Agenda
Regular Meeting of the City Commission

City of Kalamazoo

Tuesday, January 3, 2017 7:00 PM

City Commission Chambers - 241 W. South Street

A. CALL TO ORDER/ROLL CALL

B. OPENING CEREMONY

1. Invocation: **Chaplain Mike Kemple, Lighthouse on Eleventh**
2. Pledge of Allegiance
3. Introduction of Guests
4. Proclamations

C. ADOPTION OF FORMAL AGENDA

D. COMMUNICATIONS

1. Calendar of Upcoming Meetings

E. PUBLIC HEARINGS

1. Public hearing to receive comments on the Proposed Fiscal Year 2017 Budget for the City of Kalamazoo.

F. CONSENT AGENDA

(Action: Motion to approve Items "1-4" and authorize the City Manager to sign all documents on behalf of the City)

1. Approval of a one-year term contract with Lyden Oil for the purchase of various types of lubricants for an amount not to exceed $154,549.57.

2. Approval of the purchase of a Volvo PF4410 paver from Alta Equipment Company for a total cost of $332,027.

3. First reading of an ordinance to 1) rezone 45 parcels from Zones M-1, M-2, and Zone CCBD (Commercial, Central Business District) to Zone CMU (Commercial, Mixed-Use District); 2) add the new Subarea 9 of the Riverfront Overlay District; and 3) amend the Riverfront Overlay District to add Subarea 9 and apply it to the parcels; and schedule a public hearing for January 17, 2017.

4. Approval of amended bylaws for the Community Development Act Advisory Committee.

G. REGULAR AGENDA

H. REPORTS AND LEGISLATION

1. City Manager's Report

I. UNFINISHED BUSINESS

J. POLICY ITEMS

K. NEW BUSINESS

L. CITIZEN COMMENTS

M. MISCELLANEOUS COMMENTS AND CONCERNS BY COMMISSIONERS

N. CLOSED SESSION

O. ADJOURNMENT

ADDITIONAL INFORMATION

Get news, information, and alerts from the City of Kalamazoo. Sign up at www.kalamazoocity.org/connect, follow @KalamazooCity on Twitter, and search for The City of Kalamazoo on Facebook.

Questions regarding agenda items may be answered prior to the meeting by contacting the City Manager's Office at 269.337.8047.

Persons with disabilities who need accommodations to effectively participate in City Commission meetings should contact the City Clerk's Office at 337-8792 a week in advance to request mobility, visual, hearing or other assistance.

Agendas for the regular meetings of the Kalamazoo City Commission are available on the Internet at: www.kalamazoocity.org

The Kalamazoo City Commission business meetings are held on the first and third Mondays at 7:00 p.m. and are shown live on the Public Media Network (channel 190 for Charter customers, channel 99 for U-Verse customers). Business meetings are also web streamed live on the City's YouTube channel at https://goo.gl/Q6DW37. Public Media Network rebroadcasts these meetings on Tuesdays at 8:00 a.m., Wednesdays, at 1:00 a.m., and Thursdays at 3:00 p.m. Recorded meetings are also available on-demand on the YouTube channel.

Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor Cooney, and City Commissioners

FROM: Scott A. Borling, City Clerk

PREPARED BY: Shelby Moss, Deputy City Clerk

DATE: 12/21/2016

SUBJECT: Calendar of Upcoming Meetings

INFORMATIONAL ITEMS

Attached is the calendar of upcoming meetings of the City Commission's advisory boards, commissions, and committees.

ATTACHMENTS:

	Type	Description
🗋	Meeting Schedule	20170103 Calendar of Meetings

Calendar of Upcoming Meetings

City of Kalamazoo

City Commission (next 30 days)

Regular Business Meetings – 7:00 p.m. in the City Commission Chambers

Tuesday, January 17th and Monday, February 6th

Regular Neighborhood Meetings – 6:00 p.m. in the Community Room at City Hall

February 20, 2017

Work Sessions

The City Commission will meet in special session on Monday, January 23, 2017 at 6:00 p.m., in the Community Room at City Hall. The purpose of the meeting is to discuss the Foundation for Excellence allocation process.

Advisory Boards, Commissions and Committees (next two weeks)

The **Kalamazoo Historic Preservation Commission** will meet on Tuesday, January 10, 2017 at 7:00 p.m., in the Community Room at City Hall.

The **Traffic Board** will meet on Thursday, January 12, 2017 at 2:00 p.m., in the Public Services Conference Room, located at 415 Stockbridge Avenue.

The **Community Development Act Advisory Committee** will meet on Thursday, January 12, 2017 at 6:30 p.m., in the Community Room at City Hall.

The **Zoning Board of Appeals** will meet on Thursday, January 12, 2017 at 7:00 p.m., in the City Commission Chambers at City Hall.

The **Downtown Development Authority** will meet on Monday, January 16, 2017 at 3:00 p.m., in the Community Room at City Hall.

The **Kalamazoo Historic District Commission** will meet on Tuesday, January 17, 2017 at 5:00 p.m., in the Community Room at City Hall.

Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor Cooney, and City Commissioners

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: Teresa T. Johnson, Deputy Public Services Director

PREPARED BY: Brianna Clawson, Support Services Division Manager

DATE: 12/21/2016

SUBJECT: Term Contract for Lubricants Bid Reference # 405-89-022

RECOMMENDATION

It is recommended that the City Commission approve a one-year term contract for the purchase of various types of lubricants with Lyden Oil for an amount not to exceed $154,549.57.

BACKGROUND

Bids were solicited for a one-year term contract to purchase various types of lubricant products and optional technical and testing services. Lubricants, including motor oil, transmission fluid, grease and hydraulic oil, are used by the City's vehicles, construction equipment and fixed machinery. The City of Kalamazoo and CCTA participated in a cooperative sealed bid to obtain more competitive pricing.

Seven bids were received and their comparative totals are shown on the attached Bid Results Summary. The overall low bid submitted by Lyden Oil - Bid #1 is recommended for a one-year term contract approval. If approved the term contract will expire December 31, 2017 with four 1-year contract extensions available. The CCTA will be making a separate award for their lubricant requirements.

COMMUNITY RESOURCES CONSULTED

This recommendation did not require advisory board consultation or additional public input.

FISCAL IMPACT

Funds are budgeted and will be available in the various departments proposed 2017 budgets for purchasing lubricants.

ALTERNATIVES

Lubricants are needed to maintain the City’s fleet. Staff review did not identify other practical alternatives for this recommendation.

ATTACHMENTS:

Type	Description
Aerial Photo	Bid Results Summary

BID RESULTS SUMMARY

PROJECT: Lubricants Term Contract

DATE: December 22, 2016

BIDDERS SOLICITED: 38

BIDDERS RESPONDED: 9

MBE/WBE BIDS SOLICITED: 8

MBE/WBE BIDDERS RESPONDED: 0

BID REFERENCE NO: 405-89-022

MBE/WBE AWARDED: No

ISSUE DATE: November 3, 2016

BID OPENING: December 1, 2016

APPROVAL REQUIRED: City Commission

FUNDED BY: City

BIDDERS	AMOUNT BID	LOCATION
Lyden Oil #1	$154,549.57	Lansing
KNAPP ENERGY	$167,570.54	City
KAMP OIL	$170,735.19	Grand Rapids, MI
Yoder Oil Company	$172,351.47	Elkhart, IN
J&H Oil Company	$176,684.53	Wyoming, MI
Lyden Oil #2	$188,937.75	Lansing
M & K	$278,200.98	County
*Safety Kleen Systems	$1,403,607.07	Grand Rapids, MI
*O'Reilly Auto Parts	$2,631,438.36	County

*Did not bid unit pricing on items bid. Used bulk pricing, when specification called for unit pricing.

Purchasing procedures have been followed and City Attorney has reviewed as to form.

Melissa Fuller
Purchasing Agent

Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor Cooney, and City Commissioners

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: James J. Baker, PE, Public Services Director

PREPARED BY: Gary Doorlag, Acting Fleet Director

DATE: 12/21/2016

SUBJECT: Approval of Purchase of a Volvo PF4410 Paver

RECOMMENDATION

It is recommended that the City Commission approve the purchase of one (1) Volvo PF4410 paver from Alta Equipment Company for a total cost of $332,027.

BACKGROUND

In 2017, all local street work will be performed by City of Kalamazoo employees. The current equipment is overdue for replacement and insufficient in size for anticipated production volumes. Despite numerous repairs, the current paver is difficult to use and unable to be automated, resulting in significant manual work that could be avoided. The resulting efficiencies will increase capacity and allow for city crews to complete all planned street projects. The cooperative purchasing program through the National Joint Power Alliance contract number #032515VCE was used and the quote received was competitive therefore no additional bids were solicited.

COMMUNITY RESOURCES CONSULTED

This recommendation did not require advisory board consultation or additional public input.

FISCAL IMPACT

Funds were assigned in the 2017 general fund CIP budget for this purchase.

ALTERNATIVES

The alternative of not approving this contract is not recommended as it would delay the equipment delivery and would limit the resources of the public works crews.

