

1 **KALAMAZOO CHARTER TOWNSHIP PLANNING COMMISSION**

2
3 **MINUTES OF SPECIAL MEETING HELD JUNE 8, 2016**

4
5 A special meeting of the Kalamazoo Charter Township Planning Commission was held on
6 June 8, 2016 at the Kalamazoo Township Hall commencing at 7:00 p.m.
7

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

15 Members Absent: Henry Dingemans
16

17 Also present were Catherine Kaufman, Township Attorney, Rebecca Harvey and Chris
18 Doozan, McKenna Associates, Township Zoning Administrator Patrick Hudson and 8
19 members of the audience.
20

21 **ITEM 1 CALL TO ORDER**

22
23 Chairman VanderKlok called the meeting to order at 7:00 p.m.
24

25 **ITEM 2 ROLL CALL AND RECOGNITION OF VISITORS**

26
27 Chairman VanderKlok called the roll and advised that Commissioner Dingemans was
28 not in attendance. Motion was made by Mr. Rothrock, seconded by Ms. Milne to excuse
29 Commissioners Dingemans' absence. The motion passed unanimously.
30
31

32 **ITEM 3 APPROVAL OF MEETING MINUTES FOR JUNE 2, 2016**

33
34 Chairman VanderKlok said that the draft minutes of the June 2 meeting had not
35 been prepared yet. Motion was made by Mr. Rothrock, seconded by Ms. Milne to hold
36 approval of the June 2, 2016 regular Planning Commission meeting minutes until the next
37 regular meeting. The motion passed unanimously.
38

39 **ITEM 4 APPROVAL OF AGENDA FOR JUNE 8, 2016 SPECIAL MEETING**

40
41 There being no corrections to the agenda, Chairman VanderKlok accepted the agenda
42 as presented.
43

44 **ITEM 5 SCHEDULED REVIEWS**

45
46 None
47

48 **ITEM 6 PUBLIC HEARINGS**

1
2 6.a Public Hearing on Proposed New Zoning Ordinance and Map
3

4 Chairman VanderKlok said that the Planning Commission had been working for 1½
5 years on the new Zoning Ordinance and Map. He introduced Chris Doozan and Rebecca
6 Harvey from McKenna Associates, the consulting firm hired by the Township to assist in
7 the preparation of the new ordinance and map.
8

9 Mr. Doozan presented an overview of the Zoning Ordinance update process, noting
10 that the process began a year ago. McKenna Associates worked with a subcommittee
11 consistent of the Township Supervisor, Chairman VanderKlok, the Township
12 Planner/Zoning Administrator, Township Attorney and McKenna Associates. Mr. Doozan
13 said that the existing Zoning Ordinance was adopted in 1947 and had been amended many
14 times since then. It was appropriate now to prepare a new Zoning Ordinance to modernize
15 the format and provisions, to come into compliance with current law and to incorporate
16 current best practices. He also said issues of blight and zoning enforcement will be included
17 in the new Zoning Ordinance.
18

19 Mr. Doozan said that there had been substantial preliminary work done in this
20 process, including a technical review of the existing Ordinance; a field survey to determine
21 how well the Zoning Ordinance achieves the Goals and Objectives of the Master Plan; a
22 review of ZBA minutes regarding recurring issues; a review of the Master Plan; and an
23 annotated outline of the new Zoning Ordinance. Mr. Doozan said that each chapter of the
24 new Zoning Ordinance was reviewed two times, first by subcommittee and then by the full
25 Planning Commission, for a dual review process. Throughout the ongoing review, revisions
26 were made to the draft text and map.
27

28 Mr. Doozan said that by law, the Planning Commission must hold a public hearing
29 and then make a recommendation on the Zoning Ordinance to the Township Board.
30 Thereafter, the Township Board would adopt the new Zoning Ordinance and map. The
31 goals for the process were:
32

