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8 **MINUTES OF THE CHARTER TOWNSHIP OF TEXAS PLANNING COMMISSION**  
9 **REGULAR MEETING HELD JULY 27, 2010**

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11 A regular meeting of the Charter Township of Texas Planning Commission was held on July  
12 27, 2010 commencing at 6:00 p.m. at the Texas Charter Township Hall.

13 **1. CALL TO ORDER AND ROLL CALL**

14 The Chairman called the meeting to order and roll was called.

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17 Members present: Richard Craven, Chairperson; Greg Rothe; Steve Bosch, Bruce Derby,  
18 Larry Loeks, and Steve Weurding.

19  
20 Members Absent: Bill Saunders

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22 Also present were Township Planning Consultant, Russ Wicklund; Township Attorney  
23 Roxanne Seeber; and 4 additional interested persons.

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25 **2. SETTING OF AGENDA**

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27 A proposed agenda had been submitted to the members in their packets. Mr. Bosch **moved,**  
28 **supported** by Mr. Loeks and **unanimously approved** to adopt the proposed agenda as submitted.

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30 **3. APPROVAL OF MINUTES FROM JUNE 22, 2010 REGULAR AND JULY 8, 2010**  
31 **WORKSHOP MEETINGS**

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33 The next item on the agenda was the approval of the minutes of the June 22, 2010 regular  
34 meeting. Mr. Derby **moved, supported** by Mr. Loeks to approve the minutes as submitted. The  
35 motion was **unanimously approved.**

36  
37 The next item on the agenda was the approval of the minutes of the July 13, 2010 workshop  
38 session. Mr. Rothe **moved, supported** by Derby to approve the minutes of the July 8 workshop  
39 session as submitted. The motion was **unanimously approved.**

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41 **4. PUBLIC HEARING SPECIAL EXCEPTION USE AND SITE PLAN AMENDMENT**

42 ITEM NO.: PC 10-04

43 Applicant: Kalamazoo Valley Community College

44 Address: PO Box 4070 Kalamazoo, MI 49003-4070

45 Property: 6767 W. O Avenue, Kalamazoo MI 49009

46 Request: A Special Exception Use request by Kalamazoo Valley Community College related  
47 to its campus located at 6767 W. O Avenue within the Township, to allow publicly  
48 owned and operated buildings and/or an eleemosynary, charitable or philanthropic  
49 institution (IE, an educational institution) in the R-1 district zoning classification, which  
50 use shall include classrooms and instructions areas; science laboratories; computer  
51 labs; a library; administrative offices and areas; athletic fields; community services  
52 and events, including swimming pool, auditorium, meeting rooms and gymnasiums;  
53 parking facilities; day care facility; and associated support facilities. The request was

1 also for a site plan amendment of Kalamazoo Valley Community College, related to  
2 its campus located at 6767 W. O Avenue within the Township, in order to allow for an  
3 addition for a new student services area; expansion of faculty offices and creation of  
4 new conference areas and student waiting areas; creation of a new multipurpose  
5 science lab; creation of new classrooms; remodeling and upgrade of existing physics  
6 and geology labs; and expansion of existing parking areas.  
7

8 Mike Collins of KVCC explained the request, indicating that in accordance with the request of  
9 the Planning Commission, he had prepared and submitted a request for special land use and site  
10 plan for the educational campus of KVCC at 8<sup>th</sup> Street. Mr. Wicklund had prepared a report. Within  
11 the packet there was a cover sheet indicating the application/special use and a 3-page outline of the  
12 special uses to consider uses at the site. Mr. Collins indicated that no new activities had been  
13 proposed, but that the application had been submitted in order to provide a baseline/overall  
14 snapshot of the campus and its existing activities as of its approval date. Mr. Wicklund indicated  
15 that photographs of the facilities themselves had been included. He stated that individual uses had  
16 been separately approved in recent years; however this application was to provide more detail as to  
17 the full scope of the site.  
18