ATTACHMENTS:

Type	Description
Proposal Quote	

NJPA	NJPA Contract Quote Quote valid for 90 days	Contract No.:	032515-VCE	Date Prepared:	12/5/2016

Customer to Issue PO to Dealer directly

→ REFERENCE CONTRACT # 032515-VCE
→ REFERENCE MBT/BOZ ID # 18506

Buying Agency:	City of Kalamazoo	**Contractor:**	Alta Equipment Company
Contact Person:	Brianna	**Prepared By:**	Austin Bayley
Phone:	(269) 337-8798	**Phone:**	(248) 303 2939
Fax:		**Fax:**	
Email:		**Email 1:**	austin.bayley@altaequipment.com
		Email 2:	

NJPA Product Code	K
General Description of Product:	**VOLVO PF4410 PAVER**

A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary

Quan	Description	Unit Pr	Total
1	VOLVO PF4410	$332,477	$332,477
		Subtotal A:	$332,477

B. Sourced and/or UnSourced Contracted Items

Quan	Description	Unit Pr	Total
1			$0
1			$0
1			$0
1			$0
		Total From Other Sheets, If Any:	
		Subtotal B:	$0

C. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B)	$332,477

D. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Freight	$500
PDI	$1,500
Setup Support to help with screed & any other components. On-Site Training will be provided by a certified tech & specialist.	$12,500
	-$14,950
	$0
Subtotal D:	-$450

Delivery Date:	**Spring, 2017**	**E. Total Purchase Price (A+B+C):**	$332,027

ALTA EQUIPMENT COMPANY

PF4410

Machine Quotation

11/30/2016

Alta Equipment - BYRON CENTER
8840 BYRON COMMCERCE DR
BYRON CENTER, MI 49315

Phone: (616) 260-7880
Email: chuck.detzler@altaequipment.com

CONTACT: CHUCK DETZLER

CITY OF KALAMAZOO
241 WEST SOUTH STREET
KALAMAZOO, MI 49007

STANDARD EQUIPMENT: PF4410

Powertrain
Deutz TCD 2013LO42V (Tier 3), electronically controlled, 6 cylinder, water cooled, turbocharged diesel engine
359 cu in (5.9L) displacement, 158 hp (118 kW) @ 2100 rpm
Replaceable fuel filter w/water separator
Replaceable oil filter
Air cleaner w/replaceable element
Real time hour meter
Cooling system capacity, 25.5 qts. (26.5 L)

Fuel system
38 gal. (144 L) fuel tank
Replaceable filter
Onboard diesel fuel supply for engine
Screed heaters & pressurized washdown system

Electrical system
12 volt, negative ground
130 amp alternator

Hydraulic System
40 gal. (151 L) reservoir capacity.
5.0 micron variable depth "fiberglass" filters
Secondary filtration w/100 mesh stainless steel strainers

Traction Drive
Independent, hydrostatic direct drive system
Electric/hydraulic controlled
Single speed planetaries
2-speed motors

Suspension
Unitized, bolt-on track frames
Three sets of oscillating, rubber tired bogie wheels
Replaceable drive hub and automatic/hydraulic track tensioning system
14" wide tracks

Controls
Dual control stations (right & left side)
Operator seats
Steering and direction/speed control

Braking system
Primary braking w/hydrostatic traction drive
Hydraulic secondary parking brakes

Hopper
8.5 ton (7.7T) capacity; hydraulically folding sides with Tivar Polymer retaining lip

Material feed system
Two separately operated, electric/hydraulic controlled, adjustable flow gates
Separate, infinitely variable speed, hydrostatic planetary drive for right and left side feed systems
Abrasion resistant, QT steel conveyors w/ 53.625" wide conveyor tunnel
16" bolt-on, replaceable augers, high alloy cast steel hemi-screw sections
Hydraulically adjustable height

Other standard equipment
Powerflight tunnels
Material containment baffles
SmokEater ventilation control system
Hydraulic conduit for automatic screed controls
Pressurized washdown system w/35' (10.7m) hose and spray valve/nozzle
Standard pump box

Track
Hi-speed, EzRider Rubber Track
Positive non-slip Cog/Socket Track Drive

These prices are confidential and any unauthorized disclosure, use (whole or in part) is prohibited.
Prices and specifications are subject to change without notice.

Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor Cooney, and City Commissioners

FROM: James K. Ritsema, ICMA-CM, City Manager

REVIEWED BY: Laura Lam, Director

PREPARED BY: Rob Bauckham, Senior Development Planner

DATE: 12/9/2016

SUBJECT: Rezone the 45 parcels from Zones M-1, M-2, and CCBD to Zone CMU, and add the new Subarea 9 of the Riverfront Overlay District.

RECOMMENDATION

It is recommended that the City Commission offer for first reading, a rezoning request for 45 parcels located between S. Pitcher Street and Mills Street, and between E. Michigan Avenue and the Portage Creek/King Highway area from Zones M-1, M-2, and Zone CCBD (Commercial, Central Business District) to Zone CMU (Commercial, Mixed-Use District), and amend the Riverfront Overlay District by adding Subarea 9 and the recommended 45 parcels, and schedule a public hearing for January 16, 2017.

BACKGROUND

This is a request from the Community Planning & Development Department to rezone 45 parcels located between S. Pitcher Street and Mills Street, and between E. Michigan Avenue and the Portage Creek/King Highway area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Central Business District) to Zone CMU (Commercial, Mixed-Use District), and to amend the Riverfront Overlay District by adding Subarea 9 and applying it to the subject 45 parcels. These changes are recommended based on the following factors:

a) **Consistent With Comprehensive Plan.** *Whether and the extent to which the proposed amendment is consistent with the comprehensive plan.* The proposed rezoning is consistent with the intent of the 2010 Master Plan which has identified the future land use as CCBD (Commercial, Central Business District). The future zoning is based on community outreach that has been occurring as a result of Imagine Kalamazoo, and is in response to residential demand (consistent with the 2014 Housing Target Market Analysis) and the Subarea Zoning overlay ability to incorporate a greater mix of uses encouraging a more compact, walkable community of housing, employment, and commercial options.

b) **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The growth and development of the downtown area in recent years is evidenced by the low vacancy rate of the existing building space and the high occupancy level of apartments and condominiums. It is estimated that less than one-percent of the residential units in downtown Kalamazoo are currently available for rent/purchase. The majority of the upper floors of the buildings have been redeveloped for new uses including conversions to residential space. The increasing demand from citizens who desire to live and work downtown, coupled with the low vacancy rate in the existing buildings, is the catalyst for the expansion of the downtown

boundaries. Further industrial expansion has waned in past years, and thus contributed to the mixed-use development along the Kalamazoo River and Portage Creek.

c) **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* In response to this demand, developers are pursuing land and facilities that are adjacent to the downtown area for new projects. As an example, three mixed-use projects have been implemented in the last three years in the Rivers Edge District of downtown in the area of Walbridge and North Street. Two of the projects have been completed and are occupied (Inertia and the Norbridge building), and the third is already approximately three-quarters occupied (Walbridge Commons). This was once an industrial area of the city that was home to metal recycling companies and paper industry facilities. The developers took a risk that such mixed-use development would be successful in this area, and the risk has paid off. The desire of citizens, restaurants, breweries, and coffee shops to relocate there is evident.

Similar desire exists in the proposed rezoning area, which is east of the current downtown boundaries. This area contains a variety of active and inactive industrial and commercial uses. A former foundry within the target area is currently being converted to an office building with restaurant space, and the Kalamazoo County Land Bank owns several parcels at the northeast portion of the target area that are being planned for new mixed-use projects. The area is slowly transitioning to non-industrial uses with future opportunities being created for businesses and residents. The existing zoning of the parcels is almost exclusively industrial, which does not support the mixed-use vision for the area. The need is evident to proactively rezone the area to promote the reuse of underutilized land and transition it to new non-industrial uses, while at the same time providing protection for the existing industries.

d) **Compatible with Surrounding Uses.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this Ordinance will maintain or improve compatibility among uses and will ensure efficient development within the City.* The Commercial, Mixed-Use (CMU) zoning district is being proposed for the target area because it allows a variety of commercial and residential uses that would be a natural extension of the core downtown. The Use Table of the Zoning Ordinance has been attached, which identifies the allowed uses in this zone.

e) **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.* Subarea 9 would be an extension of the Riverfront Overlay encompassing the target parcels to the south of the current area. Mixed uses would be allowed, and new buildings would be at least twenty feet in height, constructed close to the front property lines, and have parking located in the rear or side of the lot. New buildings would be required to include attractive facades containing durable materials and window space, and have front entrances facing the streets encouraging walking and bicycling. Drive-through facilities would be allowed with some regulation and design guidance for the drive-through being restricted to the side and rear of buildings. A goal of the subarea would be to encourage a pedestrian-friendly environment. Orientation toward and use of the Portage Creek is also desired to take advantage of our water assets. Subarea 9 would allow the same permitted uses as Subarea 7 and 8, plus grocery stores, attached housing, and hotels. The proposed language for Subarea 9 is attached.

COMMUNITY RESOURCES CONSULTED

Planning staff met with several of the property owners in the target area on August 25, 2016, to discuss the proposed rezoning and new subarea. All property owners and occupants located within the proposed rezoning area were invited to the meeting. Concerns were raised that the city is trying to push existing industry out of Kalamazoo with this rezoning, and that the existing industry in this area could only expand with the barrier that a special use permit from the Planning Commission was obtained.

The owners and occupants of all of the parcels that are subject to this rezoning and new Subarea, and the owners and occupants of all parcels located directly adjacent to the area were notified of the original public hearing held by the Planning Commission on October 6, 2016. Representatives of Downtown Kalamazoo, Inc. were also notified of the public hearings. Notices of the public hearings were also published in the Kalamazoo Gazette prior to the meetings. These same notification procedures will be conducted for the public hearing to be held by the City Commission on the request.

On October 6, the Planning Commission requested that staff revisit the requests made by the property owners

and come to a greater consensus on the matters that arose in both the August 25 meeting and voiced at the October 6 public hearing.

In response to the Planning Commission direction, staff met with the property owners and removed the Arvco Container properties and two other industrial properties from the rezoning area. The Pfizer Company maintains its cooling towers at 329 S. Pitcher Street, which is within the proposed rezoning area. Representatives from the company provided no concerns about the rezoning request. The company could expand this facility on the site in the future, but would need a special use permit to do so. The revised request to rezone 45 parcels was presented to and approved by the Planning Commission on December 1, 2016.

FISCAL IMPACT

The rezoning and amendment will have no immediate fiscal impact for the city. It is believed that the rezoning and amendment will help to attract new mixed-use and other new development to this portion of the downtown area in the next few years. At least some of this development will include taxable businesses and other uses, which will add to the tax rolls.

ALTERNATIVES

The City Commission has the option of not approving the rezoning and amendment. Much of the land is currently industrially zoned, and new industrial uses could develop on it, but this is not recommended. Expansion of typical downtown uses, such as offices, retail and service businesses, and residential into this area is highly appropriate. Significant demand currently exists for these uses. Allowing new industrial uses in the area would be counter to this vision for expanding downtown. It is recommended that the City Commission approve the rezoning and amendment request. If the City Commission denies the request, valid and specific reasons should be stated for the record.

