

**Charter Township of Kalamazoo
Minutes of a Planning Commission Meeting
Held on April 6, 2017**

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

Present were:

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

Absent were:

None.

Also present were Township Zoning Administrator Patrick Hudson, Township Attorney Roxanne Seeber; and 11 additional interested persons.

Call to Order

The chairman called the meeting to order. Seeber provided new pages and instruction sheets for zoning ordinance text amendments which were now effective.

Approval of meeting agenda

Cripps moved, supported by Dingemans to approve the agenda for the meeting as submitted. The motion passed unanimously.

Approval of meeting minutes

The proposed minutes of the March 2, 2017 planning commission meeting had been provided to the commissioners in their meeting packets. Upon motion of Chapman, supported by Hathcock, the minutes were unanimously approved with minor corrections suggested by Hartsough. The secretary signed the corrected minutes and they were provided to Hudson for transmittal to the Township staff.

1 **Public Hearings**

2
3 **1. Text Amendments**

4
5 The next item on the agenda was proposed text amendments to the Township Zoning
6 Ordinance which would add automobile filling station/automobile service station/gas station as
7 a special land use in the I-1 "Light Industrial" and C-1 "Local Commercial" district zoning
8 classifications; and to remove "Air BNB" from the site development standards for bed and
9 breakfast uses. The chairman opened a public hearing on the proposed text amendments.
10 Hudson explained the proposal, indicating that it was meant to correct an oversight in the new
11 zoning ordinance which effectively made nearly all of the existing gas stations lawfully non-
12 conforming uses and thus unable to expand. No one spoke for or against the amendments.
13 The planning commissioners had no comments. Upon motion by Dingemans, supported by
14 Hartsough and unanimous voice vote, the planning commission recommended adoption of the
15 text amendments to the township board as written.

16
17 **2. Dale Burchett/Burchett Quality Tools**

18
19 The next item on the agenda was the request of Dale Burchett and Burchett Quality Tools, Inc.
20 to rezone property addressed as 3749 Wynn Road from the C-2 Commercial Corridor District
21 Zoning Classification to the I-2 General Industrial District Zoning classification in order to permit
22 expansion of an existing adjoining business.

23
24 Dale Burchett introduced himself and explained that his business makes specialty cutting tools,
25 both custom and standard, for various types of business. He counts Stryker as one of his
26 clients. He presently owns 6 buildings on Wynn Road. He was looking to revitalize the area
27 and expand his business. He thinks that he can double his amount of output and still stay busy.
28 He indicated a desire to rehabilitate the outside of the building and make it match the others.
29 He also needed to polish the floors and do a little upgrading in the interior. His concern was
30 that the property had been rezoned to Commercial Corridor and he wanted to use it for
31 industrial use. Hudson indicated that there had been an error in the reading of the zoning map
32 and the property owners' identification of the property. The property he was presently
33 interested in was already zoned industrial. Because the warehouse was vacant, the assessing
34 officer had changed the use on the assessment card to commercial, which reduced the taxes.
35 In response to an inquiry from Hitt, Hudson confirmed that the planning commission was not
36 discussing the property on the south side of Wynn Road. The property that was the subject of
37 the notice was located on the north side of Wynn Road and was already zoned industrial,
38 Hudson stated.

39
40 Burchett indicated that the property on the corner of Wynn Road is for sale. There are two
41 parcels that could become available. However, there is a diesel fuel tank on it. He was
42 interested in possibly purchasing that property and an adjoining one if the planning commission
43 was amenable to a potential rezoning to industrial for those two parcels. The chairman
44 indicated that that the group could talk about it, but that any rezoning of that property would

1 need to be noticed accordingly. Hudson confirmed that the potential rezoning to industrial was
2 consistent with the township master plan.

3
4 Burchett inquired as to how he could file for a rezoning if he did not own the property. In
5 response to an inquiry from Seeber, Hudson confirmed that he could take an application under
6 both names. So long as the current owner would also sign off on the request, he did not have a
7 problem with it.

