent to Roads

The subject site currently has three (3) mature trees along Althea Street, and one (1) along N. Fletcher Avenue. The following requirements pertain to landscaping adjacent to roadways:

Type of Plant Material	Minimum Amount Required	Existing	Proposed
Deciduous/Evergreen	1 per 40 linear feet road 827' frontage = <b>21</b>	4	6
Ornamental Tree	1 per 100 linear feet road 827' frontage = <b>8</b>	0	0
Shrubs	8 per 40 linear feet road 827' / 40 * 8 = <b>165 shrubs</b>	0	14

We note that the applicant seeks to enhance the existing landscaping on the subject property. However, the proposed installation of six (6) deciduous style trees and 14 shrubs is below the minimum required by the Township Zoning Ordinance. Due to the applicant seeking to repave the existing parking lot and install landscaping to enhance the visual aspect of the site, a deviation from the landscaping requirements could be supported.

### Lighting

The application does not speak to any modifications to the site lighting. Should additional site lighting be proposed at a future date, we find that administrative review and approval could be warranted.

### Site Circulation

The applicant has submitted documentation requesting permit approval from the Road Commission of Kalamazoo County to close an access driveway along Jenks Boulevard. The internal circulation pattern shows drive aisle widths of 24 feet, which meets the minimum requirement of the Township Zoning Ordinance, Section 4.01.E. Further, the site plan indicates a one-way traffic flow, located near a permanent canopy/awning for patron drop-off and pick-up. If one-way traffic is proposed, we encourage the applicant to install directional signage.

### Signage

The site plan submission does not note any new or proposed changes to existing signage. Administrative review of site signage can be conducted at a later date, should the applicant seek to modify site signage.

### Trash Disposal

The site plan and application notes and existing dumpster enclosure, located to the east of the principal building/assembly hall. Should any modifications be made to the dumpster enclosure, administrative review would be warranted.

### Accessory Structures

An accessory structure is defined as “anything constructed or erected, the use of which requires location on the ground”. The applicant indicates the desire to construct a child’s play structure on the eastern portion of the site, abutting N. Fletcher Avenue. The Township Zoning Ordinance regulates accessory buildings and structures per Section 25.02. Per this section, accessory structures and buildings are not permitted in the front yard.

The proposed play structure is indicated to be located within the front yard, along N. Fletcher Street, which does not meet ordinance provisions. The play structure will need to be relocated outside of a front yard.





**Other Agency Reviews**  
Fire Marshal

*Comments from the Township Fire Marshal are provided as a separate document.*

**RECOMMENDATIONS**

In accordance with the Township Zoning Ordinance, we have reviewed the submitted site plan for Hope Reformed Church, located at 910 Jenks Boulevard. We find that the proposed parking lot improvement, landscaping enhancements, and child's play structure can be approved subject to the following:

1. The applicant combines the five subject parcels into a single lot, with the principal address being 910 Jenks Boulevard.
2. The Planning Commission accept the landscape deviation as noted in the site plan review letter, which would waive the requirement of:
  - a. 11 deciduous/evergreen trees
  - b. Eight (8) ornamental trees
  - c. 151 shrubs
3. The applicant installs a minimum of six (6) deciduous/evergreen trees and a minimum of fourteen (14) shrubs, as noted on site plans.
4. Directional signage be installed to note the "One-Way" traffic flow near the principal structure/assembly hall.
5. Install wheel chocks or parking blocks to prevent vehicles from extending over grass areas, setback lines or lot lines (per Section 4.01.E.5).
6. The play structure is located in a conforming location on the subject property.
7. All fire safety requirements shall be addressed to the satisfaction of the Township Fire Marshal.

Please feel free to reach out to Kyle Mucha, AICP at [kmucha@mcka.com](mailto:kmucha@mcka.com) or Danielle Bouchard, AICP at [dbouchard@mcka.com](mailto:dbouchard@mcka.com) if you have any questions regarding this review.

Respectfully Submitted,  
**McKenna**

Kyle Mucha, AICP  
Senior Planner

Danielle Bouchard, AICP  
Principal Planner



## **FIRE MARSHAL**

**1720 Riverview Drive  
Kalamazoo, MI 49004  
Tel: (269) 888-2171  
Fax: (269) 381-3550  
Email: [tckowalski@ktwp.org](mailto:tckowalski@ktwp.org)**

March 8, 2023

A site plan review of the property identified as 910 Jenks Blvd Street within Kalamazoo Township was completed on March 8, 2023. This review was conducted utilizing a plan set down by Prein & Newhof. The plan set was not stamped and was dated. The reviewed plan set had a date of 12/16/2022 on it and there was no revision date on the plans.