ATTACHMENTS:

	Type	Description
🗋	Ordinances	Ordinance
🗋	Map – Existing Zoning	Existing zoning map
🗋	Map – Proposed Zoning	Proposed zoning map
🗋	Aerial Photo	Aerial
🗋	Map - Existing Land Use	Existing land use map
🗋	Map – Future Land Use	Future land use map
🗋	Correspondence	Use Tables
🗋	Correspondence	Use Tables 2
🗋	Proposal	Subarea 9 regulations
🗋	Minutes	PC meeting minutes

CITY OF KALAMAZOO, MICHIGAN
ORDINANCE NO._____

AN ORDINANCE TO AMEND SECTION 1.8.A. ZONE DISTRICT MAP OF THE ZONING ORDINANCE, BEING APPENDIX A OF THE KALAMAZOO CODE

THE CITY OF KALAMAZOO ORDAINS:

Section 1. Under Section 1.8.E. the Zone District Map described in Section 1.8.A. is amended as follows:

The land area and parcels described below are rezoned from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Central Business District) to Zone CMU (Commercial, Mixed-Use District).

That area of land is located in Sections 14 and 15 of the City of Kalamazoo, County of Kalamazoo, State of Michigan, the boundaries of which are more fully described, under Section 1.8.C., as follows:

> Beginning at the southeast corner of South Pitcher Street and the north side of Portage Creek; thence northwesterly along the east side of S. Pitcher Street to East Michigan Avenue; thence northeasterly along the south side of E. Michigan Avenue to Mills Street; thence easterly and southerly along the west side of Mills Street to Gibson Street; thence westerly along the north side of Gibson Street to King Highway; thence northwesterly along the east side of King Highway to Parkway Street; thence southwesterly along the north side of Parkway Street to the southeast corner of 112 Parkway Street; thence westerly along the south side of 112 Parkway Street to the east side of 140 Parkway Street; thence southerly along the east side of 140 Parkway Street to the Portage Creek; thence westerly following along the north side of Portage Creek to the place of beginning.

The addresses and previous zoning districts of the parcels rezoned to CMU are as follows:

357 S. Pitcher Street-M-2	600 E. Michigan Avenue-M-2	14 Mills Street-M-2
341 S. Pitcher Street-M-2	616 E. Michigan Avenue-M-2	20 Mills Street-M-2
329 S. Pitcher Street-M-2	618 E. Michigan Avenue-M-2	50 Mills Street-M-2
402 E. Michigan Ave.-CCBD	578 E. Michigan Avenue-M-2	74 Mills Street-M-2
720 E. Michigan Avenue-M-2	418 E. Michigan Avenue-M-2	2 Mills Street-M-2
420 E. Michigan Avenue-M-2	822 E. Michigan Avenue-M-2	1041 King Highway-M-1
906 E. Michigan Avenue-M-2	500 E. Michigan Avenue-M-2	910 O'Neil Street-M-2
504 E. Michigan Avenue-M-2	922 E. Michigan Avenue-M-2	930 O'Neil Street-M-2
530 E. Michigan Avenue-M-2	426 E. Michigan Avenue-M-2	1002 O'Neil Street-M-2

910 E. Michigan Avenue-M-2	107 Parkway Street-M-1	30 Rochester Avenue-M-2
536 E. Michigan Avenue-M-2	108 Parkway Street-M-1	100 Rochester Avenue-M-2
538 E. Michigan Avenue-M-2	112 Parkway Street-M-1	155 Rochester Avenue-M-2
540 E. Michigan Avenue-M-2	140 Parkway Street-M-2	298 King Highway-M-1
544 E. Michigan Avenue-M-2	350 Blaine Avenue-M-2	

A map identifying the land area is also attached.

Section 2. **Repealer.** All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

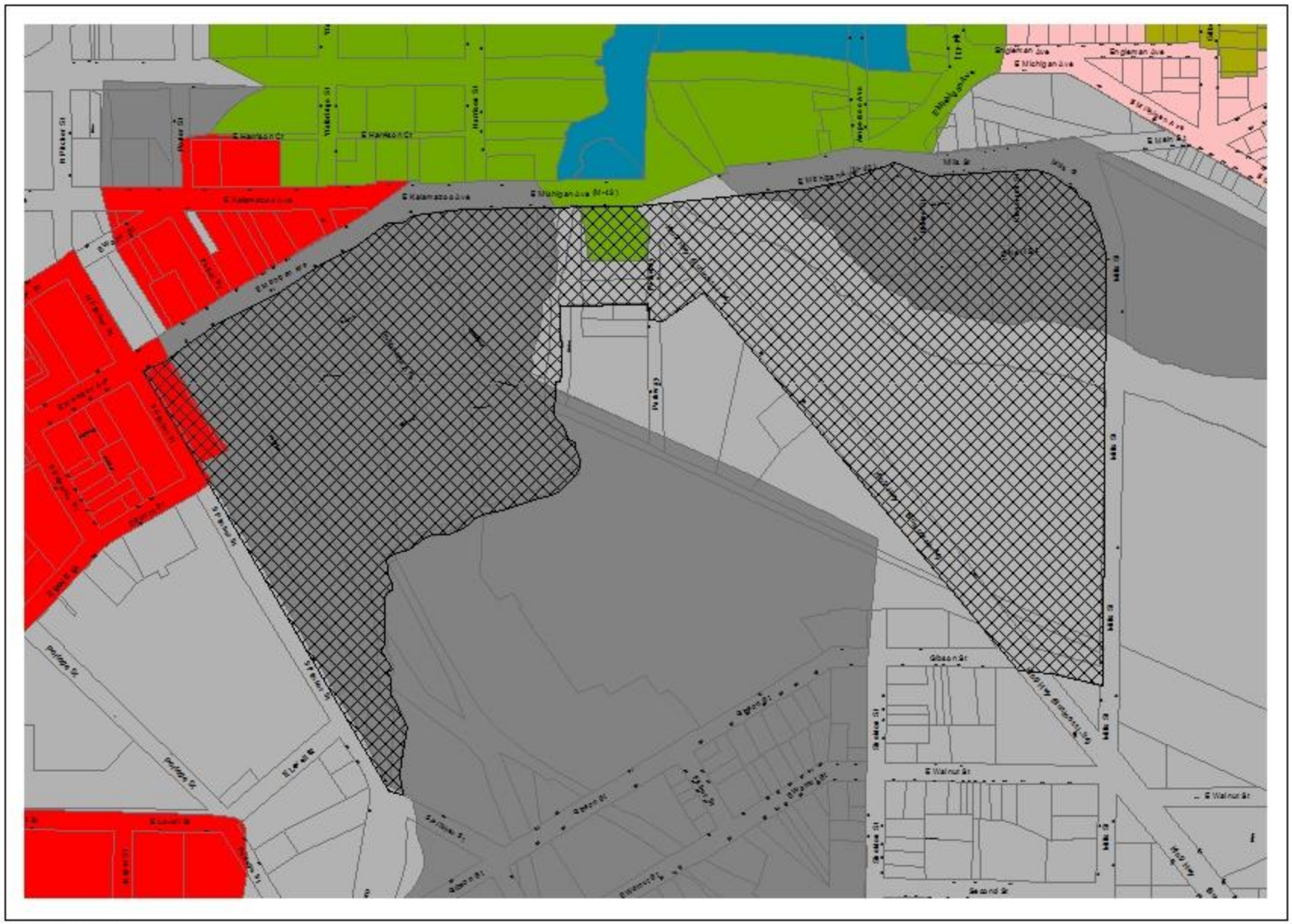
CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on _____, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been available as required by said Act, and furthermore, said ordinance was duly recorded, posted, and authenticated by the Mayor and City Clerk as provided by the Charter of said City.

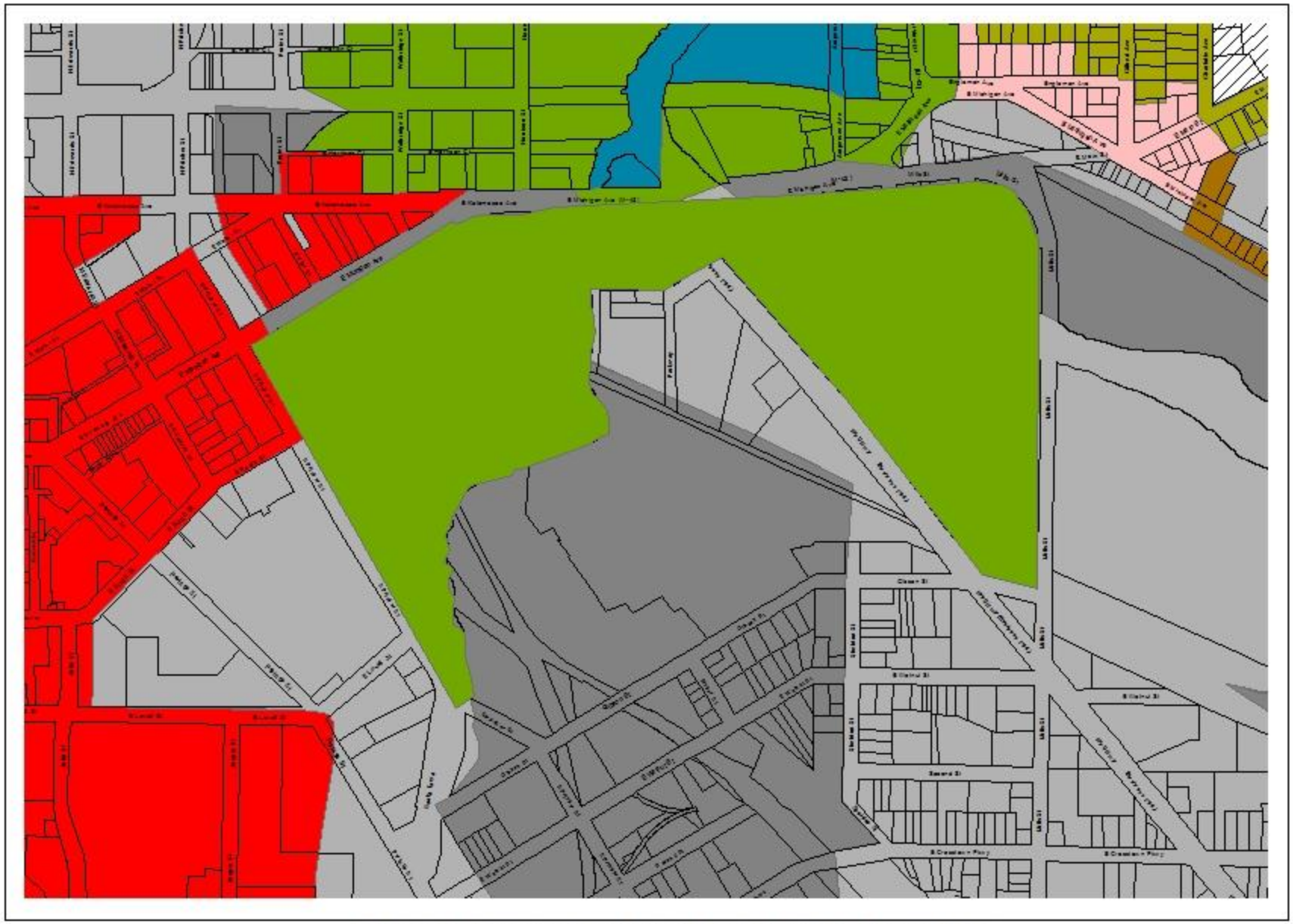
Bobby J. Hopewell, Mayor

Scott A. Borling, City Clerk

PC #2016.12 - Rezone all parcels located between S. Pitcher St. and Mills St., and between E. Michigan Ave. and the Portage Creek/King Highway Area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Community Business District) to Zone CMU (Commercial, Mixed-Use District). Add the new Subarea 9 of the Riverfront Overlay District to the parcels.



