

1 **KALAMAZOO CHARTER TOWNSHIP PLANNING COMMISSION**

2  
3 **MINUTES OF REGULAR MEETING HELD FEBRUARY 4, 2016**

4  
5 A regular meeting of the Kalamazoo Charter Township Planning Commission was held on  
6 February 4, 2016, at the Kalamazoo Township Hall commencing at 7:00 p.m.  
7

8 Members Present: Robert J. VanderKlok  
9 William Chapman  
10 Henry Dingemans  
11 Steven C. Leuty  
12 Charles H. Rothrock  
13 Robert E. Talbot  
14

15 Members Absent: Sarah Milne  
16

17 Also present were Nathan Mehmed, Township Planner and Zoning Administrator,  
18 Catherine Kaufman, Township Attorney and 8 interested persons.  
19

20 **ITEM 1 CALL TO ORDER**

21  
22 Chairman VanderKlok called the meeting to order at 7:00 p.m.  
23

24 **ITEM 2 ROLL CALL**

25  
26 Chairman VanderKlok called the roll and advised that Commissioner Milne was  
27 absent. Motion was made by Mr. Rothrock, seconded by Mr. Chapman to excuse  
28 Commissioner Milne's absence. The motion passed unanimously  
29

30 **ITEM 3 APPROVAL OF MEETING MINUTES FOR JANUARY 7 and**  
31 **JANUARY 13, 2016**

32  
33 Chairman VanderKlok said the next item was approval of minutes from the Planning  
34 Commission's regular meeting on January 7, 2016 and special meeting on January 13, 2016.  
35 Motion was made by Mr. Chapman, seconded by Mr. Leuty to approve the minutes of the  
36 January 7, 2016 meeting as presented. The motion passed unanimously.  
37

38 Mr. Rothrock asked for a change to the draft minutes of the January 13, 2016 special  
39 meeting, noting that the word asphalt should be removed from page 3, line 37. Motion was  
40 made by Mr. Rothrock, seconded by Mr. Chapman to approve the minutes of the January  
41 13, 2016 special meeting as corrected. The motion passed unanimously.  
42

43 **ITEM 4 APPROVAL OF AGENDA FOR FEBRUARY 4, 2016 MEETING**

44  
45 Motion was made by Mr. Rothrock, seconded by Mr. Chapman to approve the  
46 agenda as presented. The motion passed unanimously  
47

1 **ITEM 5 SCHEDULED REVIEWS**

2  
3 Chairman VanderKlok noted that the review for Superior Gravel had been  
4 rescheduled until June, 2016 and would be heard at that time.

5  
6 **ITEM 6 PUBLIC HEARINGS**

7  
8 **6.a** Public hearing regarding proposed rezoning: 3125 W. Main Street, rezoning from  
9 RB-2 to B-3. Tax parcel 3906-17-305-080.

10  
11 Chairman VanderKlok asked the applicant to present his request to the Planning  
12 Commission. Jeff Brennan, representing his father-in-law Dr. Talanda and the Talanda  
13 family, addressed the Planning Commission. Mr. Brennan introduced Dr. Edmund  
14 Talanda, noting that the property is currently owned by Dr. Edmund and Dorothy Talanda.  
15 Mr. Brennan also introduced Ed and Kathy Talanda and Annette Talanda Brennan. Mr.  
16 Brennan provided a handout which he had distributed to the Planning Commission that  
17 evening. He said that the property is currently zoned RB-2 and has been used for many  
18 years as a medical office building. The building is 7,000 square feet, although only 3,700  
19 square feet is ADA accessible and therefore available for occupancy. He noted that Dr.  
20 Talanda was the original developer and designer of the building and has had a long time  
21 respectful relationship with the neighbors. Mr. Brennan referenced the aerial photos and  
22 tax map in his handout, detailing the relationship between the office building and the  
23 adjacent single family residences. Mr. Brennan said that this office building has lost some  
24 luster over the years and has not been able to hold medical or dental tenants. The building  
25 has been for sale since 2002 with no offers, even though the price has been continually  
26 lowered. Mr. Brennan said that the building is running in the red, there are two remaining  
27 tenants (including Mr. Brennan's engineering firm) and that both are ready to vacate in  
28 2016. Mr. Brennan said that the owners are unable to rent the building during the current  
29 market and feel that a different zoning district may provide more flexibility and options for  
30 the use of the building. Mr. Brennan said that the family does not want to see this building  
31 fall into demise.