The site plan was reviewed utilizing the 2018 edition of NFPA as well as the current Kalamazoo Township Site Plan Ordinance. During the site plan review, the following deficiencies were noted and shall be corrected and a new plan set submitted for review:

1. Due to the lack of a 26 wide drive in the west side of the parking lot, we are requesting a truck turn diagram throughout the parking lot.
2. That there be a clearance sign placed on the driveway overhang.
3. That the 2 most western parallel parking spaces in the southeast driveway be eliminated as there is not a 26 foot wide fire lane with those spaces in place.
4. The AHJ reserves the right to implement field adjustments as needed.

Please feel free to contact me with any questions.

Respectfully,

Todd Kowalski  
Fire Marshal  
Kalamazoo Township  
1720 Riverview Drive  
Kalamazoo, Michigan 49004

Office: 269-888-2171



# Memorandum

**TO:** Kalamazoo Charter Township Planning Commission  
**FROM:** Danielle Bouchard, AICP, Principal Planner  
 Kyle Mucha, AICP, Senior Planner  
**SUBJECT:** **Site Plan Review #5 – Jack Livingstone, Tree Fellers Wood Products & Furniture  
 2017 North Burdick**  
**DATE:** March 24, 2023

The Applicant, Jack Livingstone, is seeking site plan approval to operate several permitted uses, per the I-2, General Industrial District, on the subject site, located at 2017 North Burdick. These uses include:

- Wood products manufacturing, including furniture manufacturing.
- The manufacturing, compounding, assembling, packaging, or treatment of articles or merchandise from previously prepared materials.
- Contractor’s yards and storage facilities for building materials, sand, gravel, stone, lumber, equipment and supplies (this is a special land use).

## CASE BACKGROUND

In general, the applicant’s business utilizes wood (chopped off-site) to create furniture and other decorative pieces. The wood is planned to be separated into piles and stored on-site outdoors (parcels -030, -060, and -070). The wood does not consist of treated lumber. The applicant has also indicated the need for an on-site office to handle sales and services incidental to the manufacturing of the wood products and furniture. Further, the applicant currently runs a tree cutting business on-site where equipment and vehicles are stored.

The applicant is intending to drive commercial trucks and vehicles onto (and through) parcels -030, -060, and -070. As indicated above, these parcels are planned for outdoor storage of contractor’s yard supplies.

### Case History

The applicant applied for initial site plan review in May 2021. To date, Township staff have written and submitted 5 full site plan reviews, included the project on the August 4, 2022 Agenda (where it was tabled), and met with the applicant several times (including project architect) in person to discuss the site. **To date, the applicant has yet to comply with Township planning, zoning, and fire safety standards and continues to intentionally operate an UNAPPROVED business on several Township properties. The applicant has been made aware on several occasions of these ordinance violations and continues to operate business activity without required approvals.**

**Further, since the initial application, the applicant has added new uses, new parcels, driveways, outdoor storage, equipment, and other elements to the site plan. As such, Township staff were compelled to conduct a new full review as a result of the new information shown in each review.** A full case history is highlighted below.

- **May 2021:** Applicant files for site plan review after receiving a letter violation in the mail for operating an industrial business without approvals.



