

1  
2  
3  
4  
5  
6  
7  
8

**Charter Township of Kalamazoo  
Minutes of a Planning Commission Meeting  
Held on August 3, 2017**

9  
10  
11  
12  
13  
14  
15  
16  
17

A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on August 3, 2017 commencing at 7:00 p.m. at the Township Hall at 1720 Riverview Drive.

18  
19  
20

**Present were:**

21  
22  
23  
24  
25  
26  
27  
28

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

29  
30  
31  
32  
33  
34

**Absent were:**

35  
36  
37  
38  
39  
40  
41

None

42  
43  
44  
45  
46  
47  
48  
49  
50

Also present were Township Manager Dexter Mitchell, Township Zoning Administrator Patrick Hudson, Township Attorney Roxanne Seeber; and 17 additional interested persons. Cripps moved, supported by Hathcock to excuse Dingemans. The motion passed unanimously.

51  
52  
53  
54  
55  
56  
57  
58  
59  
60

**Call to Order**

The chairman called the meeting to order.

61  
62  
63  
64  
65  
66  
67  
68  
69  
70

**Approval of meeting agenda**

Hathcock moved, supported by Chapman to approve the agenda as submitted. The motion passed unanimously. Dingemans arrived late. Cripps moved, supported by Hathcock to rescind the motion to excuse Dingemans. The motion passed unanimously.

The next item on the agenda was approval of the minutes of the July 6, 2017 planning commission meeting which had been submitted to the members in their packets. Hartsough suggested a spelling change to one of the audience member names; Nagler noted a couple of changes, which were made on the minutes themselves. Dingemans suggested an addition to a sentence that he had been the subject of. All of the changes were made on the face of the minutes.

Hitt moved, supported by Hartsough to approve the minutes as corrected. The motion passed unanimously. Dingemans signed the corrected minutes and provided them to Hudson.

**Gravel Mine Reviews**

1  
2 The next item on the agenda was a gravel mine review for Aggregate Resources, 4274 Ravine  
3 Road. Gary Moline spoke on behalf of the applicant. He had met on-site with Hudson on July  
4 20. They spoke about the recycling operation in which rubble is taken in and crushed on-site.  
5 Moline indicated that they worked in conjunction with their neighboring gravel mine, Stoneco.  
6 Aggregate Resources does the processing for Stoneco. They move the Stoneco processing plant  
7 to the Stoneco property and undertake the processing on Stoneco's site. Moline indicated that  
8 he had a good relationship with the nearby neighborhood. He received a report from Sally  
9 Trimestra who was the spokesperson for the Stoldt Drive residences. They had received no  
10 complaints from Stoldt Drive over the past year. They had also received no complaints from  
11 the road commission. Moline indicated that they do no processing of raw materials on the  
12 Aggregate Resources site. They are not doing any new extraction on-site; therefore, they had  
13 no new reclamation plan. They had, however, reclaimed approximately two additional acres on  
14 the south side of the property in the last year. Bonding and insurance were in place, he said.  
15 In response to an inquiry from a member of the audience, Moline indicated that the hours of  
16 operation were 7:00 a.m. to 5:00 p.m. 6 days per week.

17  
18 In response to an inquiry from Chapman, Moline stated that they had been using a portable  
19 crushing plant and processing stone about once a month. Hudson stated that the processing  
20 plant was set inside a deep hole. Moline stated that he usually alerts the neighbors if there is  
21 an out-of-the-ordinary operation planned.

22  
23 Hudson stated that the site is well maintained. The bond expires on 11-20-17; the liability  
24 insurance expires on 8-1-18. The soil erosion permit is good until 2018. The inspection fee has  
25 been paid. The site for concrete crushing is well placed and no complaints had been received.  
26 The dust control is active on-site.

27  
28 Dingemans commented that he goes by the property quite often and that it looks nice.  
29 Hartsough agreed. Dingemans moved, supported by Hathcock to approve the special  
30 exception use extension for the Aggregate Resources gravel mine at 4274 Ravine Road. The  
31 motion passed unanimously.

