



1                                   **PLANNING COMMISSION MINUTES – April 26, 2022**

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3                                   **CALL TO ORDER/ROLL CALL**

4  
5 Secretary Loeks called the Planning Commission meeting to order at 6:00 p.m. and Mrs.  
6 Buckham called the roll. The following Commissioners were present: Secretary Loeks,  
7 Treasurer Roberts, Mr. Eavey, Mrs. Buckham, and Mr. Matson. The following  
8 Commissioners were absent: Chair Corfman and Vice Chair Davis. Also present was  
9 Interim Planner/Zoning Administrator Julie Johnston, Planning/Zoning Assistant Jennie  
10 Miller, Mr. Hamming, and his Attorney representing RSVP The Gardens.

11  
12                                   **CITIZEN COMMENT ON NON-AGENDA ITEMS**

13  
14 Secretary Loeks asked if there were any residents interested in speaking on non-agenda  
15 items. There were none.

16  
17 Secretary Loeks then asked if there were any citizens on Zoom interested in speaking.  
18 Planner Johnston stated there were no participants online.

19  
20                                   **SET AGENDA**

21  
22 Secretary Loeks reviewed the agenda and asked if there were any additions or  
23 corrections.

24  
25                                   **Motioned by Treasurer Roberts, seconded by Mr. Matson, to accept the agenda as**  
26 **written. The motion carried unanimously.**

27  
28                                   **MINUTES – April 12, 2022, Workshop Meeting**

29  
30 Secretary Loeks asked if there were any changes or corrections to the minutes. Treasurer  
31 Roberts noted changes on line 239 and 244.

32  
33                                   **Motioned by Mrs. Buckham, seconded by Mr. Eavey, to approve the April 12, 2022,**  
34 **minutes as written with the exception of line 239 and 244 changing Secretary Loeks**  
35 **to Treasurer Roberts. The motion carried unanimously.**

36  
37 Secretary Loeks moved on to the next agenda item.  
38  
39  
40  
41  
42

43 **NEW BUSINESS**

44

45 **PC #22-06 – RSVP The Gardens Special Exception Use – Public Hearing**

46

47 Before giving her presentation on the request, Planner Johnston informed the Planning  
48 Commission that the requested vehicle charging stations were not a part of the special  
49 exception use review. She noted a memo from Attorney Homier stating that this type of  
50 use is currently not provided for in the Township Ordinance and has recommended an  
51 ordinance be developed before any review is considered.

52

53 Planner Johnston then provided a brief overview of the applicants request to operate a  
54 banquet hall/event center at this location, noting the Planning Commission will need to  
55 establish hours of operations and the number of events that can happen within a week  
56 per the Use Standards of the Zoning Ordinance. Planner Johnston indicated the public  
57 safety issues that have occurred at other event centers in the area and that limiting hours  
58 may help with this issue.

59

60 Planner Johnston outlined the past public health issues with this property and noted the  
61 correspondence with the County Health Department. Staff is recommending no food or  
62 drink be prepared in the building and salmonella testing be conducting every 6 months  
63 for the first two years then annually thereafter. She also noted that the special exception  
64 use process allows the Township to bring sites into conformance with the Zoning  
65 Ordinance. Two additional street trees are needed adjacent to Cracker Barrel Boulevard  
66 to bring the site plan into compliance with the landscaping ordinance.

67

68 Secretary Loeks asked if the applicant would like to speak.

69

70 Mr. Don Hamming told the Planning Commission they intend to have weddings and  
71 corporate meetings on the property. Mr. Hamming also stated he knew the owners of the  
72 facilities that had the public safety issues in 2021 and they were tricked into allowing those  
73 events, which ended up being wild parties. Mr. Hamming also stated the subject property  
74 is still for sale, and that he has people interested and it could be sold by August.