- **June 2021:** The Township submits a review to the applicant noting the site plan (hand drawn) is not up to standard in order to recommend forwarding to Planning Commission. Township Staff spoke with the applicant on the phone to discuss base requirements for a site plan (e.g., licensed engineer/architect).
- **July 2021:** Township staff communicated via email with the applicant to request revised site plan.
- **August 2021:** Township staff communicated via email with the applicant asking for an updated site plan.
- **November 2021:** Email communication to the applicant requesting for the updated site plan.
- **January 2022:** A violation letter is submitted to the applicant detailing operations without approvals.
- **February 2022:** the applicant submits a revised version of the site plan to the Township for review. *Note that it took between June 2021- February 2022 to receive a revised site plan. As noted above (and evidenced in email communications), Township staff reached out to the applicant on several occasions, including a violation letter, requesting for the revised site plan.*
- **March 2022:** A full site plan review (SPR#1) was submitted to the applicant noting deficiencies of the site plan and required changes (see attachment). The submitted site plan still did not show the required level of detail required for an approval recommendation to Planning Commission.
- **April 2022:** Township staff meets in-person with the applicant. A follow-up email was submitted to the applicant detailing the items needed for the next submittal.
- **July 2022:** Another site plan review (SPR#2) was submitted to the applicant (see attachment). At this point, it was discovered that additional parcels were added to business operations without approvals. Therefore, it was determined that a special land use required for the contractor's yard.
- **July 2022:** Another site plan review (SPR#3) was submitted to the applicant (see attachment).
- **August 2022:** The application was tabled at the Planning Commission meeting due to several deficiencies.
- **October 2022:** The applicant receives an additional violation letter from Township staff noting the ordinance requirements to get the site into compliance.
- **January 2023:** Township staff meets with the Architect to discuss site plan requirements.
- **January 2023:** Another site plan review (SPR#4) was submitted to the applicant (see attachment). This plan review notes yet another parcel was added to the overall site plan, necessitating another full review.
- **February 2023:** Township staff and legal council attended a court hearing regarding site violations. The court order established a deadline for March 10, 2023 to submit a new site plan to the Township for review with a list of associated requirements.
- **March 2023:** The applicant submits a new site plan for review (SPR #5). At this time, new site access and circulation routes are proposed. These are new conditions that have not been previously discussed or reviewed. These items are discussed further in this review letter.

Each previous site plan review letter submitted to the applicant is included in this packet. The intent here is to demonstrate that the applicant has been consistently notified and made fully aware of ordinance violations and has been made aware of information required to get the site into compliance on multiple occasions.

**The applicant has purposely and intentionally disregarded Township requirements and subsequent violations for a period nearing 2 years.** Township staff have shown good faith to work with the applicant and explain the review process and revisions needed. To date, the applicant has still failed to comply with ordinance standards. As previously mentioned, this letter is the 5th review.



## OVERVIEW

The applicant, based on the narrative provided to Township staff, indicates that the principal building located on parcel -010 would be used for the creation of wood products and furniture (countertops, tables, lamps, slab mantles, sculptures). The applicant proposes outdoor storage of raw wood materials, such as a material storage yard, prior to the manufacturing of finished products inside the facility. *The applicant received special land use approval to operate a contractor’s yard and storage facility for building materials, lumber, equipment, and supplies in association with wood furniture making at the August 4, 2022 Planning Commission meeting. However, since then, the special land use for the contractor’s supply yard has been expanded to other parcels, thus, new special land use approval is required.*

## PROPOSED IMPROVEMENTS

The applicant proposes to utilize several parcels as a wood products processing yard, which will require review and approval as a Special Land Use. The applicant also proposes to construct 19 parking spaces, which will be located to the north and west of the existing building. Proposed site improvements also include an internal circulation route, to be constructed out of “corduroy road.” Which is described further in this review.

## USE OF THE PROPERTY

The property has an existing warehouse style building on site and an associated parking area along the eastern portion of the building. Wood product manufacturing, including furniture manufacturing is a permitted use within the I-2, General Industrial District. The use of the existing building is deemed appropriate for the I-2 District, however the proposed expanded outdoor contractor’s yard and storage facility for building materials, lumber, equipment, and supplies will require a Special Land Use review and approval by the Planning Commission.

## EXISTING AND SURROUNDING CONDITIONS AND ZONING DISTRICTS

The surrounding properties to the north, east and west of the site are zoned I-2, General Industrial. The property to the south is zoned I-2, General Industrial, however the use is that of a residence. **The proposed outdoor contractor’s yard will abut residential uses located along West Dunkley Street to the south.**

Based on the proximity of the residential uses located to the immediate south of the subject sites, and as stipulated in Section 2.03.A.4 (impact on adjacent buildings or uses), review staff recommend the Planning Commission consider the impact the contractor’s yard will have on adjacent property owners. The Township has received complaints from adjacent residential property owners regarding this activity. The applicant has been using a residential driveway to access parcel -070 (see image on the top right).

Photo evidence (taken from the public street) demonstrate the site’s conditions and affects to the health, safety, and welfare of property owners. The applicant was sited for litter/debris on the property, abutting residential backyards (see right).