- 33 1. Reduce the number of zoning districts. Mr. Doozan displayed a chart showing the
34 consolidation and renaming of existing zoning districts to proposed new zoning
35 districts. Additionally, three zoning districts were deleted (Open Space, Parking
36 and D1.
- 37 2. A simple outline/structure was used for the new Zoning Ordinance. Graphics were
38 also incorporated. Mr. Doozan said that Article 1 is Rules of Construction and
39 Definitions; Articles 2 through 9 are General Regulations; Articles 11 – 25 are
40 District regulations; Article 25 is the schedule of regulations; Article 27 is
41 Administration and Article 28 contains severability, repeal and effective date
42 provisions.
43

44 Mr. Doozan also pointed out the changes on the proposed zoning map, which is
45 incorporated into the Zoning Ordinance. He identified the residential zoning districts,
46 including R-1, R-2, RM-1, RM-2, RM-3 and discussed the varying minimum lot sizes and
47 uses allowed in each district. He also discussed the MHP district, noting that there are 4 or
48 5 areas shown as MHP on the new zoning map. He next highlighted the proposed

1 commercial districts, C-1 and C-2, noting that C-1 allowed a variety of office and commercial
2 uses to serve the adjacent area, while C-2 was a corridor commercial district. Mr. Doozan
3 explained the I-1 (Light Industrial) and I-2 (General Industrial) zoning districts, noting the
4 consolidation into two industrial districts. Last, Mr. Doozan explained a Planned Unit
5 Development (PUD) would now be a zoning district and would replace the MUD
6 classification. At present, there are two areas that will be rezoned to PUD so as to reflect
7 their existing approved status – the Kalamazoo County Fairgrounds and the Todd property
8 on West Main Street.

9
10 Chairman VanderKlok thanked Mr. Doozan for his presentation and for McKenna’s
11 excellent service during the Zoning Ordinance Update process.

12
13 Chairman VanderKlok noted that the Planning Commission was in receipt of a letter
14 from Jon Start, 318 Cherry Hill, dated June 7, 2016. Mr. Rothrock read the letter into the
15 record.

16
17 Chairman VanderKlok opened the public hearing at 7:20 p.m.

18
19 Steve Terranella, 1616 Academy Street, in the City of Kalamazoo, addressed the
20 Commission. Mr. Terranella said that he has served on a committee since 2008 to develop
21 design standards for the West Main Hill business district. The committee is made up of
22 representatives from the Township, the City, MDOT and K College. The committee feels
23 that there are three main issues for the West Main Hill area: appearance of the structures
24 in the area (which runs from Prairie to Gilkinson), attracting more businesses and
25 increasing the feeling of safety for pedestrians. He noted that the recession interrupted the
26 committee’s work, but that the committee is working together again. He said that the
27 proposed mixed use designation in the new Zoning Ordinance will help with development,
28 as mixed commercial or office and residential uses will be allowed.

29
30 Mr. Terranella said his concerns are: 1) slowing down traffic he asked that the Planning
31 Commission consider setbacks in the older developed areas such as West Main Hill, as it is
32 understood that buildings that are closer to the street will help slow traffic; 2) signage,
33 landscaping and screening: the committee is interested in uniformity and aesthetic
34 standards along West Main. He said that the committee has gotten the Hilltop signage
35 installed. Mr. Terranella feels the area has a lot of potential, including addition of K
36 College dorms and a possible admission center.

37
38 Sandra Smokoska, 110 Nelson Avenue, Kalamazoo Township, said she is working with
39 Mr. Terranella regarding the West Main Hill improvement area. She echoed Mr.
40 Terranella’s comments. She said there is ongoing interest in this area and the committee
41 wants the neighborhoods to look their best. The committee is concerned about ordinances,
42 especially regarding required maintenance and upkeep of residential and business areas.
43 She has filed numerous ordinance violation forms with the Township but has not seen much
44 follow up. She is glad that the new Zoning Ordinance will be straightforward. She wants the
45 new Zoning Ordinance to be enforced.

