



1 **PLANNING COMMISSION WORKSHOP MEETING MINUTES, JULY 11, 2023**
2

3 **CALL TO ORDER/ROLL CALL**

4 The Meeting was called to order at 5:00 p.m. and roll was called. The following Commissioners were
5 present: Chair Corfman, Secretary Loeks, Commissioners Roberts, Eavey, Buckham and Matson. Absent
6 was Vice Chair Davis. Also present were Zoning Administrator Lovely and Recording Secretary Quemada.
7

8
9 **PUBLIC COMMENTS**

10 There were no public comments.
11

12
13 **ADOPTION OF MEETING AGENDA**

14 The agenda was reviewed. Motion by Loeks, seconded by Eavey, motion carried, to adopt the agenda
15 with the addition of Item 7B.
16

17
18 **APPROVAL OF MEETING MINUTES**

19 Motion by Roberts, seconded by Matson, motion carried, to approve the minutes of the June 27, 2023,
20 Regular Meeting Minutes with a correction to the spelling of Zoning Administrator Lovely's name in Line
21 89.
22

23
24 **NEW BUSINESS**

25
26 **A. Minor Amendment to new Corners Business District**

27 Request: Review draft text amendment to the newly adopted Corners Business District ordinance to
28 clarify frontage as it relates to access connectors.
29

30 Zoning Administrator Lovely shared that this potential conflict was brought to light during the previous
31 meeting while reviewing the site plan for Cravings by Pacific Rim. Commissioners debated whether the
32 language of the newly adopted ordinance suggested frontage for an access connector be considered a
33 front yard for parking requirements, or simply frontage for the purpose of access and utilities. Mr. Lovely
34 suggested adding an extra sentence to Section 36-3.1.18.D.ii regarding lot frontage along an access
35 connector being exempt from the front yard parking requirements for clarity. Planning Commissioner's
36 discussed in detail as to the intent for access connector frontage being for the sole purpose of access and
37 utilities.

38 Motion by Loeks, seconded by Buckham, motion carried to add this minor text amendment to the next
39 public hearing.
40

41 **OLD BUSINESS**

42
43 **A. Continued Review of Draft Subdivision and Site Condominium Ordinance**

44 Request: Review draft ordinance with updates consistent with comments received during the public
45 hearing held at the May 23, 2023, Regular Meeting.
46

47 Zoning Administrator Lovely went through the draft ordinance dated June 8, 2023, to confirm each
48 section with mark-ups was drafted correctly in accordance with the direction of the Planning Commission.
49 Some additional sections were discussed as well. The following discussions were had, and decisions
50 made:

