Agenda
Planning Commission

City of Kalamazoo

Thursday, February 1, 2024 7:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. ADOPTION OF FORMAL AGENDA

C. APPROVAL OF MINUTES

1. Approval of Minutes from the Planning Commission meeting on January 4, 2024

D. COMMUNICATIONS AND ANNOUNCEMENTS

E. PUBLIC HEARINGS

1. 2024.05 - A public hearing to consider a rezoning at 1316 S Park Street from Commercial Office (CO) to Live-Work 1 (LW1)

2. 2024.06 - A public hearing to consider a rezoning of 107 Reed Avenue from CN-1 (Commercial - (Local) Neighborhood) to RM-15 (Residential, Multi-Dwelling)

F. DISCUSSION/ACTION ITEMS

G. REPORTS

1. City Planner's Report

2. Site Plan List

H. PUBLIC COMMENTS

I. CITY COMMISSION LIAISON COMMENTS

J. PLANNING COMMISSIONER COMMENTS

K. ADJOURNMENT

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
January 4, 2024
DRAFT

Members Present: Brian Pittelko; David Burgess; Gregory Milliken, Chair; Mitchell Curtiss; Shardae Chambers; *James Pitts

Members Excused: Christine Dascenzo; Jennifer Swan; Michael Harrison

City Staff: Christina Anderson, City Planner; Bobby Durkee, Assistant City Planner; Beth Cheeseman, Executive Administrative Assistant; Charlie Bear, Assistant City Attorney

A. CALL TO ORDER/ROLL CALL

Commissioner Milliken called the meeting to order at 7:00 p.m.

Planner Durkee proceeded with roll call and determined there was a quorum.

Planner Durkee announced that Commissioner Praedel would not be in attendance.

B. ADOPTION OF FORMAL AGENDA

Commissioner Burgess, seconded by Commissioner Pittelko, moved approval of the January 4, 2024 Planning Commission agenda as presented. With a voice vote, the motion carried unanimously.

C. APPROVAL OF MINUTES

Commissioner Curtiss, seconded by Commissioner Chambers, moved approval of the December 7, 2023 minutes as presented. With a voice vote, the motion carried unanimously.

D. COMMUNICATIONS AND ANNOUNCEMENTS

None.

E. PUBLIC HEARINGS

Commissioner Milliken explained the process of public comment for in-person and call-in comments.

1. PC #2024.01 - Vacate a 234-foot-long segment of unimproved public right-of-way lying between West Street (as platted) and Cooley Street (vacated) in the Downtown neighborhood.

Planner Durkee explained that staff researched but did not find documentation of vacations for this alley or for West Street. He said that, out of an abundance of caution, the applicant decided to go through the vacation process so they can clear the records. Planner Durkee said the applicant intended to move the vacations forward to the circuit court for an even higher level of vacation.

This segment of alley and West Street are each within property today that is enclosed in a legal description and recognized as parcels. Planner Durkee reviewed a plat map of Kalamazoo from 1847. He pointed out a western edge on the map that was named West Street. West Street ended up becoming what is now known as Westnedge Avenue. He also reviewed maps of Cooley and Eleanor, a boundary/topographic survey, and pictures of the alley. Planner Durkee said there is no proposal to change property lines. Kalamazoo River Valley Trail is located there in an easement. He stated that the vacation would not impact any easements. Planner Durkee reviewed the zoning of the property – which is currently D2. One portion of land area is zoned D3. However, once the parcels are combined all the area will be considered D2 zoning.

Planner Durkee reviewed staff rationale for recommending approval of the vacation.

- Right-of-way (ROW) is unimproved.
- None of the easements (trail/creek) on the property would be impacted by this action.
- There won't be any change of property lines.
- CD Arena and the DDA will have access to their parcels.
- The DDA Board passed a resolution providing support of the request to vacate the unimproved alley.
- There are no anticipated impacts on the City's transportation goals.
- No utilities are within the alley.
- The vacation will not impede the work of the Public Safety or Public Services.
- Any development in these blocks for the arena would be subject to site plan review.

*Commissioner Pitts entered the meeting as Planner Durkee gave the staff report.