## SITE PLAN REVIEW

### Site Plan Parcels

It should be noted that the site plan is comprised of FIVE SEPARATE parcels (four of which are owned by the applicant and the fifth shows an access easement). If approved, the applicant shall obtain a lot combination for parcels -010, -060, and -070 in order for conduct business on these sites.

The northernmost parcel (-030) is NOT contiguous with the primary site operations on the other three parcels. The applicant has indicated that an easement has been granted to access the northernmost site. Evidence of the signed easement, including legal descriptions, drawings, recording, and all applicable information shall be submitted to the Township for review.

Furthermore, the southernmost parcel (-070) is only accessible by establishing a driveway off W. Dunkley. This is jurisdiction of Kalamazoo County. We note the proposed driveway stems from a property that is NOT owned by the applicant. If approved, the applicant shall obtain approvals from ALL applicable organizations to establish a driveway from parcel -070. The applicant has already been using an UNAPPROVED driveway to access the rear site (-060). The applicant has also cleared the site of trees without site plan approval.

Lastly, we recognize that several of these properties are nonconforming. Parcels -060 and -030 are landlocked (access from BUS-131 is not applicable).

### Schedule of Regulations: Section 25.02

Regulation Type	I-2 General Industrial District Requirements	Tree Fellers Wood Products & Furniture Site Plan Conditions	Compliance with Ordinance Standards
Maximum Stories	2	1	Yes
Maximum Building Height	45 ft.	No proposed changes	NA
Front Yard Setback	50 ft.	38'	No
Side Yard Setback	30 ft. (each)	24' & 27'	No
Rear Yard Setback	50 ft.	Not indicated	NA
Maximum Lot Coverage	75%	13%	Yes

The applicant is required to demonstrate compliance with Ordinance standards in terms of setbacks. However, we note that the proposed operations will be located in an existing building which was constructed prior to the Ordinance update in 2016. The applicant is advised that any new structures to be located on the site will need to meet current ordinance standards.

### Off-Street Parking

Section 4.01.D.6 of the Township Zoning Ordinance requires 1 parking space per every 750 square feet of gross floor area dedicated to “Manufacturing”. The gross floor area of the existing structure is approximately 14,347 sq. ft, as supplied by the applicant. Therefore, 20 parking spaces are required by the ordinance.

The site plan shows a total of 19 parking spaces, some of which measure 10' x 20' while others measure 9' x 20'. Of the proposed spaces, five (5) are currently in existence along the eastern portion of the building, with direct access to N. Burdick Street. We defer to the Planning Commission to determine if the lesser number of parking



spaces is appropriate for the proposed use. However, it appears that the applicant is parking commercial vehicles along the northern portion of the building.

### Site Circulation

Once vehicles are on site, travel will function in a “one-way” pattern, with the egress to the site being located along W. Dunkley. We defer to the Fire Marshal to determine the adequacy of the proposed “one-way fire lane” around the site.

In addition to parking requirements, Section 2.20.D.4 – Industrial Uses – regulates the type of material needed for pavement. The applicant has indicated their desire to use gravel instead of a paved material for site circulation and the parking area. The proposal does not meet the requirements of Section 2.20.D.4., however the Planning Commission does have the ability to waive paving requirements for parking areas and other vehicle maneuvering areas (Section 2.20.D.2.). We do not recommend paving requirements to be waived given the frequent travel on the internal access drive as well as the heavy equipment and machinery intended for the route. At a minimum, recommend that all existing and proposed driveways and internal site circulation routes are paved due to the muddy conditions as observed on-site. See images below (taken in early December 2022).



As shown in the image above (left), the applicant has been utilizing a driveway on the south side of the rear parcel on W. Dunkley. The driveway is located between two homes. Site plans indicate that the driveway is approximately 16 feet wide. Section 2.20.D.4 specifies that main access driveways and internal access routes in commercial and industrial districts shall be a minimum of 31 feet wide. Therefore, the driveway located on W. Dunkley is **not** compliant with ordinance standards.

Another unapproved driveway is being utilized on parcel -070, where the applicant has been driving commercial vehicles across a residential driveway (as mentioned above). This driveway is also proposed at 16 feet wide. This is also **not** compliant with ordinance standards for industrial uses.