8
9 The chairman opened a public hearing on the rezoning request. Dan Balkema, 1500 River
10 Street in Comstock, spoke favorably on the request as well as on the proposal for Wynn Road
11 rezoning. He indicated that Burchett Quality Tool was a good neighbor that maintained the
12 appearance of their buildings nicely. "Everything he has purchased, he has improved," said
13 Balkema.

14
15 Cripps spoke favorably on the inquiry property. Even though the area was thought to be a
16 "gateway" to the community, if it was developed in a similar manner to that of adjoining
17 properties, he would have no problem with it. Hitt indicated that he would be in favor of the
18 industrial zoning on the corner property which was not the subject of the request. All of
19 Burchett's other buildings look very nice, he said.

20
21 Nagler indicated that the rezoning was not needed. Burchett indicated that he would
22 withdraw the request. Seeber indicated that the planning commission could consider waiving
23 the rezoning fee if a request came in for the corner parcels, since the error on the parcel's
24 zoning district appeared to have occurred in the zoning department. Burchett understood that
25 he would need to make a rezoning request for the corner properties and that the present
26 owner would need to join in making the request.

27

28 **Old business**

29

30 The next item on the agenda was a request from Hudson to review the Pizza Hut temporary
31 striping and signage in light of the 2016 approval. Hudson explained that he had gone to the
32 site to review the proposed sign placement and had met with the manager there. If the sign is
33 located 10 feet from the sidewalk, as shown on the proposed site plan, there was a clear view
34 of the sidewalk and street from Dartmouth. Furthermore, the sign was visible to traffic coming
35 east-to-west. His concern was that the sign was not in the position that the Planning
36 Commission had previously approved. Cripps recalled that the sign was to be located in the
37 front lawn area. Its specific location was to be approved in the spring. He did not have a
38 problem with the location as shown on the sign. The group discussed the revisions to the site
39 plan and the improvements that had been made since site plan review. There was general
40 satisfaction that the revised site plan met the approval standards set forth in 2016. Chapman
41 inquired about the parking on the side of the building. Cripps indicated that the changes had
42 been made to coincide with the planning commission's approval. Cripps confirmed that there
43 was one handicap spot with door access. There being no additional discussion, Cripps moved,

1 supported by Hitt to approve the amended site plan with the sign location as shown. The
2 motion passed unanimously.

3
4 **New Business**

5
6 The next item on the agenda was the request of Midwest V, LLC for site plan approval for a
7 proposed new Dollar General Store to be located at the southeast corner of East Main and
8 Nazareth Streets within the Township. Andrew Rossell, PE of AR engineering addressed the
9 request on behalf of the proposed purchaser and developer, Midwest V, LLC. Rossell outlined
10 the site plan and the overall plan for the property. He explained that there is an existing
11 automobile repair location in the very corner. The proposed store would have driveway access
12 from East Main and Nazareth. The doorway was oriented in a diagonal fashion. The proposal,
13 he said, was to subdivide the parcel. There was a Consumer's plant to the south and another 2-
14 acre vacant parcel to the near east. The proposed parcel size is 2.5 acres and it meets the
15 minimum road frontage of 205 feet on both roads.

16
17 Rossell had considered the staff reviews and had made many of the changes suggested by
18 Hudson and the fire marshal. The plans had been revised to designate the Nazareth Road
19 access as a fire lane. He showed the loading area and explained that it matched the building
20 prototype that was used by Dollar General. The parking is situated on the west side of the
21 building. He provided a communication from the proposed owners/managers indicating that
22 the provided parking on the west side of the building was adequate. He had also shown the
23 seven extra spaces as proposed expansion parking. His client did not wish to pave the
24 expansion parking as it was not felt to be necessary to the store's operation. Rossell showed
25 the proposed dumpster and enclosure. He explained that there would likely be one semi-truck
26 load in the loading area for a short time each week. Otherwise, most of the deliveries were in
27 vans, such as for food and the like. Employees would monitor the deliveries during both day
28 and night times.

