

PLANNING COMMISSION MEETING AGENDA

March 2, 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 March 2, 2023 meeting.
- #4 Approval of the minutes for February 2, 2023 special meeting.
- #5 Public Comment (3-minute limit)
- #6 Scheduled Reviews: None.
- #7 Public Hearings:
 - 7a. 2429 N. Burdick – Special Land Use, Change of Use
- #8 New Business:
 - 8a. Section 8.02 Parts VV, WW, and XX, Marijuana Fencing and Screening - Removal
- #9 Old Business: None.
- #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.
 - Master Plan work session: March 16th or 23rd?
- #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 February 2, 2023**

8 A regular meeting of the Charter Township of Kalamazoo Planning Commission was conducted
9 on February 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:

28 None.

29 Also present were Township Planner Danielle Bouchard, Township Attorney Seth Koches,
30 Township Fire Marshal, Todd Kowalski, and two interested members from the public.

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Call to Order

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

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Roll Call and Recognition of Visitors

38 Nagler welcomed those in attendance.

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

42 The next item on the agenda was approval of the agenda for the February 2, 2023, regular
43 Planning Commission meeting. The Commissioners received the meeting agenda in their packets.

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

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Approval of the minutes for January 5, 2023, regular Planning Commission meeting.

48 The item on the agenda was approval of the minutes of the January 5, 2023, regular Planning
49 Commission meeting.

1 A copy of the draft minutes of the January 5, 2023 regular Planning Commission meeting were
2 provided to the Commissioners in the agenda packet. Hartsough and Mihelich recommended
3 several revisions, which were made in the draft minutes.

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5 Upon motion of Hartsough, supported by Mihelich, and unanimous vote, the minutes of the
6 January 5, 2023, regular Planning Commission meeting were approved as revised.

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8 **Public Comment**

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10 None.

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12 **Scheduled Reviews.**

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14 **Aggregate Resources – Annual Gravel Mine Renewal**

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16 The next item on the agenda was consideration of Aggregate Resources annual gravel mine
17 review. Bouchard prepared a staff report which was contained in the Commissioners’ agenda
18 packet and summarized. Bouchard said that she performed a site visit and confirmed that the
19 site generally appears to be in compliance with Zoning Ordinance standards and no complaints
20 had been received by the Township. Bouchard said that renewal of Aggregate Resources’ special
21 land use permit will be retroactive from May 2022 through May 2023. Bouchard said that to
22 remain in compliance with Township regulations, Aggregate Resources must submit proof of
23 updated liability insurance, an updated bond; and, pay the \$120 inspection fee. The
24 Commissioners had no additional comments or questions.

25
26 Upon motion of Hartsough, supported by Cook, and unanimous vote, Aggregate Resources
27 special land use permit was renewed retroactive from May 2022 through May 2023, with the
28 following conditions:

- 29
30 1. Aggregate Resources submits proof of updated liability insurance;
31 2. Aggregate Resources provides the Township proof of an updated bond; and,
32 3. Aggregate Resources pays the \$120 inspection fee.

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34 **Public Hearings.**

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36 The next item on the agenda was the public hearing for the Home Occupation text amendment
37 to Section 2.08 of the Township Zoning Ordinance. A copy of the updated Home Occupation draft
38 text amendment ordinance was provided to the Commissioners in their agenda packets.
39 Bouchard said that she implemented revisions from the January 5, 2023, Planning Commission
40 meeting and also included written correspondence submitted from White Pine Furniture.

41
42 Nagler opened the public hearing and invited any interested party to speak in support of or in
43 opposition to the Home Occupation proposed text amendments. Thomas Dockham discussed the
44 Home Occupation ordinance and asked whether it contained a grandfathering provision.

1 Dockham discussed the Category C home occupations and expressed concern that the new
2 regulations may reduce the operational size of his home occupation. Dockham recommended
3 several revisions for consideration and discussed sign restrictions. Bouchard read a letter that
4 was submitted by Jen Strebs. Hearing no additional public comment, Nagler closed the public
5 hearing and the Commission entered into deliberations.

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7 Bouchard said any non-conforming uses will be allowed to continue provided that they are in
8 compliance with ordinance standards currently in effect. Nagler discussed the text amendments
9 to regulations regarding the storage of trash. Mihelich confirmed that residents may have up to
10 two trash bins; Leuty agreed. Nagler discussed who may be allowed to visit the residence that
11 operates a home occupation. Morrison and Leuty discussed the fee schedule, which will be
12 determined by the Township Board. The Planning Commission recommended several minor
13 changes to the proposed Home Occupation text amendment. Bouchard noted the revisions. The
14 Commissioners determined that the revisions were minor and nothing substantive was changed.

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16 Upon motion of Mihelich, supported by Cook, and unanimous vote, the Planning Commission
17 recommended approval of the proposed Home Occupation text amendment to the Township
18 Board of Trustees.

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20 **New Business:**

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22 **2429 Burdick – Change of Use Site Plan Review**

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24 The next item on the agenda was request of Park Consulting Group requesting site plan review
25 and approval in conjunction with special land use approval for a change of use on 2429 Burdick.
26 The subject property is approximately 3.63 acres in size and is located in the I-2 District. The
27 applicant received special land use and site plan approval at the January 7, 2021, Planning
28 Commission meeting to grow and process adult use and medical marijuana. The applicant is now
29 requesting a change of use from the previous approval to remove the grow operations and
30 conduct process operations only. If the special land use is approved, all the operations at 2429
31 Burdick will consist of processing of marijuana intended for adult use and medical use. Bouchard
32 prepared a staff report which was contained in the Commissioners’ agenda packet, and
33 summarized it. Bouchard said that the setback requirements were satisfied and the site plan was
34 in compliance with maximum lot coverage limitations and lot size/width standards. Bouchard
35 confirmed that off-street parking standards were satisfied. Kowalski said he reviewed the site
36 plan and asked that the Planning Commission include all the original site plan conditions on any
37 site plan approval because some of the previously required conditions needed to be satisfied
38 before a certificate of occupancy is issued. Mihelich confirmed that the structure had a sprinkler
39 system for fire suppression.