32  
33 Chairman VanderKlok asked Mr. Brennan to clarify the number of medical/dental  
34 offices in the building. Mr. Brennan said there are 6 spaces – 3 upstairs and 3 downstairs.  
35 He also reiterated that the downstairs area is not compliant with the ADA and not to code.  
36 He said that Dr. Talanda turned down the offer to rent the building to a medical marijuana  
37 dispensary because he wanted to be a good neighbor to the adjacent residences.

38  
39 Mr. Dingemans asked for the list price. Mr. Brennan said that the building had  
40 started with a list price of over \$700,000, but now had reduced that list price to under  
41 \$400,000. Mr. Dingemans asked if the reason the property hadn't sold since 2002 was  
42 because the price was too high, instead of the current zoning classification. Mr. Brennan  
43 said again that the property is unattractive for medical or dental offices.

44  
45 Ed Talanda, son of the applicant, addressed the Planning Commission. He said that  
46 he lives across the street from the medical building and that the building has been for sale  
47 for 13 years. He said that until recently, the building has been rented, but that the building

1 just lost its last two medical tenants. He said that tenants have said that the examining  
2 rooms are not big enough and there are not enough of them. He feels that the property is  
3 limited by its zoning. He said that the dental office across West Main, at the corner of  
4 Nichols Road, sold recently to a dentist, who is renovating the building. He said that the  
5 property across West Main is zoned B-3.

6  
7 Mr. Mehmed advised that the property across West Main is zoned B-2, with RB-2  
8 zoning to the east of that property.

9  
10 Chairman VanderKlok opened the public hearing at 7:20 p.m.

11  
12 Jonathan Start, 318 Cherry Hill Street, addressed the Planning Commission. Mr.  
13 Start said he lives one property south of the property requested for rezoning. He said that  
14 Dr. Talanda and family have been good neighbors for the 9 years that he has lived at this  
15 location, but that he opposes this rezoning. He said he also submitted a letter dated 2/4/16  
16 to the Planning Commission in opposition of the rezoning. He is very concerned with the  
17 uses that are allowed in the B-3 zoning district, including uses that might include heavier  
18 night-time use, as well as fraternities and sororities. He feels that many of the uses allowed  
19 in the B-3 zoning district are not compatible with the existing single family uses.  
20 Therefore, he is opposed to the rezoning request.

21  
22 Kathleen Doornbos, 314 Solon, addressed the Planning Commission. She asked if  
23 the rezoning request included the house at the front of the property. Mr. Mehmed  
24 explained that it did not. She feels that B-3 zoning is not compatible with the single family  
25 residential uses that are adjacent to this property. She said that this site is different than  
26 the dental office on the north side of West Main, as that property has no adjacent single  
27 family residences around it.

28  
29 There being no further public comment, Chairman VanderKlok closed the public  
30 hearing at 7:27 p.m.

31  
32 Mr. Mehmed presented his staff report dated 1/28/16. He noted that the property is  
33 currently zoned RB-2, but the applicant is requesting rezoning to B-3. He said that at  
34 present, there are no plans for redevelopment of the site and that the owner feels that the  
35 B-3 zoning would make the property more marketable. Mr. Mehmed said that RB-2 allows  
36 single family homes, 2 family homes, medical and dental offices, banks, barber shops and  
37 funeral homes, among other things. B-3 allows more uses and is primarily found along  
38 West Main and Gull Roads. Mr. Mehmed said that the property is located within the  
39 residential and office portion of the West Main corridor. The properties immediately  
40 adjacent to this property are zoned RB-2, while the properties to the south are zoned B.  
41 Properties on the north side of West Main Street are zoned B-2. Mr. Mehmed noted in his  
42 report that this section of West Main is developed predominantly with office, commercial  
43 and residential land uses. The subject property is developed with an existing office building  
44 surrounded by single family and two family dwellings to the south, east and west, as well as  
45 office buildings to the north.

