

CHARTER TOWNSHIP OF KALAMAZOO PLANNING COMMISSION *ANNUAL REPORT – 2012*

In compliance with Section 308 of the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), the Planning Commission has prepared the following report documenting the Commission’s activities for 2012 with recommendations for further action in 2013. It is submitted to the Township Board for review and consideration for development of its own work plans and budgets for the coming years.

PLANNING & ZONING APPLICATIONS

REZONING REQUESTS

| Total 2012 | | 1 | |
|--------------------|-------------|--------------------------|------------|
| Address | Owner | Districts | Date |
| 1928 Colgrove Ave. | PR Lakeview | B district to C district | November 1 |

In November, the Lakeview Apartments appeared before the Commission requesting a rezoning of a vacant parcel of land they own on Gull Road. The parcel contains an off-premises sign that directs attention to their complex north of Gull Road. MDOT indicated to the complex that a permit was required from MDOT for the sign, and in order to have the permit, the site must be in a commercial district. The property was in the B district. Therefore, a rezoning to the C district was sought. Due to the location on Gull Road, the commercial designation in the master plan, and the adjacent commercial zoning, the Planning Commission recommended approval.

ORDINANCE AMENDMENTS

| Total 2012 | | 7 |
|------------------------|----------------------|------------|
| Subject | Decision | Date |
| Tattoo / Massage / Spa | Recommended Approval | January 12 |
| Composting | Recommended Approval | February 9 |
| Temporary Sales | Recommended Approval | June 7 |
| MUD | Recommended Approval | August 2 |
| KABA / Building Dept | Recommended Approval | August 2 |

| | | |
|--|----------------------|------------|
| Wireless Telecommunication Facilities | Recommended Approval | August 2 |
| Non-Conforming Lots | Recommended Approval | November 1 |

Tattoo / Body Piercing – The proposed amendments follow an interpretation to the Ordinance made by the ZBA in 2011. The amendments add tattoo studio, therapeutic massage parlor, spa, and similar uses to the Zoning Ordinance and assign them to appropriate districts.

Composting – A composting use was proposed to locate in the Township, but the use was not addressed in the Ordinance. Therefore, the Commission proposed to define the use and add it to the industrial districts as a special exception use with specific requirements based on state licensing requirements and input from experts in the industry.

Temporary Sales – The language in the Ordinance was not clear on temporary sales and the duration or potential for renewals on temporary outdoor sales. Further, there was movement to allow administrative renewals. Therefore, the Commission worked with the Board to amend the requirements and allow for easier and more efficient renewals of temporary outdoor sales.

MUD – The impetus for the change in the Ordinance regarding Multiple Use Developments (MUD) was the desire for the Fairgrounds and Expo Center to create an MUD for the area in which it is located. The facility is located in a B zoning district, and the existing standards limited MUDs in a residential district to a maximum of 10% civic uses. Therefore, the language was amended to allow for broader civic use where the underlying zoning is residential. This facilitated a later establishment of the area in an MUD.

KABA / Building Department – In October, Kalamazoo Township joined several other townships in the area in creating the Kalamazoo Area Building Authority (KABA) to serve as the community’s building department. This effectively closed the Township’s own building department. As a result, several references in the Zoning Ordinance needed to be updated due to the fact that there is no longer a Building Inspector in the Township to address zoning issues.

Wireless Telecommunication Facilities – The Planning Commission reviewed a proposed set of amendments to the wireless telecommunication facilities standards in the Zoning Ordinance. The model set of amendments that were presented was comprehensive and thorough, and there were several elements of the existing standards that were liked by the Planning Commission. As a result, a modified version was developed merging elements of the model language that was liked with the current ordinance. Input was received throughout the process from representatives of the wireless industry. In addition, the State amended the laws regarding this use during the

process of creating the amendment. After several months of work, the Commission recommended approval.

Nonconforming Lots – There are many lots in the Township that do not conform to current Ordinance standards because they do not satisfy minimum area or frontage requirements. In order to bring these lots into conformance with the ordinance requirements and reduce the number of negative impacts that have been evidenced resulting from these situations – blight, rental complaints, etc. – the amendment calls for adjacent nonconforming lots under similar ownership to be treated as one for the purposes of zoning.