75

76 Mr. Hamming's Attorney stated the proposed usage is a banquet hall, and the intent is  
77 not to host loud ragers happening at 3-4 am. There are two hotels nearby and Mr.  
78 Hamming is hoping to host corporate overflow events and weddings. The number of  
79 events would be 3-4 times weekly. Nothing that will go into the wee morning hours. The  
80 two required street trees would not be an issue with some clarification regarding type and  
81 size requirements.

82

83 **Motioned by Mr. Eavey, seconded by Mr. Matson, to open the public hearing. The**  
84 **motion passed unanimously.**

85

86 Secretary Loeks asked if there were any citizens on Zoom interested in speaking. Planner  
87 Johnston stated there were no online participants. There were no citizens in the audience.

88

89 **Motioned by Mr. Matson, seconded by Mr. Eavey, to close the public hearing. The**  
90 **motion passed unanimously.**  
91  
92 Mr. Matson asked the applicant about the special exception use review criteria being left  
93 blank on the application. The Attorney indicated it was an oversight on Mr. Hamming's  
94 part, and they would be happy to go through the list to answer the questions and resubmit,  
95 if needed.  
96  
97 Mrs. Buckham asked about the Health Department restrictions on caterers bringing food  
98 to the building.  
99  
100 Planner Johnston stated a cater would be required to have their own license, which can  
101 be used to bring food prepared offsite to the banquet center. However, nothing can be  
102 prepared onsite, including utilizing an ice machine, without a license from the Health  
103 Department.  
104  
105 Mrs. Buckham said it will be a challenge to bring your own ice, as well as keep food warm.  
106 She wondered about the life expectancy of salmonella.  
107  
108 Mr. Hamming stated he has had the building tested and utilized the same firm the Health  
109 Department used years ago. They did 72 swabs and found no evidence of salmonella.  
110  
111 Planner Johnston confirmed that the Health Department email stated testing would need  
112 to be done on a consistent basis.  
113  
114 Treasurer Roberts felt we did not need to duplicate testing efforts. Mr. Eavey concurred.  
115  
116 Secretary Loeks reminded the Commission that hours of operation needed to be  
117 determined.  
118  
119 Treasurer Roberts suggested a closing time of midnight Friday and Saturday, and 11:00  
120 pm weekdays. She did not have a concern about the starting time and suggested 7:00  
121 am. Also, the number of events that could occur during those hours was not a concern.  
122  
123 Mr. Hamming informed the Commission that the interior of the building is now an open  
124 area. The partitions have been taken down, and all kitchen equipment removed. There is  
125 an entrance on the east side of the building they may consider using.  
126  
127 Secretary Loeks asked the Commission if they wanted to follow staff's recommendation  
128 for testing every 6 months or allow the Health Department to determine when testing is  
129 needed. The Commission agreed to follow the Health Department requirements.  
130  
131 Secretary Loeks asked Mr. Hamming to provide more information on the proposed fence.  
132  
133 Mr. Hamming indicated he planned to construct a white vinyl fence along the property line  
134 adjacent to the hotel and behind the building along the vacant lot.

135 Secretary Loeks asked Planner Johnston to confirm that the fence near the hotel could  
136 not be fully opaque per ordinance. Planner Johnston reviewed the fence ordinance and  
137 confirmed that was accurate.

138  
139 Secretary Loeks informed Mr. Hamming that he would have to change the fence to only  
140 50 percent opaque along the west property line.

141  
142 Discussion was had regarding the tractor trailers that are parked on site and that they are  
143 a violation of the C-4 District ordinance. Planner Johnston stated Mr. Hamming has been  
144 cited for the trailers because they have been there for quite some time. Mr. Hamming's  
145 Attorney indicated that one trailer has construction equipment and the other has a sign.  
146 Mr. Hamming said once construction is complete the trailers will be moved.

147  
148 Secretary Loeks asked if any building permits had been pulled? Planning/Zoning  
149 Assistant Miller stated no applications had been submitted.

150  
151 Mr. Matson asked if the Commission could request a new site plan? Planner Johnston  
152 indicated she did not require a new plan because there were only minor changes to the  
153 site. Secretary Loeks stated he would like a new plan submitted with the charging stations  
154 removed and the west fence noted as only 50 percent opaque.

