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**Charter Township of Kalamazoo
Minutes of a Planning Commission Meeting
Held on September 7, 2017**

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A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on September 7, 2017 commencing at 6:00 p.m. at the Township Hall at 1720 Riverview Drive.

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Present were:

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

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Absent were:

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None

Also present were Township Manager Dexter Mitchell, Township Zoning Administrator Patrick Hudson, Township Attorney Roxanne Seeber; and 8 additional interested persons.

Call to Order

The chairman called the meeting to order.

Approval of Meeting Agenda

Hartsough moved, supported by Hitt to approve the agenda as submitted. The motion passed unanimously.

The next item on the agenda was approval of the minutes of the August 3, 2017 planning commission meeting which had been submitted to the members in their packets. Dingemans moved, supported by Chapman to approve the minutes with a single correction offered by Hartsough. Seeber hand wrote the correction on the minutes. The motion passed unanimously. Dingemans signed the minutes and they were provided to Hudson for keeping with the Township's records.

1 **Public Hearings**

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3 **Hosner PUD Amendment - 333 Turwill Lane**

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5 The next item on the agenda was the request of Joseph W. Hosner and AJA Trustees for minor
6 PUD amendment/site plan amendment for the addition of parking spaces to a medical office
7 building at 333 Turwill Lane within the Township. The property is located in the Briarwood
8 Valley PUD. Minor changes must receive recommendation of the Planning Commission and
9 approval of the Township Board in accordance with Section 26.04 of the Township Zoning
10 Ordinance. The parcel number is 06-18-410-010.

11

12 Hudson read his report to the Planning Commission and the audience. He handed out the
13 lighting package information, which met the ordinance’s requirements. His primary concern
14 was the use of the basement of the building. The fire marshal approved of the parking and
15 driveway configuration, saying that it improved access and alleviated concerns about access for
16 fire services.

17

18 Jeff Wingard of Fleis and Vandenbrink was at last month’s planning commission meeting for
19 preliminary site plan review/discussions. He was now present to provide full site plan, drainage
20 calculations, grading information and the “whole nine yards”. He indicated that he was able to
21 meet all of the standards for the site plan except the 15-foot landscape buffer between the
22 MDOT right-of-way and the parking lot. He indicated that he would request the ability to do
23 some landscaping in the MDOT right-of-way when they get the MDOT permit. They were
24 interested in using 5 feet of their own property and 10 feet in the MDOT right-of-way. Dr.
25 Hosner was present. Nagler inquired as to whether the applicant intended to use the MDOT
26 basin and stormwater pipes. Wingard indicated that their drain was well below the bottom of
27 the basin. They did intend to use the existing basin and not add to the burden on the
28 stormwater pipes.

29

30 Cripps inquired about the 18 inch storm water line. Nagler indicated that it ran in a
31 northwesterly direction then down Turwill to the Todd Farm. Hudson indicated that he had
32 called the stormwater people.

33

34 Chapman inquired as to the uses for the basement. Hosner indicated that it would be used for
35 storage, an extra bathroom and a staff break area. No clients would be going in the basement
36 as many of them were elderly and they would not be able to access the basement easily. Hitt
37 inquired about the sidewalks. Nagler indicated that there were ADA ramps included when the
38 MDOT redid M-43; however, there was nothing to connect the sidewalks to. He recalled that
39 the general rule is to eliminate the need for sidewalks until adjoining properties have them
40 installed. Cripps felt that it would be impossible to fit the sidewalks in with the landscape
41 island and the road. Cripps noted that there is an 8-foot wide path on the other side of West
42 Main. Cripps was unsure as to whether the maple trees that the applicant wished to preserve
43 would survive. Wingard understood the possibility and indicated that they would replace the

1 trees if they died. It was a nice tree and they were trying to save it. In response to an inquiry
2 from Cripps, Wingard indicated that the entire parking lot would be resurfaced.

3
4 The chairman opened a public hearing on the request. Jim Porter of Berkley Street spoke in
5 favor of the sidewalks and a “complete streets policy”. Sidewalks are required in the Township,
6 he said. There would be no ability to cross West Main and another child may be killed, he said.

