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ZONING BOARD MINUTES OF MEETING HELD MAY 23, 2000

A regular meeting of the Charter Township of Texas Zoning Board was held on Tuesday, May 23, 2000 commencing at 7:00 p.m. at the Texas Township Hall.

Members present: Bryan Lewis
Suzette Deaux
Barbara Huber
Steve Woollam
Tom Hamming

Members absent: George Sprau
Steve Bosch

Trustee Tom Dykstra, Zoning Administrator Jeff Mais, Township Attorney Lynda E. Thomsen, and 6 interested persons were also present.

1. CALL TO ORDER and ROLL CALL

In the absence of Chairman Bosch, Vice Chairman Woollam called the meeting to order at approximately 7:00 p.m. Roll was called with the results shown above.

2. SET AGENDA

The agenda was revised to delete item 8 because of the absence of two members, and because Mr. Dykstra, who was just appointed as the Township Board representative on the Planning Commission, has not yet been sworn in. The Zoning Board members must also be sworn in as Planning Commission members before the Board acts as a Planning Commission. Attorney Thomsen reported that she expects all that to be done before the special meeting scheduled for June 13.

3. APPROVAL OF MINUTES and MISCELLANEOUS

Ms. Huber **moved** to approve the minutes of the April 12, 2000 meeting. Ms. Deaux **supported** the motion, and it **carried**. Ms. Huber **moved** to approved the minutes of the April 25 meeting, with corrections of the date of the meeting and to add that Mr. Bosch moved to recommend denial of the Boven text amendment; his motion was supported by Mr. Sprau, and it carried. Ms. Deaux **supported** the motion, and it carried.

4. Fiskars, Inc.

Item No. ZB99-09-121/00-114
Name: Distribution Center Partners
Property: 6805 Beatrice Drive (02-155-015)
Request: Site Plan Review -- Addition

Mr. Woollam explained for those present that this is further consideration of a plan that was reviewed in January, to determine whether the conditions set at that time have been met.

Dan Bacchicocchi addressed the Board. The applicant is proposing a 20,000 square foot addition. Ingress and egress will be to the east across an easement on adjoining property.

Mr. Woollam reviewed the items mentioned in the minutes of the January meeting:

1. An easement for ingress and egress must be filed of record. (The applicant's representative produced the easement, which has been filed).
2. Two lights are to be removed from the east wall. (This has been done, but a pole light was added, and no height is shown).
3. The plan is to include a note that the Exhibit C easement "is not part of this plan and is not approved." (This has not been done)
4. Truck parking on the west is to be moved east so as not to encroach into the easement on that part of the property. (Mr. Baccicocchi said the applicant could add bumpers to solve that).
5. All drives and parking areas are to be surfaced with bituminous paving. (The applicant indicated that there would be asphalt on an 8-inch gravel base.)
6. The condenser on the north side of the building should not be shown as "future" (This has been done)

There was discussion about the easement, the parking, the paving, the lighting, and the bumpers. The Board reviewed the lighting plan and the easement. Thereupon, Ms. Huber **moved** to approve the revised site plan, subject to the following conditions:

1. A note must be added stating that the Exhibit C easement is not part of this site plan and is not approved.
2. All areas for truck parking and drives are to be surfaced with bituminous materials and the plan must show that.
3. Bumpers must be added to keep trucks out of the easement area.
4. The height of the light pole must be shown.
5. The Zoning Administrator must review the revised plan for conformity to these conditions, and approval will be effective upon his verification that all the conditions have been satisfied.

Mr. Hamming **supported** the motion, and it carried.

5. Mark Boven

Item No. 00-10

Address: P Avenue (07-301-012 & 326-010)

Request: Text amendment

In light of the action taken at the April 25 meeting, this matter is no longer pending. However, Ms. Deaux commented that since a quorum is present, she questions why the Board would ask Mr. Boven to wait a month to have this matter discussed as part of the PUD issue. Mr. Woollam responded that 2 members of the Board are absent, and Mr. Dykstra cannot yet participate.

Tom Rogers asked whether they would have to wait a whole month. After further discussion, the Board decided that the PUD provisions will be discussed at the special meeting on June 13. There was also discussion that there seems to be little support for "bonuses" in the PUD in the agriculture district. Members of the Township Board expressed concern about eliminating the requirement for public sanitary sewer and water. Ms. Huber said that some people had wanted to significantly increase the minimum parcel sizes, say to 20 acres. Also, she commented that some people would like to prohibit platting of ag land to preserve it. Attorney Thomsen reiterated that state law does not authorize Townships to prohibit platting, but the Township may establish reasonable regulations pertaining to lot sizes, etc. Attorney Thomsen also said that to support minimum parcel sizes of 20 acres, or any minimum larger than the current minimums, the Township would need facts to support the change.

Mr. Rogers said that he understood there was support for one-acre parcels, maybe without sewers. Ms. Deaux suggested another joint meeting with the Township Board, to avoid the risk of "guess again" situations. The Board informally decided to consider PUD's at the June 13 meeting. Attorney Thomsen suggested that anyone with comments should put them in writing in advance, so they can be made part of the agenda packet.

6. **Tom Walker via Attorney William R. Oudsema**

Item No. 00-112

Address: 3909-02-126-019 & 02-126-112 (NCC Parkway)

Request: Text Amendment

This matter was left on the table, since no information has been submitted, and no one was present on behalf of the applicant

7. **Public Hearing: KVCC**

Item No. 00-115

Address: EBT Park

Request: Text amendment to amend sign provisions of ordinance

Mike Collins and Jeff Donovan appeared for the applicant. They explained that they are requesting an amendment of the sign setback provisions in the EBT district, because it will increase visibility and will allow preservation of trees so that the natural advantages of the land in the EBT district can be retained. A variance from the current setback requirement had been requested, and the ZBA suggested that it would be more appropriate to seek a text amendment. Mr. Mais confirmed that, as did Attorney Thomsen. The change would reduce the required setback from 37.5 feet to 25 feet. After brief discussion, Ms. Huber commented that the amendment seems reasonable. Mr. Hamming agreed.

The public hearing was opened, and there were no comments. The public hearing was then closed.

Ms. Huber **moved** to recommend approval of the text amendment, as submitted. Mr. Hamming **supported** the motion, and it carried unanimously.

8. Review

These items were removed from the agenda.

9. Citizens' comments

There were no Citizens' comments.

10. Adjournment

The meeting was adjourned at about 8:20 p.m.

Respectfully submitted,

Bryan Lewis, Secretary

Date minutes prepared: May 25, 2000

Date minutes approved: