

June 5, 2018



**Mtg Date:** June 14, 2018

**To:** Planning Commission

**From:** Julie Johnston, AICP  
Planning Director

**Applicant:** Patty Ruppel  
Thirsty Hound, LLC

**Owner:** Chris Ruppel

**Property:** 1030 South 8<sup>th</sup> Street, parcel number 3905-22-430-040

**Zoning:** I-1: Industrial District, Manufacturing/Serviceing

**Request:** Special Exception Use for an Outdoor Event

**Section(s):** Section 41.409: Temporary Outdoor Event in I-1 District  
Section 60.000: Special Exception Uses

**Project Name:** Thirsty Hound

## PROJECT SUMMARY

The applicant requests a special exception use and general site layout approval to allow a variety of food trucks on their property while they secure their food license for The Thirsty Hound with Kalamazoo County Environmental Health. The Thirsty Hound is part of the larger Meadow Run Knoll complex and Meadow Run Dog Park. In April of 2017, the Planning Commission approved the Meadow Run Knoll development to include Camp Fido (dog daycare), Tip Top Tails Training, and The Thirsty Hound, a dog-oriented restaurant. Meadow Run Knoll is located to the south of Meadow Run Dog Park, which is also owned by the applicant and received approval from the Planning Commission in 2010.

The Thirsty Hound has been pursuing their liquor license from the State of Michigan and their restaurant license from the Kalamazoo County Environmental Health since April of 2017. At this time, the liquor license has been secured but the restaurant license is still pending. According to the applicant, this is due to the unique nature of the restaurant, allowing dogs within the dining area.

However, the use of the liquor license is predicated on the selling of food. Oshtemo Township only allows onsite liquor licenses in establishments where the sale of liquor is shown to be incidental and subordinate to other permitted business uses, such as food sales, motel operations, or recreation activities. In an

effort to meet these requirements while the restaurant license is pending, the applicant would like to utilize mobile food trucks.

The request is to allow mobile food trucks every Tuesday and Thursday from 4:00 pm to 7:00 pm through the summer months (ending September 30, 2018).

### **TEMPORARY OUTDOOR EVENTS**

Section 41.409 of the I-1: *Industrial District* requires the following:

- a. *Use is incidental to principal use of the property.*
- b. *A site plan shall be submitted for review indicating the following:*
  1. *Traffic lanes and on-site parking.*
  2. *Fire lanes and emergency vehicle turning areas.*
  3. *Restrooms provided (in building or portable facilities).*
  4. *Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks.*
  5. *All activity takes place on subject property.*
- c. *The Fire Chief, or his designee, has approved the placement of vehicles, trailers, and all other equipment associated with the event.*
- d. *All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.*
- e. *Property owner must approve and acknowledge the use of the property for the event.*

The applicant utilized the approved site plan from Meadow Run Knoll to indicate the placement of the food truck at the far western edge of the parking lot. Public restroom facilities are provided inside the building. No additional equipment or trailers are being brought to the subject property. The proposed food truck location will not impede emergency vehicles as a turn-around is still provided at the eastern end of the parking lot. All ordinance requirements have been met.

### **SPECIAL EXCEPTION USE CONSIDERATIONS**

Section 60.100 of the Zoning Ordinance provides additional review criteria for consideration when reviewing a Special Exception Use request. These criteria are as follows:

**A. Is the proposed use compatible with the other uses expressly permitted within the I-1: Industrial District zoning classification?**

The I-1 District allows a multitude of manufacturing, warehousing, automotive, office, and recreational uses. In comparison to other uses allowed in this district, Meadow Run Knoll has a relatively low intensity and impact. The addition of a temporary food truck would not increase this intensity significantly above what The Thirsty Hound would bring to the site.

**B. Will the proposed use be detrimental or injurious to the use or development of adjacent properties or to the general public?**

As the food truck is essentially intended to meet the needs of The Thirsty Hound while it secures all its licensing, its placement should not increase traffic beyond what would have already been brought to the site for the approved restaurant. In addition, the short duration of its presence, from 4:00 pm to 7:00 pm, should limit its impact.