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41 Upon motion of Cook, supported by Hartsough, and unanimous vote, the Planning Commission
42 approved the change of use site plan for 2429 Burdick with the following conditions:

- 1 1. The applicant receives approval from all applicable Township departments and
2 organizations;
- 3 2. The applicant receives approval from the state of Michigan for the proposed
4 marijuana-related business operations;
- 5 3. The date of the site plans shall reflect the date in which the plans were
6 amended for this application;
- 7 4. The applicant receives special land use approval for the proposed change of
8 use from the Township Planning Commission.
- 9 5. That all previous site plan conditions from the January 7, 2021, site plan
10 approval be continued and completed.

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12 **2022 Annual Planning Report & 2023 Work Program**

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14 The next item on the agenda was consideration of the Planning Commission’s 2022 Annual
15 Planning Report & 2023 Work Program. Bouchard prepared the Annual Planning Report, which
16 was provided to the Commissioners in their agenda packet. The Planning Report reviewed 2022
17 Planning Commission meetings and decisions. The Planning Report also provided a work plan for
18 2023, which included a master plan update and establishing a corridor improvement authority.
19 Kowalski asked that a text amendment for fencing around marijuana facilities be added into the
20 Annual report and be fast-tracked; the Commissioners agreed.

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22 Upon motion of Hartsough, supported by Mihelich, and unanimous vote, the Planning
23 Commission approved the Planning Commission’s 2022 Annual Planning Report & 2023 Work
24 Program as revised.

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26 **Old Business.**

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28 None.

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30 **Open Discussion – Members of the Audience**

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32 Tom Dockham discussed financing options and incentives to fix dilapidated properties within the
33 Township.

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35 **Communications**

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37 Bouchard said that the Township received correspondence from White Pine Furniture which was
38 provided to the Commissioners during the public hearing regarding the Home Occupation text
39 amendment.

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41 **Report of the Township Board Representative.**

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43 Leuty updated the Planning Commission regarding Township Board matters.

1 **Report of the Zoning Board of Appeals Representative.**

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3 Nagler discussed recent decisions of the ZBA.

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5 **Comments of the Planning Commission Members.**

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7 The Commissioners generally discussed planning and zoning updates.

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

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11 Bouchard discussed general planning and zoning updates.

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13 **Report of the Township Attorney.**

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15 None.

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17 **Adjournment**

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19 There being no further business to come before the Planning Commission, the regular Planning
20 Commission meeting was adjourned at 7:45 p.m.

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24 _____
25 , Secretary

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27 **SUMMARY OF ACTIONS**

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

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32 1. Renewed the special land use permit of Aggregate Resources, with conditions.
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34 2. Recommended approval of the Home Occupation text amendment ordinance
35 to the Township Board.
36
37 3. Approved the change of use site plan for 2429 Burdick, with conditions.
38
39 4. Approved the 2022 Annual Planning Report & 2023 Work Program, with
40 revisions.

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43 _____
44 , Secretary



MCKENNA

Memorandum

TO: Kalamazoo Charter Township Planning Commission
FROM: Danielle Bouchard, AICP, Senior Planner
SUBJECT: 2429 N. Burdick – Change of Use
DATE: January 19, 2023

The applicant, Park Consulting, is requesting for special land use and site plan approval for a change of use located at 2017 N. Burdick. The Change of use is to remove the previously approved grow/cultivation operations from the site. The applicant received approval to grow and process marijuana for adult use and medical purposes on site at the January 7, 2021 Planning Commission meeting. Since then, the Township Planning & Zoning staff (and fire) conducted an administrative review on May 4, 2022 approving the alteration of parking spaces and several interior renovations

CURRENT OPERATIONS

The subject site is not currently open or operating since approvals were last obtained by the Planning Commission in 2021.

SUMMARY OF REQUEST

The applicant is requesting for special land use approval to remove the grow/cultivation approval on site and conduct processing of marijuana for adult use and medical use only.

Section 26.03.8.b, Modification to Approved Special Land Use, notes the following:

a. Modifications that do not change the nature of the use or that do not affect the intensity of use may be reviewed and approved following normal site plan review procedures described in Section 26.02. In evaluating change in intensity of use, the Planning Commission and Township Board shall consider the extent of increase of vehicular or pedestrian traffic, the change in demand for public services, extent to which the total floor area occupied by the proposed use will increase, increased demand for parking, off-site impacts from noise, fumes, drainage, etc., and similar considerations.

b. Modifications that change the nature of the use or that result in an increase in the intensity of the use shall be reviewed in the same manner as a new special land use proposal, following the procedures in this Section.

The proposed change of use, to remove the grow/cultivation approval and license on-site is the major driver for this special land use review. Section 26.03.B, Procedures and Requirements for special land uses, states:

Special land use proposals shall be reviewed in accordance with the procedures in Section 26.02 for site plan review



The applicant has submitted a site plan depicting the proposed changes to the site as a result of the change of use for the Planning Commission's consideration.



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.*

Currently, the site includes a parking area located on rear of the site. The site includes 56 parking spaces in total, whereas 45 parking spaces are required. Parking calculations noted on site plans include the following details:

- Office use: 1 space/250 sq. ft. UFA = 5,180/250 = 20 spaces
- Manufacturing use: 1 space/750 sq. ft. UFA = 18,807/750= 25 spaces

To access all rear parking spaces, vehicles will enter the north side of the site on N. Burdick Street. Current conditions on site include several parking spaces along the north side of the building. Those spaces are proposed to be removed.

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

No outdoor storage of materials or equipment is proposed. No outside storage of materials is permitted on the site. The proposed location of all outdoor mechanical equipment and work areas are compatible with the proposed use and surrounding development.



- 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.*

Hours of operation have not been provided.

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

The bulk, placement, and materials of construction of the proposed use are not anticipated to cause any adverse effects to the surrounding uses.

- 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.*

Site plans note approximately 15 evergreen trees, 26 deciduous trees, and 21 shrubs. Further, the rear portion of the site includes numerous mature trees. It is not likely that additional landscaping will be necessary as a result of the change in licenses.

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.

See page 10 of the attached responses from the applicant addressing utility consumption. The site is likely adequately served by essential public facilities.

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 approximately 200 feet of frontage along N. Burdick Street. The proposed use is adequately served by major thoroughfares in the Township.