29
30 Hudson inquired about the sidewalks. Rossell indicated that there are no sidewalks on adjacent
31 properties. In response to an inquiry from Hudson about signage, Rossell indicated that they
32 do not typically provide signage submittals. That would be done separately by the corporate
33 office if the site plan is approved.

34
35 Rossell continued to explain that the site is served by both water and sewer. The storm water,
36 he said, was all collected in catch basins and piped back into retention basins. If the site plan is
37 approved, they will make submittals to the utility companies serving the site.

38
39 Rossell outlined the grading plan and the soil erosion measures to be taken. He showed the
40 proposed water flow and indicated that all water would be retained on site.

41
42 Hudson outlined his memorandum, indicating that nearly all of the items had been addressed in
43 the submittal provided.

1 Rossell explained the proposed lighting and had cut sheets available for the specific type of
2 lighting being used. All lighting would be at one foot candle or less at the property lines as
3 required, Rossell explained. He called the group's attention to the elevations that were
4 provided.

5
6 Chapman inquired about the parking. Rossell indicated that the zoning ordinance required
7 37 spots. They are presently showing 30 parking spots with an additional 7 for the future.
8 Additional paving, he explained, added to water retention issues. Chapman inquired about the
9 number of handicap spaces. Rossell indicated that the plan showed the two that were
10 required, close to the building near the entrance.

11
12 Cripps voiced concern as to whether the stormwater calculations were sufficient. Rossell
13 indicated that he was waiting for the bulk soil report to come back. If the infiltration rates
14 came back too slow, then he would enlarge the basin.

15
16 Chapman wished to ensure that there was a chain link fence around the trash container.
17 Rossell indicated that there was chain link on the gates only, but that it would be filled in with
18 vinyl slats.

19
20 Hudson indicated that the planning commission could reduce the number of parking spaces
21 upon a showing of sufficient evidence that they were not needed. It would be up to the
22 planning commission to determine whether the letter from the developers' corporate
23 headquarters constituted sufficient evidence to reduce the number of parking spaces. Hudson
24 noted the changes that had been made to the site plan after his review. Driveway permits
25 would be required to be obtained from the Road Commission, he noted.

26
27 The group discussed sidewalks. Rossell indicated that his client was willing to put interior
28 sidewalks on the site in order to appropriately direct the pedestrian traffic away from the
29 parking and driving areas. He indicated on the site plan where he wished to put the sidewalks.
30 Hathcock indicated that sidewalks were coming down Nazareth. He felt that it would be
31 desirable to get the sidewalks implemented and that more pedestrians would be using them
32 once they were there. Cripps supported the implementation of the sidewalks as required by
33 the ordinance. He was interested particularly in the sidewalks on East Main. He indicated that
34 the real issue was that there were no connecting sidewalks on the adjoining properties. He
35 recalled the township's interest in "complete streets." Hartsough was more interested in
36 sidewalks than in the extra seven parking spaces. Rossell inquired about a sidewalk deferral
37 program. He wondered whether the sidewalks would be needed now, or if there was an ability
38 to wait until the township undertook implementation of adjoining sidewalks. Cripps indicated
39 that it may be possible to bond for the sidewalks.

40
41 There being no additional discussion, Cripps moved to approve the site plan subject to the
42 following:

- 43 • Light fixtures shall comply with the zoning ordinance with all light directed downward.

- 1 • The sign is not approved with the site plan except for location. A separate sign permit
2 will be required.
- 3 • Driveway permits must be secured from the Kalamazoo County Road Commission and
4 shall be submitted to Hudson.
- 5 • Sidewalks along East Main and Nazareth roads shall be constructed or bonded.
- 6 • Final storm calculations shall be submitted to the township office for review after soil
7 samples are returned.
- 8 • Parking shall be as shown with the 7 spaces reserved for future expansion; unless the
9 township determines that there is an issue with the parking.