Meadow Run Knoll is surrounded almost on all sides by Meadow Run Dog Park, which is also owned and operated by the applicant. The property to the immediate north of the site is a private storage building and across 8<sup>th</sup> Street is Belden Brick and Supply, which is a contractor's yard providing brick and stone. These light industrial properties should be minimally impacted by the placement of a temporary food truck.

Finally, no other restaurant uses are found within this area. The closest food service establishments would be on West Main Street near 9<sup>th</sup> Street. Placing a food truck in this location would not be detrimental to any existing restaurant.

**C. Will the proposed use promote the public health, safety, and welfare of the community?**

Food trucks are required to be permitted by Kalamazoo County Environmental Health. The Planning Commission may want to consider conditioning the approval with a requirement that a copy of this license either be provided to the Township or kept on file with the applicant. In addition, a copy of the property owner's liability insurance should be provided to the Township to ensure coverage is sufficient for this type of additional use.

**D. Will the proposed use encourage the use of the land in accordance with its character and adaptability?**

Given the relatively low intensity of the proposed food truck use when compared to other activities permissible in the I-1 zoning district, staff is confident that this venture is in accordance with the subject property's character and adaptability.

**RECOMMENDATION**

Planning Department staff is satisfied that the project meets all Special Exception Use requirements and recommends that the Planning Commission grant approval for the food truck temporary outdoor event, subject to the following conditions:

1. The food truck will only be permitted onsite Tuesdays and Thursdays from 3:30 pm to 7:30 pm with food sales from 4:00 pm to 7:00 pm.
2. The food truck will be permitted from June 15 through September 30, 2018 or until the Kalamazoo County Environmental Health restaurant license is secured, whichever is first.

3. The Kalamazoo County Environmental Health license for the food truck shall be provided to the applicant and kept on file for proof of proper operating permits.
4. The property owner's liability insurance shall be provided to the Township.
5. Inspections by the Fire Marshall periodically throughout the approved timeframe of the event, if needed.

Respectfully Submitted,



Julie Johnston, AICP  
Planning Director

Attachments: Application  
Aerial Map  
Site Layout



7275 W. Main Street, Kalamazoo, Michigan 49009-9334  
 Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS \_\_\_\_\_

**PLANNING & ZONING APPLICATION**

Oshtemo Charter Township  
 7275 W MAIN ST  
 KALAMAZOO, MI 49009  
 Phone : 269-375-4260  
 OSHEMOTOWNSHIP.ORG

Applicant Name : PATTY RUPPEL

Company THE THIRSTY HOUND LLC

Address 1030 S. 8TH STREET  
KALAMAZOO MI 49009

E-mail PLRUPPEL@GMAIL.COM

Telephone 269-806-5975 Fax \_\_\_\_\_

Interest in Property CO-OWNER OF BUSINESS

Received From: RUPPEL  
 Date: 05/21/2018 Time: 4:31:37 PM  
 Receipt: 141372  
 Cashier: LPOTOK

ITEM REFERENCE	AMOUNT
1085 SPECIAL EXCEPTION USE	
SPECIAL EXCEPTION USE	\$400.00
TOTAL	\$400.00
CHECK 1668	\$400.00
Total Tendered:	\$400.00
Change:	\$0.00

**OWNER\*:**

Name CHRIS RUPPEL

Address 3020 BRANDYWINE  
KALAMAZOO MI 49009

Email CCRUPPEL@MERIDIANCAPITAL.COM

Phone & Fax 269-341-1194

**NATURE OF THE REQUEST:** (Please check the appropriate item(s))

- |  |   |
|--|---|
| <input type="checkbox"/> Planning Escrow-1042                  | <input type="checkbox"/> Land Division-1090           |
| <input type="checkbox"/> Site Plan Review-1088                 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086  | <input type="checkbox"/> Rezoning-1091                |
| <input checked="" type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082          |
| <input type="checkbox"/> Zoning Variance-1092                  | <input type="checkbox"/> Text Amendment-1081          |
| <input type="checkbox"/> Site Condominium-1084                 | <input type="checkbox"/> Sign Deviation-1080          |
| <input type="checkbox"/> Accessory Building Review-1083        | <input type="checkbox"/> Other: _____                 |

**BRIEFLY DESCRIBE YOUR REQUEST** (Use Attachments if Necessary): \_\_\_\_\_

REQUEST TO USE A VARIETY OF LOCAL FOOD TRUCKS ON PROPERTY  
WHILE PURSUING FOOD LICENSE. TRUCKS WOULD BE PARKED ON PROPERTY  
4-7pm ON TUESDAYS & THURSDAYS, JUNE 1 - SEPT 30, 2018.