Mr. Jordan Shau, attorney for CD Arena, stated that they were following this process to clean up the title. He said that sometime in history, Westnedge was moved to the west and there is a jog there. The historical remnant of West Street just needs to be cleaned up. Attorney Shau shared that they will go through circuit court action for previous vacations for Eleanor and Cooley Streets in order to amend the City plat map to reflect the changes. They wanted to bring the alley vacation and the West Street vacation at the same time.

Mr. Pete Michell, Rockford Construction, introduced himself in case there were any questions.

Commissioner Milliken opened the public hearing.

No in-person or call-in comments.

Commissioner Milliken closed the public hearing.

Commissioner Burgess, seconded by Commissioner Curtiss, moved to recommend to the City Commission to approve the vacation of the 234-foot-long segment of unimproved public right-of-

way lying between West Street (as platted) and Cooley Street (vacated) in the Downtown neighborhood.

Commissioner Burgess thought the case was clear. The applicant wanted to clear this up to make sure everything was appropriate. He said the findings that Planner Durkee walked through seemed to fit and make sense.

Commissioner Pittelko expressed appreciation for the diligence of City staff and the DDA and everyone to make sure this was clean and clear.

Commissioner Milliken said the request was consistent with the vacation policy and the previous actions of the City.

A roll call vote was taken, and the motion passed unanimously.

2. PC #2024.02 - Vacate a segment of unimproved West Street (as platted) lying east of the N Westnedge Avenue right-of-way between W Kalamazoo Ave and W Water Street.

Planner Durkee reviewed the survey of West Street, and he showed pictures and maps of the area. He said that West Street was a 33-foot wide swath which included the building and the Kalamazoo River Valley Trail.

Planner Durkee reviewed staff rationale for approving the vacation.

- This was an unimproved street.
- Public uses were not applicable.
- The Kalamazoo River Valley Trail runs through the swath, but it is under easement so will have no impact.
- There will be no impact as far as access to the right-of-way.
- No property line changes are planned.
- CD Arena and the DDA will have access to their properties.
- The DDA provided a resolution supporting the vacation.
- There are no anticipated impacts to the City's transportation goals.
- The are no impacts to planned utilities in the right-of-way or existing easements.
- The vacation would not impede the work of Public Safety or Public Services.

Commissioner Milliken opened the public hearing.

No in-person or call-in comments.

Commissioner Milliken closed the public hearing.

Commissioner Curtiss, seconded by Commissioner Pittelko, moved to recommend to the City Commission to approve the vacation of a segment of unimproved West Street (as platted) lying east of the N Westnedge Avenue right-of-way between W Kalamazoo Ave and W Water Street.

Commissioner Milliken stated that the request was consistent with the street vacation policy, and he appreciated the diligence of staff and the applicant.

A roll call vote was taken, and the motion passed unanimously.

3. PC #2024.03 - A request for a Special Use Permit by Kazoo School to develop a school at 2007 Saxonia Lane.

Planner Durkee explained that the school's address was Saxonia Lane, but they had frontage along Cherry Street as well. He reviewed pictures of the property. The structure at 2007 Saxonia Lane was a single family home that was built in 1948. In 2020 permits were pulled for an addition, but those permits were not closed and have since expired. The dwelling is not occupied. The applicant would like to modify the existing building for school use. Kazoo School is located directly adjacent to the west of this property. Planner Durkee stated that they provided a concept plan for desired modifications and how they would incorporate the building/property into the school. The project would need to go through site plan and permitting. He shared that the property is in the RS-5 district and also in the NFP Overlay. Planner Durkee pointed out that Cherry Street was a dead-end road. He stated that there were some comments received from the neighborhood that reference the drive on Saxonia. Planning Commissioners should have one such letter at their places on the dais. Planner Durkee informed them that the applicant proposed closing that connection in recognition of the impact of a school on a dead-end, otherwise, residential property. He showed Planning Commissioners a picture of the drive. Planner Durkee reviewed their concept site plan and maps of the area. He confirmed that the area is primarily a residential area with a zoning designation of RS-5. Planner Durkee noted that Kleinstuck Preserve is near the school.

Planner Durkee reviewed the criteria for a Special Use Permit.

- The proposed special use is appropriate and compatible with the surrounding area. The structure is well aligned with the school and is on a large property.
- A school has been there in some capacity for 95 years. The traffic and noise are all a known quantity to the neighborhood. There is adequate separation.
- The school use proposed minimizes adverse effects. The building itself will not be expanded.
- The applicant is committed to adding any additional screening or landscaping for zoning requirements.
- The request conforms to all environmental standards. Sustainability seems to be a value of Kazoo School. They don't intend to remove trees. The NFP Overlay would limit those adverse effects.
- Applicant intends to close off the driveway on Saxonia.
- The school is not anticipating a rush of more students or more traffic.

- There is room to accommodate a wider driveway, larger parking lot, bridge, or other pedestrian connection if needed.
- The dwelling is already hooked up to water/sewer. There are no planned changes to that.
- Emergency services have access to the school from Cherry Street or through school property.
- Staff believe they can or will meet the standards of the zoning ordinance.

Commissioner Curtiss asked if the property was still under previous ownership. Planner Durkee responded that the current property owner provided a letter of consent for the school to move forward. Commissioner Curtiss asked if they had any municipal requirements (zoning, NFP) to pull the permits in 2020. Planner Durkee stated that a zoning review is required before a permit is approved. That tells him that at the time of application, it lined up with zoning standards. Commissioner Curtiss asked if they had expressed interest in purchasing the property prior to these expansions. Planner Durkee was not aware of any previous interest.

Commissioner Burgess asked, if they approved this request, could site plan approval include the condition of permanently closing the drive on Saxonia. Planner Durkee said that there wouldn't be conditions placed on the site plan. A condition to close the driveway would come through the Planning Commission.

Commissioner Curtiss asked what natural feature included the property in the NFP Overlay. Planner Durkee believed it was woodland. He said a number of residential houses around Kleinstuck were picked up because of woods. Commissioner Curtiss said it was mentioned that there was room to widen the driveway. He wanted to make sure they're not promising something that the NFP Board would decline. Planner Durkee reviewed the NFP policy in regard to trees. He didn't think they would have any problem following NFP and having room to do what they needed to for the property.

Mr. Jeff Swenarton, Attorney representing Kazoo School, said they were under a purchasing contract with the owner of the property subject to approval of the Special Use Permit (SUP) and site plan. He emphasized that the school is a known quantity in the neighborhood. Attorney Swenarton confirmed that they are willing to close the Saxonia Drive access and only use the Cherry Street access. The applicant does not plan to change the footprint on the property. He said the school needs room, and they want to be good neighbors. Attorney Swenarton noted that school administrators went door to door down Saxonia Lane and all but a couple of people were in support of their plan.

Commissioner Milliken asked the applicant to describe how they plan to use the house.

Ms. Sonita Newbury, Head of School, said they are committed to keeping class sizes very small and have been very creative with classroom spaces. In the house, they would like to have a common area that would be used for a Sustained Silent Reading area as well as a community room. They would have Board Meetings there and the space would be open to the Stewards of Kleinstuck. They plan to have math, Art, Spanish, and Science classes there as well as space for a tutor. Ms. Newbury explained that they would have a pedestrian bridge within the parking lot. She explained that during the day they block off the parking lot because they have classes outside. Pick up and drop off will continue to be in the field. She doesn't anticipate anyone using the driveway of the Saxonia property. Sometimes the parking lot is super full, and they would like to have overflow faculty parking in that driveway.

Commissioner Chambers asked how many students would be going to those classes. Ms. Newbury said that all students K-8 have art and Spanish three times per week. Middle school students have science and math five days per week. There are four pavilions which will continue to be used for instruction. Ms. Newberry added that class sizes range from 4-14 students. Commissioner Chambers asked about the laundry facility. Ms. Newberry said the house has a full laundry hookup. Often teachers would take the kids muddy things home with them to wash. They are excited to have a Kazoo School onsite washer.