51 Section 36-6.2.6 - Planning Commission consensus to remove the "date".

52 Section 36-6.2.7.C.ii - Planning Commission confirmed revisions.
53 Section 36-6.2.7.C.v - Planning Commission consensus to add “fiber optic” to language. Requiring fiber
54 optic is not necessary as it will be provided if available in the area and can be added later when available
55 for areas not already served.
56 Section 36-6.2.7.D.i - Planning Commission confirmed revision.
57 Section 36-6.2.7.D.vii – Planning Commission confirmed revision. Planning Commission consensus
58 to correct all language within the draft ordinance to reflect requirements for both retention and detention
59 basins. Zoning Administrator Lovely suggested that retention and detention basins be considered storm
60 water management basins (as he believes it was intended originally) for clarity.
61 Section 36-6.2.7.G.i - Zoning Administrator Lovely suggested adding a change of “10-feet on either
62 side be within an easement or common open space element for landscaping, and that an additional 10-
63 feet be provided for utilities, only if the additional 10-feet on either side was originally intended for entryway
64 elements, landscaping, etc.” Planning Commission consensus was to add this to the Entryway section.
65 Section 36-6.2.7.G.ii - Planning Commission confirmed revisions and suggested adding a link to the
66 landscaping section of the draft ordinance for buffering requirements within the common open space
67 element (include hyperlink).
68 Section 36-6.2.7.H.vi – Planning Commissioners and Zoning Administrator Lovely suggested that there
69 should be clarification to the 50-foot half-width right-of-way. Zoning Administrator Lovely indicated that he
70 would work on the language to clarify that the intent is to have a 100-foot total right-of-way width along
71 county primary roads.
72 Section 36-6.2.7.H.xi - Planning Commission consensus to add “or Road Commission of Kalamazoo
73 County” for public roads.
74 Section 36-6.2.7.H.xiii.e - Planning Commission agreed to change the wording to recommend a 10-
75 foot-wide private utility easement adjacent to the private road right-of-way. Zoning Administrator Lovely
76 will confirm this is a requirement for public roads due to potential difficulties with the Road Commission
77 allowing private utilities within the public right-of-way.
78 Section 36-6.2.7.H.xiv - Zoning Administrator Lovely suggested revising to “addresses will be assigned
79 by the Township utilizing a name that has been approved through the Kalamazoo County Road naming
80 policies”. Planning Commission consensus to make this change.
81 Section 36-6.2.7.I.iii - Planning Commission confirmed revisions.
82 Section 36-6.2.7.J.i - Planning Commission confirmed revisions.
83 Section 36-6.2.7.K.i.a - Planning Commission confirmed revisions.
84 Section 36-6.2.7.K.i.b - Planning Commission confirmed that this section should remain.
85 Section 36-6.2.7.K.i.d - Planning Commission confirmed this addition as a reminder of other riparian
86 regulations throughout the Zoning Ordinance.
87 Section 36-6.2.7.L.i - Planning Commission consensus to change to a maximum of fifteen feet outside
88 of right-of-way for Public and Private Roads, while providing an option for trees within the private right-of-
89 way between the sidewalk and edge of road if there are no utility conflicts.
90 Section 36-6.2.7.L.ii - Zoning Administrator Lovely will investigate wording for this section and add
91 reference to the Entryway section. The meaning of “view shed” was also briefly discussed and
92 commissioners wondered if there was a better term. Zoning Administrator Lovely will investigate this as
93 well.
94 Section 36-6.2.8.B.ii.f.4 - Planning Commission confirmed revisions.
95 Section 36-6.2.8.B.iii.h - Zoning Administrator Lovely indicated staff is still waiting to hear back from
96 the Township’s Attorney. He will follow up and try to apply some pressure for a response.
97 Section 36-6.2.8.D.iii.b.2 - Planning Commission confirmed revisions.
98 Section 36-6.2.8.D.iii.b.8 – Planning Commission consensus to handle this as per the Sidewalk
99 Deferment Policies within the General Ordinance. Zoning Administrator Lovely indicated that the Sidewalk
100 Deferment Policies need to be reviewed and updated as soon as time allows to match the Township’s

101 intended approach. It makes more sense to simply refer to these policies in the new ordinance so that any
102 updates still apply consistently.

103 Section 36-6.2.8.D.iii.g – Language to be revised to read “County Treasurer” instead of “Township
104 Treasurer” as confirmed by Commissioner Roberts who is also the Township Treasurer.

105 Section 2.2 Definitions - Planning Commission confirmed revisions discussed to add detention basin
106 definition and to confirm this term fits with the other new definitions and new language of the draft
107 ordinance.

108 The Planning Commission briefly discussed the Preliminary Plat for Tentative Review/Approval that
109 the Township Board approved 3-2 the previous night, July 10, 2023, for The Sanctuary. While
110 commissioners generally agreed that the Planning Commission should review such plans and make
111 recommendations to the Township Board, they agreed that it has been a while since they had reviewed a
112 Plat and that the General Ordinance only requires the Township Board’s review as currently codified.

113
114 **B. Review Draft Miscellaneous Ordinance Amendments**

115 Request: Review Committee of the Whole comments of draft ordinance amendments for Land
116 Divisions, Lot Line Adjustments and Parcel Combinations, Attached Deck Rear Yard Setback
117 Encroachments, and Front Yard Sport Courts.

118
119 Zoning Administrator Lovely indicated that he wanted to discuss Township Board comments from the
120 Committee of the Whole Meeting that took place the previous night, July 10, 2023. Trustees had
121 reservations with regard to all of the proposed amendments aside from the administrative reduction in
122 frontage requirements on a percentage basis for specific districts. Lovely indicated that this section
123 necessitated the addition of the R-5 District to the last sentence and Commissioners Agreed.

124 Trustees stated that front yard sport courts could possibly include skate parks and climbing walls and
125 expressed concern regarding the maximum allowable size. Zoning Administrator Lovely argued that skate
126 parks and climbing walls would not be considered a sport court based on the definition and that the sport
127 court still needs to meet the minimum front yard setback of the zoning district, or request review and
128 approval of a Special Exception Use. One way to clean up the concern for unwanted structures or uses in
129 the front yard would be to add clarification to the definitions by stating, “sport courts shall not include.....”
130 Commissioners, with the exception of Commissioner Roberts and Buckham, agreed with and echoed the
131 Zoning Administrator’s comments. Commissioner Buckham needed to leave due to prior obligations toward
132 the end of the previous Agenda item, so she was not present to discuss this Agenda item.