7
8 Steve Terranella, 1616 Academy, spoke in favor of sidewalks, indicating that sidewalks are
9 required for all new construction, period. Cripps felt that “new construction” more likely
10 meant a new building, and not a modification to an existing site plan/parking lot. Terronalla
11 indicated that the township needs to ensure accommodations for pedestrians. Kathy Westphal
12 spoke in favor of sidewalks and handicap access and parking. She has a disabled daughter and
13 she appreciates when there is a handicapped parking space and ramps. Ron Huster, 1314
14 Coolidge, commented that the Township is undertaking a great deal of sidewalk work. He felt
15 that the Planning Commission should require them. Ty Weiss of Portage, representing
16 adjoining property owner Kalsec, spoke in favor of the plan. He indicated that the MDOT curb
17 cut has a backstop curb, but it doesn’t look like there is room for a sidewalk. There being no
18 further comments, the chairman closed the public hearing.

19
20 Cripps read section 2.18A from the Township’s Zoning Ordinance indicating that “sidewalks
21 shall be required for all new residential and commercial development”. The question, he said,
22 was whether to consider the proposed work “new”. Hartsough inquired as to whether it was
23 up to the Planning Commission or the owner to consider the feasibility of sidewalks with
24 relationship to the MDOT right-of-way. She felt that having sidewalks would be beneficial.
25 Nagler commented that this was the third recent site plan along that side of the road. Sidewalks
26 were a point of discussion for each meeting. Hartsough noted that there is a nice new
27 sidewalk in front of Fazolis. Nagler did not feel that the application constituted “new
28 construction”. Dingmans recalled that sidewalks came up during the Kalsec application and
29 approval. Hartsough inquired about sidewalks on the Oshtemo side of Drake Road. Nagler
30 indicated that Oshtemo is applying for funding for those sidewalks. Hudson read Section 2.18A
31 from the Township Zoning Ordinance and the wording of the Kalsec approval. In those
32 minutes, Hudson stated, Cripps was not concerned about the Kalsec sidewalk because there
33 was a full stretch on the north side of West Main. Cripps voiced concern that implementing
34 sidewalks on this property would put them within one foot of the right-of-way.

35
36 Hartsough suggested that the Planning Commission should recommend approval from the
37 MDOT or the City of Kalamazoo regarding the sidewalks and drainage issues. Hathcock
38 indicated that the Planning Commission should push for sidewalks if they could be done at all.
39 Cripps stated that he would not have a problem requiring sidewalks if the ordinance was not
40 specific to “new construction”. Cripps recalled that this is a PUD. There is already an approval
41 for the entire site on record. This was only a modification to the parking. Hathcock indicated
42 that he would be willing to take the matter to the Board at the time the PUD amendment
43 request was made to the Board. There was no further discussion. Hathcock moved to
44 recommend approval of the PUD amendment/site plan as presented. Cripps supported the

1 motion. Hartsough inquired as to whether the sidewalks question can be included in the
2 motion. Hathcock then amended the motion to include a recommendation the Hathcock bring
3 the sidewalk question to the Board. Dingemans supported the amendment and it passed
4 unanimously. The Township Attorney consulted with Manager Mitchell, and it was determined
5 that the matter would go to the Township Board at the second meeting in September.
6

7 **Robert and Diane Havenaar - Site Plan Review, 3418 N. Westnedge Avenue**
8

9 Hudson indicated that the applicant was constructing a 6,480 square foot addition and a
10 loading dock to the existing greenhouse complex. He stated that the engineer has also
11 recommended a 2,637 cubic foot retention basin. Hudson stated that the greenhouse business
12 site consists of 6 parcels totaling 22 acres on the east side of North Westnedge Avenue about
13 400 feet south of Allen Street. The site is occupied by a 154,000 square foot greenhouse
14 complex and two small office buildings of 3,280 square feet. About 4 acres of the site is
15 occupied by greenhouses and related structures. The balance of the property is wooded.
16 There is another greenhouse across Westnedge to the west and the property to the south of
17 that is in active agricultural use. The front (east) 200 feet of these properties is zoned R-2 and
18 the balance of these lots is zoned I-1 Light Industrial. The properties adjacent to the subject
19 property on both the north and south are large lots occupied by single-family dwellings. These
20 are zoned R-2. The properties to the east are undeveloped and are zoned I-2, Hudson said.
21 The request, Hudson continued, was to construct a 6,480 addition to an existing agricultural
22 building on the property. The proposed building is 250' from the North Westnedge
23 right-of-way. The loading dock slope begins 130' from the right-of-way. The proposed building
24 is 32' from the north side lot line and 350' from the south side lot line. The side yard setbacks
25 are 20 feet on each side, Hudson said. He indicated that the proposed building is 200 feet from
26 the rear (east) lot line whereas a 20-foot setback is required. Hudson stated that the maximum
27 lot coverage was 25%. The proposed lot coverage for the buildings with the addition included
28 was 16.7%. Hudson stated that he had considered the parking requirements under the
29 provisions for "wholesale sales" which required 1 space per 1500 square feet in floor area. The
30 estimated gross floor area, Hudson stated, was 150,000 which would require 100 parking
31 spaces. The applicant had indicated that he had 10 employees. There was room for 5 parking
32 spaces in front of the offices and 10 along the north side of the shipping dock. All of these
33 parking spaces were gravel. Hudson read Section 4.01E. 4 "Surfacing and Drainage" subsections
34 a, b and c from his report. He stated that the proposed storm water retention basin has a
35 design capacity given at 2,637 cubic feet. Hudson stated that the applicant's engineer had
36 calculated the discharge of 2,517 cubic feet. Hudson indicated that the site's impervious area
37 is 160,000 square feet, which would have a calculated discharge of 52,800 cubic feet for a 4.5"
38 storm over 24 hours. The site plan, Hudson continued, includes designs for pumps at the
39 delivery bay.
40

