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3 **Texas Township
Planning Commission
Minutes of Workshop Meeting**

4 **January 9, 2024 – 5:00 P.M.**

5 **Present:** Michael Corfman (Chair); Kathy Buckham; Ryan Eavey; Jeff Matson; Trish
6 Roberts; Bart Davis; Larry Loeks, Kelly McIntyre (Planning Director); and
7 Brooke Hovenkamp (Deputy Superintendent)

8 **Absent:** none

9 **Item 1. Call to Order**

10 The meeting was called to order at 5:00 p.m. by Michael Corfman (Chair).

11 **Item 2. Roll Call**

12 Roll was taken, and all members were present.

13 **Item 3. Public Comments**

14 There were no public comments.

15 **Item 4. Adoption of Meeting Agenda**

16 Chair Corfman corrected the numbering on the agenda. Commissioner Loeks moved,
17 seconded by Commissioner Matson, to approve the meeting agenda. The motion carried
18 unanimously.

19 **Item 5. Election of Officers**

20 A motion was made by Loeks to nominate Mike Corfman as Chair; a motion was made
21 by Matson to nominate Davis as Vice Chair; and a motion was made by Davis to nominate
22 Larry Loeks as Secretary. Commissioner Roberts seconded support for the nominations
23 and to accept the nominations as presented. The motion carried unanimously.

24 **Item 6. Approval of Meeting Minutes**

25 The Planning Commission reviewed the minutes of the Dec 12, 2023. Commissioner
26 Eavey had a few corrections. He noted that on Line 98 part of the sentence was missing.
27 Commissioner Loeks asked for clarification on the outdoor storage. On Line 137 the
28 minutes state a masonry wall *and* double row of evergreen tree line is required while
29 Commissioner Loeks thought it was either. Commissioner Davis noted that the “and”
30 should be changed to “or.” Ms. McIntyre made the correction.

31 Commissioner Loeks asked for clarification of line 140. He asked for a definition of
32 “buffer” or did the Commission mean to leave “undeveloped?” McIntyre confirmed the
33 intention is undeveloped and will make that change. Chair Corfman further clarified the
34 condition to say it is “measured from the west side of the power easement and going 200
35 feet east to the west side of the powerline easement.” No additional corrections were
36 made. A motion was made by Commissioner Eavey to accept the minutes with the
37 proposed changes. Motion was seconded by Commissioner Loeks. The motion carried
38 unanimously.

39 **Item 7. New Business**

40 **Item 7A: 2023 Texas Township Planning and Zoning Annual Report**

41 Planning Director Kelly McIntyre summarized the report. She stated that the Michigan
42 Planning and Zoning Enabling Acts require that an annual report of the Planning
43 Commission’s activities be presented to the Township Board. The report included the
44 number of Planning Commission meetings held; itemized the reviews that occurred being:
45 8 site plan reviews, 6 special exception uses, 1 conditional rezoning, 1 site plan extension;
46 and listed the zoning ordinance amendments that were discussed; and those that were
47 approved during the 2023 year. The report included the Zoning Board of Appeal activity
48 as well.

49 Commissioner Davis recommended that the annual report be posted on the Township’s
50 webpage for the public to view. A motion was made by Commissioner Loeks to send the
51 report to the Township Board for approval. Motion was seconded by Commissioner
52 Matson and carried unanimously.

53 **Item 7B: Zoning Ordinance Amendments**

54 Director McIntyre stated that the intent of the discussion was for her to get brought up to
55 speed on the ordinances that the Commission worked on during the year and to ascertain
56 the priority sections. She stated that she knows the riparian ordinance is a priority and
57 she noted the background work done to complete the riparian ordinance – i.e. listening
58 session and survey. She added that the survey results will be discussed during the
59 February work session.

60
61 She stated that work has been done on the subdivision and land division ordinance text
62 and that the draft was being reviewed by the Township Attorney.

63
64 She reviewed the Master Plan recommendations. The first being to review and consider
65 consolidating the four commercial districts (C1 through C4) to possibly two (2) districts.
66 McIntyre stated the districts are very similar – as far as uses- and she can provide a
67 comparison table to illustrate the differences.

68
69 Commissioner Roberts stated that with the new Corners Business District (CBD), the
70 existing 4 commercial districts may not be necessary. The CBD ordinance is much more
71 detailed and has additional standards compared to the other commercial districts.

72
73 Chair Corfman added that we need to look at the current C1-C4 districts and note what
74 is there and then decide if consolidation makes sense. He stated that this will affect the
75 Master Plan recommendation that identifies the development of the 9th Street sub area
76 plan/district.

77
78 Commissioner Davis thinks that reviewing the uses in the districts is timely because of
79 the changing commercial/industrial industry. He said if nothing is changed this could
80 result in rezoning a larger number of rezonings. With office space becoming increasingly
81 vacant the ordinance needs to address the changing use of spaces – be it office,
82 commercial or industry. He believes if we start with the commercial districts – we would
83 have a good start.

84
85 Director McIntyre agreed saying that the Township will likely see more mixed-use
86 buildings and uses that have not “traditionally” been permitted in a specific district, but
87 due to the limited external effects, may be appropriate to reconsider.

88
89 Based on the list of Master Plan recommendations, Director McIntyre asked if the
90 Commission would like to develop a tree protection ordinance to deal with clear-cutting
91 and protection of trees of a certain size. Several members were concerned with this and
92 questioned if guidelines were more appropriate rather than ordinance standards.
93 Director McIntyre suggested that instead of an ordinance that penalized property owners
94 for the removal of trees, incentives could be created that would benefit the developer
95 and encourage the protection of existing trees. The Commission agreed this direction
96 would be good.

97
98 Commssioner Roberts asked whether a developer can clear cut a lot before a
99 development is approved. Director McIntyre explained unless it is in an active preserve,
100 the Township may not regulate removal of the trees at this time. Director McIntyre further
101 explained that “tree ordinances” are difficult to navigate and have been the subject of a
102 significant court case in Canton Township (where the Township’s ordinance that required
103 replacement trees for every tree removed on an undeveloped lot was not legal).

104
105 Director McIntyre then discussed energy systems (solar and wind) ordinances and the
106 implications on the Township of House Bill 5120 that gives the state review and approval
107 authority over solar energy systems that generate over 100 megawatts of wind
108 generation and 50 megawatts of solar and battery storage projects. She stated that
109 provisions of the Bill are complex and that planning organizations around the state are
110 drafting language that may be used in a community’s ordinance for the systems that the
111 local authority can review (under the thresholds).

112
113 Other ordinances (accessory dwelling units on lots across from riparian lots, signage,
114 access management, parking, internal landscaping, and commercial design standards)
115 were mentioned that will be discussed in the near future. There was a discussion about
116 commercial design standards – and being too restrictive. Director McIntyre mentioned
117 the standards would be more high level – for example- breaking up the façade of a
118 building that is over a certain length or requiring windows at the primary front/entrance

119 of a building. McIntyre will bring some samples for the commission to review and
120 consider.

121
122 Commissioner Roberts stated that the Board was not in favor of recent ordinance
123 language presented to the Board on flag shaped lots. Chair Corfman asked for feedback
124 on why the ordinance was being sent back to the Commission and why the Board did
125 not like the draft language.

126

127 **Item 8. Citizen Comments**

128 There were no citizen comments.

129 **Item 9. Old Business.**

130 There was no old business.

131 **Item 10. Commissioner Comments.**

132 Commissioner Roberts informed the Commission that the Callander project (multi-family
133 development in the CBD) is seeking Brownfield Redevelopment Funding and made an
134 initial presentation to the DDA. She explained that the Kalamazoo County Brownfield
135 Redevelopment Authority Coordinator would be coming to a Committee of the Whole
136 meeting to educate the Township on Brownfields and how the programs works. To move
137 forward on the Brownfield application, the Township would have to support the plan (and
138 agree to give up tax capture) before the Brownfield Authority and County would entertain
139 the Callander application. She stated this is early stage and new to the Township and we
140 have many questions that need to be answered before considering support.

141 Commissioner Roberts added that Commissioners Corfman and Buckham were
142 appointed to an additional term ending in December 2025.

143 **Item 10. Adjournment**

144 There being no further business, Commissioner Matson made a motion that was
145 seconded by Commissioner Loeks, to adjourn the at approximately 6:37 p.m. Motion
146 carried unanimously.