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

The applicant has not provided details on the anticipated change or increase in traffic generated as a result of the proposed processing use.



c. *Proximity and relation to intersections.*

It is not likely the proposed use will cause any adverse effects to any nearby intersection.

d. *Adequacy of driver sight distances.*

Driver sight distances are adequately served on the site given the placement of the road frontage landscaping on either side of the driveways. Drivers are likely to easily see clearly in either direction.

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

Currently, the site includes a parking area located on rear of the site. The site includes 56 parking spaces in total, whereas 45 parking spaces are required. Parking calculations noted on site plans include the following details:

- Office use: 1 space/250 sq. ft. UFA = 5,180/250 = 20 spaces
- Manufacturing use: 1 space/750 sq. ft. UFA = 18,807/750= 25 spaces

To access all rear parking spaces, vehicles will enter the north side of the site on N. Burdick Street. Current conditions on site include several parking spaces along the north side of the building. Those spaces are proposed to be removed. The plans also include 3 barrier free spaces.

f. *Required vehicular turning movements.*

The northern driveway is approximately 32 feet wide, and the southern driveway is approximately 14 feet wide. It is assumed that employees and customers will enter the site from the northern drive, park in the rear parking lot, and leave via the southern drive. Site plans also include a sketch of a fire truck leaving the southern drive for scale. We defer to the Fire Marshal to determine if the southern drive is wide enough for fire safety purposes. We also defer to the applicant to provide further detail on the anticipated amount of truck traffic on site. Ordinance requires a minimum of 24 feet. This will be discussed in further detail for site plan review.

g. *Provisions for pedestrian traffic.*

A 5-foot-wide sidewalk is included on the site plans. See site plan review for more detail.

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.

It is not anticipated that the proposed use will cause adverse effects that cannot be mitigated through site design or operational limitations. See page 13 of the attached statement from the applicant for more details on odor mitigation.

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. This is compatible with the proposed use located at 2429 N. Burdick Street.

SUPPLEMENTARY STANDARDS APPLICABLE TO ADULT USE MARIHUANA GROWING & PROCESSING FACILITIES

1. **General regulations:** *An Adult Use marijuana retailer, grower, processor, transporter, testing facility and/or microbusiness in accordance with the provisions of state law, may be permitted through the issuance of a special use permit pursuant to Article 26 Section 26.03 in the specified zone(s), provided that:*

a. *Any uses or activities found by the state of Michigan or a court with jurisdiction to be unconstitutional or otherwise not permitted by state law may not be permitted by the Township. In the event that a court with jurisdiction declares some or all of this article invalid, then the Township may suspend the acceptance of applications for special use permits pending the resolution of the legal issue in question.*

To our current knowledge, the property does not have any open violations from the Township or State for unlawful activities.

b. *For a special use permit the Adult Use marijuana retailer, grower, processor, transporter, testing facility and/or microbusiness must be licensed by the State of Michigan and then must be at all times in compliance with the laws of the State of Michigan including but not limited to the Michigan Regulation and Taxation of Marijuana Act, Initiated Act 1 of 2018 (MCL 333.27951 – 333.27967 et seq.); and all other applicable rules promulgated by the State of Michigan.*

The applicant has not submitted proof of any State approvals pertaining to processing marihuana.

c. *The use or facility must be at all times in compliance with all other applicable laws, codes and ordinances of the Township as well as the State of Michigan Fire Code as amended/updated, and the State Building Code. The provisions of the current NFPA-1 related to marijuana facilities are hereby incorporated by reference as if fully restated herein. NFPA 1 of 2018 is available at the office of the Township Fire Marshal and at the office of the Township Attorney for reference as may be necessary. The Township Fire Marshal shall review all applications for compliance with the current marijuana rules in the most recent NFPA-1 and any and all other applicable fire codes facilities rules.*



We defer to the Township Fire Marshal for comment on fire safety as it pertains to the proposed use and site design.

- d. *The Township may suspend or revoke a special use permit based on a finding that the provisions of the special use standards in this section, all other applicable provisions of this zoning ordinance, and/or the terms of the special use permit and approved site plan are not met.*

The Planning Commission has not granted site plan approval at this time.

- f. *An Adult Use marijuana retailer, grower, processor, transporter, testing facility and/or microbusiness, shall not be permitted as a home occupation, home-based business or accessory use nor may they include accessory uses except as otherwise provided in this ordinance.*

The applicant is not requesting the proposed operations as a home occupation or home-based business.

- g. *Signage requirements for marijuana facilities, unless otherwise specified, are as provided in the Article 7.00 Signs.*

No signage details have been submitted as a component of the proposed special land use application. No sign shall be constructed on the site prior to review and approval by the Township Zoning Administrator.

2. **Application and Approval:** *After receiving the application for the grant of a special land use permit for Adult Use marijuana retailer, grower, processor, transporter, and/or testing facility, accompanied by the required plans, specifications and permit fees, the Planning Commission shall hold a public hearing and review the application following the procedures required for special land use uses set forth in Section 26.03.*

Following such hearing, said Planning Commission shall grant or deny the application and set forth its reasons for its decision.

- a. **Annual Review and Rescission.** *In making any decision, the Planning Commission shall have the right and authority to impose such additional conditions and safeguards as it deems necessary for the protection of the health, safety and general welfare of the neighborhood and of the adjoining residents and property owners. The Planning Commission shall provide for a periodic review of the proposed operations to ascertain compliance with the conditions and limitations imposed upon the same. It shall be empowered to renew or extend a special land use permit where all standards and conditions are complied with and may revoke or refuse to renew a permit where noncompliance exists. No permit shall be revoked or not renewed until the operator has been given written notice of any violation forming the basis of such revocation or denial of renewal and not less than thirty (30) days have elapsed to correct the said violation. All permits shall be reviewed by the Planning Commission annually.*



The operator shall be required to pay an annual fee to cover the cost of inspections and additional meetings of the Planning Commission as may be established by the Township Board.

The Planning Commission, along with Township Staff, may conduct a periodic review of the site.