46
47 Albert Ross Sr. said he and his son do not live in Kalamazoo Township but are
48 considering opening a business in the Township. They are interested in investing in a

1 property near 131, for a medical marijuana dispensary. Mr. Ross said that the issue of
2 legalizing marijuana may be on the November 2016 ballot for voter approval. He said that
3 he and his son have identified a building at 4023 Douglas (Halfmoon Bar) that they would
4 like to buy. However, before doing that, they would like to know if the future zoning will be
5 commercial. Chairman VanderKlok said the proposed zoning for that property is C-1. Mr.
6 Doozan said at this time, medical marijuana dispensaries are prohibited in the new zoning
7 ordinance. Attorney Kaufman spoke of pending legislation that may pass, which would
8 allow a municipality to determine if it wants to allow medical marijuana provisioning
9 centers (dispensaries), testing facilities or other facilities. If the pending legislation passes,
10 the Township would need to decide if it wanted to allow any medical marijuana facility and,
11 if so, how many, what types and upon what terms.
12

13 Steve and Kelly Henry addressed the Planning Commission. They are the owners of 2
14 four-plex buildings (3622 and 3630 Douglas). Mr. Henry gave the background of their
15 ownership and improvements and advising that in order to get financing on the buildings,
16 so as to continue his improvements, the new zoning district must allow multi-family uses as
17 permitted uses. Currently, the four-plexes are nonconforming uses and he cannot obtain
18 financing on them. He asked how the proposed zoning was assigned to the new map.
19 Chairman VanderKlok said that the proposed zoning was transferred from the existing
20 zoning in most cases. Mr. Henry said his four-plex buildings were constructed in 1981 and
21 were allowed at that time. They are not converted single family units. They are located
22 across from the trailer park. He said that since he took over these units, he has evicted the
23 prior tenants and worked on attracting tenants that are employed. He does a thorough
24 background check on prospective tenants. He is improving the properties and has raised
25 rents to a mid-range level (\$550 per month). He has registered them as rental units with
26 the Township. He keeps the property up. He is asking the Planning Commission to have
27 the new zoning classification for these properties allow multi family units as a permitted
28 use.
29

30 Mr. Terranella asked about the RM-2 designation proposed for West Main Street. He is
31 concerned that it may cause problems for existing businesses in terms of non-conformities.
32 He asked the Planning Commission to consider these implications.
33

34 The Planning Commission discussed possible non-conformities that may be created if
35 the West Main Hill area is zoned RM-2, including the Dollar Store, Muffler Shop, etc. If the
36 area was rezoned to C-1 or C-2, all uses would be allowed but such zoning would not
37 necessarily serve as a transition area between residential and commercial areas.
38

39 Mark Miller, 122 Sydelle Avenue, asked the Planning Commission about the proposed
40 R-1 zoning classification for the front of the Greenhill Apartments on West Main, while the
41 balance of the property will be zoned RM-1. The Planning Commission and Mr. Doozan
42 reviewed the proposed zoning map and concluded that the R-1 was most likely a mistake.
43

44 Kelly Henry, owner of 3622 and 3630 Douglas, submitted a letter to the Planning
45 Commission regarding their ownership of the four-plex buildings and requesting a zoning
46 classification that would permit multi-family uses.
47

48 There being no further public comment, Chairman VanderKlok closed the public

1 hearing at 7:50 p.m.
2

3 Chairman VanderKlok said that he thinks the four-plexes on Douglas Avenue are
4 established and the zoning should reflect that. With regards to the West Main Hill area, he
5 wonders if the Planning Commission favors allowing a mix of businesses and residential
6 moving westward, until the area transitions to primarily commercial. Or would it be better
7 to rewrite the C-1 and C-2 provisions to include residential uses. He is concerned with
8 creating non-conformities.
9