PC #2016.12 - Rezone all parcels located between S. Pitcher St. and Mills St., and between E. Michigan Ave. and the Portage Creek/King Highway Area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Community Business District) to Zone CMU (Commercial, Mixed-Use District). Add the new Subarea 9 of the Riverfront Overlay District to the parcels.



REZONE PARCELS FROM ZONE M-1, ZONE M-2,
AND ZONE CCBD TO ZONE CMU.
ALSO APPLY SUBAREA 9 OF THE RIVERFRONT OVERLAY DISTRICT.

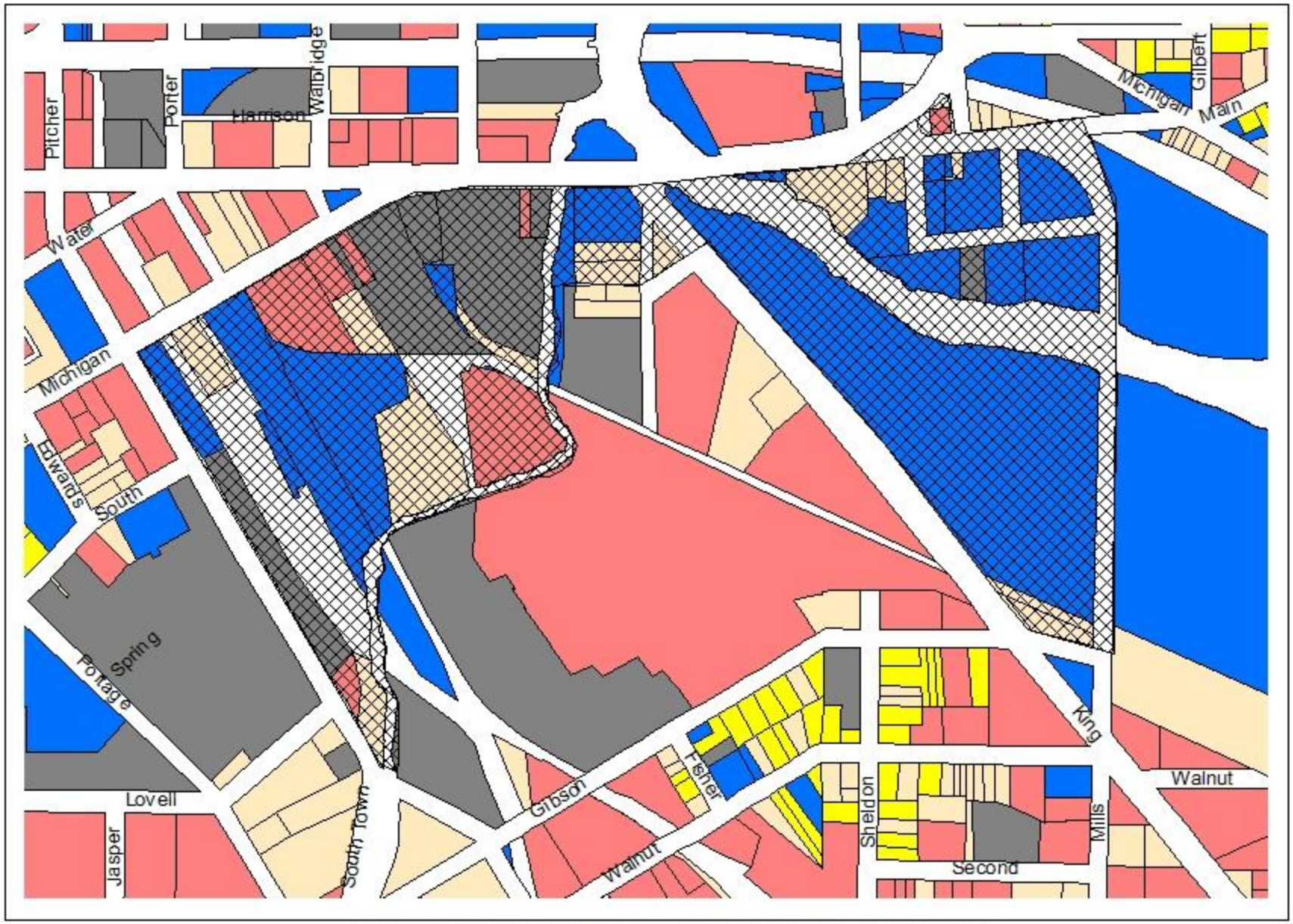
PC #2016.12 - Rezone all parcels located between S. Pitcher St. and Mills St., and between E. Michigan Ave. and the Portage Creek/King Highway Area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Community Business District) to Zone CMU (Commercial, Mixed-Use District). Add the new Subarea 9 of the Riverfront Overlay District to the parcels.

REZONE PARCELS FROM ZONE M-1, ZONE M-2,
AND ZONE CCBD TO ZONE CMU.
ALSO APPLY SUBAREA 9 OF THE RIVERFRONT OVERLAY DISTRICT.

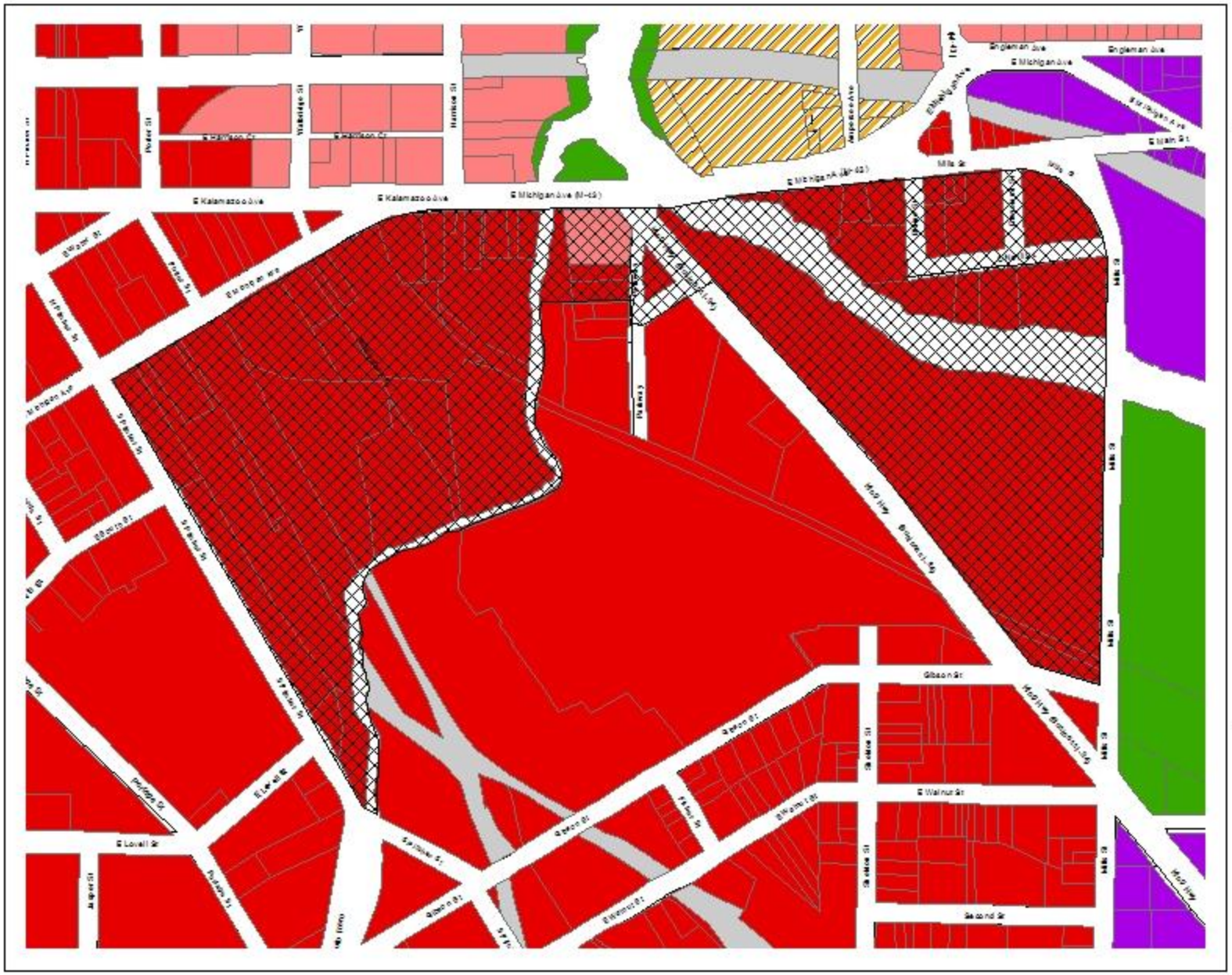
0 285 570 1,140 Feet

N

PC #2016.12 - Rezone all parcels located between S. Pitcher St. and Mills St., and between E. Michigan Ave. and the Portage Creek/King Highway Area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Community Business District) to Zone CMU (Commercial, Mixed-Use District). Add the new Subarea 9 of the Riverfront Overlay District to the parcels.