- b. **Liability Insurance.** All operators shall be required to carry personal injury and property damage insurance while the Adult Use marijuana facility exists, in the amount of not less than \$1,000,000.00 (one million dollars) for each person or property injured or damaged and not less than \$2,000,000.00 (two million dollars) for injury or damage to more than one person or one person's property arising out of one occurrence. Such insurance shall cover injury or damage occurring upon the site of the operations as well as upon properties adjoining thereto, as a result of conditions or activities existing upon the site. The policy of insurance provided herewith shall name the Township as an additional insured. A copy of the policy shall be filed with the Township Clerk.*

The Township has not received file of the applicant's liability insurance.

3. *Adult Use Marijuana Grower, Processor, Transporter, and/or Testing Facility shall be subject to the following standards:*
 - a. **Location.** A building occupied by an Adult Use Marijuana Grower, Processor, Transporter, Testing Facility, and/or Microbusiness may be permitted to operate at a location shared with a Medical Marijuana facility.*

The applicant has approvals for the growing and processing of marijuana for both adult use and medical purposes. Ordinance requirements are satisfied.

- b. **Indoor Activities.** All activities of an Adult Use Marijuana facility, including all transfers of marijuana, shall be conducted within the structure and out of public view. Lighting within a building used for growing Adult Use marijuana shall not be visible outside of the building.*

All activities are conducted within an enclosed building. This satisfies Ordinance requirements.

- c. **Other Activities.** Marijuana and tobacco products shall not be smoked, ingested, or otherwise consumed in the building space occupied by the Adult Use Marijuana business.*

Current evidence does not suggest that marijuana or tobacco products are smoked, ingested, or otherwise consumed in the building.

- d. **Physical Appearance.** The exterior appearance of the structure shall remain compatible with the exterior appearance of structures already constructed or under construction within the immediate area, and shall be maintained so as to prevent blight or deterioration or substantial diminishment or impairment of property values within the immediate area.*

Given the general industrial nature of the building and surrounding N. Burdick corridor, the physical appearance of the building located at 2429 N. Burdick is compatible with the immediate area.



e. **Buffer Zones.**

(i). *An Adult Use marijuana business shall not be located within a 1,000-foot radius of a pre-existing:*

- (1) *Property occupied by a public or private elementary, or secondary school building providing education in kindergarten or any of grades 1 through 12; NOTE: Does not include home schools.*
- (2) *Public library.*

(ii). *An Adult Use marijuana business shall not be located within a 500-foot radius of any property occupied by:*

- (1) *A public playground;*
- (2) *A public park;*
- (3) *Public housing;*
- (4) *A religious institution;*
- (5) *A public or private, vocational school, college, junior college, or university;*
- (6) *A state licensed child care center or preschool;*
- (7) *Any public swimming pool, public or private youth activity facility, public outdoor recreation area (except trails), or public recreation facility;*
- (8) *A youth center;*
- (9) *A juvenile or adult half-way house;*
- (10) *Correctional facility or rehab center;*
- (11) *Property zoned R-1, R-2, RM-1, RM-2, RM-3, or MHP.*

The subject site is in compliance with all buffer zone requirements and standards.

f. **Odor.** *It is the intent of this ordinance that no odor shall be detectable outside of any building where marijuana is present. As used in this subsection, building means the building, or portion thereof, used for marijuana growing, processing, testing, transport storage or sales.*

(i). *The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.*

(ii). *The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.*

(iii). *The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every six (6) months or as manufacturer recommended.*

(iv). *Negative air pressure shall be maintained inside the building.*



(v). *Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.*

(vi). *An alternative odor control system is permitted if the special use permit applicant submits and the municipality accepts a report by a mechanical engineer licensed in the State of Michigan demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required. The municipality may hire an outside expert at the applicant's expense to review the alternative system design and advice as to its comparability and whether in the opinion of the expert it should be accepted.*

Please note odor mitigation details on page 13 of the applicant's statement.

- g. **Security Cameras.** *If used, security cameras shall be directed to record only the subject property and may not be directed to public rights-of-way as applicable, except as required to comply with licensing requirements of the State of Michigan.*

Please see page 12 of the applicant's statement.

- h. **Waste Management Plan.** *The applicant shall establish a waste management plan at a minimum in compliance with state regulations.*

Please see page 12 of the applicant's statement.

- i. **Safety Compliance Facilities.** *A Safety Compliance Facility shall not be located in the same facility as nor under the same ownership as a marijuana: grower, processor, retailer or microbusiness.*

Ordinance requirements are satisfied.

- j. **Subsequent Construction.** *If after a marijuana facility has been approved, a protected use is located within the buffer zone, that use does not gain protected use status from the existing marijuana facility and additional marijuana facilities may be located on the previously approved marijuana facility parcel.*

Ordinance requirements are satisfied.

4. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained; or that proposed improvements or security measures will be provided.

- (i) *A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.*



Existing conditions do not have fencing. Site plans also do not show any proposed fencing to be constructed on site. This requirement can be addressed during site plan review.

We defer to the Township Fire Marshal for comment on emergency vehicle access.

- (ii) *Any areas of outdoor grow including greenhouses, shall be screened from view from adjacent properties or public rights-of-way.*

No outdoor greenhouses exist or are proposed on the site.

RECOMMENDATIONS

We recommend approval of the proposed special land use located at 2429 N. Burdick for the removal of the previously approved grow/cultivation license and to solely conduct processing operations of adult use and medical marijuana, subject to the following conditions:

1. The applicant shall provide the hours of operation.
2. The applicant shall provide explanation as to the anticipated change in truck traffic as a result of this change of use.
3. The applicant shall provide proof of any applicable state licenses or applications as it pertains to this request, including a copy of the applicant's liability insurance to keep on file.
4. The applicant complies with all review requirements as noted by the Township Fire Marshal and other applicable safety personnel.
5. The applicant shall receive site plan approval by the Kalamazoo Township Planning Commission.