155  
156 **Motioned by Mrs. Buckham, seconded by Mr. Matson, to approve RSVP The**  
157 **Gardens Special Exception Use with the following conditions:**

- 158  
159 1. Hours of operation to be Friday and Saturday from 7:00 am to 12:00 am, and Sunday  
160 through Thursday from 7:00 am to 11:00 pm.  
161  
162 2. No limit to the number of events held during the approved hours.  
163  
164 3. Two additional street trees to be planted adjacent to Cracker Barrel Boulevard in  
165 compliance with the landscaping ordinance.  
166  
167 4. Salmonella testing as required by the Kalamazoo County Health Department.  
168  
169 5. Fencing to be 50 percent opaque along the west property line and 100 percent opaque  
170 along the south property line.  
171  
172 6. No food or drink to be prepared in the building.  
173  
174 7. Re-submit the site plan with the following changes:  
175 • Remove the electric vehicle charging stations.  
176 • Note the west property line fence to be no more than 50 percent opaque.  
177

178 **The motion passed unanimously.**

179  
180 Secretary Loeks moved on to old business.

181 **OLD BUSINESS**

182  
183 Planner Johnston informed the Commission that the draft CBD ordinance will be before  
184 the Township Board Committee of the Whole on their 2<sup>nd</sup> meeting in May.

185  
186 Planner Johnston is working on preliminary draft of the waterfront ordinance.

187  
188 **COMMISSIONER COMMENTS**

189  
190 Mr. Eavey asked if there were any updates on Bogies & Stogies. Treasurer Roberts stated  
191 the liquor license was approved at the Township Board meeting, which was one of two  
192 new liquor licenses that the Township received due to population increase noted in the  
193 Census. There will no longer be a cigar bar as part of the project, but it will have two golf  
194 simulators and a lounge area. Planner Johnston confirmed that Bogies and Stogies can  
195 have tables outside but no alcohol until a special exception use is requested and  
196 approved.

197  
198 Mr. Eavey also asked if a windscreen could be considered for the pickleball courts at the  
199 6<sup>th</sup> Street Park, and could it be privately funded? Treasurer Roberts suggested reaching  
200 out to Deputy Hovenkamp who has been managing changes to the parks.

201  
202 Treasurer Roberts informed the Commission that during public comment at the Township  
203 Board meeting, a resident brought up a concern related to the short-term rental definition.  
204 He believes it can be interpreted to say 20 four-day stays. Planner Johnston indicated  
205 that was not the intent and that maybe “consecutive days” needs to be added to the  
206 definition.

207  
208 Treasurer Roberts informed the Planning Commission about a webinar she attended by  
209 the Department of Environment, Great Lakes, and Energy on Michigan shoreline  
210 stewards’ program. She felt it was pertinent to the discussion of the waterfront district  
211 work the Commission will be doing. She indicated she would send the link to the webinar.  
212 An emphasis was placed on a 30-foot buffer for any impervious surface.

213  
214 Secretary Loeks and Mrs. Buckham attended a webinar on open space, farmland  
215 preservation tools, habitat, and natural features preservation. Information on cluster  
216 residential design and the potential importance of doing a natural features review to  
217 determine what should be protected was discussed.

218  
219 Hearing no further Commissioner comments, Secretary Loeks moved on to citizen  
220 comments.

221  
222 **CITIZEN COMMENTS**

223  
224 Secretary Loeks asked if there were any citizens interested in speaking. There were no  
225 citizens in the Board room or on Zoom, so he asked for a motion to adjourn.

226

227 **ADJOURN**

228

229 **Motioned by Mrs. Buckham, seconded by Mr. Matson, to adjourn the meeting. The**  
230 **motion carried unanimously.**

231

232 The meeting adjourned at 7:10 p.m.

233

234 Submitted:

Approved:

BRADFORD