1 Mr. Mehmed's report also stated that the RB-2 district is designed to accommodate a  
2 variety of uses primarily in residential areas which have frontage on heavily traveled  
3 thoroughfares. Mr. Mehmed stated that the B-3 district is a mixed use district that allows a  
4 variety of residential uses, including multiple family dwellings and fraternities and  
5 sororities. The district also permits low to moderate intensity commercial uses including  
6 hotels, athletic clubs, full course menu restaurants and retail flower shops.  
7

8 Mr. Mehmed said that the Master Plan, which should be consulted when the  
9 Planning Commission considers a rezoning request, shows the subject property as having a  
10 future land use designation of "office/service." This same future land use designation is  
11 also applied to the majority of the surrounding properties, except that the properties to the  
12 southwest are shown as a "low density residential" future land use designation. The Master  
13 Plan says that the proposed B-3 zoning district is consistent with the "office/service" future  
14 land use designation, but that the RB-2 zoning district is more compatible. The Master  
15 Plan notes that the RB-2 is considered more compatible, while the B-2 and B-3 zoning  
16 districts allow for increased intensity of land uses in areas further removed from low density  
17 residential development.  
18

19 Mr. Mehmed outlined in his report the standards for consideration by the Planning  
20 Commission when reviewing a rezoning request. The standards, as contained in Section  
21 21.221 of the Zoning Ordinance include: 1) whether the rezoning is consistent with the  
22 policies and uses proposed for that area in the Township's Master Land Use Plan; 2)  
23 whether all of the uses allowed under the proposed rezoning would be compatible with  
24 other zones and uses in the surrounding area; 3) whether any public services and facilities  
25 would be significantly impacted by a development or use allowed under the requested  
26 rezoning; and 4) whether the uses allowed under the proposed rezoning would be equally or  
27 better suited to the area than use allowed under the current zoning of the land.  
28

29 Mr. Mehmed, in presenting his report, said that the subject property is planned for  
30 an "office service" future land designation in the Master Plan and that while RB-2 zoning is  
31 determined to be more compatible with low density residential uses, the B-3 zoning may fit  
32 within the goals and objectives of the Master Plan and the vision of the West Main corridor.  
33 Mr. Mehmed also noted that consideration of whether all uses allowed in the B-3 zoning  
34 district would be compatible with existing land uses was critical to the Planning  
35 Commission's review. He felt there would be no added impact on public facilities, as the  
36 subject property is currently served by public water and sewer. Last, Mr. Mehmed said that  
37 the B-3 zoning district allows low to moderate intensity commercial uses, along with  
38 multiple family and other group living facilities which may not be compatible next to a  
39 residential neighborhood. He did note, however, that the existing medical building had  
40 been located on site for several years and that West Main is a heavily travelled road that  
41 attracts commercial development. Mr. Mehmed concluded his report by noting that the  
42 RB-2 zoning district is the preferred zoning district for the "office/service" future land use  
43 designation in the Master Plan, although both B-2 and B-3 are considered compatible for  
44 areas further removed from single family residential development. Mr. Mehmed said that  
45 the Planning Commission would need to determine if the proposed rezoning was consistent  
46 with the surrounding area and the Township's Master Plan.  
47

1 Chairman VanderKlok thanked Mr. Mehmed for his report and noted the report was  
2 part of the record. Chairman VanderKlok then advised the applicant and the audience that  
3 the Planning Commission was in the process of updating the Township's Zoning Ordinance  
4 and that, in a few months, the existing zoning districts may be eliminated, changed or  
5 otherwise amended. He noted that this update was in progress.  
6