10 Mr. Rothrock distributed a memo summarizing his thoughts on the West Main Hill
11 area. He said that he thought it would be a good idea to revise the C-1 and C-2 zoning
12 districts to allow residential uses. He said that the City of Kalamazoo allows mixed uses and
13 the Township needs to be cognizant of that. The current Master Plan shows commercial in
14 the area, although some of the sites are brownfield sites and may be difficult to develop.
15 Also, he feels that some of the higher end uses have left and have not been replaced with
16 uses of equal caliber. He favors slowing down traffic in the area. Mr. Rothrock noted that
17 the 2015 Strategic Plan favors allowing mixed uses. The 2013 Master Plan proposed a
18 Corridor Improvement Authority in the West Main Hill area. Commercial development is
19 recognized and accepted in the West Main Hill area. He feels that the proposed RM-2
20 zoning only allows low intensity commercial uses, which may not be enough for this area.
21 He is not in favor of the proposed revisions to the zoning ordinance text and/or map as
22 delineated in McKenna's memo dated 5/23/16, which was provided to the Planning
23 Commission tonight. He feels the most appropriate approach is adding residential uses to
24 the C-1 and C-2 zoning districts, to allow for mixed uses in commercial districts.
25

26 Mr. Leuty said that last year, the Township amended the Zoning Ordinance to allow
27 mixed uses in the C-1, C-2, RM-2, B2 and B3 zoning districts. Mr. Doozan said that it may
28 not be recommended to add residential uses as permitted uses in the proposed C-2 zoning
29 district, as that district is intended for more intensive commercial uses, while it may be
30 appropriate to allow them in C-1. He asked if the Planning Commission wanted the
31 proposed rezoning on West Main Street east of Gilkinson to be C-1.
32

33 The Planning Commission had discussion on regarding creation of non-conformities,
34 proposed setbacks for the RM-2 and C-1 districts, the ability to have a restaurant serving
35 alcohol in the C-1 district, and the most appropriate zoning for the West Main Hill area.
36 Ms. Harvey said that adding mixed uses would be allowing a mix of uses in a single
37 building, versus allowing a detached single family home in a commercial zoning district.
38 She felt that the C-2 district should stay solely commercial. She asked if the Planning
39 Commission was comfortable with the C-1 district as proposed, or would it like to consider
40 design guidelines for the C-1 district. She noted that RM-2 has design guidelines, which
41 distinguishes it from C-1. Mr. Doozan noted that he proposed revised setbacks for the RM-
42 2 district which would apply only in the West Main Hill area, to allow development closer to
43 the street and to work with existing conditions, as well as a desire to slow traffic in the area.
44
45

46 The Planning Commission deliberated regarding the recommended zoning for the West
47 Main Hill area. Ms. Harvey recommended that a mix of uses be allowed, because that is the
48 existing development pattern, but that design guidelines be adopted. This would help

1 achieve the desired end result. She cautioned against rewriting zoning district provisions
2 and/or rezoning this area to C-1 in order to accommodate three existing businesses, unless
3 those three businesses represent the form and intensity of development that the Planning
4 Commission hopes to achieve in this area. Ms. Harvey also cautioned against revising the
5 C-1 and C-2 districts to the extent that there was very little distinguishing them from the
6 RM-2, which she felt would undermine the attempt to develop a mixed use corridor.
7

8 The Planning Commission had questions on what would happen to the Dollar Tree
9 store if it became non-conforming. Mr. Doozan it is important to set the tone for the types
10 of land uses that the Township wants, versus writing ordinances to facilitate existing
11 development (unless it is the desired form of development).
12

13 Ms. Harvey called the Planning Commission's attention to Mr. Doozan's memo of
14 5/23/16 discussing live work units, in regards to the proposed RM-2 zoning. Chairman
15 VanderKlok accepted the memo and included it in the record.
16

17 Mr. Rothrock said he is uncomfortable with the proposed RM-2 zoning for West Main
18 Hill and that he prefers a straight commercial zoning for this area. He is also very
19 concerned with growing areas of blight. Mr. Doozan said he felt that the RM-2 zoning is
20 more in line with the Township's vision for West Main Hill. There was Planning
21 Commission discussion on what properties might become nonconforming. Mr. Doozan
22 also pointed out that some properties would become conforming.
23

24 Mr. Hudson brought up that although the standards for retail were not to exceed 5,000
25 square feet, larger structures might be able to be divided so as to meet this requirement.
26