**LEGAL DESCRIPTION OF PROPERTY** (Use Attachments if Necessary):

PARCEL NUMBER: 3905- 05-22-430-040  
ADDRESS OF PROPERTY: 1030 S. 8<sup>TH</sup> ST. KALAMAZOO MI 49009  
PRESENT USE OF THE PROPERTY: THE THIRSTY HOUND, CAMP FIDO, THE TOP TAILS  
PRESENT ZONING INDUSTRIAL SIZE OF PROPERTY 1.73A

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS  
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)	Address(es)
<u>KERRY MULHOLLAND</u>	<u>8661 STADIUM DR, KALAMAZOO</u>

**SIGNATURES**

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

Chris G. Deppel  
Owner's Signature (\* If different from Applicant)

20 May 2018  
Date

Pat Zyl  
Applicant's Signature

20 May 2018  
Date

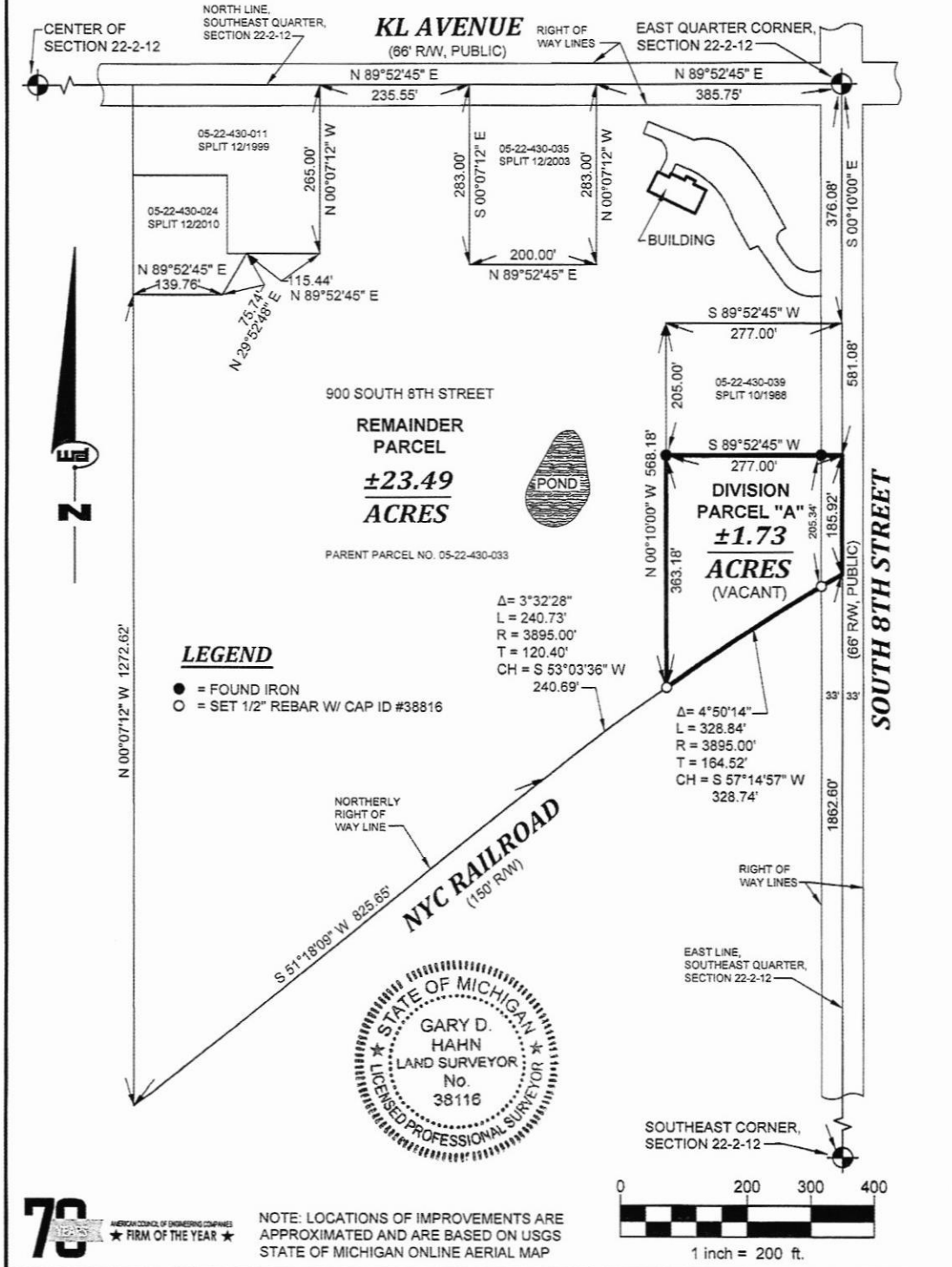
Copies to:  
Planning -1  
Applicant -1  
Clerk -1  
Deputy Clerk -1  
Attorney-1  
Assessor -1  
Planning Secretary - Original