32  
33 **Stoneco, 3800 Ravine Road**

34  
35 Hudson stated that the Stoneco site was also in good condition. The bonding, insurance and  
36 soil erosion permits are fine. The dust control is okay. The inspection fee had not yet been  
37 submitted. The soil erosion permit is good until 2018. No complaints had been received.  
38 Tony Allen spoke on behalf of Stoneco. He confirmed the cooperative arrangement with  
39 Aggregate Resources. Their focus, he said, was on being good neighbors to the community.  
40 Aggregate Resources does a lot of loading and crushing. They did not do much crushing or  
41 reclamation. He submitted the check for inspection to Hudson. The insurance, Allen said,  
42 comes due in September. He will submit an updated certificate to Hudson when it gets there.  
43 They have an indefinite extension on their bond.

1 There were no comments from the audience. Hartsough moved, supported by Dingemans to  
2 approve the Stoneco renewal. The motion passed unanimously.

3  
4 **Public hearings**

5  
6 **Rezoning - 3800 Wynn Road**

7  
8 The next item on the agenda was a public hearing on the request of the Township Manager to  
9 rezone a portion of the property addressed as 3800 Wynn Road from the existing I-2 General  
10 Industrial District Zoning Classification to the "C-2" Commercial Corridor District Zoning  
11 Classification. Due to mapped zoning, this single parcel was zoned with the two districts. The  
12 application was to place the entire parcel in the C-2 District Zoning Classification so as to allow  
13 its use for permitted and special land uses listed in the C-2 District pursuant to the Township  
14 Zoning Ordinance.

15  
16 Hudson indicated that the property has had several uses and is a mix of commercial and  
17 industrial. The building on the west side of the property has been used as an auto glass shop  
18 and is considered a legal pre-existing nonconforming use. The current C-2 district includes the  
19 entire frontage on Sprinkle Road from Franklin Street to Market Street. The adjacent uses are  
20 an auto oil change shop and other similar uses. This nonconforming use could be continued,  
21 Hudson said, but only as an auto glass shop. The I-2 district does not list automobile sales as a  
22 permitted or special land use. He understood that a used automobile dealer wished to rent  
23 the property. Hudson read the regulations on nonconformities to the group. He indicated that  
24 the 2008 Future Land Use Map shows the area as entirely "light industrial". The adjacent uses  
25 to the east and north are permitted uses within the C-2 district and are zoned C-2. The prior  
26 zoning for this parcel was the "D" Commercial/Industrial District Zoning Classification which no  
27 longer existed in the zoning ordinance. Hudson indicated that the master plan was last  
28 reviewed in 2014 with only minor text updates. Hudson indicated that the property is difficult  
29 to market because there is a potential environmental issue and yet the building in question was  
30 constructed as a retail use structure and has been so used for many years.

31  
32 The Planning and Zoning Act, Hudson indicated, specifically prohibits Townships from granting  
33 use variances, unless the ordinance in effect at the time (2008) has allowed them; and the 1947  
34 Kalamazoo Township Zoning Ordinance specifically prohibited the ZBA from granting use  
35 variances. Hudson commented that it appears that Article 3 seems to allow use variances  
36 under that section. Hudson indicated that normal planning practice and theory would not  
37 recommend this rezoning without amending the Master Plan.

38  
39 Diane Johnson spoke as the owner of the property. She was not notified of the zoning change  
40 when it occurred. She indicated that the property should be zoned the same throughout. It is  
41 basically a rental property and represents most of her income. She reiterated her concern that  
42 she was not notified of the split zoning. She felt that the rezoning was done in order to cater  
43 to Burchett who owned most of the adjoining property. She cannot rent the building out as it  
44 is currently zoned. It is her biggest source of income to cover the tax payments. Dingemans

1 inquired as to whether the building is empty at this time. Johnson confirmed that it is. Hudson  
2 indicated that the same specific retail use would need to replace the former use and there must  
3 be a clear intent to abandon. Hartsough inquired as to the reason for the change. Hudson  
4 stated that the parcel had been rezoned when the new zoning ordinance was implemented. It  
5 looked to him like the zoning was just drawn in order to square off a line and that the split  
6 zoning on one parcel was unintentional. It was an oversight and nothing that the owner did,  
7 Hudson stated. That is the reason that the Township decided to undertake the rezoning and  
8 not require an application and the payment of the application fee. Dingemans wished to  
9 ensure that it was not "spot zoning". Hudson stated that there is adjoining C-2 zoned property.  
10 The "D" zoning category is no longer in existence, Hudson said. The goal was to rezone the  
11 west half of the property to match the east half. Hathcock did not see a reason not to do the  
12 rezoning. The chairman opened a public hearing on the request. No one spoke for or against  
13 it. The chairman closed the public hearing. Hitt moved, supported by Hathcock to recommend  
14 the rezoning to the Township Board. The motion passed unanimously.