If you have any questions or would like additional information on this recommendation, please feel free to reach out to or Danielle Bouchard, AICP, Senior Planner, at DBouchard@mcka.com

Respectfully Submitted,
McKenna

Danielle Bouchard, AICP
Senior Planner

Cc: Kyle Mucha, AICP, Senior Planner



1720 Riverview Drive
Kalamazoo, Michigan 49004-1099
Tele: (269) 381-8080
Fax: (269) 381-3550
www.kalamazootownship.org

ZONING - SPECIAL USE PERMIT APPLICATION

Parcel Number _____
Date: _____
Name: _____

Alison Park (Park Consulting Group)

(applicant --person filing the appeal)

OFFICE USE ONLY

2220 Kenwood St

(address)

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

Kalamazoo, MI 49006

(city, state, zip code)

269-615-2230

(telephone, home and business)

PROPERTY OWNER'S NAME AND ADDRESS (if not the applicant)

Lee Shore Burdick (Erik Hall)

291 Oakwood Ave

Holland, MI 49424 616-295-3654

Phone () - - -

APPLICANT'S CAPACITY IF NOT PROPERTY OWNER (circle one):

Builder Have Option to purchase Agent/other Lessee

PROPOSED CONSTRUCTION SITE ADDRESS (if known) _____
2429 N Burdick St Kalamazoo, MI 49007

PARCEL SIZE 198' x 306' x Irreg

PROPERTY DESCRIPTION 1015020 3906 10 130 041 SEC 10-2-11 THE S 12 R OF THE N 46 R OF THE NE 1/4 NW 1/4 LYING W OF N. BURDICK ST.

PROPERTY TAX NUMBER - - - -

ZONING DISTRICT (see zoning ordinance) I-2 General Industrial Zone

ACTION REQUESTED:

It is requested the Kalamazoo Township Planning Commission approve issuing a special use permit for the land described above for the purpose of: Marijuana processor operations as authorized by the Medical Marijuana Facilities Ordinance and subject to by Article 8, Section 8.02 V.V.

(attach sheets if necessary)
(attached)

Cite section and listing number where proposed use is specifically listed as allowed in the zoning district: Article 20, Section 20.02 of Ordinance, Sub-section B, sub-parts 32 and 33.

STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

State specifically the reason for this special use permit request: The site meets all requirements for marijuana processing as stated in Article 8, Section 8.02 V.V.

(attach sheets if necessary)

PRELIMINARY REVIEW - SUBMITT ELECTRONIC COPIES OF THE SITE PLAN TO:

Zoning Administrator: planner@ktpw.org
Fire Marshal: tckowalski@ktpw.org
Building Official: malwine@kaba-mi.org



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Kalamazoo, Michigan 49004-1099
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PROVIDE THE FOLLOWING DATA:

- A. Application form per Section 26.02 (E) 1.
- B. Description and Identification Data per Sec. 26.02 (E) 2.
- C. Site Data per Sec. 26.02 (E) 3.
- D. If applicable – Building and Structure Details
- E. Information Concerning Utilities, Drainage, and Related Issues
- F. If applicable - Information Concerning Residential Development
- G. If applicable – Information Applicable to Mobile Home Parks
- H. Additional Information:
 1. Information related to Condominium Development
 2. A list of any of the above items that are not applicable & reasons why.
 3. Other data that may be required, may include but is not limited to:
Traffic studies, market analysis, environmental assessment and evaluation of demand on public facilities and services.

ADDITIONAL INFORMATION:

- A. Attach or list all deed restrictions for the property at question. (attached)
- B. Attach a list of names and address of all other persons, firms, or corporations having a legal or equitable interest in the property at question. (attached)
- C. This area is (check one) unplatted, platted, will be platted. If platted, name of plat: _____
- D. What is the present use of the property? 04/1/2023
- E. Estimated completion date of construction (if applicable)? 04/1/2023

On Attached sheets, provide answers to the following questions. Please number the answers the same as they are numbered here. (If the answer to any of the questions numbered 1-7 is “no,” a special use permit can not be issued (from section [§ 8608] of the ordinance)).

(X attached)

1. Is the use compatible with adjacent land uses?
2. Is the use compatible with the Master Plan?
3. Are adequate public utilities and services available to this site for this use?
4. Is the use designed to insure minimal impact of traffic generation?
5. Is the use free of any activities, processes, materials, equipment or conditions of operation that may be detrimental or hazardous to persons, property or to the public health, safety and welfare? (Specify which:)
6. Will the use be detrimental to the economic well-being of the community?
7. Is the proposed use compatible with the natural environment and does it conserve natural resources and energy?

ATTACH 10 COPIES OF A SITE PLAN, as specified in Section 26.02 (E). Also 1 electronic copy. (attached)



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Kalamazoo, Michigan 49004-1099
Tele: (269) 381-8080
Fax: (269) 381-3550
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ATTACH copies of permits or letter(s) showing

- (1) approval,
- (2) tentative approval, or
- (3) letter(s) of understanding for concurrent approval with the Kalamazoo Township Planning Commission from the:
Kalamazoo County Road Commission and/or Michigan Department of Transportation, Kalamazoo County Soil Erosion and Sedimentation Control Agent, Michigan Department of Environmental Quality and any other applicable agencies where a single purpose permit or approval is required (not the Construction Code, electrical, plumbing, mechanical permit(s))

attached)

NOTE: Application is not complete without: the application form, the application fee and escrow, and a complete site plan.

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, any zoning permit that may be issued may be void. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree the permit that may be issued is with the understanding all applicable sections of the Kalamazoo Township Zoning Ordinance will be complied with. Further, I agree to notify the zoning administrator of 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. Finally, I understand this is a zoning permit application (not a permit) and that a special land use permit, if issued, 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: Alison Park

Date: 1/3/23

When completed send to:

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

Park Consulting Group
Special Use Permit Application
2429 N. Burdick Street, Kalamazoo, MI 49007
January 3, 2023

Table of Contents

Building and Structural Details	4
A. Location, height, and outside dimensions of all proposed buildings and structures	4
B. Occupants	4
C. Building Floor Plans	4
Fire Code	5
Building Code	5
ADA Compliance	5
Building Materials	6
D. Total Floor Area	6
E. Location, size, height, and lighting of all proposed signs.	6
F. Proposed fences and walls, including typical cross-section and height above the ground on both sides.	6
G. Building Elevations	6
Information Concerning Utilities, Drainage, and Related Issues	7
A. Schematic layout and description of existing and proposed utilities	7
Plumbing and Water	7
Power	7
B. Indication of site grading and drainage patterns	7
C. Types of soils and location of floodplains and wetlands	8
D. Soil erosion and sedimentation control measures	8
E. Proposed finish grades on the site	8
F. Assessment of potential impacts from use of chemicals	8
G. Assessment of potential impact on groundwater	8
H. Utility placement	8
Additional Information	9
Waste Disposal	9