Commissioner Burgess felt there was ambiguity about the driveway. He asked if they intended to block the driveway permanently or temporarily. Attorney Swenarton said they would permanently block it for school use. If there was an emergency vehicle issue, that would be the only exception. He thought the site plan committee would specify the manner of blocking the driveway. Ms. Newbury hoped to use logs (in keeping with the aesthetic at the school) across the top and putting cones at bottom. She said neighbors asked about putting in a curb, but she didn't know how that process worked. Ms. Newbury didn't want the liability of anyone driving on it. She would eventually like to have steps so people could hike through there.

Commissioner Milliken asked them to check into easements and the possibility that the driveway is shared. Attorney Swenarton said they gleaned from the title work that there is a license to encroach. The driveway is private property, and the owner of the property they are purchasing from has the right to use it. He was not aware of any other easements on the property. Commissioner Milliken clarified that no other property owners were impacted. Attorney Swenarton said the only right to use it is under a license by them.

Ms. Nina Feirer reported that the house at 2007 Saxonia originally had a Cherry Street address until a realtor changed it. She said that the school is wonderful, cares about education, conservation, and the community. Ms. Feirer believes they are great neighbors, and she was excited for them to buy the house and turn it into part of the school. She also voiced support for stairs at the driveway.

Mr. Thomas Whitener agreed that Kazoo School is a fantastic neighbor. He said the house has been under construction the whole time they've lived in the neighborhood. Mr. Whitener was excited to have someone finish it. He voiced concern about the possibility of increased traffic because he has small children. Mr. Whitener wants his children to be able to use the streets as they do now. He voiced support for the idea of installing steps at the driveway. Closing off the drive would alleviate the drive through concern. Mr. Whitener would like it if they could alleviate the issue of parents parking across the street and having children walk up and down the hill.

Mr. Joe Bower said it was great to meet the school administrators who went door to door. He wanted clarification if this was a one-time Special Use Permit with the sale of the property. If they sold it again, he asked if it would go back to being residential. Mr. Bower said the dead-end street was the main reason they moved there, and he was disappointed when the owner put the drive on Saxonia Lane. He was concerned about traffic even if the driveway was blocked off. He asked for clarification about drop off and pickup.

Mr. Jonathan O'Brien said he owns the property at 2003 Saxonia. When he purchased the property in 2012, he discovered the previous owner of 2007 Saxonia put in a drive over 2003 Saxonia land without

notification. The western edge of the driveway is under a licensed easement. Mr. O'Brien said the sale does require their consent to be transferred to a new owner. He is in full support of the school. Mr. O'Brien wanted to clarify that the use permit does not extend to the easement property. He looks forward to working with the school to determine how best to close off that driveway.

Ms. Bryn Wade, Vice Head of School, stepped forward to clarify the drop off procedure. They are an outdoor school year round and the kids all have a meeting spot on the field. She said they are strict about where people drive and stop. They have put Middle School Safeties in place that tell parents where they can't park. Ms. Wade said they work with parents. The drop off and pick up procedures would remain the same – on the field where it has always been.

Ms. Rosemary Lanner said she had been a teacher at Kazoo School for almost 30 years. She only recently found out there was a through driveway on Saxonia Lane. Ms. Lanner didn't think the drive was well known. She confirmed that through the time she had worked at Kazoo school, they had worked very hard to be good neighbors and collaborate with the Stewards of Kleinstuck.

Mr. Seth Raymond said his opposition had nothing to do with how he felt about the school or teachers. When he bought a house there it was a residential street. He pays taxes for a residential street and that is now changing. Mr. Raymond made the point that he believes the current school leadership has good intentions of closing off the drive. However, leadership, policies, and teachers change. He likes the Kazoo School and would be in support of the special use permit if a curb and ground cover were installed. He believes there will be a traffic increase, and the street will absolutely change.

Ms. Stacy Perryman-Clark, Board of Trustees member, assured them that even though Heads of School do change, there is a governing body that is responsible for all things fiduciary. She said they work with any Head of School to make sure the policies put in place are sustainable. Across her time of being a parent of a Kazoo School student and Board member, parking and drop-off expectations have been consistent. She said they have done their due diligence and have a consistent track record as far as parents and visitors using appropriate means of parking.