SPECIAL EXCEPTIONS

| Total Reviews 2012 | | | 11 | |
|--------------------|---------------------------------------|--------------------------------|-------------|---------|
| Address | Applicant | Use | PC Decision | Date |
| 2929 W. Main St. | Great Lakes Waterproofing | Accessory Structure Size | Approved | Jan. 12 |
| 3248 Ashby Lane | Young / Brady | Home Occupation (Dog Grooming) | Approved | Feb. 9 |
| 3319 Greenfield | Vegh | Residence in Comm. District | Approved | Mar. 8 |
| 1747 W. Main St. | Sparks | Pawnshop | Denied | May 15 |
| 3506 Lake St. | Sossoman | Accessory Structure Size | Approved | Jul. 5 |
| 4877 Cypress Creek | Williams | Home Occupation (Salon) | Approved | Aug. 2 |
| 4877 Cypress Creek | Williams | Garage Size | Approved | Aug. 2 |
| 411 Nazareth Rd. | Longacre | Accessory Structure Size | Approved | Oct. 4 |
| 411 Nazareth Rd. | Longacre | Residence in Comm. District | Approved | Oct. 4 |
| 2900 Lake St. | Kal. County Fairgrounds & Expo Center | MUD | Approved | Oct. 4 |
| 3635 E. Main St. | Wilson | Banquet Hall / Photo Studio | Tabled | Dec. 6 |

2012 marked another increase in activity for the Planning Commission with eleven special exception use applications and reviews for the Commission. While some of these were straightforward, a few were more complicated and involved several

meetings and discussions with the applicants and others. In particular, the application for a pawnshop on West Main Street in the spring required a couple of meetings and resulted in significant input from the public. Ultimately, the use was denied as it did not meet the standards of the Ordinance. Also, as part of the County Expo Center's upgrades, their property in the Lakewood neighborhood was designated as an MUD reflecting the variety of public uses that exist on the property and the unique nature of the development.

In addition to these more prominent reviews, the remaining items followed some consistent trends. There were four requests for an accessory structure or garage that exceeded the maximum permitted size, there were two requests for home occupations, and there were two requests for residences in a commercial district. Similar requests are likely to continue as the economy begins to slowly recover and residents seek to make further use of the property they have.

| Total Renewed Permits 2012 | | 7 |
|--|-------------|---------|
| Applicant | PC Decision | Date |
| Kalamazoo County Parks and Expo Center | Approved | Jan. 12 |
| Superior Gravel | Approved | Feb. 9 |
| Consumers Concrete (1800 Ravine & 1100 Nazareth) | Approved | June 7 |
| Stoneco of Michigan | Approved | Aug. 2 |
| Top Grade / Vlietstra | Approved | Nov. 1 |
| Aggregate Resources | Approved | Dec. 6 |

The County Expo Center came before the Planning Commission for their annual approval of the schedule of events for 2012. With the approval of the MUD in October, the County will no longer have to come before the Township each year for approval. Instead, they will simply present changes to the events presented as part of the MUD approval.

Existing gravel mining permits are also required to be reviewed annually. The six mining operations appeared before the Commission for their annual reviews, and each was approved for continued operation for 12 months. For most, there were no significant issues that came from these discussions.

However, Top Grade / Vlietstra was an exception. The property was previously mined by Triple B Aggregates. However, that entity left the property, and in order to maintain the mining permit, the owners provided a bond for the property in 2011. Since that time, a new entity – Top Grade – signed a lease to mine the property and appeared before the Commission to renew the permit. Discussions with the Commission continued over

a few meetings in order to understand the operation and determine the proper bond amount and mechanism.

ADDITIONAL ACCOMPLISHMENTS

CAPITAL IMPROVEMENT PLAN

The Michigan Planning Enabling Act requires the Planning Commission to prepare a Capital Improvement Plan (CIP) for use by the Township and other agencies in implementing the goals of the Township Master Plan. 2009 marked the first year that the Planning Commission prepared a CIP for the Township. In 2012, a draft update of the CIP was prepared in compliance with State requirements. To prepare the update, information was gathered from the Township Clerk, Fire Chief, Police Chief, Engineer, and other department heads to ensure consistency with current plans and budget conditions. The CIP was reviewed by the Planning Commission in December and is scheduled for approval in January.