\*\*\*\*

**PLEASE ATTACH ALL REQUIRED DOCUMENTS**

# BOUNDARY SURVEY

## IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN



OSHTEMO TOWNSHIP, KALAMAZOO COUNTY  
SECTION 22, T. 02, S. R. 12, W

**73** AMERICAN COUNCIL OF ENGINEERING COMPANIES  
★ FIRM OF THE YEAR ★

**WIGHTMAN & ASSOCIATES, INC.**  
ENGINEERING ♦ SURVEYING ♦ ARCHITECTURE

264 Western Avenue  
Allegan, MI 49010  
Phone: (269) 673-8465

2303 Pipestone Road  
Benton Harbor, MI 49022  
Phone: (269) 927-0100

9835 Portage Road  
Portage, MI 49002  
Phone: (269) 327-3532

www.wightman-assoc.com

CLIENT: JIM ROBERTS CONSTRUCTION, INC.  
JOB No: 164320  
DATE: JANUARY 4, 2017  
SCALE: 1" = 200'  
DRAWN BY: ACK  
CHECKED BY:

*[Signature]*  
**GARY D. HAHN**

# DESCRIPTIONS

## IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN

### PARENT PARCEL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 22, THENCE SOUTH 00° 10' 00" EAST ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 376.08 FEET; THENCE SOUTH 89° 52' 45" WEST PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 277.00 FEET; THENCE SOUTH 00° 10' 00" EAST PARALLEL WITH SAID EAST LINE 205.00 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH SAID NORTH LINE 277.00 FEET TO SAID EAST LINE; THENCE SOUTH 00° 10' 00" EAST ON SAID EAST LINE 185.92 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF NYC RAILROAD; THENCE SOUTHWESTERLY ON SAID RIGHT OF WAY LINE 569.6 FEET ON A 3895.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 55° 28' 43" WEST 569.06 FEET; THENCE SOUTH 51° 18' 09" WEST ON SAID RIGHT OF WAY LINE 825.65 FEET; THENCE NORTH 00° 07' 12" WEST 1272.62 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH SAID NORTH LINE 139.76 FEET; THENCE NORTH 29° 52' 48" EAST 75.74 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH SAID NORTH LINE 115.44 FEET; THENCE NORTH 00° 07' 12" WEST 285.00 FEET TO SAID NORTH LINE; THENCE NORTH 89° 52' 45" EAST ON SAID NORTH LINE 235.55 FEET; THENCE SOUTH 00° 07' 12" EAST 283.00 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH SAID NORTH LINE 200.00 FEET; THENCE NORTH 00° 07' 12" WEST 283.00 FEET TO SAID NORTH LINE; THENCE NORTH 89° 52' 45" EAST ON SAID NORTH LINE 385.75 FEET TO THE POINT OF BEGINNING. CONTAINING 25.22 ACRES MORE OR LESS.