Ms. Esther Vokluk said she has two kids who go to Kazoo School, and they get frequent messages from the school about being considerate of the neighbors. She said that during drop off, she is always cognizant that children could be crossing the road. Ms. Vokluk said that drop-offs happen in an orderly and safety conscious way. She confirmed that the safety of children and consideration of the neighbors is a top concern of the school. Ms. Vokluk didn't think the community would change with one person leaving. They are invested and child focused.

Ms. Shannon Winchester, a parent at Kazoo school, confirmed that the driveway is terrible. She believed that when the school says they are going to close it, they will close it. Ms. Winchester thinks a permanent closure would be a City issue and they can't just decide to build a curb. She reminded everyone that the building has been sitting vacant and in disrepair. Ms. Winchester thought it would be better to have people using it.

No call-in comments.

Commissioner Milliken closed the public hearing.

Attorney Charlie Bear clarified that a Special Use Permit (SUP) allows a use that is considered to be compatible and allowable in a certain zone if certain conditions are met. It is not temporary. Once a SUP is granted it runs with the land. If the property is sold, that use follows the land – it would not automatically convert back to residential.

Commissioner Milliken asked if it could be used as a house in the future. Attorney Bear agreed that it could be turned back to residential – it would not be mandatory to use it as a school.

Commissioner Burgess clarified, and Attorney Bear agreed, that they would not be granting a special use for anything other than a school.

Commissioner Curtiss asked what the legality was of parking on Saxonia currently. Planner Durkee said he wasn't sure but thought the general parking standards would be applicable.

Commissioner Chambers asked if there were any issues with blocking off the driveway and City workers plowing. Planner Durkee said it shouldn't be a problem. They would need to demonstrate a plan through the site plan process. In the event of the need for emergency access, a gate with Knox key would be required. There is capacity on the site to do whatever is needed in addition to stacking snow.

Attorney Bear stated that if the Planning Commissioners make closing the drive a condition of the SUP, and it is opened again, then it is in violation of the SUP. That could be an action to close it off. Attorney Bear clarified that a condition imposes requirements that are intended to keep the project/SUP consistent with the intent and purpose of the zoning ordinance. It does become a requirement.

Commissioner Burgess, seconded by Commissioner Chambers, moved to approve a Special Use Permit by Kazoo School to develop a school at 2007 Saxonia Lane with the condition that driveway access to Saxonia Lane from 2007 is blocked permanently or discontinued.

Commissioner Burgess said that setting aside the driveway issue, the case for Kazoo School taking on and using this property is strong. Staff report supports it as being appropriate in many ways. It is a logical extension, appropriate for schools in residential districts, and meets requirements. He is in favor of approving the request.

Commissioner Curtiss agreed with Commissioner Burgess. Now that condition was included, he thought they could consider Saxonia Drive the same as other nearby streets. Changes in the operations of the school could affect surrounding areas for traffic. He said it seemed reasonable given the requirements of the zoning code in this case.

Commissioner Burgess thought the reason for closing the driveway should be stated. He considered it a safety issue.

Commissioner Chambers shared that it would be nice for the neighborhood to get the property back to something more viable.

Commissioner Milliken stated that the request was consistent with special use standards. The impact of the use itself would be minimal and a logical extension of the existing use in the community. His biggest concern about closing the driveway was how other users of it would be impacted. Since that is not an issue, he agreed with closing it. He believed the driveway posed a safety issue and had a significant impact on neighbors.

A roll call vote was taken, and the motion passed unanimously.

4. PC #2024.04 - A request for a Special Use Permit at 2501 Millcork Street to develop a community service center.

Planner Durkee reviewed pictures and zoning maps of the property and noted that it is fairly isolated. It is near the Sprinkle Road industrial area. He reported that El Concilio had acquired this property and were hoping to expand their uses with a community service center. The property is zoned M-2 (Manufacturing), and the parcel is about 10 acres. Planner Durkee said the building seemed well situated for adaptive reuse. He showed a proposed site plan, and he explained that some of the changes would happen in future phases. A proposed accessory use would be a daycare. It is a permitted accessory use if it does not exceed 25% of the building area, and they meet that standard. They have indicated some improvements will be made to catch basins, the entryway, and the FDC. They may possibly add a soccer field and a walking trail in future phases. Planner Durkee shared that there was room for offices, classroom space, and the accessory daycare. He shared that the property was heavily wooded, but not included in the NFP Overlay. Planner Durkee mentioned easements for a water main and stormwater. The project would be subject to site plan review.