Lastly, the overall site circulation route essentially functions as a private road. The internal access route is intended to serve several landlocked nonconforming parcels that DO NOT have frontage on any public street. Though we understand the applicant is not requesting a land division, Township general ordinance 459.007 states that a parcel cannot be created without required frontage on a public street. No private road or easement access shall be authorized unless the requisite frontage on a public road is also met.

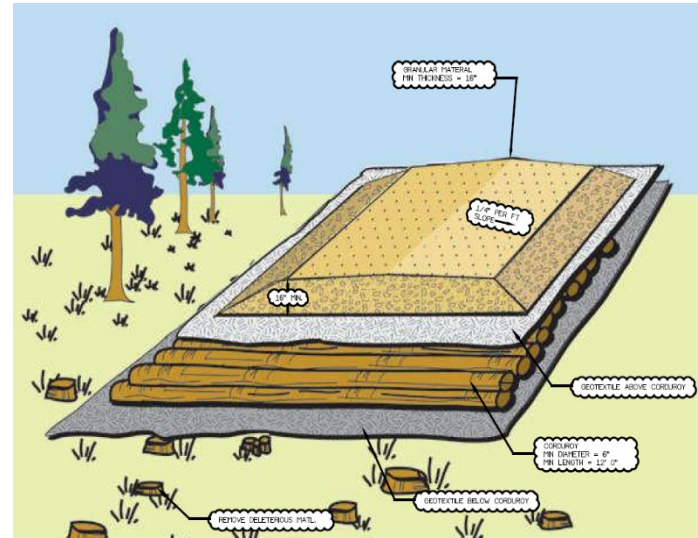
Given all the violations of Township ordinance with regard to site circulation, as well as best practices in planning, zoning, and site design, Township review staff is **not** in support of approving the proposed internal access route.

We defer to the Fire Marshal for further comment on safety considerations with regard to site access.



The applicant has proposed a “corduroy road” to be constructed on the southern driveway on parcel -060. A corduroy road includes logs as the base and granular materials on top (see image to the right). Township staff have concerns about the composition of the corduroy road for several reasons:

- The road’s ability to withstand a 70,000lbs fire truck. We defer to the Fire Marshal for more comment on this finding.
- The road’s outdated design (this was a practice used during WWII).
- The Township Engineer’s opinion that the road is not sustainable for the long-term. The Engineer’s statement is as follows: *“The upkeep of a corduroy road makes them unsustainable and shall not be used. There are better options out there if they are looking to “span” an area of poor soils. There’s lightweight fill, foam blocks, even buoyant concrete that could do the trick for them.”*



### Parking Lot Landscaping

The applicant is advised of the following requirements as it pertains to parking lot landscaping as provided in the following table.

Regulation Type: Parking Lot Landscaping	Requirements	Tree Fellers Wood Products & Furniture Site Plan Conditions	Compliance with Ordinance Standards
General Landscaping Ratio	30 sq. ft. per parking space (20 spaces x 30 sq. ft. = 600 sq. ft.)	Unspecified	<b>*Partially</b>
Minimum Planting Area Width	9 feet	Not dimensioned	<b>*Partially</b>
Deciduous or Evergreen Trees	One (1) shade tree per five (5) spaces	Multiple Existing	*The site plan indicates the retention of multiple mature growth trees

\*The applicant indicates to retain existing trees located on the subject property. We are encouraged by the applicant’s design creativity and find that the retention of existing mature growth trees aligns with the Township’s goal for natural features and elements. Therefore, it is recommended that the Planning Commission accept the applicant’s landscaping plan as submitted.





### Landscaping Adjacent to Roads

The applicant is advised of the following requirements as it pertains to landscaping adjacent to roads.

Regulation Type: Landscaping Adjacent to Roads	Requirements	Tree Fellers Wood Products & Furniture Site Plan Conditions	Compliance with Ordinance Standards
Minimum Planting Area Width	15 feet	Not dimensioned	<b>*Partially</b>
Deciduous or Evergreen Trees	One (1) tree per 40 linear feet: $166' / 40' = 4$ trees	1 (existing)	<b>*Partially</b>
Ornamental Trees	One (1) tree per 100 linear feet: $166' / 100 = 2$ trees	None proposed	<b>NO</b>
Shrubs	Eight (8) shrubs per 40 linear feet: 32 shrubs	13	<b>*Partially</b>

Note: frontage calculations were based on N. Burdick Street and W. Dunkley Street (as shown on the site plan).