7 Mr. Mehmed said that the RB-2 district does allow apartments currently, but that the  
8 B-3 zoning would also allow fraternities and sororities.  
9

10 Mr. Rothrock asked if the Planning Commission could table the request until the  
11 zoning ordinance update was completed. Attorney Kaufman advised that the Planning  
12 Commission needed to act upon the applicant's request now, with the understanding by all  
13 that the zoning districts and zoning of the subject property may change when the Zoning  
14 Ordinance update is completed. She advised that the Planning Commission needed to apply  
15 the standards for consideration of a rezoning request as contained in the Zoning Ordinance  
16 and outlined in Mr. Mehmed's staff report when rendering a decision. Attorney Kaufman  
17 also said that the applicant could request a tabling and/or a withdrawal of their application.  
18 Mr. Rothrock said that his thoughts on the rezoning request were that:  
19

- 20 1. He is concerned about access management on West Main Street. This is a property  
21 that has an office building near the West Main frontage, with several single family  
22 and 2 family homes located to the rear of the property. He doesn't feel that more  
23 intensive commercial uses would fit in terms of access management concerns and/or  
24 with the proximity to single family/2 family homes and sharing access to West Main  
25 Street with those single family/2 family homes.
- 26 2. He feels that B-3 zoning is intended to be located closer to the C, Commercial uses.  
27 RB-2 or B-2 zoning would be more appropriate at this site.
- 28 3. The Township's strategic plan has a goal of promoting mixed uses; while he  
29 understands that concept, he is not sure what it means in practice and what it might  
30 mean for this site.
- 31 4. He said that the Zoning Ordinance update may address mixed use or commercial use  
32 on this site, although the Planning Commission is not far enough yet in its review to  
33 be able to comment on that.
- 34 5. He felt that there are single family homes to the east and south/southwest and that  
35 those residences need to be protected from the impacts of commercial development.  
36 6.

37 Chairman VanderKlok advised the audience that the next Planning Commission  
38 meeting on the Zoning Ordinance update was scheduled for 2/24/16 at 7:00 p.m. All are  
39 invited to attend.  
40

41 Chairman VanderKlok recognized Mr. Brennan. Mr. Brennan asked about the  
42 process to table or withdraw the applicant's rezoning request. Mr. Brennan said that the  
43 applicant would like to consider some of the options available under the RB-2 zoning.  
44

45 Mr. Dingemans asked if the existing building could be converted or if it would have  
46 to be removed. Mr. Brennan said that most likely it would have to be removed. Mr.  
47 Mehmed explained the zoning ordinance and how permitted/special uses are called out.

1 Chairman VanderKlok asked Attorney Kaufman to explain the Planning  
2 Commission's options in dealing with this rezoning request. Attorney Kaufman advised  
3 that as the public hearing had taken place and been closed, the Planning Commission could  
4 table this matter if it felt it needed more information or additional time for deliberation. If,  
5 however, the Planning Commission felt it had had adequate time to review the application  
6 and consider public comment, it could make a recommendation on the request to the  
7 Township Board. Chairman VanderKlok recognized Mr. Brennan. Mr. Brennan said that  
8 the applicant would like to table this request in order to have time to further review  
9 available options. Attorney Kaufman said that if the request was tabled to a date certain,  
10 the Township would not have to renotice the request.

11  
12 Motion was made by Mr. Rothrock, seconded by Mr. Leuty to table the consideration  
13 of the rezoning request for 3125 West Main Street until the next regular Planning  
14 Commission meeting, which was scheduled for March 3, 2016 at 7:00 p.m. at the Township  
15 Hall. The motion passed unanimously.

16  
17 Mr. Leuty commented on how the RB-2 zoning district is intended to be a transition  
18 zone between the more intense uses on West Main and residential uses. Tabling this item  
19 may give the applicant more time to review their options.

20  
21 **ITEM 7 OLD BUSINESS**

22  
23 **7.a. Zoning Ordinance Update**

24  
25 Chairman VanderKlok noted that the committee continues to work on draft sections  
26 of the proposed Zoning Ordinance, which are then forwarded to the Planning Commission  
27 for consideration. The Planning Commission will hold a special meeting on 2/24/16 at  
28 7:00 p.m. to continue review of Article 8.

29  
30 **ITEM 8 NEW BUSINESS**

31  
32 None

33  
34 **ITEM 9 OPEN DISCUSSION**

35  
36 **9.a. Correspondence Received.**

37  
38 Chairman VanderKlok acknowledged receipt of a letter dated 2/4/16 from Jonathan  
39 Start, 318 Cherry Hill Street, in opposition to the proposed rezoning of 3125 W. Main Street.

40  
41 **9.b. Planning Commission Members.**

42  
43 None

1 9.c. Members of the Audience.  
2

3 Jon Start thanked the Planning Commission for listening to the residents' concerns  
4 on the proposed rezoning of 3125 W. Main Street. He said that if the Township revises the  
5 zoning ordinance to allow intense commercial or multiple family uses adjacent to single  
6 family residential, he would oppose it. He had significant concerns about allowing  
7 fraternities/sororities adjacent to single family and 2 family residences. He said that while  
8 the current property owners have been good neighbors, new owners may not have the same  
9 commitment to the neighbors on Cherry Hill Street. He felt that if permitted uses were  
10 expanded, there would be no ability to stop or regulate (outside of site plan review) their  
11 establishment.  
12

13 Kathleen Doornbos said she agreed with Mr. Start. She said that college housing has  
14 already spread into the neighborhood and she does not want it to expand further. Ms.  
15 Doornbos noted that Cherry Hill Street does not connect through because someone sold and  
16 developed that property.  
17

18 Mr. Leuty thanked the public for their comments, noting that these concerns would  
19 be kept in the forefront when the Planning Commission continued working on the zoning  
20 ordinance update.  
21

22 **ITEM 10 REPORT OF TOWNSHP BOARD REPRESENTATIVE**  
23

24 Mr. Leuty said that he had obtained a lot of information from Rachel Grover, staff  
25 person at Kalamazoo County for the County Brownfield Authority. The County will begin  
26 preparing a report on County brownfield activities for the Township. He noted that EPA  
27 grant funds had been secured for 2700 N. Pitcher and for Beckham Industries. He also said  
28 that the County is applying for an EPA grant for the King Highway Corridor and the Pitcher  
29 Street Corridor.  
30

31 He also said that the Township is working with Consumers Energy to convert the  
32 Township's street lights to LED lights. A demonstration project may happen soon.  
33

34 Mr. Leuty noted that he and Supervisor Reid had filmed a show for Public Media  
35 Network on the Zoning Ordinance Update and the single waste hauler contract.  
36

37 Mr. Leuty also said that the Township Board would consider for first reading the  
38 zoning ordinance amendment to allow chickens in residential areas at the February 22  
39 Board meeting. Mr. Leuty also discussed the Board's preparation of a policy manual and  
40 recent review of the Township roads' passer ratings, after road improvements. Last, Mr.  
41 Leuty discussed the generally positive response to the single waste hauler contract.  
42

43 Mr. Talbot asked how the Township's planned administrative restructuring would  
44 work. Mr. Leuty explained that the Supervisor, Treasure and Clerk would go to part-time in  
45 the new term (November 2016) and that the Township would hire a Township manager and  
46 chief financial officer. He said that the Township was working on RFPs at this time.  
47

1 **ITEM 11 REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE**

2  
3 Chairman VanderKlok reported that the ZBA met and elected the following officers  
4 for 2016: Chairman James Short, Vice Chairman James Cripps and Secretary Ann  
5 Simmons.  
6