Planner Durkee went through the Special Use Permit criteria.

- The special use is compatible with the surrounding area. The building is well situated to accommodate this use.
- There is ample separation from other uses with heavy tree cover. They have room to remove trees or provide required screening.
- Use standards include accessory daycare use. There is capacity to provide screening for future phases for outdoor areas.
- Parking lot improvements show they are thinking ahead to keep the water on the property.
- There is no anticipated large chemical storage.
- The roads have the capacity for handling traffic related to this use. He noted that Millcork does not have pedestrian sidewalks.
- The is adequate safe ingress and egress.
- The water main will be replaced. The building is already sprinkled, and sewer is connected.
- Relocation of the FDC and installing a hydrant is preferred by Public Safety.
- Landscaping/lighting details can be worked out in site plan review.

- Special use does meet or has room to modify to meet all applicable standards of the zoning ordinance.

Commissioner Curtiss asked if the property was previously used in such a way that would introduce contaminants. Planner Durkee stated that would be evaluated through site plan review. They often require Phase I and Phase II reports to evaluate for contamination. In the event that something is there, they determine if anything needs to be modified.

Ms. Danielle Rhodes, Civil Engineer, Byce, introduced herself and welcomed any questions.

Commissioner Milliken opened the public hearing.

No in-person or call-in comments.

Commissioner Milliken closed the public hearing.

Commissioner Pittelko, seconded by Commissioner Pitts, moved to approve a Special Use Permit at 2501 Millcork Street to develop a community service center.

Commissioner Pittelko said it looked like a solid plan. He thought it was good to see the property used that way and more childcare was good. His only concern was contaminants. Commissioner Pittelko thought they probably had to remediate to build the facility in the first place.

Commissioner Curtiss agreed with Commissioner Pittelko. He noted that most SUP criteria seek to protect surrounding properties from the special use. In this case, it would be protecting the special use from surrounding properties. Commissioner Curtiss believed the use was more aligned with the surrounding area than zoning would presume.

Commissioner Milliken noted that the request met the standards of approval for a special use permit.

A roll call vote was taken, and the motion passed unanimously.

F. DISCUSSION/ACTION ITEMS

None.

G. REPORTS:

1. City Planner's Report

2. 2023 Site Plan List

No questions voiced.

H. PUBLIC COMMENTS:

No in-person or call-in comments.

I. CITY COMMISSION LIAISON COMMENTS

City Commissioner Praedel was unable to attend.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Milliken brought up the City Commission decision to forego the phone-in comments. Planner Durkee clarified that the decision applied only to the City Commission. Commissioners Milliken and Burgess agreed that they should talk about that during a meeting. Commissioner Milliken noted that there are pros and cons to call-in comments. It can be a great tool for people to engage and participate, but it can also be a distraction and cause delay due to technical issues. It was agreed that they could ask Commissioner Praedel what went into making that decision for the City Commission.

K. ADJOURNMENT

Commissioner Milliken adjourned the meeting at 8:58 pm.

Date: **2/1/2024**
Item: **E.1.**

Planning Commission Staff Report

City of Kalamazoo

TO: City of Kalamazoo Planning Commission

FROM: Reviewed by: Christina Anderson, AICP, City Planner
Prepared by: Bobby Durkee, AICP, Assistant City Planner

DATE: February 1, 2024

SUBJECT: 2024.05 - A public hearing to consider a rezoning at 1316 S Park Street from Commercial Office (CO) to Live-Work 1 (LW1)

BACKGROUND:

In September 2023, the Planning Commission provided a favorable recommendation on a comprehensive rezoning of primarily commercially zoned parcels, approximately 2,000 in total. After the Planning Commission vote, the City Commission approved the rezoning in October 2023; the updated Ordinance and zoning map became effective in November 2023. In the work updating the City zoning map and associated records, it was discovered that two parcels zoned commercial were not included in the comprehensive rezoning. Leaving these two parcels designated a zoning district that had been removed from the text of the zoning code.