Security	9
Odor Mitigation	10
Landscaping	10
Deed Restrictions	11
Interested Parties	12
Lee Shore Burdick LLC – Owner, Lessor	12
7 Cities Holdings, Inc. – Option Holder, Lessee	12
Park Consulting Group – Sublessee, Licensee	12
Present Use of the Property	13
Compatibility Assessment	14
1. Is the use compatible with adjacent land uses?	14
2. Is the use compatible with the Master Plan?	14
3. Are adequate public utilities and services available to this site for this use?	14
4. Is the use designed to insure minimal impact of traffic generation?	14
5. Is the use free of any activities, processes, materials, equipment or conditions of operation that may be detrimental or hazardous to persons, property or to the public health, safety and welfare? (Specify which:)	14
6. Will the use be detrimental to the economic well-being of the community?	14
7. Is the proposed use compatible with the natural environment and does it conserve natural resources and energy?	14
Department Approvals	15
Kalamazoo County Road Commission	15
Michigan Department of Transportation	15
Kalamazoo County Soil Erosion and Sedimentation Control Agent	15
Michigan Department of Environmental Quality	15
Fee and Escrow	16

Building and Structural Details

A. Location, height, and outside dimensions of all proposed buildings and structures

Park Consulting Group (PCG) submits for your review and approval plans for our proposed location at 2429 N. Burdick Street, Kalamazoo, MI.

The existing building is a 23,987 SF structure, the footprint of which is 110'8.75" wide by 255'2" deep, with an elevation of 13'6".

B. Occupants

Park Consulting Group will be the sole occupant of the building.

Park Consulting Group holds a pre-qualification for licensure from the State of Michigan for cannabis operations and has submitted an application to the Township of Kalamazoo for a marijuana facility permit.

C. Building Floor Plans

See attached Floor Plan.

A brief discussion of key functions within the facility follows.

C1D1 Extraction Lab - This room contains all equipment used to extract cannabinoids and terpenes from dried plant material for later use in infused products.

Manufacturing - This room contains all equipment required for the manufacture of cannabis infused products. Equipment includes benchtop rotary evaporation devices for alcohol recovery, hydrocarbon extraction machinery, nanoparticle emulsification equipment, rosin press, and concentrate cartridge filling machinery. The room will include secure storage for cannabis material and finished products on their way to packaging. Hand sinks and eyewash sink will be sources of water and liquid disposal.

Kitchen - The construction of this room will feature epoxy flooring, and walls and a suspended acoustic ceiling that complies with FDA regulations for use in food preparation and serving areas.

The room will feature convection ovens, electric stoves, industrial mixers, secure lockable commercial refrigerators and freezers, a dishwasher, stainless steel tables, waste receptacles, stainless steel sinks, and shelves.

Packaging - This room contains cubicle-style stations where a staff member utilizes a certified Class II scale to package products in child-resistant, compliant packaging. The scales are manufactured by OHAUS and NTEP certified. All scales used are also inspected and certified locally.

Employee Break Room Lockers, Restrooms - These rooms include cooler storage, appliances, a sink, and seating for the purpose of employee breaks and lunch periods; lockers for storage of personal items; and restrooms for employee use.

Electrical/IT Room - Contains the electrical panels for the facility; houses secure servers and security infrastructure.

Security Room / Control Room - This room contains all electronic monitoring systems for the facility for use by security staff in monitoring the facility. There will be video system monitors and access controls for the vestibule man trap.

Vault and Safe Rooms - This is a hardened room which is utilized for secure inventory and money storage. This room will contain a cash safe for the secure storage of cash. This room has reinforced walls and ceilings. The door will be an insulated metal door with reinforced hinges. The door to the vault will also be equipped with key-card and pin pad entry, for dual authentication, with electric strikes with high-grade locking entry levers as a back-up in the case of a failure in the electronic system. The vault will have environmental controls for temperature and humidity so that stored cannabis will not be susceptible to contamination.

Fire Code

The facility will provide all necessary means to prevent and combat potential instances of fire in accordance with national, state, and local fire codes. Initial research of these codes has provided an accurate sense of equipment and protocols involved. Smoke alarms and fire extinguishers of varying types, sizes, and quantities will be available in every required room. Emergency exits will be clearly marked and will remain unobstructed at all times. Employees will receive training and [annual/bi-annual] fire and emergency drills to help better prepare them in the unlikely event of an actual fire. All equipment, protocols, and design will be appropriate to fire code categories applying to the specific work of cultivation and processing facilities.

Building Code

The facility will observe all current and relevant building codes. Relevant building code considerations will include means of egress, doorways and access, stairways, corridors, electrical, plumbing, structural integrity, entrances/exits, use and occupancy, and safety—all of which have been included in our design and implementation plans.

The exterior appearance of the facility will be inconspicuous; no significant changes are planned for the building. All windows will be frosted from the interior to prevent visibility into the facility from the outside. No products will be displayed or clearly visible to a person from the exterior of the building.

ADA Compliance

The facility will be made appropriately accessible in accordance with the Americans with Disabilities Act (ADA). While this government agency requires compliance from public institutions and businesses, we take the issues of access seriously and want the built environment of our facility to reflect those concerns. In partnership with the ADA, our facility design and implementation will comply with all overarching standards and those specific to the facility's functions.

A few considerations relevant to our design and facility include: ramps and sloping elevations with acceptable pitch; the materials and weight of doors, as well as how they open and the way it affects movement; width of doorframes allowable of wheelchairs; hallways and corridors of adequate width; spaces remaining generally unobstructed; handrails and general safety; and choosing our features, facilities, and equipment with a perspective strongly oriented toward the safety and accessibility of people from a wide spectrum of ability.

Building Materials

Building materials will comply with all local and state regulations regarding sourcing, use, and maintenance. Additionally, selection of building materials will be guided by maintaining biosecurity measures. Where possible, environmentally friendly and low-impact building materials will be purchased to help reduce emissions created in the manufacturing processes and support businesses offering healthier alternatives.

D. Total Floor Area

The proposed facility will occupy the current building's existing footprint, and upon completion will consist of approximately 16,737 SF of manufacturing / processing space, and 5,180 SF of office and general circulation / utility space.