\*The submitted site plan shows enhancements to the existing landscaping along N. Burdick Street and proposed landscaping along W. Dunkley. Due to site constraints, the ability to successfully install the required landscaping trees and shrubs would ultimately be detrimental to the overall health of the vegetation due to the close proximity of said vegetation. Plantings that are clustered together would compete for resources. Therefore, we encourage the Planning Commission to accept the proposed landscape layout as submitted by the applicant. For further reference, the existing property does not have the required landscaping existing on site.

### Greenbelt

It has been noted that the applicant wishes to reutilize an existing site that does not currently have a greenbelt along North Burdick. Due to the current location of the building being an estimated 40 feet from the edge of the road, it may not be advantageous for the applicant to install a greenbelt at this location. We defer to the Planning Commission on whether the greenbelt requirement should be waived in accordance with Section 5.07 – Modifications to Landscape Requirements.

### Berm

The applicant is proposing a berm along the western portion of the site (fronting BR-131). Berm height and material details have not been provided as to determine compliance with ordinance requirements.

### Lighting

The applicant is proposing gooseneck shaded downlights with LED lamps. We find that this type of light fixture likely meets ordinance requirements.

### Signage

The applicant has not provided any details pertaining to site signage. Site signage can be reviewed and addressed administratively, should the applicant seek to pursue signage at a later date.

### Trash Disposal

Section 2.22 outlines the requirements for trash removal and collection. The applicant is not proposing dumpster or trash removal outside of the building. Any refuse generated on site shall be disposed of by an appropriate trash collection agency.



## BUILDING AND SITE DESIGN

The applicant has submitted building elevations. These elevations include the installation of one overhead door, which are proposed to be installed along the west elevation of the existing structure. Furthermore, Section 20.03.A.3 – Development Standards – pertaining to the I-2, General Industrial District, stipulates the following:

- a. *Outside storage areas shall be located no closer than one hundred fifty (150) feet to any street right-of-way line and no closer than twenty (20) feet to all other property lines.* The proposed storage area, located on the western portion of the site, meets this requirement.
- b. *Outside storage areas shall be located no closer than one hundred (100) feet to any residential district.* The subject site is bordered by residential uses to the south; however, these uses are not within a zoned residential district. This requirement is met.
- c. *Outside storage areas which have the potential to be visible from a public or private road or which abut a residential or commercial district shall be screened by a wall or fence, constructed in accordance with Article 6.* The applicant has indicated a hinged gate will be installed near the southern egress point; however, no gate details have been provided. The applicant will need to provide further details of the proposed gate to ensure compliance with this requirement. A 6-foot-tall wooden fence is also proposed along the perimeter of parcel -060 abutting the residential homes. A fence is also proposed along the property line adjacent to the principal building.
- d. *No materials shall be stored above eight (8) feet in height.* The applicant has not provided details pertaining to the proposed height of the firewood on pallets, trees on pallets nor the indicated logs. This information will be required.
- e. *Proper access to all parts of the storage areas shall be provided for fire and emergency vehicles.* We defer any additional comments regarding this requirement to the Township Fire Marshal.

## ADDITIONAL REVIEWS

### Township Fire Marshal

Comments provided by the Fire Marshal are provided via a separate document.

### Township Engineer

Aside from the opinion received from the Township Engineer relating to the corduroy road, the applicant has not supplied drainage details to the Township for review.

## RECOMMENDATIONS

Township review team find that the site plan, dated and revised March 10, 2023, is still in violation of several ordinance requirements, as noted in detail above. Further, as previously discussed, the Township reviewed the proposed project and associated site plans on 5 separate occasions. The applicant has also been directed, via a signed court order, to address several deficiencies on the site plan. Given the adverse effects to adjacent residential homes, the applicant's continued refusal to comply with ordinance requirements, despite being made aware of said requirements on numerous occasions spanning almost 2 years (plus the court order), and the number of safety concerns the current activities produce, **we recommend denial of the proposed site plan.**



IF the applicant were to show good faith to remove all lumber and debris abutting adjacent residential homes, cease utilizing unapproved and noncompliant driveways, and restore parcels -030, -060, and -070 back to the original state, we COULD support approval of a woodworking business STRICTLY on parcel -010 within the enclosed building. Given that a woodworking business is a principally permitted use in the I-2 District. The proposed conditions for the internal access route do not comply with requirements for several reasons as outlined above. We do not support the continuation of businesses on properties -030, -060, and -070.