27 Motion was made by Mr. Leuty, seconded by Ms. Milne to recommend the proposed
28 zoning of the West Main Hill area (Prairie to Gilkinson) be RM-2, that revised setbacks be
29 developed for this area, that the purpose section of the RM-2 zoning district be revised to
30 include reference to live/work units and that proposed zoning map remain as drafted. The
31 motion passed unanimously.
32

33 Mr. Doozan said he would revise the Zoning Ordinance text as directed, for the
34 Planning Commission's review at its next meeting.
35

36 The Planning Commission continued its discussions about residential setbacks and the
37 area on Douglas with the four-plexes. Mr. Henry said that there is approximately 4 acres in
38 the area that is developed with the four-plexes and adjacent vacant land. He also noted
39 that mortgage lenders are very leery of lending if there is a provision that nonconforming
40 structures cannot be rebuilt if they are more than 50% destroyed.
41

42 After discussion, motion was made by Mr. Leuty, seconded by Ms. Milne to recommend
43 that minimum side yard setbacks in the R-1 and R-2 zoning districts be 5 feet. The motion
44 passed unanimously.
45

46 Motion was made by Mr. Leuty, seconded by Ms. Milne to recommend that the area of
47 Douglas Avenue with the existing four-plexes be rezoned to RM-1. The motion passed
48 unanimously.

1
2 Motion was made by Mr. Rothrock, seconded by Ms. Milne to add mixed uses (allowing
3 mix of commercial and residential uses in the same building) to the C-1 zoning district text.
4 The motion passed unanimously.

5
6 The Planning Commission continued its discussion by noting that pole signs have been
7 recommended to be removed from the Zoning Ordinance; five foot sidewalks are
8 recommended; and focusing wind turbines to industrial areas because of the potential for
9 harm if one fails will be considered.

10
11 **ITEM 7 OLD BUSINESS**

12
13 **7.a. Planning Commission consideration of Proposed New Zoning Ordinance**
14 **and Zoning Map**

15
16 Motion was made by Mr. Rothrock, seconded by Mr. Chapman to place consideration
17 of the revised Zoning Ordinance and map on the Planning Commission's agenda for July 7.
18 The motion passed unanimously.

19
20 **ITEM 8 NEW BUSINESS**

21
22 8.a None

23
24 **ITEM 9 OPEN DISCUSSION**

25
26 **9.a. Correspondence Received**

27 None

28
29 **9.b. Planning Commission Members**

30 Chairman VanderKlok thanked the members of the public for attending.

31
32 **9.c. Audience Comments**

33 None

34
35 **ITEM 10 REPORT OF TOWNSHIP BOARD REPRESENTATIVE**

36
37 Mr. Leuty said that the Board considered the non-motorized grant application at its
38 recent meeting.

39
40 **ITEM 11 REPORT OF ZBA REPRESENTATIVE**

41
42 Chairman VanderKlok said that the ZBA approved a site plan for the Kalamazoo
43 Rugby Club for a rugby filed.

44
45 **ITEM 12 COMMENTS FROM PLANNING COMMISSIONERS**

46
47 Mr. Rothrock and Ms. Milne submitted their resignations, effective following the
48 Planning Commission's final action on the new Zoning Ordinance and map.

1
2 **ITEM 13 REPORT OF PLANNER AND ZONING ADMINISTRATOR**

3
4 None

5
6 **ITEM 14 REPORT OF TOWNSHIP ATTORNEY**

7 None

8
9 **ITEM 15 ADJOURNMENT**

10
11 There being no further business, Mr. Rothrock made a motion to adjourn, seconded
12 by Ms. Milne. The motion carried unanimously and the meeting was adjourned at 8:55
13 p.m.

14
15
16 **KALAMAZOO TOWNSHIP**
17 **PLANNING COMMISSION**

18
19 _____
20 Robert Talbot, Secretary
21 1720 Riverview Drive
22 Kalamazoo, MI 49004
23 (269) 381-8080
24