



7110 West "Q" Avenue  
Kalamazoo, Michigan 49009  
Phone (616) 375-1591  
Fax (616) 375-0791

## **ZONING BOARD MINUTES OF MEETING HELD APRIL 11, 2000**

A special meeting of the Charter Township of Texas Zoning Board was held on Tuesday, April 11, 2000 commencing at 7:00 p.m. at the Texas Township Hall.

Members Present: Steve Bosch, Suzzette Deaux, Tom Hamming, Steve Woollam

Members absent: George Sprau, Barbara Huber, Bryan Lewis

Building Official Bruce Derby, Zoning Administrator Jeff Mais, Township Attorney Lynda Thomsen, and approximately 8 interested persons were also present.

### **1. CALL TO ORDER and ROLL CALL**

Chairman Bosch called the meeting to order at approximately 7:00 p.m. Roll was called with the results shown above.

### **2. SET AGENDA**

Chairman Bosch reviewed the agenda. There were no changes.

### **3. SITE PLAN REVIEW: Brian Welsh**

**Item No. ZB00-110**

**Property: 02-201-015 (east of 9<sup>th</sup> Street, between N Avenue and I-94)**

**Request: Restaurant with drive-thru accommodation**

Bob Flintrop, representing the applicant, addressed the Zoning Board. The restaurant will be a franchised operation with 120 seats. It will be the first in Michigan. It will operate from 10:30 a.m. to 10:00 p.m., 7 days a week. Fifty to sixty people will be employed, full and part-time. There were no questions from the Board.

Chairman Bosch noted that in the application packet, the applicant provided a letter from the Road Commission, itemizing the requirements for the driveway, drainage, and sidewalk reconstruction. Tom Barnes of W. L. Perry, the architects and engineers for the project, confirmed that those items will all be addressed by the applicant.

In response to a question from Chairman Bosch, Building Official Derby confirmed that the Fire Chief has reviewed the plans and all the items he listed for change have been done.

The Zoning Board reviewed the revised lighting plan that the applicant provided. It was noted that there are no neighboring residential uses, except legal nonconforming uses. The lighting plan showed one light on the east side of the building, and other lights in the parking area.

Mr. Woollam said he wants the plan to show the Kalamazoo Landscape Supply building, as required by the ordinance, and also the telephone pole near the northwest corner of the property.

The drainage is to be handled by a system of PVC pipes and underground storage. In response to a question from Mr. Woollam, Tom Barnes explained that water from 9<sup>th</sup> Street is kept from the property by a ridge in the driveway, which is shown on the plan. This is a requirement of the Road Commission.

The lighting plan was then reviewed in more detail. The members commented that the revised plan submitted to them at the meeting did not meet the standards of the ordinance, because the photometric data showed levels exceeding 0.5 footcandles at the property lines in several areas. Mr. Barnes then submitted another revision (Exhibit C) which satisfies the standards of the ordinance by reducing the wattage of the lamps to 250 watts from 400 watts.

The Zoning Board discussed signage. The applicant has applied for a variance from the requirements of the sign provisions of the Zoning Ordinance. No signs will be reviewed or approved at this meeting, but all signs on the property must conform to the ordinance requirements, or to a variance if one is granted.

The Board reviewed the parking. The applicant's calculations showed 49 parking spaces required, but the plan includes over 60 spaces. Mr. Woollam asked why they included so many. Mr. Flintrop said that at busy times, they expect to need spaces as shown on the plan. Chairman Bosch commented that he believes that the calculations on the plan are low, and that the spaces actually shown on the plan more accurately reflect the necessary parking. He mentioned the outdoor dining area in particular.

Members of the Zoning Board did not see adverse effects on the surrounding neighborhood, and found no need for screening beyond the landscaping shown on the plan. It was noted that the grade at the east end of the land is to be raised. Trash enclosures shown on the plan are appropriate. Public services are available, including all utilities.

Mr. Woollam asked that specific information about the height of the building be shown.

Mr. Hamming would like the plan to delineate the dimensions used in the legal description. He asked about the dashed circles shown in the parking lot. Mr. Barnes explained that those are turning radii, shown so the Fire Chief could see that there was adequate space for fire vehicles. Mr. Hamming then mentioned that the plans show gravel around the underground leaching basins, but do not show gravel around the perforated pipes. He believes that will be necessary in order to dispose of the storm water. Chairman Bosch agreed. Mr. Hamming also noted that Note #13