19 The Chairman opened a public hearing. No one was present to speak in favor of or against  
20 the request. The public hearing was closed. In response to an inquiry from Mr. Derby, Mr. Collins  
21 indicated that the KVCC property line basically follows the creek, but it does extend a little beyond  
22 the creek at the south side of the property.  
23

24 In response to an inquiry from Mr. Derby, Mr. Collins stated that a storm water retention  
25 study had identified three locations for collection and had provided guidance as to necessary  
26 physical improvements to those locations. The storm water locations on the south and east sides of  
27 the property had been completed. The third location on the west side near the small softball field  
28 had not yet been completed, but there were plans to include that in the college's capital  
29 improvement program. In response to an inquiry from Mr. Loeks, Mr. Collins indicated that the  
30 college had gone through the county for the preparation of the study. He indicated that he would  
31 provide the study to the Planning Commission. Mr. Derby commented that there was a lot of  
32 impervious space on the campus. Mr. Loeks indicated that the 3-tier leaching location on the east  
33 side of the property was visible from the aerial photographs. Mr. Loeks suggested a provision that  
34 the college comply with the City of Kalamazoo standards within 5 years, which Mr. Collins agreed to.  
35

36 Mr. Derby **moved, supported** by Mr. Rothe to approve the special exception use for the  
37 KVCC campus located at 6767 W. O Avenue within the Township, to allow publicly owned and  
38 operated buildings and/or an eleemosynary, charitable or philanthropic institution (IE, an educational  
39 institution) in the R-1 district zoning classification, which use shall include classrooms and  
40 instructions areas; science laboratories; computer labs; a library; administrative offices and areas;  
41 athletic fields; community services and events, including swimming pool, auditorium, meeting rooms  
42 and gymnasiums; parking facilities; day care facility; and associated support facilities. The  
43 submittal, including photographs and details of application are to be utilized as the explanation of  
44 activities and permitted uses. The motion **passed unanimously**.  
45

46 The Planning Commission and Mr. Collins discussed the need for temporary parking during  
47 the first few weeks of fall semester. Mr. Collins indicated that enrollment was about the same as it  
48 was last year. He stated that the first few weeks of fall classes tended to produce the most need for  
49 overflow parking because there are a number of individuals on campus for books and to get  
50 oriented, in addition to those attending classes. Mr. Loeks suggested that a geo-grid system be  
51 used for the temporary area near the tennis courts. The cost was nearly that of asphalt. Mr. Bosch  
52 suggested that crushed gravel, such as that being used on the driveway from Kerwin's to the  
53 farmer's market parking lot would be a good alternative. Mr. Collins was willing to place crushed

1 gravel on the drive aisles. Mr. Rothe suggested that the Planning Commission allow temporary  
2 parking during the period of August 15 to October 31 each year, with gravel driveway aisles, as a  
3 condition of the site plan approval.  
4

5 In response to an inquiry from Mr. Derby, Mr. Collins indicated that the facility use plan is  
6 about a 5-year plan. He stated that the campus is running out of room for expansion, with only the  
7 northwest corner still being available. He stated that the college would like to maximize its Groves  
8 location and its downtown facility as well.  
9

10 Mr. Wicklund referred the Planning Commission to a letter from Mr. Collins which requested  
11 relief from the prior condition requiring turn and deceleration lanes along 8<sup>th</sup> Street. Mr. Collins  
12 indicated that the previous project was not viewed as a traffic generator because it reconfigured and  
13 consolidated student services. The Planning Commission reviewed the letter and the minutes and  
14 discussed the condition. Those who spoke were unwilling to abandon the condition completely  
15 because they felt that the traffic in the location is already a problem. Mr. Bosch commented that an  
16 expansion was amending the site as a whole. Mr. Collins indicated that the Road Commission study  
17 indicated no need for turn or deceleration lanes. Mr. Bosch indicated that there was a need to  
18 consider traffic patterns for the campus as a whole.  
19