15

#### 16 **Public Hearing--Aggregate Resources**

17

18 The next item on the agenda was the request of Aggregate Resources, Inc. for special exception  
19 use approval for the operation of a contractor's yard for storage and distribution of aggregate  
20 materials to be stored up to 50 feet in height in accordance with Article 20.02(B)(24) of the  
21 Township Zoning Ordinance and Article 20.03(A)(3)(d) of the Township Zoning Ordinance on the  
22 property addressed as 2425 King Highway (Parcel Nos 06-24-135-010; 06-24-120-010; and 06-  
23 23-230-010) within the Township. The property is located in the I-2 General Business District  
24 Zoning Classification.

25

26 Hudson indicated that the applicant proposes to use the old Georgia-Pacific site for storage and  
27 distribution of sand and gravel stockpiles. The operation will utilize the Conrail siding for  
28 delivery of sand & gravel and will utilize access to M-96 for a truck route. The operation is to  
29 include a conveyor belt from the rail siding going to the stockpiles, a weigh station and gated  
30 entrances with a small office for 1 to 2 employees. He continued that this is a former industrial  
31 site for the Georgia Pacific paper mill and is vacant land partially within the floodplain of the  
32 Kalamazoo River. The site abuts the Conrail/Amtrak rail line to the north and east Michigan  
33 Avenue beyond that. To the east is the city limit and additional former Georgia Pacific  
34 property. To the south is King Highway (M-96), he stated, and is primarily vacant land along the  
35 Kalamazoo River. To the east is a night club, he said. A non-motorized public trail runs along  
36 the river from the west side to King Highway where it is located within the MDOT right of way.

37

38 The Township Fire Marshal had undertaken a review. His email to Hudson was included in the  
39 packet. Hudson provided it to the group, indicating that there are fire hydrants located at each  
40 entrance from King Highway. Due to the response routes to the property, he was requiring the  
41 East Michigan gate remain a functioning access gate to the property. The Township will also  
42 require Knox padlocks to be installed on all gates to the property. These locks can be  
43 purchased directly from the Knox Company. The fire marshal has the lock at the office if the  
44 owner needs it.

1 Hudson explained that a revised site plan had been submitted late, so he was not able to get it  
2 to the planning commission members until the meeting. The I-2 District, he said, is a general  
3 industrial district intended for heavy industrial operations including mining.

4  
5 Hudson's biggest concern was screening from the bike path. He recommended more  
6 landscaping. The signage was not shown and if signs were needed, a separate sign application  
7 would be required.

8  
9 Jessica Routely spoke on behalf of the applicant. She introduced Dan Balkema, one of the  
10 property owners and engineer Michael Preston from Prein and Newhof. In response to an  
11 inquiry from Cripps, Routely pointed out the driveway that the fire marshal was talking about.  
12 She had not yet ordered a Knox Box, but she was willing to do that.

13  
14 Cripps stated that he had been to the property earlier in the day. The gate was open so he  
15 didn't have to walk down to be let in. He had observed a lot of brush along the fence line,  
16 which served as a natural buffer. Balkema indicated that he had asked his maintenance worker  
17 to clear the area, but to leave the area along the fence in its current condition. There are wild  
18 grapes and a lot of brush in that area, he said. In response to an inquiry from Cripps, Balkema  
19 indicated that the unloading pit for the rail cars was about 15 feet deep. The location of the pit  
20 is at the highest elevation on the property. This would keep the aggregate out of the  
21 groundwater and avoid groundwater issues during construction.

22  
23 In response to an inquiry from Nagler, Balkema indicated that the idea was to have train cars  
24 dump it into the processing area and it would then get hauled out. The grade was the same as  
25 that of the current Amtrak grade, he said. Cripps inquired about the distance between the two  
26 tracks. Balkema indicated that there was a requirement that they be no more than 15 feet  
27 from each other. The earth mound that was noted on the site plan, Balkema said, was to be  
28 utilized as a bump stop if they push the train too far.