PINEHURST BOULEVARD LOT 38

In October, a group of interested residents from the Westwood neighborhood approached the Township Board about developing a vacant property owned by the Township in the Pinehurst Boulevard neighborhood. The group was directed to the Planning Commission, and a sub-committee was formed to consider the idea. A special meeting was held, and residents and stakeholders were invited to discuss ideas and concerns related to the property. It is expected that the discussion will continue into early 2013 with the Planning Commission eventually presenting a recommendation for the use of the property to the Township Board.

ADDITIONAL ROLES

RECREATION COMMITTEE

The Planning Commission also serves as the Recreation Committee for the Township. Charles Rothrock, Mark Miller, and Bob Talbot all served on this committee during the year. The Recreation Committee made several significant accomplishments during 2012 and looks to accomplish the following in 2013:

- Update the Recreation Plan
- Review the Township Parks to determine needs and desired projects
- Continued work on connections to bike path and neighborhoods

BROWNFIELD REDEVELOPMENT AUTHORITY

The members of the Planning Commission also serve as the Brownfield Redevelopment Authority. This group held one meeting in January to elect officers.

MEETINGS AND ATTENDANCE

MEETINGS

The Planning Commission had 12 regular meetings in 2012. The meetings were on the second Thursday of the month until June when the dates switched to the first Thursday of the month. In addition, on May 10, the Commission held a special meeting with the Zoning Board of Appeals to hear a presentation from the County Drain Commissioner as well as to hold a special meeting on the proposed pawn shop special exception use. A total of 13 meetings were held, not counting any training or subcommittee meetings that might have also occurred. This also does not count the Sexual Harassment Policy meeting held at the Township Hall that all Commission members attended.

ATTENDANCE

| Commissioner | Meetings Attended |
|---------------------------------------|-------------------|
| Robert VanderKlok (Chair/ZBA Liaison) | 13 of 13 |
| Sarah Milne (Vice-Chair) | 11 of 13 |
| Henry Dingemans (Secretary) | 13 of 13 |
| Mark Miller (Township Board Liaison) | 13 of 13 |
| Charles Rothrock | 10 of 13 |
| Robert Talbot | 13 of 13 |
| Carol Waszkiewicz | 10 of 13 |

LOOKING AHEAD

One of the purposes of the Annual Report is to look ahead at 2013 and anticipate those items that the Planning Commission desires to address or work on over the next 12 months and beyond. Although it is impossible to predict everything that will arise in the next year, based on issues that have arisen over the past several months and current problems in the community, the Commission is aware of certain items that must be addressed in the near future to resolve these problems.

These items and other projects that the Commission anticipates tackling in the coming months include the following:

- Update the Zoning Ordinance. The Zoning Ordinance is quite dated in many parts, and other parts have been band-aided several times. The document is in need of an overhaul. Such an update can incorporate greater flexibility and modern standards that would encourage redevelopment.
- Update the Master Plan. 2013 represents the five-year mark from the adoption of the Master Plan. It is time to review and potentially update the Master Plan. This will ensure that the document continues to reflect the vision and goals of the Township.
- Work with the City of Kalamazoo, Kalamazoo County, and MDOT on improvements to southeast entry to Township along Business Loop-94.
- Continue improvements to and extension of the Kal-Haven Trail in conjunction with the County as well as providing connections between neighborhoods and trail.
- Work with Kalamazoo County Health Department and/or other agencies to fund various projects in the community.
- Push state for full interchange of Business Route 131 to allow for southerly travel from Business Route south on US-131.
- Establishing areas for multiple use zoning to reduce travel and spur redevelopment.
- Update the Capital Improvement Plan.

The Planning Commission anticipates that any and all of these projects can be accommodated within the typical budget allocation made for the Planning Commission in the Township budget.