20 Mr. Loeks indicated that his original suggestion was to have an independent study of the O  
21 Avenue and 8<sup>th</sup> street entry to the campus. He had spoken with Mr. Wheat that afternoon, who had  
22 contacted a party in Grand Rapids that could do the study for \$5,000 with a 5-10 year window. Mr.  
23 Loeks indicated that if KVCC would consider paying for that study, it would benefit everyone. Mr.  
24 Collins, Mr. Wicklund and Mr. Weurding were supportive of this suggestion.  
25

26 Mr. Loeks noted that wind turbines appear to be constructed and then removed on the  
27 campus on about a quarterly basis. Mr. Collins indicated there is a class project each semester,  
28 which starts at the ground up, building the wind turbine and then dismantling it. Mr. Loeks thought it  
29 prudent to add the wind turbines to the site plan approval and Mr. Collins agreed.  
30

31 Mr. Loeks moved, supported by Mr. Rothe to approve the site plan as submitted with the  
32 following conditions:  
33

- 34 1. KVCC will commission an independent traffic study looking out 5-10 years with a cost  
35 estimate of approximately \$5,000. It will be funded by KVCC, who will work with the  
36 Township Engineer to coordinate it. The condition of approval for the 9-22-09 campus  
37 expansion project requiring turn and deceleration lanes on 8<sup>th</sup> Street is rescinded by  
38 mutual agreement.
- 39 2. KVCC is permitted temporary parking on its campus during the periods August 15 to  
40 October 31 of each year. Crushed stone will be placed on drive aisles in the temporary  
41 parking area.
- 42 3. Within 5 years KVCC will meet the City of Kalamazoo performance standards for  
43 groundwater protection within the wellhead protection capture zones and will provide  
44 storm water quality management as recommended. KVCC will provide the Planning  
45 Commission with a copy of the study that has already been completed.
- 46 4. KVCC may have up to two additional wind turbines in the areas previously designated on  
47 a temporary basis, for a total of no more than 3 wind turbines.  
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1 **5. PUBLIC HEARING PRELIMINARY TENTATIVE APPROVAL FOR BARRINGTON**  
2 **SHORES #5.**

3 ITEM No. PC 10-05

4 Applicant: American Village Development II LLC

5 Address; 4200 W Center Ave. Portage, MI 49024

6 Property South and west of existing Barrington Shores plat 3909-21-126-015

7 Request: Preliminary Tentative Plat Approval.  
8

9 Todd Hurley and Jack Gesmundo presented the application for American Village  
10 Development. Mr. Hurley indicated that the design and application had not changed since  
11 February '09; however the one-year approval period had expired. Mr. Hurley indicated that the  
12 economy was improving and they were prepared to move forward with Phase 5 of the  
13 development. Mr. Wheat had provided a review. Mr. Wicklund indicated that the applicant  
14 would be requesting Step 1 and Step 2 approval from the Township Board simultaneously. Mr.  
15 Hurley referred the Planning Commission to Lot 117 and wished to have the west line to be  
16 considered the side yard for setback purposes. Mr. Bosch, Mr. Loeks and Mr. Weurding agreed  
17 that it should be considered the side. Mr. Loeks and Mr. Bosch felt that the situation could be  
18 addressed by designating the lots numbered 113-117 as lake lots.

19 Mr. Loeks commented that there was no sidewalk or trail in the cul-de-sac. Mr. Gesmundo  
20 inquired as to whether such a connection was necessary, given the nature of the development  
21 and the provision of parks and bike trails within it. Mr. Loeks indicated that sidewalks are now  
22 required. Sidewalks can be replaced with trails if the developer wishes. The Planning  
23 Commission considered alternative locations for the sidewalks and/or trails. Mr. Gesmundo was  
24 resistant to placing sidewalks or trails along the cul-de-sac lots, either in the front or the back.  
25 Mr. Derby felt that they could be eliminated, given the nature of this particular development. Mr.  
26 Hurley and Mr. Gesmundo considered putting a bike trail along the edge of the road, because  
27 the proposed roads were quite wide. Mr. Loeks felt it would be difficult to get that idea past the  
28 Road Commission. Mr. Wicklund confirmed that Road Commission approval had been received  
29 for the development as submitted.