PC #2016.12 - Rezone all parcels located between S. Pitcher St. and Mills St., and between E. Michigan Ave. and the Portage Creek/King Highway Area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Community Business District) to Zone CMU (Commercial, Mixed-Use District). Add the new Subarea 9 of the Riverfront Overlay District to the parcels.



Future Land Use

Type of Use

- Central Business District
- Community Commercial
- Core Residential 1
- Core Residential 2
- Employment Centers
- Greenspace
- Institutional
- Mixed-Use
- Modern Residential 3
- Modern Residential 4
- Multiple-Family
- Neighborhood Commercial
- Railroad Right of Way

N

0 275 550 1,100 Feet

REZONE PARCELS FROM ZONE M-1, ZONE M-2,
AND ZONE CCBD TO ZONE CMU.
ALSO APPLY SUBAREA 9 OF THE RIVERFRONT OVERLAY DISTRICT.

Table 3.7-1 Use Category Specific Use	Subareas								Regulations (All Permitted and Special Uses must comply with applicable regulations)
	1	2	3	4	5	6	7	8	
RESIDENTIAL									
Household Living									
Detached Dwelling	P(1)	P(1)	C	C	P	C	P(3)		Sec. 4.2.L See Notes 1 & 3
Duplex	P(1)	P(1)	C	P	C	P	P(3)		See Notes 1 & 3
Attached Dwelling	P(1)	P	S	P	C	P	P		Sec. 4.2.D See Note 1
Cluster Housing Development	P(1)	P	S	P	C	P	P(3)		Sec. 4.2.G See Notes 1 & 3
Multi-Unit Dwelling	S	S	P	P	C	P	P	P(2)	Sec 4.2.Q See Note 2
Mobile Home Park									
Group Living									
Adult Foster Care Family Home (6 or Fewer Residents									
Adult Foster Care Small Group Home (6 or Fewer Residents)	S	S	S	S	C	C			Sec. 4.2.A
Adult Foster Care Medium/Large Group Home (7 to 20 Residents)									
Dormitory									
Transitional Residences									
Foster Family Group Home (5 or 6 Children)	S	S	S	S	C	C	S		Sec. 4.2.C
Foster Family Home (4 or Fewer Children)	P	P	P	P	C	C	P		Sec. 4.2.C
Fraternity or Sorority									
Nursing/Convalescent Home	S	S	S	S		S			Sec. 4.2.C
Assisted Living Facility	S	S	S	S		S			Sec. 4.2.C
Rehabilitation Center (Live-In Facilities With Up To 6 Beds)									Sec. 4.2.C
Rooming/Boardinghouse									
PUBLIC AND CIVIC									
College or University	S			P		P		S	
Community Recreation									
Open Space/Nature Preserve	*	*	*	*	*	*	*	*	*=allowed in floodplain
Parks/Recreation Facility	P	P		P	P	P	P	P	
Community Service Center	P	S	S	P		P	S		Sec. 4.2.H

Table 3.7-1 Use Category Specific Use	Subareas								Regulations (All Permitted and Special Uses must comply with applicable regulations)
	1	2	3	4	5	6	7	8	
Drop-In Center	S	S		S		S			
Cultural Exhibits, Libraries and Museums	P	S	P	P	S	P	S	S	Sec. 4.2.H
Government Office	P	P	P	P	P	P	P	P	
Hospital									
Lodge, Fraternal or Civic Assembly	S			S		S	S		
Postal Service	P	S		P		P	S	S	
Public Safety Substation	P	P	P	P	P	P	P	P	
Religious Assembly	S	S		P		P	P	S	Sec. 4.2.H
School	S	S		P		P	S	S	
Utilities and Public Service									
COMMERCIAL									
Adult Regulated Use									
Agricultural Sales or Service									
Animal Service									
Kennels									
Grooming		P	P	P		P	S		
Sales		P	P	P		P	S		
Veterinary Clinic		S	S	P		P	S		
Veterinary Hospital									
Building Maintenance Service				S		S			
Business Support Service		P	P	P		P			
Communications Service		S		P		P			
Construction Sales and Service									
Day Care									
Day-Care Home, Family (6 or Fewer Residents)	P	P	P	P		P	P		Sec. 4.2.K
Day-Care Home, Group (7 to 12 Residents)	S	S		P		P	S		Sec. 4.2.K
Day Care Center (Commercial or Institutional)	S	S		P		P	S		Sec. 4.2.J
Eating and Drinking Establishments									
Fast Order Food Without Drive-Through		S	S	P		P	S	S	Sec. 4.2.M
Fast Order Food, Drive-Though				P		P			Sec 4.2.M
Sit Down Restaurant		P	P	P		P	S	P	Sec. 4.2.E
Tavern or Lounge		P	P	P		P	S	P	Sec. 4.2.E
Brewpub		P	P	P		P	S	P	Sec. 4.2.E

Table 3.7-1 Use Category Specific Use	Subareas								Regulations (All Permitted and Special Uses must comply with applicable regulations)
	1	2	3	4	5	6	7	8	
Tearoom/Cafe		P	P	P		P	S	P	Sec. 4.2.V
Entertainment and Sports, Spectator									
Limited		S		P		P			
General									
Financial, Insurance, and Real Estate Services		P	P	P		P	S	P	Sec. 4.2.I
Food and Beverage Retail Sales									
Convenience Stores		S	S	S		P	S	S	Sec. 4.2.I
Package Liquor Stores		S	S	S		P	S	S	
Food Sales (Grocery)		P	P	P		P	S		Sec. 4.2.I
Funeral and Interment Service									
Cemeteries and Mausoleums									
Cremating									
Funeral Home						S			
Gasoline and Fuel Sales (Without Vehicle Service or Repair)				C		C			
Gasoline and Fuel Sales (With Minor Vehicle Service or Repair)				C		C			
Lodging									
Bed and Breakfast Inn		S	P	P		P	S		
Hotel/Motel				S		S		S	
Medical Service	S	P	P	P		P	S	P	
Office, Administrative or Professional	P	P	P	P		P	S	P	
Parking, Commercial									Sec. 4.2.R
Personal Convenience Service	P	P	P	P		P	P	P	Sec. 4.2.I
Employment Agency, Primarily for Day Workers									
Personal Improvement Service	P	P	P	P		P	P	P	Sec. 4.2.I
Repair Service, Consumer	P	P	P	P		P	P	P	
Retail Sales and Service, Indoor	P	P	P	P		P	P	P	Sec. 4.2.S
Retail Sales and Service, Outdoor				S		S			Sec 4.2.T
Sports and Recreation, Participant									
Indoor		S		S		S			
Outdoor									
Vehicle and Equipment Sales and Service									

Table 3.7-1 Use Category Specific Use	Subareas								Regulations (All Permitted and Special Uses must comply with applicable regulations)
	1	2	3	4	5	6	7	8	
Car Wash									Sec 4.2.F
Fleet Storage	C								
Heavy Equipment Repair									
Light Equipment Repair				C*		C*			*= SUP for expansions
Heavy Equipment Sales/Rental									
Light Equipment Sales/Rental				C*		C*	C*		Sec. 4.2.P, *= SUP for expansions
Storage of Inoperable Vehicles									
Storage of RVs and Boats									
INDUSTRIAL									
Explosive Storage									
Industrial, General	C			S					
Industrial, Intensive									
Laundry Service									
Manufacturing and Production, Limited	C			S					
Manufacturing and Production, Technological				S					
Mining									
Research and Development				S		S			
Scrap and Salvage Operations									Sec. 4.2.Y
Wholesale, Storage, and Distribution									
Mini-Warehouses									
Light (Enclosed Only)	C			S					
Heavy	C*								*= SUP for expansions
Microbrewery				S					
OTHER									
Agriculture, Crop									
Greenhouse									
Recycling Facilities									
Large Collection Facility									
Small Collection Facility				P		P			
Processing Center									
Telecommunications	*	*	*	*	*	*	*	*	See Sec. 4.2.W for permitted and special uses

Use Table

[Amended 3-19-2007 by Ord. No. 1822; 9-20-2010 by Ord. No. 1872; 1-31-2011 by Ord. No. 1878; 8-20-2012 by Ord. No. 1900; 6-2-2014 by Ord. No. 1922]

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
RESIDENTIAL[1]																								
Household Living																								
Detached Dwelling	P	P	P	P	P	P	P	P	P		P	C	P	C	C	C	C	C		C				§ 4.2L
Attached Dwelling				P	P	P	P	P	P		P	P	P	C	C	C	C	C		C				§ 4.2D
Cluster Housing Development	P	P	P	P	P	P	P	P	P					C	C	C	C							§ 4.2G
Duplex				P	P	P	P	P	P		P	P	P	C	C	C	C	C		C				
Multi-Unit Dwelling						P	P	P	P		P	P	C	P	P	P	P	P						§ 4.2A
Mobile Home Park										P														
Group Living																								
Adult Foster Care Family Home (6 or Fewer Residents)	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P						§ 4.2A
Adult Foster Care Small Group Home (6 or Fewer Residents)	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P						§ 4.2A
Adult Foster Care Medium/Large Group Home (7 to 20 Residents)						P	P	P	P		P	P	C	P	P	P	P	P						§ 4.2A
Dormitory																							P	
Transitional Residences						S	S	S	S							P	P	P						§ 4.2X
Foster Family Group Home (5 or 6 Children)	P	P	P	P	P	P	P	P	P	P	P	P		C	C	C	C	C						§ 4.2C
Foster Family Home (4 or Fewer Children)	P	P	P	P	P	P	P	P	P	P	P	P		C	C	C	C	C						§ 4.2C
Fraternity or Sorority						S	S	S	S														P	