29  
30 The chairman opened a public hearing on the request. In response to an inquiry from Nagler,  
31 Balkema pointed out an existing driveway on King Highway in and out. Mike Melli of 2427  
32 Lakeview Drive inquired as to when the train cars would be entering and exiting the property.  
33 Balkema indicated that no one can answer that question, it was really all up to the discretion of  
34 the railroad. He detailed the routes and the companies that were involved in the  
35 transportation process. In response to further inquiry from Melli, Balkema indicated that there  
36 is already electricity to the property from Consumer's. They will likely use the poles that are in  
37 front of the Morris Rose property, he said. These poles may be scheduled for replacement, he  
38 said, due to their moderately deteriorated condition. Melli voiced concern over newborn birds  
39 in a nest on a pole on the property. Balkema indicated that the birds can stay. There being no  
40 additional public comment, the chairman closed the public hearing.

41  
42 None of the Planning commissioners had questions or comments. Chapman moved, supported  
43 by Hartsough to approve the special exception use for the contractor's storage yard. The  
44 motion passed unanimously.

1 The next matter to come before the Planning Commission was site plan review for the same  
2 location and contractor's yard.

3  
4 Hudson read through his report, indicating that most of the issues had been discussed during  
5 the special use phase of the hearing. Cripps moved, supported by Hartsough to approve the  
6 site plan for the contractor's yard subject to adherence to the fire marshal's Knox Box and  
7 gating recommendations. The motion passed unanimously.

8  
9 **Old Business - Capital Improvement Plan**

10  
11 The next item on the agenda was recommendation of the Capital Improvement Plan. The  
12 chairman indicated that many items had been discussed during the work session that had been  
13 conducted by the planning commission prior to the meeting. Hartsough moved, supported by  
14 Cripps to recommend approval of the draft capital improvement plan, with changes discussed  
15 and made on the CIP by Hudson during the work session incorporated. The motion passed  
16 unanimously. Cripps thanked manager Mitchell for attending the work session meeting and  
17 answering the planning commissioners' questions.

18  
19 **Preliminary Site Plan - Hosner Eye Care**

20  
21 Hudson introduced a proposed site plan amendment for Hosner Eye Care, indicating that the  
22 property is located in an existing PUD. Therefore, he said, even minor changes require approval  
23 of the Planning Commission and the Township Board. He indicated that the applicant wishes  
24 to reconfigure the internal arrangement of the offices and add parking on the north side of the  
25 building. Hudson noted that the parking must conform to Section 4.00 of the Ordinance. As a  
26 medical/dental office, he stated, 1 space was required for every 200 square feet of usable floor  
27 area. He continued, stating that the applicant was providing the usable floor area square  
28 footage at 7,500. Therefore 37 parking spaces are required. Because he did not understand  
29 exactly what the applicant had in mind, he had asked the applicant to attend the planning  
30 commission meeting to explain it to the entire group.

31  
32 Jeff Lingard of Fleiss & Vandenbrink Engineers represented the applicant. He indicated that  
33 they were trying to get additional parking space on the north side of the building. He showed  
34 an existing fire lane on the north side of the building, indicating that they wished to build off of  
35 that to create 11 spots north of the building. They wished to retain an existing large deciduous  
36 tree, and provided for a bump out around it on the east side of the building. They had been in  
37 contact with the Michigan Department of Transportation which had no issues with the plan.  
38 Nagler inquired about a 3-foot depression straddling the right of way which was shown on the  
39 drawing. Lingard indicated that they did not plan to fill it because it would kill the pine trees in  
40 there. Brian Neeling of the MDOT had given a verbal okay, but he desired a full set of drawings  
41 before giving a final approval. The real stumbling point, Lingard indicated, was the required 15  
42 foot wide landscape strip between the parking area and the street. This would only leave a  
43 5-foot wide landscaping strip. Hudson thought that the planning commission might be inclined  
44 to give a landscaping variance. Lingard outlined a large green space in front of the parking lot

1 between new asphalt and the new proposed parking spaces, stating that there were 39 feet  
2 between the asphalt and the curve. On the east side towards Turwill there are 28 feet between  
3 the pavement and the edge of road. Nagler wished to ensure that the depression was not  
4 designated as a retention basin. Lingard had not seen or planned that as a retention basin, he  
5 stated that there may be an old one in the area. He acknowledged the existence of a 13- inch  
6 storm drain that goes to catch basins on West Main. Neither the surveyor nor the engineer  
7 found anything that appeared to be an old leaching well, he said.