Respectfully Submitted,

**McKenna**

Danielle Bouchard, AICP  
Principal Planner

Kyle Mucha, AICP  
Senior Planner

A site plan review of the property identified as 2017 North Burdick Street within Kalamazoo Township was completed on March 17, 2023. This review was conducted utilizing a plan set drawn by Richard Schramm. The plan set was stamped and dated. The reviewed plan set had a date of 3/10/2023 on it and there was four (4) other revision dates listed on the plan set.

The site plan was reviewed utilizing the 2018 edition of NFPA as well as the current Kalamazoo Township Site Plan Ordinance. During the site plan review, the following deficiencies were noted and shall be corrected and a new plan set submitted for review:

1. Parking lots, driveways and service & access drives shall be designed and constructed to allow the maneuverability and weight of fire service aerial devices.
2. Fire access lanes when required shall be a minimum of 26' wide and provide 13'6" height clearance. Signage shall be erected prohibiting parking, stopping, standing loading or unloading.

Due to the FIRE LANE on the north side of the property only being 19'9", it is non-compliant with both the Uniform Fire Code and Kalamazoo Township ordinance, the building shall be equipped with a compliant fire suppression system. The code sections listed below are the basis for this finding. This 26 foot driveway requirement has come up in ALL of the previous site plan reviews for this project.

#### **18.2.3.1 Required Access.**

18.2.3.1.1 Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.

18.2.3.1.2 Fire department access roads shall consist of roadways, fire lanes, parking lot lanes, or a combination thereof.

18.2.3.5.1.1 Fire department access roads shall have an unobstructed width of not less than 26 ft (7.925 m).

A.18.2.3.5.1.1 Where parking is permitted along the access road, the unobstructed width is not intended to include the width of the parking.

18.2.3.5.2 Surface. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

As per multiple site plan reviews of your project, multiple in person meetings with you and your architect and multiple conversations, as recent as the court order dated February 27, 2023, the weight of the heaviest vehicle is 70,000 lbs. Please see the engineers report from Prein & Newhof reference the corduroy road.

2. The Fire Department Connections (FDC) shall have Knox 5" Locking FDC Plugs with swivel-guard.
3. The FDC shall be within 100' of a fire hydrant.
4. The FDC may be remotely located away from the building. The location of the fire department connection shall be approved.
5. Immediate access to FDC shall be maintained in clear view without obstruction by fences, bushes, trees, walls, dumpsters or any other object.

6. FDC shall be so located so that fire apparatus and hydrant lines connected to supply the system will not obstruct access to the buildings for other fire apparatus.
7. FDC shall not be obstructed by parking spaces; marked or unmarked.
8. Public/private fire hydrants shall be identified signage approved by the City of Kalamazoo.
9. Public and Private fire hydrants shall be supplied by a main not less than 6" in diameter.
10. Fire hydrant placement shall be approved by the Fire Marshal's Office.
11. Water mains serving fire suppression systems shall not be less than 6" in diameter. Main size may be reduced upon submittal of engineered/architectural stamped & sealed fire suppression plans in detail including calculations. Plans shall be approved by the City of Kalamazoo Water Department.
12. Fire department connections not remotely located shall be located on the street side of the building.
13. FDC not remotely located shall be fully visible and recognizable from the street.
14. The FDC shall be identifiable to approaching fire apparatus.
15. The FDC shall be indicated by an approved sign mounted on the street, front, side of the building or adjacent to a remotely located FDC.
16. FDC signage shall have the letters "FDC" at least 6 inches high.
17. FDC signage shall be reflective with white letters with a red background. All such signs shall be subject to the approval of the fire code official.
18. FDC shall have an exterior rated strobe & horn device above the FDC, approximately 8-10' in height. Device shall be in clear view to approaching fire apparatus.

**Below are the fire codes for the fire department connection to fire hydrant distance requirements that have been discussed:**

14:6.4.5.4 Fire department connections shall be located not more than 100 ft (30.5 m) from the nearest fire hydrant connected to an approved water supply.

A.6.4.5.4 The system designer should contact the AHJ prior to establishing the location of the fire department connection. The location should be based on the requirements of the fire department.

**19. The AHJ reserves the right to implement field adjustments as needed.**

Please feel free to contact me with any questions.

Respectfully,

Todd Kowalski

Fire Marshal

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