E. Location, size, height, and lighting of all proposed signs.

No exterior signage is planned for the building beyond a simple nameplate and street numbers on the front door of the building so that mail service, deliveries, and invited guests can identify the building.

F. Proposed fences and walls, including typical cross-section and height above the ground on both sides.

For screening purposes, there will be 8-foot-tall fencing with a locking gate surrounding the pad where the outside waste receptacle is located.

G. Building Elevations

See attached Elevations.

Information Concerning Utilities, Drainage, and Related Issues

A. Schematic layout and description of existing and proposed utilities

See attached Site Plan.

We will work closely with township and city officials and public utilities to ensure this facility utilizes resources efficiently and responsibly. Our team has already created projections for the anticipated water and power usage necessary to adequately supply our facility for many years to come. All plumbing and electrical systems will be installed with these figures as a basis for determining the necessary sizing, quantity, and frequency of each component supplying the facility and cultivation operations with resources.

Plumbing and Water

The existing city water service will supply the facility and will be sufficient for necessary operations. This water source will be capable of providing a safe, potable, and adequate supply of water to meet the facility's needs. All plumbing features will be of adequate size and design, and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the facility. All facility features will comply with all state and local plumbing and building codes.

Our systems are designed to properly convey water where it is needed in the facility and to dispose of wastewater in a safe and environmentally conscious way. All plumbing will be designed and installed to keep varying water streams (i.e. fresh water, sewage, liquid production waste) separate as necessary, and all lines will be sufficient in their abilities to transmit needed quantities of water facility-wide.

Toilet, sink, drinking fountain, plant irrigation, and wash station equipment will be chosen and installed with an eye toward general water usage reduction where possible. Low-flush toilets, separation of gray and black water, urinals, and automatic faucet shutoffs are some of the ways we plan to offset excessive water consumption. Water shutoffs and valves will be placed in a way as to be easily accessible by employees, so that water is not unnecessarily wasted in the process.

Power

All aspects of the facility will be designed to either meet or exceed the needs of resource usage at any phase of implementation. Lighting will be of great import in matters of product quality and security. Lighting will be especially ample in all areas where cannabis and cannabis-infused products are stored, as well as areas where equipment is cleaned and sanitized. Access to lighting controls will be reasonable given the facility area and context. Lighting of the exterior of the exterior of the facility will also decrease safety and threat concerns.

B. Indication of site grading and drainage patterns

Topographical Map to be submitted prior to distribution to Planning Board.

C. Types of soils and location of floodplains and wetlands

Topographical Map to be submitted prior to distribution to Planning Board.

D. Soil erosion and sedimentation control measures

Topographical Map to be submitted prior to distribution to Planning Board.

E. Proposed finish grades on the site

Topographical Map to be submitted prior to distribution to Planning Board.

F. Assessment of potential impacts from use of chemicals

No adverse impacts from the use or disposal of chemicals are expected.

G. Assessment of potential impact on groundwater

No adverse impacts from the use or disposal of chemicals are expected.

H. Utility placement

See attached Site Plan.

Additional Information

Waste Disposal

Company policies and procedures indicate that all waste, including waste composed of or containing unusable cannabis, will be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations.

All waste will be rendered unrecognizable and unusable. The company will shred all waste in combination with used media and mixed at a 50/50 percentage. Throughout the facility, green refuse bins are used for material containing plant matter or media and grey are used for general waste.

Waste management will occur within the restricted access area of the site and under camera surveillance. Waste will be disposed of in a secure garbage dumpster that will be fenced and gated off of the southeast side of the building.

Security

The facility will comply with all state of Michigan and Township of Kalamazoo regulations. All operations will be conducted within the secure, locked production facility; public access is not permitted. A security presence will be onsite 24 hours / 365 days a year. Security guards will be trained to prevent threats, deescalate potential issues, and provide safety to those who are visiting our facility. Our security personnel will monitor the outside of the building regularly, making regular rounds to observe all areas of the property.

The facility and parking lot will be well lit to ensure safety. There will be lights on the exterior of the building, as well as lamps in the parking lot. Though the facility and parking lot will be well lit, the lighting will not be so bright as to disturb the surrounding area.

All employees and scheduled visitors will enter through the single entrance at the front of the building. This vestibule is a man trap. The interior door cannot be opened until the exterior door is secure and closed and a security staff member has authorized entry of the employee or visitor into the facility after checking their identification and generating a visitor badge which will be worn and visible at all times.

Any person (except employees) that is visiting the facility will be escorted at all times. The facility will be securely locked with commercial-grade, nonresidential door locks. These locks will be placed on all interior rooms, windows, and points of entry and exit. All locks on doors that are required for exit will meet the requirements of NFPA, local fire codes, and the Michigan building code. The facility will use secure key card entry lock system. Each approved employee will have their own entry card. Each door is commercial grade, non-residential, with door locks that feature a panic release dead-bolt for a quick emergency exit when needed.

The facility will be equipped with a CCTV video surveillance system in operation 24 hours per day and 7 days per week. Video surveillance will monitor and record the perimeter fence of the facility, parking lot areas, building entry/exits, and the entire interior of the facility including limited access areas; executive offices, restrooms, and exterior areas that are beyond the property or are public right of way are excluded from camera coverage.

Cameras will be angled so as to allow for the capture of clear and certain identification of any person entering or exiting the facility. Each video camera will be capable of providing consistent recorded images, which maximize the quality of facial and body images while avoiding any video quality reduction due to backlighting and obstructions. Outdoor cameras, as well as those in the interior subject to low light conditions, will have a minimum D1 (IP) quality with a minimum 0.7 LUX light factor. Cameras will record at a minimum frame rate of 32 frames per second. All recordings will have a digital date/time stamp included on the video. Date and time will be verified for proper synchronization during routine system checks and the placement of the date/time stamp will not obscure the images captured by the video camera.

A professional intrusion detection system will cover all entry and exit points, rooms with exterior windows, rooms with exterior walls, roof hatches, skylights, and storage rooms containing safes. The alarm system and security features will have a battery backup that will supply power to the system for 30 minutes; all electronically locked doors will not fail in an 'unlocked' status during a power interruption and will remain secure (except to allow emergency egress from inside areas). A battery backup will supply the security system during extended periods of power outage.