### DIVISION PARCEL "A" DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 THAT IS 581.08 FEET SOUTH 00° 10' 00" EAST OF THE EAST QUARTER CORNER OF SAID SECTION 22; THENCE SOUTH 00° 10' 00" EAST ON SAID EAST LINE 185.92 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF NYC RAILROAD; THENCE SOUTHWESTERLY 328.84 FEET ON SAID RIGHT OF WAY LINE AND ON A 3895.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 57° 14' 57" WEST 328.74 FEET; THENCE NORTH 00° 10' 00" WEST PARALLEL WITH SAID EAST LINE 363.18 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 277.00 FEET TO THE POINT OF BEGINNING. CONTAINS 1.73 ACRES, MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

SUBJECT TO THE RIGHTS OF THE PUBLIC AND OF ANY GOVERNMENTAL UNIT IN ANY PART THEREOF TAKEN, USED, OR DEEDED FOR STREET, ROAD, OR HIGHWAY PURPOSES.

SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

BEARINGS ARE RELATED TO LEGAL DESCRIPTION PER KALAMAZOO COUNTY EQUALIZATION DEPARTMENT PROPERTY SUMMARY AND ONLINE GIS.

THIS SURVEY WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000.

THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF SECTION 3, P.A. 132 OF 1970, AS AMENDED.

### REMAINDER PARCEL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 22, THENCE SOUTH 00° 10' 00" EAST ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 376.08 FEET; THENCE SOUTH 89° 52' 45" WEST PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 277.00 FEET; THENCE SOUTH 00° 10' 00" EAST PARALLEL WITH SAID EAST LINE 568.18 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF NYC RAILROAD; THENCE SOUTHWESTERLY ON SAID RIGHT OF WAY LINE 240.73 FEET ON A 3895.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 53° 03' 36" WEST 240.69 FEET; THENCE SOUTH 51° 18' 09" WEST ON SAID RIGHT OF WAY LINE 825.65 FEET; THENCE NORTH 00° 07' 12" WEST 1272.62 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH SAID NORTH LINE 139.76 FEET; THENCE NORTH 29° 52' 48" EAST 75.74 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH SAID NORTH LINE 115.44 FEET; THENCE NORTH 00° 07' 12" WEST 285.00 FEET TO SAID NORTH LINE; THENCE NORTH 89° 52' 45" EAST ON SAID NORTH LINE 235.55 FEET; THENCE SOUTH 00° 07' 12" EAST 283.00 FEET; THENCE NORTH 89° 52' 45" EAST PARALLEL WITH SAID NORTH LINE 200.00 FEET; THENCE NORTH 00° 07' 12" WEST 283.00 FEET TO SAID NORTH LINE; THENCE NORTH 89° 52' 45" EAST ON SAID NORTH LINE 385.75 FEET TO THE POINT OF BEGINNING. CONTAINS 23.49 ACRES, MORE OR LESS.

SUBJECT TO SURVEY.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

SUBJECT TO THE RIGHTS OF THE PUBLIC AND OF ANY GOVERNMENTAL UNIT IN ANY PART THEREOF TAKEN, USED, OR DEEDED FOR STREET, ROAD, OR HIGHWAY PURPOSES.

SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

BEARINGS ARE RELATED TO LEGAL DESCRIPTION PER KALAMAZOO COUNTY EQUALIZATION DEPARTMENT PROPERTY SUMMARY AND ONLINE GIS.



### WITNESS TIES

EAST QUARTER CORNER, SECTION 22-2-12  
FOUND HARRISON MONUMENT IN MONUMENT BOX  
PER L.C.R.C. LIBER 1, PAGE 1290  
PK NAIL IN SOUTHEAST SIDE POWER POLE N42°E 84.90'  
PK NAIL IN NORTHEAST SIDE POWER POLE N38°W 62.91'  
PK NAIL IN NORTH SIDE 32" MAPLE S68°E 90.89'  
NAIL/TAG IN SOUTHEAST SIDE POWER POLE S43°W 41.61'

SOUTHEAST CORNER, SECTION 22-2-12  
FOUND HARRISON MONUMENT IN MONUMENT BOX  
PER L.C.R.C. LIBER 2, PAGE 1168  
MAG NAIL/TAG IN NORTH SIDE GUY POLE S70°E 29.31'  
DOUBLE HEAD NAIL IN NORTHEAST SIDE 32" OAK S40°E 56.13'  
DOUBLE HEAD NAIL IN EAST SIDE 18" DOUBLE OAK S30°W 73.68'  
MAG NAIL/TAG IN SOUTH SIDE POWER POLE N80°W 36.81'