10
11 Hitt seconded the motion. Hartsough wondered whether sidewalks were required on both
12 sides, property line to property line. Cripps indicated that he would approve the engineer's
13 suggestion as to the interior sidewalks and that the property owner could implement or bond
14 those along the roadways. He wished to see the sidewalk from the west property line to the
15 driveway and bond for the rest. The motion was amended accordingly and Hitt agreed. The
16 motion passed unanimously.

17 18 **Tentative Site Plan for Aggregate Resources Proposed Rail Service to Kalamazoo GP Site.**

19
20 Dan Balkema of Aggregate Resources explained that his company had a purchase agreement
21 for the former Georgia Pacific site and it expected to close later this month or early in May.
22 He wished to come to the Planning Commission with a tentative site plan before the
23 transaction closes, in order to expedite his plans. Hudson had prepared a report. Balkema
24 indicated that the plan he had in mind was not located in the zoning ordinance. He wished to
25 bring in and unload 80-car trainloads of limestone for use in the cement mixing process. They
26 planned to use a gravity dump on to a conveyor system. There were three piles, approximately
27 40 feet in height. He also planned on an unloading pit. He provided a diagram of an existing
28 unloading pit, indicating that his plan was to have their pit flush with the ground. He
29 anticipated a small amount of grading for the railroad tracks. His plan was to have one
30 employee on site to run the front end loader. He wished to have an unattended scale,
31 however, he was unable to determine whether the technology had advanced to allow for one.
32 The maps provided, he said, were based on a preliminary railroad design. The property is a
33 brownfield site, of sorts. Excavation is not an issue. Hartsough inquired as to whether the
34 property was considered clean enough to do the kind of work that was planned.

35
36 Balkema indicated that the Phase I environmental had been completed; and Phase II was on the
37 way. He needed to conduct some test borings and tell the prior owner that they are digging
38 for the pit. He expected that the property was eligible for the type of work he had planned
39 with a possible condition that no existing material would be removed from the site.

40
41 Kalamazoo Township owns nearby property, he said, referencing the "Nolachucky" site.
42 Easements were planned to allow the City of Kalamazoo to access a pump station. Balkema
43 wished to ensure that the township did not have a problem with his using Prein and Newhof for
44 its site plan work. Balkema provided a large copy of the proposed layout, indicating where the

1 rail lines, stockpiles and conveyors would be located. Dingemans inquired as to whether there
2 was a reason for the 40-foot height stack. Cripps indicated that it was a typical size for a radial
3 stacker with gravel/construction materials. The stacks are shaped like big cones, he said.
4

5 The group discussed the type of use and its potential impact on the nearby walking trail.
6 Balkema indicated that the slabs from the former paper company buildings had been left on
7 site and would stay. The property was zoned for heavy industry. Cripps indicated that the
8 state heavily regulates the type of stacking/yard that was proposed and that it would require
9 spraying to keep the dust down. Cripps recalled discussing the rail yard a long time ago. He
10 felt that there was a need for the type of operation in the area. Hartsough inquired about
11 particulates in the air if she were running on the trail. Balkema indicated that he would control
12 the particulates with spraying on dry days. Cripps indicated that it was very unlikely that a
13 person on the trail would see any activity except for the single employee on site. The train
14 would only come once or twice a month.
15

16 Balkema estimated that each train will eliminate about 160 of the double bottom gravel trucks
17 from the roadway. Presently, most of the limestone is trucked in from St. Joseph, Grand Haven,
18 or Ottawa Lake near the Ohio border. He estimated a maximum of 40 trains per year.
19 Balkema indicated that he was working with Grand Elk railroad. He outlined the logistics of the
20 effort to get the materials to Kalamazoo via train. Aggregate Resources would be required to
21 unload the 80-car train within 24 hours. Depending on the conveyor size, he felt that he would
22 be able to unload the train in 9 or 10 hours.
23