41 Hudson continued, stating that there was no need for additional parking spaces. There is no
42 additional screening proposed for the site. No signs were contemplated, he said. There was
43 no lighting fixture details provided by the applicant and no outdoor lighting was contemplated,
44 he said.

1 Hudson read the standards for site plan approval from his report. He stated that there was no
2 information provided about employment numbers or need for parking and no parking area
3 shown on the site plan. Hudson indicated that the building is set back sufficiently from the
4 adjacent uses. The topography and storm water calculations were included. Hudson stated
5 that the existing natural landscaping is depicted on the underlying aerial photo. The proposed
6 building complied with the minimum lot size, height, floor space, open space, density and other
7 requirements in the schedule of regulations in Section 25 of the Ordinance. Hudson indicated
8 that the site plan is depending on retention of the existing vegetation. There were no issues
9 noted with respect to emergency access, he said. There are existing sidewalks on this section
10 of North Westnedge Avenue, he said. Hudson indicated that the driveway is gravel and is over
11 100' wide at the sidewalk. He indicated that the engineer should be required to explain the
12 storm water calculations. Hudson continued that the disturbed area will exceed an acre so a
13 Soil Erosion and Sedimentation Control permit from the County Drain Commissioner is
14 mandatory. He indicated that the applicant had contacted the Soil Erosion Agent from the
15 County. There is no need for additional public service connections. There is no indication
16 from the applicant as to whether there will be an increase in hazardous materials storage or
17 activities involving such within this building. In conclusion, Hudson stated, that with only two
18 employees and no parking requirements for greenhouses there would seem to be adequate
19 parking. The spaces, Hudson stated, should be shown on the site plan with an amended plan
20 recommended. The Planning Commission should decide whether the paving of the parking
21 area can be excused, he said. Hudson also indicated that the commissioners should decide if
22 the storm water calculations should be verified and adjusted for the entire site or if, as the
23 engineer states, the existing situation has not caused any storm water issues, therefore only the
24 additional runoff needs to be accounted for. Hudson indicated a desire for a better-defined
25 driveway and a permit should be obtained from the County Road Commission.

26
27 Hudson indicated that he had almost considered the request as a minor site plan review;
28 however, the increase in size was too big. There is an existing greenhouse on the property, he
29 said. There is another greenhouse located across Westnedge to the west and the property to
30 the south side of that is in active agricultural use. Hudson indicated that there is work being
31 done on the sidewalk in the front of the building. There is no retail use on the site, he said.

32
33 Frank Rinaldi of Wightman and Associates spoke on behalf of the applicant. Chapman inquired
34 as to whether ADA compliance is necessary for the parking spaces. Hudson indicated that they
35 did not identify any of the parking spaces as "handicapped." Havenaar stated that they don't
36 really need to worry about handicapped spaces because they only hire for manual labor. If
37 they have a handicapped employee or person that needed to be present on the property, he
38 would have them pull right into the building. The building is level with the ground, he said.
39 Cripps indicated that the ADA does not require paving, only a particular grade. Nagler thought
40 that all new parking needed to be paved to meet ADA requirements. Havenaar indicated a
41 willingness to place a sign on one of the parking spaces. Cripps inquired about the storm
42 water discharge. He inquired as to whether there was a drainage ditch when inspecting the
43 aerial photograph. Havenaar indicated that there is a drainage ditch on the far back side of the
44 property. Havenaar indicated that he would be talking to the excavators because they are

1 planning on digging a pond. Cripps indicated that the applicant should ensure that he talks to
2 the county drain commissioner. Rinaldi indicated that he would do so. Havenaar said that
3 they didn't have a problem over the last 30 years. Rinaldi indicated that they had not had
4 issues with run off, so the pond that is being created is only because of the addition of the dock.
5 Cripps cautioned against assuming that there would not be an issue just because there had not
6 been one in the past. Rinaldi indicated that it is a two-stage retention pond which is rated for
7 a 100 year storm.