**WIGHTMAN & ASSOCIATES, INC.**  
ENGINEERING ♦ SURVEYING ♦ ARCHITECTURE  
264 Western Avenue, Allegan, MI 49010, Phone: (269) 673-8465  
2303 Pipestone Road, Benton Harbor, MI 49022, Phone: (269) 927-0100  
9835 Portage Road, Portage, MI 49002, Phone: (269) 327-3532  
www.wightman-assoc.com

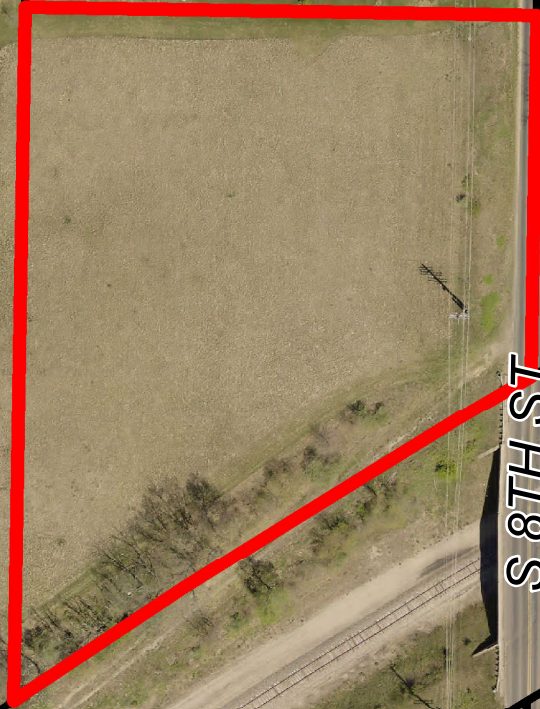
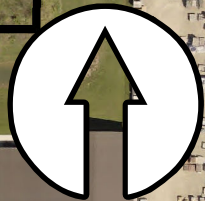
CLIENT: JIM ROBERTS CONSTRUCTION, INC.  
JOB No: 164320  
DATE: JANUARY 4, 2017  
SCALE:  
DRAWN BY: ACK  
CHECKED BY:

*Gary D. Hahn*  
GARY D. HAHN  
PS - 38116

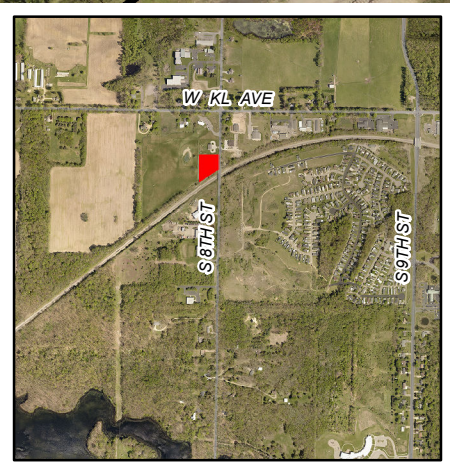
OSHTEMO TOWNSHIP, KALAMAZOO COUNTY  
SECTION 22, T 02 S, R 12 W  
A-164320