30 The Chairman opened a public hearing on the request. Mr. John Schlukebir spoke favorably  
31 about the development.

32 Mr. Loeks **moved** to grant tentative preliminary approval for Barrington Shores #5 with the  
33 following to be addressed:

- 34 1. The Planning Commission recommends a bike path on the west side of lots 110 and  
35 111, due to the development of the rest of the subdivision without sidewalks.
- 36 2. The Kalamazoo County Road Commission's approval letter will be submitted by the  
37 applicant.
- 38 3. Lots 113-117 are lake lots for setback purposes. Lot 117's west property line is the  
39 side lot for setback purposes.
- 40 4. Existing topography of not more than 4 foot contour intervals shall be shown on the  
41 overall layout.
- 42 5. Lot areas and frontages meet the Township's size requirements for the R-2 Zoning  
43 District Classification.
- 44 6. Public water and sewer will be extended to serve this plat.
- 45 7. The road and storm water collection system will be public with a discharge to a private  
46 storm water retention area.

1 Mr. Derby **supported** the motion. The motion **passed unanimously**.

2 **6. PUBLIC COMMENTS:**

3 Considering that there was a single audience member, the chairman sought and received the  
4 agreement of the Planning Commission members to move the agenda item for public comment up to  
5 the next position in the agenda. Mr. John Schlukebir presented data he had collected from his  
6 review of building permits and zoning variances within the Township since 2008. He stated that in  
7 2008, 285 building permits were processed. Of those, 83 were for new homes. 6 of those were for  
8 homes on lakes. Two of those 6 were on lake lots that he considered "small" (IE, those of less than  
9 49 feet in width). Dave and Kathy Johnson were able to move their proposed house back far  
10 enough on the lot that they did not need a variance. The house on Pepper had been torn down and  
11 re-built on the same foundation so that a variance was not needed.

12 In 2009, 284 building permits were issued. Of those 122 were for new homes. Four of those  
13 122 were on the lakes. Two small "bump out" variances were granted by the ZBA. One additional  
14 variance request was denied.

15 So far in 2010, 142 building permits have been issued, 54 of them were for new homes.  
16 Only one of those was on a lake. A large kitchen remodel is taking place on a 42-foot lot at Mr.  
17 Bosch's resident. Mr. Schlukebir's contention was that in terms of the number of homes that have  
18 been built on the area lakes, there are still a good number of them that seek a variance. He also felt  
19 that there should be a two-tiered approach, where the side yard setbacks were different for narrower  
20 lots. Mr. Bosch recalled that the ordinance had been amended in about 2007. Mr. Bosch requested  
21 additional data for 2006, which Mr. Schlukebir and Mr. Wicklund agreed to obtain.

22 **ITEM 6. CONTINUED WORK ON CAPITAL IMPROVEMENT PLAN**

23 **ITEM 7. CONTINUED REVIEW OF THE CLEARZONING DRAFT**

24 **ITEM 8. DISCUSSION ON VARIOUS ORDINANCES**

25 Mr. Derby **moved, supported** by Mr. Weurding to table items 6, 7 and 8 on the agenda to  
26 the workshop session on August 12. The motion **passed unanimously**. On **motion** by Mr. Derby,  
27 **supported** by Mr. Bosch and **unanimous voice vote**, the meeting was adjourned at approximately  
28 7:45 p.m.

29  
30 Respectfully Submitted,  
31 Larry Loeks  
32 Secretary of the Planning Commission  
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34 Date minutes prepared: July 28, 2010

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36 Date minutes approved: \_\_\_\_\_

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**SYNOPSIS OF PLANNING COMMISSION MEETING OF JULY 27, 2010**

The Texas Charter Township Planning Commission took the following actions at its meeting held on July 26, 2010:

- Reviewed and approved the special use application and site plan for Kalamazoo Valley Community College's O Avenue campus.*
- Reviewed and recommended, with conditions, the tentative preliminary approval of Barrington Shores #5.*
- Heard a citizen request to consider differing side yard setbacks on lake lots, depending on the width of the lot.*