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Nursing/Convalescent Home						S	S	P	P		P	P				P	P	P						§ 4.2C
Assisted Living Facility						S	S	P	P		P	P				P	P	P						§ 4.2C
Rehabilitation Center (Live-In Facilities With Up To 6 Beds)						S		S	S		P	P		S	S	S	P	P						§ 4.2C
Rooming/Boardinghouse						S	S	S	S					P	P	P	P	P						§ 4.2U
PUBLIC AND CIVIC																								
College or University												P					P	P	P				P	
Community Recreation																								
Open Space/Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parks/Recreation Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Community Service Center	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	P	P	P		S	S	P	P	§ 4.2H
Drop-In Center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		S	S	P	P	
Cultural Exhibits, Libraries and Museums	S	S	S	S	S	S	S	S	S	S	S	P	S	P	P	P	P	P	P	P	P	P	P	§ 4.2H
Government Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital												S			S		S	P					P	
Lodge, Fraternal or Civic Assembly											S	P		S	P	P	P	P		P			P	
Postal Service	S	S	S	S	S	S	S	S	S	P	S	P	P	P	P	P	P	P	P	P	P	P	P	
Public Safety Substation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Religious Assembly	S	S	S	S	S	S	S	S	S		S	P	S	S	P	P	P	P		P	P	P	P	§ 4.2H
School	S	S	S	S	S	S	S	S	S	S	S	P	S	S	P	P	P	P	P	S	S	P	P	
Utilities and Public Service	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	S	
COMMERCIAL																								
Adult Regulated Use																	P			P				§ 4.2B
Agricultural Sales or Service																	P			P	P			
Animal Service																								

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Kennels																	S			P	P			
Grooming											S	P				P	P	P		P	P			
Sales											S	P				P	P	P						
Veterinary Clinic											S	P				P	P	P		P	P			
Veterinary Hospital																	P	P		P	P			
Building Maintenance Service												S					P	P		P	P			
Business Support Service												P			P	P	P	P	P	P	P			
Communications Service												P			P	S	P	P	P	P	P			
Construction Sales and Service																	P			P	P			
Day Care																								
Day-Care Home, Family (6 or Fewer Residents)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		C		P	P	§ 4.2K
Day-Care Home, Group (7 to 12 Residents)	S	S	S	S	S	S	S	S	S	S	S	P	S	P	P	P	P	P		C		P	P	§ 4.2K
Day Care Center (Commercial or Institutional)											S	P	S	S	P	P	P	P	P	P	P	P	P	§ 4.2J
Eating and Drinking Establishments																								
Fast Order Food Without Drive-Through											S	P		P		P	P	P		P	P		P	§ 4.2M
Fast Order Food Drive-Though												S				S	P	P		P	P		P	§ 4.2M
Sit Down Restaurant											S	P		P		P	P	P		P	P		P	§ 4.2E
Tavern or Lounge											S	P		S		P	P	P		P	P		P	§ 4.2E
Brewpub											S	P		S		P	P	P		P	P		P	§ 4.2E
Tearoom/Cafe				S	S	S	S	S	S		S	P	S	P		P	P	P		P	P		P	§ 4.2V
Entertainment and Sports, Spectator																								
Limited												P		S		P	P	P		P	P	P	P	
General																P	P	P		P	P	P	P	

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Financial, Insurance, and Real Estate Services											S	P	P	P	P	P	P	P	P	P	P			§ 4.2I
Food and Beverage Retail Sales																								
Convenience Stores											S	S		P		S	P	P		P	P			§ 4.2I
Package Liquor Stores											S	S					P	P		P	P			§ 4.2I
Food Sales (Grocery)											S	P		P		P	P	P		P	P			§ 4.2I
Funeral and Interment Service																								
Cemeteries and Mausoleums	S	S	S	S	S	S	S	S	S				S	S	S	S	P	P				P		
Cremating																				P	P			
Funeral Home															P	P	P	P						
Gasoline and Fuel Sales (Without Vehicle Service or Repair)												S				S	P	P		P	P			
Gasoline and Fuel Sales (With Minor Vehicle Service or Repair)												S					P	P		P	P			
Lodging																								
Bed-and-Breakfast Inn				S	S	P	P	P	P		S	P	P	P	P	P	P	P					P	
Hotel/Motel												S					P	P		C	C		P	
Medical Service											S	P	P	P	P	P	P	P	P	P	P		P	
Office, Administrative or Professional											S	P	P	P	P	P	P	P	P	P	P			
Parking, Commercial				S	S	S	S	S	S						S	S	P	P		P	P	P	P	§ 4.2R
Personal Convenience Service											P	P		P		P	P	P		P	P			§ 4.2I
Employment Agency Primarily for Day Workers																				P	P			
Personal Improvement Service											P	P	P	P	P	P	P	P		P	P			§ 4.2I
Repair Service, Consumer											P	P		P		P	P	P		P	P			

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Retail Sales and Service, Indoor				S	S	S	S	S	S		P	P	S	P		P	P	P		P	P			§ 4.2S
Retail Sales and Service, Outdoor											S	S				S	P	P		P	P			§ 4.2T
Sports and Recreation, Participant																								
Indoor												S					P	P		P	P	P	P	
Outdoor																	P	P		P	P	P	P	
Vehicle and Equipment Sales and Service																								
Car Wash												S				S	P	P		P	P			§ 4.2F
Fleet Storage																				P	P			
Heavy Equipment Repair																				P	P			
Light Equipment Repair												S					P	P		P	P			
Heavy Equipment Sales/Rental																				P	P			
Light Equipment Sales/Rental												S					P	P		P	P			§ 4.2P
Storage of Inoperable Vehicles																				P	P			§ 4.2Y
Storage of RVs and Boats												S					S			P	P			
INDUSTRIAL																								
Brewery																				P	P			
Explosive Storage																					P			
Industrial, General												S								P	P			
Industrial, Intensive																					P			
Laundry Service																				P	P			
Manufacturing and Production, Limited												S						P	S	P	P			See Note 3
Manufacturing and Production, Technological												S						P	P	P	P			See Note 3

Use Category (Specific Use)	RS4	RS5	RS7	RD8	RD19	RM15	RM15C	RM24	RM36	RMHP	RMU	CMU	CNO	CN1	CO	CN2	CC	CCBD	CBTR	M1	M2	P	IC	Regulations (Always Applicable)
Mining																					S	P		
Research and Development												S						P	P	P	P		P	
Scrap and Salvage Operations																					P			§ 4.2Y
Wholesale, Storage, and Distribution																								
Mini-Warehouses																	S			P	P			
Light (Enclosed Only)												S					S			P	P			
Heavy																					P			
Microbrewery												P						P		P	P			See Note 3
OTHER																								
Agriculture, Crop																				P	P	P	P	
Greenhouse																S	P			P	P	P	P	
Recycling Facilities																								
Large Collection Facility																					P	P		
Small Collection Facility												P								P	P	P		
Processing Center																					P	P		
Telecommunications	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	P	*	*	*See § 4.2W for permitted and special uses
Wind Energy Units																								
Building-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§ 4.2Z[2]
Small Freestanding (not primary use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	§ 4.2Z[2]
Large and multiple (not primary use)						P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	§ 4.2Z[2]
Freestanding (primary use)						S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	§ 4.2Z[2]

NOTES:

1 For new residential uses in the commercial districts, see § 4.2Q.3.

2 For site plan requirements, see § 4.2Z.1.

3 In the CCBD Zoning District, the manufacturing and production, limited; manufacturing and production, technological; and microbrewery uses are restricted so that the total building area dedicated to the manufacturing use in CCBD is no greater than 10,000 square feet.

Legend for Use Table

Riverfront Overlay Zoning District – Proposed Subarea 9

It is proposed that the Riverfront Overlay Zoning District be expanded to include Subarea 9 (South Mixed-Use) with the following description and uses:

B. Subareas and Intended Character

9. Subarea 9 (South Mixed-Use)
Subarea 9 is a highly visible location with excellent transportation access, and is intended for redevelopment with a mix of office, restaurant, retail, multiple-family, attached housing, and mixed uses.

C. Permitted Uses

All permitted and special uses listed for Subarea 8 shall apply to Subarea 9. In addition, grocery stores, attached and cluster housing, hotel and bed & breakfast uses shall be allowed.

D. Subarea-Specific Use Regulations

9. Subarea 9 (South Mixed-Use)

a) Mixed-use buildings are encouraged with first floors containing office and retail uses, and upper floors containing residential uses.
b) Buildings shall be constructed close to the street frontages with parking at the rear or side. No parking in the front of the building is allowed.
c) Buildings shall be a minimum of twenty feet in height, and shall be no more than two stories taller than adjacent buildings.
d) Sidewalks shall be provided on all properties and bike lanes shall be included in the street areas whenever possible.
e) Whenever possible, building and site design shall take advantage of the Portage Creek by including balconies that face the Creek, porches, sitting areas, and outdoor customer areas for business uses.
f) The street network in Subarea 9 shall have a high degree of connectivity and shall offer multiple circulation routes within the district and to adjacent areas.
g) Residential uses shall require that at least five (6) dwelling units be developed in each phase. Residential units may include live/work units and attached units. All residential units shall be 2 to 4 stories in height. Residential units with more than four (4) stories shall not be located closer than three hundred (300) feet from the Kalamazoo River.
h) Drive thru designs will not impact the walkability of the area and will be located to the rear or side of the building. A primary entry from the

frontage street must be maintained for pedestrian access. Primary building face shall be located along street frontage. Front yard may only contain café style seating, landscaping, and pedestrian infrastructure. (see Fig.1)

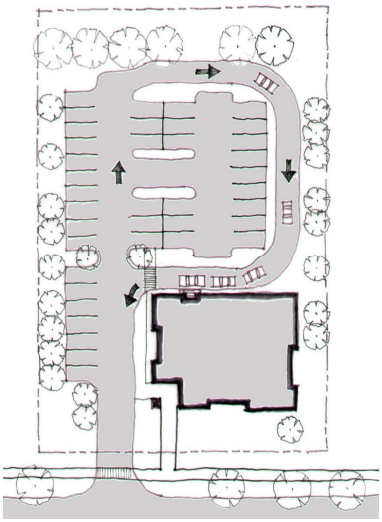


Fig. 1

E. Development and Design Standards

6. Dimensional Standards

The dimensional standards for Subarea 9 shall duplicate those from Subarea 7.