Odor Mitigation

Odor control systems will be in place for any area where cannabis is being processed or stored (Extraction Lab, Kitchen, Vault, and Packaging Room). All of these spaces will have ionic filtration systems attached to their respective mechanical air conditioners that remove odors from the air. Additionally, the evacuation system for the facility will be fitted with ionic filters for redundancy in the odor control system.

Carbon filtration is known in the marijuana industry to be very effective at controlling marijuana odors. We will install activated carbon air filters which remove 99.5% of all odors and other airborne particles. Carbon filtration units, sometime referred to as "carbon cans," are placed throughout the facility to help control odors. Carbon cans have a pre-filter to capture dust particles and an in-line fan to move air through the enclosed carbon filtration system. Carbon Filtration within HVAC System. Carbon filters will be installed within the HVAC system, and at all points of exhaust. We utilize Carbon Inline Filters for this purpose. This involves forcing the air circulating within the HVAC system through an activated carbon filter. Additionally, carbon filters will be installed within the HVAC's exhaust fan. The size and layout of the facility will dictate the requirements for filters in this regard. Interior air is forced through the filter to "scrub" the air of any marijuana odor that passes over them, thus creating odorless air.

Landscaping

Landscaping around our facility will be designed and maintained with a focus on compliance with local zoning ordinances, security, access, and aesthetics. Shrubs, trees, and other such features will be strategically installed or removed to increase security by providing clearer sight lines and eliminating objects that could be used for a potential security risk to hide behind, while also achieving the Township's goals for enhancing the streetscape and environmental sustainability of the site. Maintaining the aesthetics of the facility's exterior are, we believe, part of what it means to be a good neighbor and strengthen community connections.

Deed Restrictions

No deed restrictions noted.

Interested Parties

Lee Shore Burdick LLC – Owner, Lessor

Contact: Erik Hall

291 Oakwood Avenue

Holland, Michigan 49424

7 Cities Holdings, Inc. – Option Holder, Lessee

Contact: Leise Rosman

280 W. Kagy Blvd., Suite D237

Bozeman, MT 59715

Park Consulting Group – Sublessee, Licensee

Contact: Alison Park

2220 Kenwood Street

Kalamazoo, MI 49006

Present Use of the Property

Vacant. Formerly used for the manufacture of medical devices.

Compatibility Assessment

1. Is the use compatible with adjacent land uses?

Yes. The land has been identified as suitable for cannabis business operations vis-à-vis the Township's Zoning Ordinance. Several adjacent properties have been approved for cannabis operations.

2. Is the use compatible with the Master Plan?

Yes. The land has been identified as suitable for cannabis business operations vis-à-vis the Township's Zoning Ordinance. Several adjacent properties have been approved for cannabis operations.

3. Are adequate public utilities and services available to this site for this use?

Yes. Based on estimates for the completed projects, adequate public utilities and services are available to this site.

4. Is the use designed to insure minimal impact of traffic generation?

Yes. The use is similar in nature to the current use; employees and deliveries are the only source of traffic. All thoroughfares and parking are adequate to accommodate this traffic.

5. Is the use free of any activities, processes, materials, equipment or conditions of operation that may be detrimental or hazardous to persons, property or to the public health, safety and welfare? (Specify which:)

Yes. The use is designed to eliminate all risks of hazard to persons, property, public health, safety, and community welfare.

6. Will the use be detrimental to the economic well-being of the community?

No. The use is expected to create jobs and bring meaningful economic activity to a district which could greatly benefit from new development.

7. Is the proposed use compatible with the natural environment and does it conserve natural resources and energy?

Yes. The use is compatible with the natural environment surrounding it and will reflect every effort made to conserve natural resources and energy.

Department Approvals

Kalamazoo County Road Commission

Michigan Department of Transportation

Kalamazoo County Soil Erosion and Sedimentation Control Agent

Michigan Department of Environmental Quality

To be submitted prior to distribution to the Planning Board.

Fee and Escrow

See copy of payment below.

Kalamazoo Charter Township		Printed: 01/04/2023 13:06	
User:	BB		
Receipt:	101532		
Received Of:	HARMONIA MI INC	Posted Date:	01/04/2023
	PO BOX 51179	Amount Due:	1,600.00
	KALAMAZOO MI 49005		
<u>Type:</u>	<u>Description:</u>	<u>Amount:</u>	<u>GL Account Number:</u>
BDG-ZONI			
	APP FEE - 2429 N BURDICK	600.00	101-000-477.00
T&A-ZONI			
	ESCROW - 2429 N BURDICK	1,000.00	701-000-240.00
		<u>Total</u>	
		1,600.00	
TENDERED:	CHECKS	1007	1,600.00

The following text is proposed to be removed from the Township Zoning Ordinance. The text below was approved by the Planning Commission in 2021.

Section 8.02, parts VV., WW., and XX.

VV. Medical Marijuana

2. Grow facilities

h. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

- i. A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.
- ii. Any areas of outdoor grow including greenhouses, shall be screened from view from adjacent properties or public rights-of-way.

3. Processor...

f. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.

4. Provisioning Center...

i. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.

5. Safety Compliance ...

h. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.

6. Secure Transport ...

g. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.

WW. Adult Use Marijuana ...

3. Retailer ...

j. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.

4. Grow, Retail ...

j. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property need are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

i. A six-foot (6') tall security fence shall be required along all side and rear

property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.

- ii. Any areas of outdoor grow including greenhouses, shall be screened from view from adjacent properties or public rights-of-way.

5. Micro-business...

j. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property need are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.

XX. Special Uses

3. Excess Grow ...

j. Fencing and Screening:

Fencing shall be required unless the applicant demonstrates to the satisfaction of the planning commission that one or all sides of the property need are secured from unwanted access by natural land contours, tree line, landscaping steep slopes, rocks or other existing conditions that will be retained.

- i. A six-foot (6') tall security fence shall be required along all side and rear property lines and across the lot at the front building line in order to restrict access to the sides and rear of the building. Such fencing shall provide gates to allow emergency vehicle access.
- ii. Any areas of outdoor grow including greenhouses, shall be screened from view from adjacent properties or public rights-of-way.