24 Nagler voiced support for the train idea. He indicated that the use of a railroad then would
25 mean the bypassing of the MDOT rules in favor of the railroad politics. He inquired of Hudson
26 as to how to classify the railroad yard. Hudson indicated that there was no classification for the
27 railroad yard, which meant that the planning commission would only look at the general special
28 use provisions. This required no more than 8-foot high stacking of materials. Seeber indicated
29 that another portion of the ordinance allowed for concrete and asphalt crushing operations,
30 with a stacking limitation of 15 feet. The group considered its options. Cripps felt that the 40-
31 foot maximum height would be appropriate. He suggested using the "freight yard" special use
32 as a starting point. Dingemans and Hitt agreed. Seeber stated that the difference between
33 sending it for a variance and making a text amendment was a determination as to whether the
34 problem was with the property or the ordinance. All agreed that the ordinance needed
35 amending, to allow for the 40-foot maximum height for the supplies stacking. Hudson
36 indicated that he would provide tentative text. Since the applicant was in a hurry, Seeber
37 indicated that she would get the matter noticed for public hearing for the May, 2017 planning
38 commission meeting. The group discussed different concerns and parameters that might be
39 included in the text amendment. Balkema thanked the planning commission for its time. The
40 group estimated that a special use application could be forthcoming within the next 60 days.
41

1 **Open Discussion**

2
3 Members of the audience Craig Wenke of Wenke flooring design on Ravine Road inquired
4 about the Reliable Glass Building on Ravine Road. He was aware that his retail store was no
5 longer in compliance with the Township Zoning Ordinance. He wished to effectuate a property
6 line transfer to allow an adjoining owner of Service Master to purchase the reliable Glass
7 building. He wished to place a warehouse on the back of his property. Hudson indicated that
8 the property was zoned for a warehouse, but not for the retail portion that presently exists for
9 the carpet store. The planning commission did not see a problem with the proposal. Seeber
10 recommended that there be a deed restriction on the warehouse property to indicate that it
11 won't be used for retail and that it had to be sold with the contiguous retail property.

12
13 **Report of Board Representative.**

14
15 Hathcock reported on Planning Commission training that was to take place on May 8. He also
16 discussed the new fee structure for planning and zoning permits that had been approved by the
17 township board.

18
19 **Report of Zoning Board of Appeals Representative.**

20
21 Nagler reported that there had been no zoning board of appeals meeting.

22
23 **Planning Commission Member Comments.**

24
25 Hartsough reported favorably on planning commission training that she had attended.
26 Chapman inquired about neighborhood association meetings.

27
28 Hudson inquired about The Israel of God Church at 625 Stassen and whether it needed to pave
29 its overflow parking in light of the drain commissioner's report. Nagler indicated that Hudson
30 should process the application and direct it to the Planning Commission or the Zoning Board of
31 Appeals, as appropriate. Hathcock moved, supported by Cripps to adjourn the meeting at 8:55
32 p.m. The motion passed unanimously.

33
34
35 Respectfully Submitted,

36
37
38
39 _____
40 Henry Dingemans, Secretary
41
42

1
2 Synopsis of Actions Taken by the Charter Township of Kalamazoo Planning Commission on April
3 6, 2017:
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- 5 1. Allowed withdrawal of Burchett Quality Tools' application for rezoning for 3749 Wynn
6 road as deemed unnecessary.
- 7 2. Held a public hearing and recommended text amendments to allow gas stations in the I-
8 1 and C-1 zoning districts.
- 9 3. Considered preliminary plan for rail service site at former Georgia Pacific plant site and
10 requested a text amendment with parameters for special use as "freight yard".
- 11 4. Approved site plan, with conditions for proposed new dollar store at East
12 Main/Nazareth.
- 13 5. Received public comment.