City of Kalamazoo
PLANNING COMMISSION
Minutes
December 1, 2016
DRAFT

Second Floor, City Hall
Commission Chambers
241W. South Street, Kalamazoo, MI 49007

Members Present:	Rachel Hughes-Nilsson, Chair; Charley Coss, Vice-Chair; Josh Cook; Geoffrey Cripe, Tracy Hall, Gregory Milliken, Derek Wissner, Emily Greenman Wright
Members Excused:	None
City Staff:	Rebekah Kik, City Planner; Rob Bauckham, Senior Development Planner; Amanda Coeur, Recording Secretary; John Kneas, Assistant City Attorney
Guests:	None

A. CALL TO ORDER

Commissioner Hughes-Nilsson called the meeting to order at 7:32 p.m.

B. ROLL CALL

Planner Kik proceeded with roll call and determined that the aforementioned members were present.

C. ADOPTION OF FORMAL AGENDA

Commissioner Cook, supported by Commissioner Milliken, moved approval of the December 1, 2016 Planning Commission agenda as presented. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES

Commissioner Greenman Wright, supported by Commissioner Milliken, moved approval of the November 3, 2016 Planning Commission minutes as presented. With a voice vote, the motion carried unanimously.

E. COMMUNICATIONS AND ANNOUNCEMENTS

None

F. PUBLIC HEARINGS

P.C. #2016.12: Continuation of the public hearing on the request from the Community Planning & Development Department to rezone 45 parcels located between S. Pitcher Street and Mills Street, and between E. Michigan Avenue and the Portage Creek/King Highway area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District), and Zone CCBD (Commercial, Central Business District) to Zone CMU (Commercial, Mixed-Use District) and amend the Riverfront Overlay Zoning District to include the new Subarea 9 and apply it to the parcels. [Recommendation: motion to recommend to the City Commission to approve the rezoning and amendment request.]

Planner Bauckham presented the staff report. Consideration of this request is being continued from the October 6th Planning Commission Meeting. The request is to rezone 45 separate parcels located between S. Pitcher and Mills Street, and between E. Michigan Avenue and the Portage Creek/King Highway area from Zone M-1 (Manufacturing, Limited District), Zone M-2 (Manufacturing, General District) and Zone CCBD (Commercial, Central Business District) to Zone CMU (Commercial, Mixed-Use District), and amend the Riverfront Overlay District with the new Subarea 9 and apply it to the subject parcels. This request has been modified to address concerns raised at the October meeting. City staff spoke with three stakeholders to discuss their request for their properties to remain industrially zoned, and for adding drive-through facilities as a permitted use. Following the discussions, staff decided to amend the request and remove eighteen of the southern parcels from the target rezoning area. If these partials change or become available in the future, staff will re-visit the issue of including them in the new zone and Subarea. The stakeholders were informed of this decision prior to the meeting and expressed their support for it.

Planner Bauckham spoke about how the downtown core area is expanding and developing. He also explained that the Riverfront District was created by the City in 2006, and it includes subareas to allow for different types of uses. Most of the parcels included in this rezoning are currently industrially zoned, with the hope that more mixed-use projects will be created due to the fact that this area is slowly transitioning to non-industrial uses.

Within this request any new building would be required to include attractive facades containing durable materials and window space, and have front entrances facing the streets. Drive-through facilities would be allowed with some regulation. They would be restricted to the side and rear of buildings. A goal of the new subarea would be to encourage a pedestrian-friendly environment. Subarea 9 would allow the same permitted uses as Subarea 7, plus grocery stores, attached and cluster housing, and hotels.

The public hearing was opened. Mr. Larry Bell spoke regarding his concerns about his property that sits along the Portage Creek. He questioned if he were to develop his property if he could have the building face the creek with a parking lot next to the road.

Mr. Greg Aolvanigian spoke thanking staff for removing his business, Arvco Container, from the rezoning district. He is in support of this rezoning.

Ms. Tobi Hanna-Davies expressed her support for the City in creating more pedestrian oriented usage close to downtown. She applauded the City for creating a vibrant city scape. She does encourage the use

of inclusionary housing for new projects in the target area. She states that many people cannot afford market rate housing cost, and the need for low to moderate income housing is significant in Kalamazoo.

Ms. Kik answered the citizens questions. In regard to Mr. Bell's question, if he were to develop his property the building can face Portage Creek with the parking lot towards King Highway in order to maximize the appeal of the creek. Ms. Kik shared that the State of Michigan does not require inclusionary housing in municipal zoning regulations. Tax breaks and other incentives to promote inclusionary housing are proivded through the City of Kalamazoo and quality, affordable rental housing is a priority.

Commissioner Milliken spoke about how the Planning Commission needs to be viligent with the Master Planning process in order to assure the vision for this area is obtained.

Commissioner Milliken, supported by Commissioner Wissner, moved to to recommend to the City Commission to approve the rezoning request as presented, as well as the amendment to the overlay zoning district. With a roll call vote, the motion carried unanimously.

G. CITIZENS' COMMENTS (Regarding non-agenda items)

None

H. UNFINISHED BUSINESS

Planner Kik offered an Imagine Kalamazoo update. The next phase of Imagine Kalamazoo is Design It! There are many neighborhood meetings scheduled, which will start on December 7th at Winchell Elemetary for the Oakwood/ Oakland Drive-Winchell, HillN'Brook and Parkview Hills Neighborhoods. At these meetings residents will have the ability to focus solely on planning for their neighborhoods. There will be a series of activities to be completed during these open house style meetings such as identifying the sidewalk and crosswalk improvements that are needed by the neighborhood centers and schools. Also, participants will be able to provide input regarding bike lanes and routes, and parks within their neighborhoods.

Dates and times for all neighborhood meetings are on imaginekalamazoo.com. The meetings will run through February 2017.

I. NEW BUSINESS

Mr. Tom Skrobola, City of Kalamazoo CFO, presented the Capital Improvement Plan (CIP) for 2017. Some of the highlights of the plan are as follows:

- Bronson Park Design Improvements
- Buildout of the fiberoptic network through Information Technology. Creating a ring network that would be owned by the City of Kalamazoo
- Replace the communication tower at the Crosstown Dispatch Center
- Public Safety Records Database upgrade
- Replacing two fire engines
- City Hall roof and basement concrete replacement
- Portage Creek Trailway - Phase 2

- Bond for a new paver and tract skid
- New portable hoist and standstill hoist

Commissioner Coss asked Mr. Skrobola where the windfall of available funds from the consolidated dispatch project would be allocated. He questioned if the funds would be put towards the records database upgrades. Mr. Skrobola stated that Public Safety is looking at a plan regarding critical staffing levels, and these funds may be targeted for that purpose.

Commissioner Cook asked about the snow melt system equipment and repairs, and if the costs associated were in relation to advancements of the system. Mr. Skrobola answered that these costs were not for an extension of the system. Any expansion of the snow melt system would have to be paid for solely by the benefactors of the system. The expenses associated with the CIP are for portions of the underground equipment that need to be repaired or replaced.

Commissioner Wissner asked to have more clarification on the layout of the CIP, and wanted more information about the Streets, Water and Wastewater funds. Mr. Skrobola explained that street projects are funded through the streets fund. Public Services is now working to coordinate street, water and wastewater projects to be completed concurrently. There is about $1.5-$2 million spent annually in the wastewater and water funds. The Public Services director is also talking to surrounding townships who benefit from these services to coordinate capital reinvestment.

Commissioner Coss asked what the city was doing in regard to the influx of water main breaks. Mr. Skrobola explained that Mr. Baker, Public Services Director, has been identifying where breaks could happen to be better prepared for failures. To replace all of the lead services in the system, it will take 5-10 years with a crew solely focused on that issue.

Commissioner Cripe asked if street tree replacement was part of the CIP. Mr. Skrobola shared that this is a maintenance cost, and funding for this activity is being doubled for the upcoming year.

Commissioner Cripe, supported by Commissioner Coss, moved to recommend to the City Commission the approval of the Capital Improvement Plan for 2017. With a roll call vote, the motion carried unanimously.

J. CITIZENS' COMMENTS

None

K. CITY PLANNER'S REPORT

Planner Bauckham reported there are currently 52 site plan projects for the year and counting. Five other cases are currently on Planner Bauckham's desk waiting on needed information. With these cases added, there should be around 60 site plans for the year.

Highlights of the site plan projects are as follows:

- RDR Properties is changing the use of a building on Kalamazoo Avenue to office/retail space
- New attached unit apartment complex on Sutherland Avenue
- YMCA building addition at 1001 West Maple Street

- The Spirit Shoppe on West KL Avenue is building a new building to be connected to their current building
- KPEP is well underway for their new coffee shop on S. Park Street - they hope to open in the spring
- The renovation of the former foundary building at 600 E. Michigan for offices is well underway
- The new Chemical Bank project on Parkview is well underway
- The new office building for Rx Optical is well underway on S. Park Street
- The new building for the Family Health Center on East Alcott is well underway

Planner Bauckham also mentioned that work continues with the consultant regarding the review of the site plan review program. The checklists have been distributed to the departments that are involved with the site plan program for review for possible changes. Developers in the area have also been interviewed regarding their experiences with the city process. Overall, the feedback was positive.

The new Marketing Strategy for the city is coming along well. A draft will hopefully be available at the end of December.

Staff has been trying to contact potential candidates to fill the vacant positions on Planning Commission. An individual was recently provided with an application, and staff is waiting for it to be returned. In March there will be more vacancies on the Commission. Planner Bauckham encouraged the Commission to help recruit new candidates.

Commissioner Hughes-Nilsson asked Planner Bauckham if staff had talked to any engineers or architects to receive their feedback on the site plan process. Planner Bauckham said they haven't yet, but it is something staff can definitely do.

Planner Kik thanked Tracy Hall for her service on the Planning Commission, and congratulated her on her new position as a Kalamazoo County Commissioner.

L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Greenman-Wright asked about all of the new bank and credit union buildings being constructed within Kalamazoo. Planner Kik stated that she had heard some of the new buildings are being used as advertising for these institutions.

Commissioner Cook praised Planner Bauckham on the work being done on the site plan review process. He shared his experience with the process, and stated there was some disconnect between the site plan review process and building trade review process. He feels this is where the system is most lacking and would like to talk about this process at a future meeting.

M. ADJOURNMENT

The meeting adjourned at 8:37 p.m.