8
9 Hartsough inquired as to where the driveway was located. Havenaar indicated that it was a big
10 open gravel lot that has been there since 1970. They are working on the sidewalk and are
11 replacing the manhole. Chapman recommended consultation with an ADA expert as to
12 whether there was a need for handicapped accessibility. Havenaar indicated that they would
13 do whatever it takes to accommodate the needs of their employees.

14
15 Hathcock moved, supported by Cripps to approve the site plan as submitted. The motion
16 passed unanimously.

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18 **Open Discussion**

19
20 Steve Terranella, 1616 Academy, asked the Planning Commission to support the "road diet" for
21 West Main which was an effort to accommodate bikers, pedestrians, and other traffic on the
22 street. A study on the concept was being undertaken by the MDOT. Manager Mitchell had
23 been to the meetings. Kathy Westphal, 308 Monroe Street, spoke on behalf of Laura
24 Livingstone-McNelis, 314 Monroe, in favor of the road diet. Kathy Westphal spoke in favor of
25 sidewalks, handicap accessibility and "complete streets". She was in favor of the "road diet" for
26 West Main. She appreciated properties that have handicap parking and feels that they are
27 more welcoming to those with disabilities. Jim Vernor, Berkley Street in Kalamazoo Township
28 spoke as a member of the complete streets coalition. He gave a history of jaywalking and
29 stated that times have changed from 100 years ago. He spoke in favor of the road diet.

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31 **Report of Township Board Representative**

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33 Hathcock reported on rezoning on Wynn Road and the "Hot Topics in Zoning" MTA
34 presentation that he had attended. He indicated that he would take the sidewalks issue to the
35 Board at the next meeting.

36
37 **Report of ZBA member**

38
39 Nagler reported on a ZBA meeting in which an interpretation related to a metal fence on
40 Sagebrush was made. Hudson indicated that he had requested the interpretation. When
41 Cripps asked for clarification, Nagler stated that the interpretation was as to residential fences
42 only.

1 **Report of the Zoning Administrator**

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3 The members of the Planning Commission held a discussion on medical marijuana. The
4 Township Attorney stated that “grow” operations can only be in agricultural or industrial areas.
5 This would require a greenhouse seeking to “grow” to rezone.

6

7 Cripps inquired as to whether an MDOT engineer and someone from the County Road
8 Commission could be invited to a future planning commission meeting to explain the limitations
9 of the Township’s involvement in issues such as those that were presented this evening.
10 Nagler approved of this idea. He recommended inviting Michelle O’Neil from the MDOT and
11 asking Joanna Johnson who she would recommend attend from the County Road Commission.
12 Manager Mitchell indicated that he would get this underway.

13

14 Nagler inquired as to whether anyone had considered the planning document from the City of
15 Kalamazoo. Hartsough had looked at it a bit. Nagler felt that he could comment on the
16 streets and particularly on their West Main Street plan. He was not in favor of the road diet,
17 indicating that traffic volumes were almost double what the state typically considered to be
18 useful for a road diet. Hudson stated that the Planning Enabling Act allows a city to plan for
19 one mile outside of the city. Mitchell stated that his research did not favor the road diet. He
20 was in agreement with Nagler. He provided current statistics showing that the traffic volume
21 was almost double the recommended maximum for such a consideration. Hartsough was
22 more willing to keep an open mind. Nagler indicated that there are only three ways to cross
23 the river. That, in itself was limiting. Mitchell indicated that he had read the entire 600 page
24 study and had concluded that the road diet for West Main could not be recommended to the
25 Township Board.

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Respectfully Submitted,

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Henry Dingemans, Secretary

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35 Synopsis of Actions Taken by the Charter Township of Kalamazoo Planning Commission on
36 September 7, 2017:

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- 39 1. Recommended PUD amendment for Joseph Hosner—Hosner Eye Care at 333 Turwill to
40 Township Board.
- 41 2. Approved site plan amendment for Havenaar Greenhouses at 3328 N. Westnedge.

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