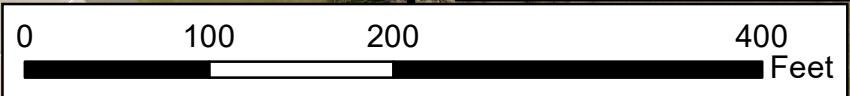
THE THIRSTY HOUND  
*Aerial Map*

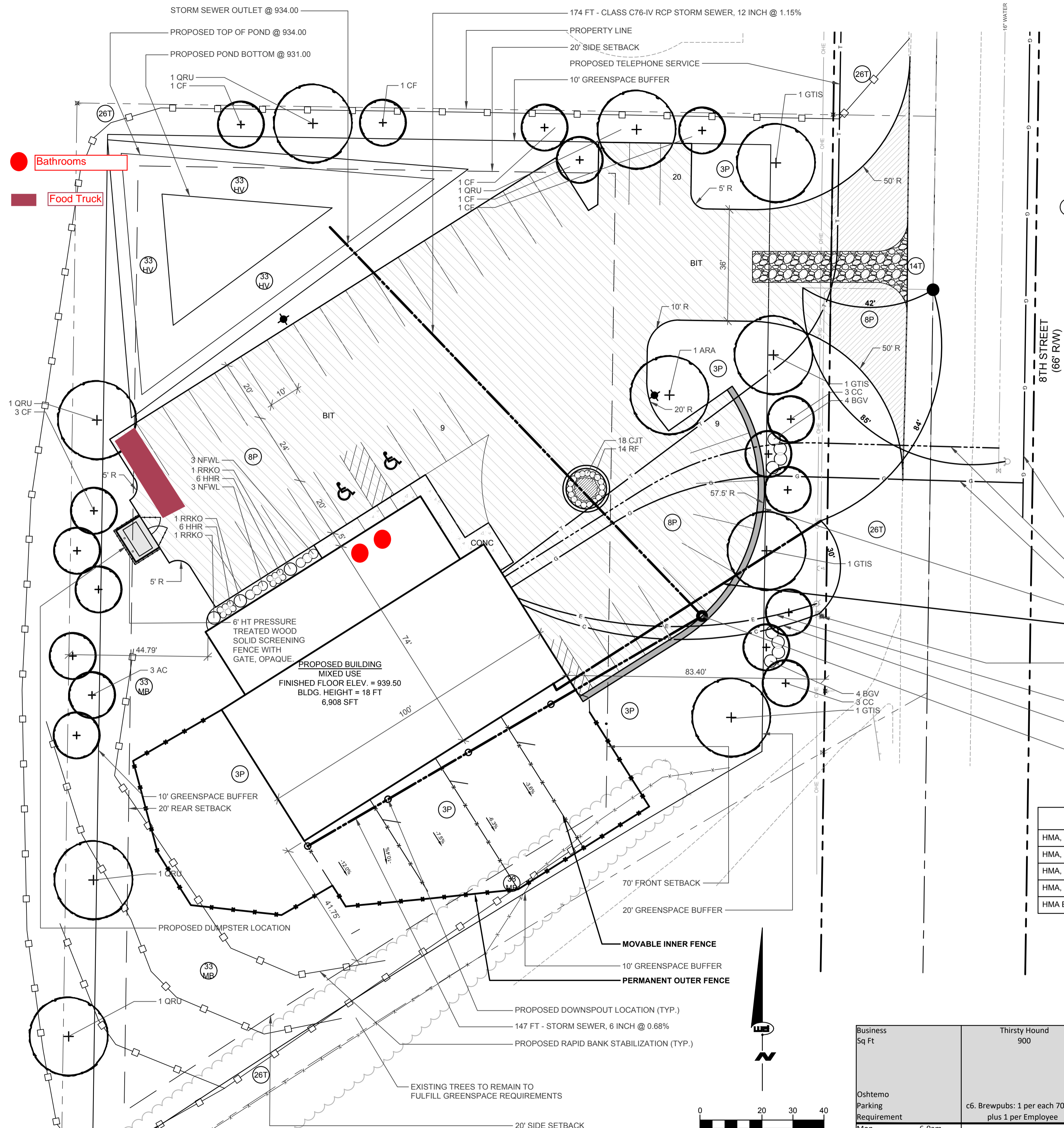


S 8TH ST



-  Other Property Line
-  Subject Property





1 ALL C  
 SEDIM  
 PERM  
 STAR  
 REQU  
 SERV  
 THE M  
 ALL R

2 AVOID  
 THESE

3 ALL T  
 FINAL

4 MAINT  
 INCLU

NUME  
 SEDIM  
 MEAS  
 BELO

PROF  
 (BY C  
 EXIST  
 280 F

PROF  
 (IF R

130 F

SAN  
 LOC

BEM  
 IN P  
 ELE

PROF

PROF

PROF  
 RIM S  
 INV. 9  
 INV. 9

HMA, 13A (RCKC  
 HMA, 13A (RCKC D  
 HMA, 13A (LIGHT F  
 HMA, 13A (LIGHT F  
 HMA BOND COAT

Business Sq Ft  
 Thirsty Hound 900

no re  
 6pm,  
 per ea  
 instr

Oshtemo  
 Parking  
 Requirement

c6. Brewpubs: 1 per each 70 sq ft  
 plus 1 per Employee

Mon 6-9am  
 9-3pm  
 3-6pm  
 6-9pm

Tue 6-9am