Commission Agenda Report

City of Kalamazoo

TO: Mayor Hopewell, Vice Mayor Cooney, and City Commissioners

FROM: James K. Ritsema, ICMA-CM, City Manager

PREPARED BY: Dorla Bonner

SUBJECT: Approval of amended bylaws for the Community Development Act Advisory Committee (CDAAC)

RECOMMENDATION

It is recommended that the Commission approve the amended bylaws for the Community Development Act Advisory Committee

BACKGROUND

CDAAC exists to work with the Community Planning and Development staff to advise the City Commission on community development matters within the City of Kalamazoo. CDAAC assists City staff in the development of both the Consolidated Plan, which identifies the community development priorities for the City and is completed once every five years, and the Action Plan, which implements these priorities annually. The committee also manages the annual competitive process established by the City to allocate Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds. Membership of the committee is comprised of a total of thirteen members who are City residents, one resident from each of the eligible CDBG neighborhoods as determined by HUD which have an active neighborhood association with a 501C3 status. The remaining members shall be at large members.

CDAAC has recommended changes to its bylaws as follows

The changes to the bylaws are as follow:

- Item ll B – Term
  - Old – In the event a new member hasn't been approved, the existing member, whose term has ended, can serve an additional three months.
  - New – In the event a new member hasn't been approved, the existing member, whose term has ended, may serve until the Commission approves a new member.
- Item lll – Duties
  - Duties were rearranged to reflect the order of operations of the committee.
  - Item F was added to include language that committee members should refrain from public communication during the funding decision cycle without committee consent.
- Item V – Officers
  - An Executive Committee was established for the purpose of setting meeting agendas.
- Other
  - All references to the Emergency Solutions Grant (ESG) funding and programming have been removed. ESG funds are no longer included in the competitive application process; they are now distributed via the Continuum of Care as required by federal regulations.

COMMUNITY RESOURCES CONSULTED

The amendments presented in the bylaws were developed and approved by CDAAC, who are community representatives.

FISCAL IMPACT

CDAAC has the responsibility for managing the annual competitive process established by the City to allocate federal funds. A full, active committee is needed to make sure this process is done efficiently and equitably. The bylaw amendments will help CDAAC operate more effectively.

ALTERNATIVES

The Commission can choose not to approve these bylaws. This is not recommended as the proposed changes will improve the operations of the committee.

ATTACHMENTS:

Type	Description
Policy	Amended CDAAC Bylaws

Community Development Act Advisory Committee
Bylaws

I. Creation

There is established a Community Development Act Advisory Committee ("Committee" or "CDAAC") for the City of Kalamazoo as appointed by and to serve in an advisory capacity to the City Commission.

II. Membership of the Committee

A. Membership

The membership shall be comprised of thirteen (13) members who shall be City residents. There shall be one representative from each of the eligible CDBG neighborhoods as determined by HUD which have an active neighborhood association with a 501c3 status. The remaining members shall be at-large seats.

Members shall be selected for their expertise in those disciplines which will best assist the Committee in fulfilling its advisory capacities. This expertise may include such areas as financial; real estate; non-profit experience; business ownership; education; special needs; emergency shelters; homeless assistance; housing rehabilitation; neighborhoods, job creation and retention; neighborhood reinvestment and urban development.

B. Term

CDAAC members shall be appointed for a term of three (3) years. Members may serve for two consecutive terms if a recommendation of approval is supported by CDAAC and the continued appointment is approved by City Commission. Committee members having served two (2) consecutive terms may re-apply for appointment not sooner than one term, i.e., three (3) years from the date that their previous term expired. Members appointed to serve the remaining term of a vacated position upon completion of the unexpired term shall be eligible to serve two full terms. Terms shall expire on the last day of March. Any approved revisions to CDAAC membership will be enacted as the terms of the current CDAAC membership expire or are terminated.

In the event that a new member has not been approved to fill an existing member's vacant seat, the existing member may serve until the Nominating Committee can make a recommendation and the City Commission can appoint a new member.

C. Nominating Committee

A Nominating Committee consisting of a minimum of three members, but less than what constitutes quorum, appointed by the Chairperson, shall review all applications consistent with the Bylaws and the City Commission Rules and shall make a recommendations for appointment to CDAAC. The Nominating Committee, with assistance from City staff, shall begin outreach for new appointments in November of each year. Applications will be reviewed prior to the regularly scheduled February

meeting to ensure appointment by the City Commission in March. In the event that all committee members cannot meet to interview potential candidates, the chair/vice chair may vote in their absence.

D. Appointment

CDAAC shall finalize a recommendation to the City Commission to fill vacant positions by February each year if possible or as promptly as possible. The City Commission shall appoint all CDAAC members.

Recommendations to the City Commission for appointment of members shall be based on the following considerations:

1. Introducing new citizens into the advisory board process;

2. Ensuring the appointments represent a diverse cross-section of the community;

3. Providing a candidate that has experience and interest in effecting community development decisions and supporting the City of Kalamazoo (past service on CDAAC considered);

4. Ensuring that several points of view are represented.

E. Neighborhood Representation

A neighborhood identified in Section II (A) shall have an opportunity to recommend an area representative to CDAAC when a vacancy occurs in that neighborhood representative membership position.

F. Attendance

A membership shall be deemed vacated if the member is absent form more than 50 percent of the regular meetings of the board or commission within any six-month period.

If members are unable to attend a scheduled CDAAC meeting, members must inform Community Planning and Development staff or the Chairperson by 2:00 p.m. before the start of that day's 6:30 p.m. meeting.

III. Duties of the Committee

A. To work with the Community Planning and Development staff to advise the City Commission on matters pertaining to community development within the City of Kalamazoo.

B. To assist City staff in the development of both the Consolidated Plan, which identifies the community development priorities for the City and is completed once every five years, and the Action Plan which implements these priorities annually.

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C. To manage the annual competitive process established by the City to allocate these federal funds.

D. To make recommendations to the City Commission on the expenditure of Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), on an annual basis. To promote the community development activities within the City with special attention to the neighborhoods containing concentrations of low- and moderate-income households.

E. To ensure citizen participation in all phases of the federal allocation process and to actively participate in the Consolidated Plan and Action Plan public hearings and special meetings, the budget allocation public hearing, the pre-submission training workshops, and other special meetings as applicable.

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F. To refrain from using Social Media or other communication methods to discuss and/or voice opinions about CDAAC affairs, during the funding decision cycle without committee consent.

G. To perform such other duties and functions as assigned by the City Commission.

IV. Liaison and Staff Support

A. City Commission Liaison

The City Commission shall appoint a City Commissioner(s) as liaison to the committee.

B. Staff Support

Personnel in the Community Planning and Development Department will provide clerical support and reasonable and appropriate research. Community Planning and Development staff shall keep a record of CDAAC's transactions, resolutions, findings, and determinations and membership for the public record.

An agenda packet shall be mailed out to each member at least five (5) days before each meeting. The packet shall include an agenda, minutes, other pertinent documents, and the location and time of each meeting.

All documents provided to or used by the Committee shall be subject to disclosure in accordance with the Michigan Freedom of Information Act, MCL 15.231 et seq.

The Community Planning and Development Department shall prepare an annual report, consistent with current federal requirements and shall report progress to the committee. Community Planning and Development shall also inform CDAAC of changes in the federal regulations which affect the deliberations of the Committee.

V. Officers of the Committee

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CDAAC shall nominate and then elect a Chairperson and a Vice-Chairperson from among its active membership at the regular March meeting. In the event a vacancy occurs in either of these offices, CDAAC may fill such vacancy at any subsequent regular meeting. The Chairperson and Vice-Chairperson shall serve for a term of one year and then may be re-elected. In the event that neither the Chairperson nor the Vice-Chairperson is present at a meeting, a temporary Chairperson shall be elected by a majority of the members present.

The Chairperson shall preside at all meetings and in his or her absence the Vice-Chairperson shall preside and exercise all the duties of the Chairperson.

If the Chairperson steps down from CDAAC, the Vice Chairperson will automatically step into the role of Chairperson.

The Chairperson shall appoint members to all subcommittees.

The Chair and/or Vice Chair must attend all Nominating Committee interviews and may help the committee make their decision.

The officers of the committee along with an appointed Community Development Staff will constitute the Executive Committee. The purpose of this committee is to establish agendas.

VI. Meetings

A. Regular Meetings

CDAAC will hold 11 regular scheduled meetings that will be held on the second (2^{nd}) Thursday of each month at 6:30 p.m. The location will be announced. CDACC will determine the month off at their regularly scheduled meeting in December prior to the coming year.

B. Special Meetings

Special meetings may be called by the Chairperson in conjunction with the Community Planning and Development staff or by a majority of the membership of CDAAC. Members and the public will be notified of the time, location, and agenda five (5) business days in advance.

C. Annual Meeting

Prior to March 1 of each year, the Committee shall conduct an annual meeting to approve an annual report for the previous year which shall be filed with the City Clerk.

D. Procedures

CDAAC shall adopt and follow rules of parliamentary practice, through the democratic principals of governing a meeting, allowing open dialogue and debate,

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provided such rules are consistent with these Bylaws. The order of meetings shall be as follows:

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes
4. Citizen Comments on Non-Agenda Items
5. Public Hearings
6. Old Business
7. New Business
8. Communication / Members Reports
9. Citizen Comments
10. Adjournment

Any item, to be acted upon, shall be shown on the agenda for said meeting. CDAAC procedural items and minutes may be approved with a simple majority of CDAAC members present. Other items, including those involving policy and recommendations for funding, may be discussed but no action can be taken without two-thirds (2/3) of the active members in attendance. Active members are all members whose seats are not vacated.

All external requests for programs that are to be funded from CDBG, and HOME funds shall be reviewed by CDAAC prior to a recommendation being made to the City Commission.

CDAAC shall also review project amendments that result in substantial change to the Consolidated, Public Participation or Annual Plans.

All meetings of the Committee shall conform to the requirements of the Michigan Open Meetings Act, MCL 15.261 et seq.

E. Quorum

A simple majority of the active members shall constitute a quorum.

VII. Amendment of Bylaws

These Bylaws may be altered, amended, added to, or replaced at any regular or special meeting of the Committee by a two-thirds (2/3) vote of the active voting members, each member having one vote. Before any changes are made, a copy of the proposed changes shall be mailed to each member in the agenda packet at least five (5) days prior to the meeting at which such action is proposed to be taken. Any amendments to these Bylaws shall not go into effect until approved by the City Commission.

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