7 **ITEM 12 COMMENTS FROM PLANNING COMMISSION MEMBERS**

8  
9 Mr. Talbot asked why he received two packages of materials on the Brownfield  
10 Authority. He was directed to return one set of documents to the Township.  
11

12 Mr. Chapman noted that additional bus service for Metro Transit was beginning on  
13 Sunday, as approved in the recent transit millage. He said that public transit is important,  
14 as well as making sure access to public transit is assured. He noted that gaps between  
15 sidewalks and transit stops need to be fixed.  
16

17 Mr. Dingemans said he will miss the special meeting on 2/24/16.  
18

19 Mr. Rothrock commented on the Township's strategic plan and the zoning ordinance  
20 update. He felt it was important to continue this work by looking at the Township Master  
21 Plan next. Mr. Mehmed noted that the zoning plan (as a component of the Master Plan)  
22 will need to be updated following the enactment of a new zoning ordinance.  
23

24 Mr. Chapman asked about his neighbor who was attacked by two pit bulls. Attorney  
25 Kaufman advised that the neighbor could contact the Township police department to see if  
26 a citation was issued.  
27

28 Mr. Rothrock added that a neighbor had told him that a Township farmers' market  
29 might be a good idea. Additionally, he is concerned that Popeye's business is falling off; he  
30 doesn't want this new business to fail. He also said that the Master Plan should serve as a  
31 guide for the Planning Commission when reviewing rezoning and other development  
32 requests. Last, Mr. Rothrock said he has been reviewing the factors that influenced his  
33 moving to the Township many years ago and feels that many of them have changed over  
34 time. He asked the Planning Commission to consider why people would want to move to  
35 the Township, as there is not a financial advantage (as compared to living in the City of  
36 Kalamazoo). He said that he reviewed a livability index and it showed that Richland had an  
37 84% livability rating, Winchell neighborhood had 83%, while Eastwood had 74% and  
38 Westwood 77%. The east side of the City of Kalamazoo had 66%. Mr. Rothrock opined that  
39 maybe the Township isn't doing so well at this point. He also noted that Kalamazoo's crime  
40 rate is such that it is better than only 6% of the cities in the country (ie., 94% of cities in the  
41 country have a lower crime rate). Mr. Rothrock reviewed the Township's strategic plan and  
42 found that it contained goals similar to the Master Plan, such as developing options for  
43 mixed land uses, increasing safety and stability (perhaps through community policing) and  
44 working on parks issues.  
45

1 The Planning Commission had general discussion on the Township's Parks and Rec  
2 Committee, along with discussion on the County's Parks Master Plan. The Planning  
3 Commission felt that maintenance of Township parks facilities is important.

4  
5 **ITEM 13 REPORT OF PLANNER AND ZONING ADMINISTRATOR**

6  
7 None.

8  
9 **ITEM 14 REPORT OF TOWNSHIP ATTORNEY**

10  
11 None.

12  
13 **ITEM 15 ADJOURNMENT**

14  
15 There being no further business, Mr. Rothrock made a motion to adjourn, seconded by  
16 Mr. Chapman. The motion carried unanimously and the meeting was adjourned at 9:05  
17 p.m.

18  
19  
20 **Synopsis of Actions**  
21 **Township Planning Commission Meeting`**  
22 **February 4, 2016**

23  
24 At its meeting of February 4, 2016, the Kalamazoo Charter Township Planning  
25 Commission took the following actions:

- 26  
27 1. Tabled a rezoning request for 3125 W. Main Street until the regular meeting of  
28 March 3, 2016  
29 2. Discussed the upcoming special meeting on 2/24/16 re zoning ordinance update.

30  
31 Date minutes prepared: February 8, 2016

32  
33 Date minutes approved: March , 2016

34  
35  
36 **KALAMAZOO TOWNSHIP**  
37 **PLANNING COMMISSION**

38  
39  
40 \_\_\_\_\_  
41 Robert Talbot, Secretary  
42 1720 Riverview Drive  
43 Kalamazoo, MI 49004  
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