133 Commissioner Roberts, being Liaison to the Township Board indicated that she would take notes of all
134 Commissioner comments to convey to Trustees.

135 Trustees expressed concerns with the proposed amendment allowing rear yard attached deck
136 encroachments. They stated that it was the fault of the developer and builder for not being aware of this
137 requirement during the initial design of the site condo and development of the homesite. They also
138 wondered what this meant for the R-1 and A districts, stating that it would allow residents to build very
139 large decks that encroach on the property line. Zoning Administrator Lovely argued that there would still
140 be a minimum of 50-feet between such decks in the R-1 and R-2 Districts for example, and in the A district
141 it makes the 25-foot setback possible in the rear yard, but the rear yard accessory setback is 20-feet, and
142 a patio could be placed right up to the rear property line if desired. All commissioners (absent Buckham)
143 agreed with and echoed the Zoning Administrator’s comments, with the exception of Commissioner
144 Roberts who held that she shares the same concerns as Trustees and also indicated that she is worried
145 about what this will do for the views of neighbors for their back yards.

146 For the land division related amendments, some Trustees felt that the “lot width” definition was not
147 necessary as lot width had always been considered the same as “lot frontage” for the purpose of land
148 divisions, etc. There was also concern with the flag shaped lots and how it would naturally increase the
149 density in the rural preservation areas as outlined in the 2020 Master Plan. Zoning Administrator Lovely
150 started by stressing the importance of a “lot width” definition as “lot frontage” is simply the width at the

151 frontage and there is nothing in the ordinance that says the two are the same. This gives staff the ability
152 to be creative with how lot width is measured and, in some cases, would legally allow for flag shaped lots
153 if depth to width ratios are averaged. The Township can also grant exceptions if a greater depth to width
154 ratio is consistent with the development pattern of the surrounding area, or if denial will cause an
155 unnecessary hardship. The General Ordinance contains language from the Land Division Act that calls for
156 depth to width ratio being used as criteria, not depth to frontage. Frontage for uniquely shaped lots can be
157 measured at the setback per the Zoning Ordinance, but again, this is not technically the width. In addition,
158 flag shaped lots as proposed would still contain the minimum frontage for a future right-of-way and 10-feet
159 on either side for utilities. The proposed amendments require that the minimum lot area be reached in the
160 flag portion of the lot, unless the flagpole portion is wide enough to build on while adhering to appropriate
161 setbacks. The proposed amendments provide for more guidance and clarify review requirements for Staff
162 moving forward. All commissioners (absent Buckham) agreed with and echoed the Zoning Administrator's
163 comments, with the exception of Commissioner Roberts who held that she shares the same concerns as
164 Trustees, while also stating that a "lot width" definition is a good idea moving forward.
165

166 The Planning Commission asked what the next steps were and Zoning Administrator Lovely stated
167 that he will check with Superintendent Wilson and Deputy Superintendent Hovenkamp if the proposed
168 amendments need to go back to Committee of the Whole or back to the Planning Commission for revisions.
169

170 **COMMISSIONER COMMENTS**

171 Zoning Administrator Lovely notified the Planning Commission that he has accepted another job
172 opportunity within the Private Sector and his last day with the Township will be July 19.

173 Commissioner Eavey expressed his gratitude to John for all his hard work and all members of the
174 Planning Commission agreed.

175 Commissioner Matson asked if it takes a while to get answers back from the Attorney. Zoning
176 Administrator Lovely and Commissioner Roberts both agreed that it takes some time to get answers.

177 Commissioner Roberts shared updates on the Splash Pad and the hope of it opening late this month
178 or early next month. Also, that Concert in the Corners will be July 23rd. Roberts shared updates about the
179 sewer connection deferments.

180 Chair Corfman stated they held a ZBA meeting on June 28, 2023, and welcomes anyone to read the
181 minutes.
182

183
184 **PUBLIC COMMENT**

185 There were no public comments.
186
187

188 **ADJOURNMENT**

189 Motion by Matson, seconded by Loeks, motion carried to adjourn the meeting. The meeting was
190 adjourned at 7:24 p.m.

191 Submitted: July 17, 2023 Approved:

192
193
194 Recording Secretary Quemada