8  
9 In response to an inquiry from Cripps, Lingard indicated that the storm water ties into the  
10 MDOT drains on West Main, but not on the site in question. Cripps inquired about the sign.  
11 Lingard indicated that it may need to be moved. Hudson reminded the group that two site  
12 plan amendments had been made to the property within the last year, one of which included  
13 the sign. Hitt recalled that they had required Turwill to remain open. Chapman inquired as to  
14 whether the parking would be ADA compliant. Lingard confirmed this. He also stated that the  
15 intention was to have the employee's park in the new parking areas so as to allow the  
16 customers to park in the front.

17  
18 The applicant indicated that the sketch was an older one. They had done some preliminary  
19 topographical surveys on the north side of the building. Their main concern was the issue of  
20 landscaping within the narrow 5-foot remaining portion between the parking and the right-of-  
21 way. Nagler inquired as to whether there was a plan to remove the pine trees. The applicant  
22 indicated that it would be necessary in order to bring the level of the property up to meet the  
23 plan. Many pine trees are already dead, he said.

24  
25 Hartsough inquired as to where the parking spaces are to be put in. She was concerned about  
26 fire department access. Hudson indicated that the plan would actually widen the driveway.  
27 Cripps recalled that the ordinance now requires a 25-foot wide fire department access to land.  
28 Hudson wondered aloud what the usable floor area of the entire building was. He was having a  
29 hard time calculating the parking requirements without knowing the usable floor space and the  
30 uses in the building. He was quite concerned about this and had been unable to figure it out.

31  
32 Dingemans inquired as to the purpose for the applicant's appearance at the meeting. Hudson  
33 indicated that he wanted to know what the planning commission wanted to do with it. The  
34 applicant indicated that he was willing to approach the MDOT as to landscaping in the right-of-  
35 way. Cripps indicated that it would probably be allowed so long as the applicant understood  
36 that the MDOT would remove the landscaping if it got in the way.

37  
38 Lingard indicated that there was a significant amount of landscaping east of the drain buffer 15  
39 to 20 years ago. Hartsough inquired as to whether there were safety concerns as to width of  
40 the landscaping strip. Nagler reported that they were constructing on their own property,  
41 pretty far back from the roadway. He stated that there may also be an issue with the driveway  
42 being so close to West Main. Nagler indicated that there really was nothing for the Planning  
43 Commission to do at this point. Lingard indicated a desire only for initial thoughts without the  
44 planning commission making any commitments. Hathcock inquired as to the width of the right

1 of way. The applicant indicated that it was 100 feet in width. Nagler calculated what he  
2 thought would be the final distances from the parking lot to the curb on each side of West  
3 Main.

4  
5 Hudson voiced concern over the parking. He wished to know whether there was too much  
6 office space or not enough parking. Hudson did not want to ask the Planning Commission to  
7 overload the existing parking lot. Lingard indicated that a big chunk of the land on the south  
8 side cannot be used. Hudson mused that the existing parking must have been approved at  
9 some point. He voiced concern over a proposed extension of an internal walkway. Nagler  
10 understood that Hudson wished to be sure that the parking meets the requirements for the size  
11 of the building. Speaking personally, Nagler did not have much of an issue if they are working  
12 out the landscaping issue with the MDOT. Hudson indicated that the PUD amendment would  
13 require notification to the adjoining property owners. The applicant indicated that he would  
14 proceed with gathering more information, producing a grading plan and doing storm water  
15 calculations. There was no action for the planning commission to take.

16  
17 **Open Discussion**

18  
19 The chairman opened the meeting for audience comments. Hudson introduced  
20 correspondence received from the City of Kalamazoo providing its links to a master plan  
21 update. He stated that the Planning Commission members may wish to look at the links in  
22 order to determine whether the proposal would create any headaches for the Township. He  
23 announced a “green infrastructure tour” being hosted by the County Drain Commissioner’s  
24 office on August 8 and August 17. Chapman inquired as to whether individual responses would  
25 be required. Nagler wished to include official comments about the proposed “road diet” for  
26 West Main Street. Additionally, some roads may be reclassified which back up to Kalamazoo  
27 Township. Nagler was opposed to the road diet, indicating that it would cause a back-up on  
28 other township roads. He felt that it was poor planning. Hudson asked Nagler to bring the  
29 comments up at the next planning commission meeting so that an official letter could be sent  
30 to the city opposing the road diet.

31  
32 Robert Havenaar, 3418 South Westnedge desired some information regarding a planned new  
33 dock and more greenhouse space to facilitate shipping. He stated that a building permit was  
34 not necessary because it was an agricultural structure. Cripps considered the site plan review  
35 provisions of the zoning ordinance and stated that the amount of dirt being moved, the  
36 addition of a dock and greenhouses would require site plan review. Hudson could not recall  
37 whether the property is located in R-1 or R-2. Havenaar indicated that he had prepared a map  
38 of his plans. Hudson read the permitted uses, indicating that regardless of the zoning district,  
39 the addition to the agricultural buildings was permitted. He indicated that he would have  
40 listed greenhouses as a permitted use in the I2 district zoning classification. Upon consultation  
41 with the zoning map, Hudson indicated that the property was located in the C-1 business  
42 district. Hudson felt that the greenhouse expansion would at least have to adhere to the  
43 setbacks. Havenaar indicated that the greenhouses are temporary structures, built only on  
44 poles. Cripps reiterated the reasons that a site plan was required, as specified in the zoning



1 ordinance. Hudson next considered that the property might actually be located in the R-2  
2 district zoning classification. He stated that a new water line would be required. A permit  
3 from the health department was therefore necessary. Havenaar indicated that the greenhouse  
4 addition was planned to be 150' x 500'. It will be an improvement to the property, he said. He  
5 understood a need to clean up the front yard. Something had burned down when he was in  
6 the 5<sup>th</sup> grade and they just never got around to cleaning it up. Additionally, the electric on the  
7 site needed upgrading. Nagler indicated that the ordinance was pretty clear that site plan  
8 review is required. Havenaar inquired as to what site plan review meant. Seeber indicated  
9 that the application requirements were set forth in the ordinance. There was no public hearing  
10 required, but the planning commission would need a professional drawing. Cripps, Nagler and  
11 Hathcock confirmed the need for the site plan. Havenaar indicated that all of his products were  
12 on order and nearly ready to be delivered. He wanted to know whether there was a way to  
13 speed up the process. Hudson stated that he could pay for a special meeting, but he wouldn't  
14 gain much in terms of time. Havenaar reported that the dock hole was already dug. They had  
15 moved 6000 yards of muck off of the property and onto the neighbors' site. He could not put  
16 the brakes on the project because it was already in motion. Nagler inquired as to whether a  
17 temporary greenhouse was an accessory use. Hudson reported that it was a principal use.  
18 Dingemans inquired as to what Hudson wanted from the Planning Commission. Hudson stated  
19 that once the need for a site plan was settled, he would know what to do with the whole thing.  
20 Havenaar indicated that Hudson reported that the area had been changed from residential to  
21 agricultural. He inquired as to when that change was made. Hudson indicated that even  
22 agricultural zoning required a site plan in this instance. Nagler inquired how late the site plan  
23 submittal could be turned in for the next PC meeting. Hudson indicated that he needed to  
24 have it within three weeks. While a public notice was not required, he would still need to get it  
25 to the planning commission members in their packets. Hudson reported that in his mind, the  
26 setbacks and storm water runoff were the biggest problems. The drain commissioner would  
27 have to review the drawing. Havenaar indicated that there were nine other greenhouses on  
28 the road. He felt he was being singled out. Seeber indicated that a design professional would  
29 know where to look in the ordinance for the site plan requirements. Hudson stated that he is  
30 on the county soil erosion board of appeals. There was an appeal on this property 15 years ago,  
31 he recalled. Havenaar indicated that the dock would end 120 feet from the edge of the  
32 property. He could meet the setbacks. He inquired as to what a setback was. Nagler stated  
33 that you cannot build too close to the edge of the property. Hudson noted the height  
34 limitation of 25 feet. The applicant considered that the peak of the greenhouse may be more  
35 than 25 feet in height. Hudson then recalled that a principal building can be up to 35 feet in  
36 height. Havenaar indicated that the process was overwhelming. Nagler stated that it was  
37 better to come to the planning commission before any major plans and changes were made.  
38 Hudson gave examples of what could go wrong if the zoning ordinance was not adhered to such  
39 as the driveway in the wrong place and someone could get killed or he could flood out the  
40 neighboring property owner. Hudson provided his business card to Havenaar, stating that he  
41 was only in the office on Mondays and Thursdays.

42  
43 Scott Mclean, executive director Kalamazoo Youth for Christ indicated that they were looking  
44 for a building that could serve three major purposes: 1) offices for Youth for Christ; 2) youth

1 recreation center; and 3) house the “Taste of Heaven” drizzled popcorn production facility.  
2 Presently Taste of Heaven is in the Westwood Plaza. They have spent a lot of time for the right  
3 building to renovate. They had now found a possible site on East Main Street, which he pointed  
4 out to the group on a map. It is a vacant parcel and they would have to build. Volunteers make  
5 the popcorn product. The group considered the location, which is zoned C-2. Hudson recalled  
6 that the site was formerly in the “D” district zoning classification which would have allowed all  
7 three uses because it was a combination commercial and industrial district. The group  
8 considered whether the Taste of Heaven was a “restaurant” and Mclean indicated a willingness  
9 to put in a couple of seats if that helped. Cripps ran into the word “retail” and suggested that  
10 perhaps the goods would need to be sold on site or at least “at retail” from the site for  
11 distribution. Hudson voiced concern that it was actually more like a “production” operation,  
12 which would mean that it was not permitted in the C-2 district. Mclean voiced a potential for  
13 a second building to house the “Taste of Heaven”. Further discussion ensued regarding what  
14 zoning district the popcorn business would be deemed to be in. Hudson regretted that a  
15 provision in the old ordinance allowing production and sales from the same site was not  
16 retained. Conditional rezoning of a portion of the property to I-1 was discussed. Hudson  
17 indicated that there were four surrounding properties. If they wanted to purchase more than  
18 one, then a conditional rezone for one of the parcels could be possible. Seeber indicated that a  
19 conditional rezone is like a “contract to zone” wherein the owner generally gives up the right to  
20 conduct all other activities in the zoning district so as to permit one or two of the activities. In  
21 this case, the applicant would indicate that it would be a food production facility with (or  
22 without) retail component, and that other presumably more heavily-industrial activities would  
23 be forgone. This would require a rezoning application and probably professional assistance,  
24 she said. The problem, Cripps said, was that the recreational center and the offices fit into one  
25 of the zoning districts while the popcorn processing was permitted in another district. Seeber  
26 agreed.

27

28 **Report of Board Representative**

29

30 Hathcock reported that the board had approved the PUD site amendment for Kalsec. Roofs for  
31 fire department facilities had also been approved by the Township Board. It had also spent a  
32 great deal of time talking about medical marijuana.

33

34 **Report of Zoning Board of Appeals Representative**

35

36 Nagler reported that there was a special ZBA meeting scheduled for August 23.

37

38 **Planning Commission Member Comments**

39

40 Cripps indicated that the Air BNB topic was still hot. Seeber reported that there had been no  
41 change in the legislative status of the bill.

42

1 **Report of the Zoning Administrator**

2  
3 Hudson indicated that he had been having fun and games with fences. Two cases were going to  
4 the ZBA. One was about the materials used for the fence, in which an applicant is arguing that  
5 industrial steel walls are “common fence materials”. He indicated he needed the ZBA to figure  
6 that out. The next issue was about six foot high fences on right of way lines on a stub street in  
7 a plat. The issue was whether the development of the plat behind the stub street and the  
8 subsequent use of the stub street to enter the plat meant that the property owners now had  
9 “corner lots” that were differently affected by the zoning ordinance. There were now differing  
10 heights and qualities of fences, which had not been seen before the plat was implemented.

11  
12 **Adjournment**

13  
14 Cripps moved, supported by Hitt to adjourn the meeting at approximately 9:35 p.m. The  
15 motion passed unanimously.

16  
17  
18 Respectfully Submitted,

19  
20  
21  
22 \_\_\_\_\_  
23 Henry Dingemans, Secretary

24  
25  
26 Synopsis of Actions Taken by the Charter Township of  
27 Kalamazoo Planning Commission on August 3, 2017:

- 28  
29 1. Approved special use extensions for Aggregate at 7274 Ravine Road and Stoneco at  
30 3800 Ravine Road.  
31 2. Recommended approval of Capital Improvement Plan, with changes and corrections to  
32 the Township Board.  
33 3. Recommended rezoning of the West half of property at 3800 Wynn Road from I-2 to  
34 C-2.  
35 4. Approved special exception use and site plan for Aggregate Resources for contractor’s  
36 yard for storage and distribution of aggregate materials at 2425 King Highway.  
37 5. Heard preliminary site plan for PUD amendment at 333 Turwill for Hosner Eye care  
38 parking lot expansion.  
39 6. Received public comment.