This parcel and the adjacent recently rezoned parcels are designated as commercial on the future land use map. This location at the southern end of Vine is made up of small commercial buildings and residential buildings; a mix of small commercial and residential uses are nearby on this stretch of S Park Street. The Live Work-1 zone permits residential, commercial or mixed uses by right, where the CO zone limited the uses primarily to office commercial uses. Live-Work zoning in this location serves to support a range of uses that blend with the more commercial uses and zoning to the south, as more residential and small scale commercial uses are found to the north along this stretch of S Park Street. With the rezoning project in 2023 the CO zone district was removed from the code, which now leaves this parcel a zoning designation without a standard.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:
Economic Vitality - A supportive infrastructure for growing businesses and stabilizing the local economy for the benefit of all.
Complete Neighborhoods - residential areas that support the full range of people's daily needs.
Connected City - A City networked for walking, biking, riding, and driving.

This parcel along with the larger commercial rezoning project was part of the 2025 Master Plan specifically calling out the need to update the Zoning Code and Zoning Map. This work is detailed in the Imagine Kalamazoo @ Work chapter in the Master Plan and is aligned with the Strategic Vision, specifically the goals listed above.

The future land use shows this parcel as commercial. The Live-Work zone permits not only the commercial uses on this parcel but also expands the available commercial uses or mixed uses. The broader number of commercial or mixed-uses through the Live-Work zone support the future land use map and neighborhood goals of the Master Plan.

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

Discussion: The property owner was notified of the error made with the large, comprehensive zoning map update; this letter was sent prior to starting the official notice process per the State. This notice included an information sheet on the LW-1 standards and a link to the Imagine Kalamazoo page about the rezoning project done on the rest of the rezoned parcels. In addition, the notice of public hearing was sent to them along with properties within 300 feet of their property. A notice was published in the January 14th edition of the Kalamazoo Gazette.

Engagement/Communication
Written correspondence with information on the proposed zoning to the proper owner was sent on January 8, 2024, along with the public notice for the Public Hearing and notice of public hearing in the Kalamazoo Gazette. A link to www.imaginekalamazoo/projects/zoning update was included in the information letter sent on January 8th.

FINDINGS:

The Planning Commission's role is to make a recommendation to the City Commission regarding the proposed zoning changes. When considering the request, the following should be considered per Chapter 8 of the Zoning Ordinance:

1. The extent to which the amendment is consistent with the Master Plan 2025 and Strategic Vision.

The rezoning is in alignment with the 2025 Master Plan and the Strategic Vision. Imagine Kalamazoo @ Work, the final chapter of the Master Plan, outlines the tasks related to the code update. The future land use plan guided the changes to the zoning

map. This parcel is in alignment with the commercial rezoning project and the future land use plan.

2. The extent to which there are changed conditions that require an amendment.

The changes became necessary with the approval of the 2025 Master Plan to which the Zoning Code is meant to align. This change is related to the City's overhaul of the 2005 Zoning Code and part of the work started in 2018. With the CO zoning removed in the October 2023 rezoning approval providing a zoning classification that is in the Zoning Ordinance is necessary, currently the property is a zoning classification with no standards in the Zoning Ordinance.

3. The extent to which the proposed amendment addresses a demonstrated community need.

The 2025 Master Plan defines the community's need to update the Zoning Code & Map.

4. 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.

This rezoning is compatible with the existing and proposed uses on adjacent properties. The surrounding properties were all rezoned LW-1 with the October 2023 rezoning. The dimensional standards would be able to be met on this parcel and the new use expands the number of permitted uses from the CO zoning designation. The parcel is currently vacant.

5. The extent to which the proposed amendment would result in a logical and orderly development pattern.

The proposed amendment will result in logical and orderly development patterns as they are rooted in the 2025 Master Plan and Strategic Vision and in the size, scale and context of the parcel and match the surrounding zoning.

RECOMMENDATION:

Staff recommends support of the rezoning of this parcel to LW-1 as it meets the criteria above. In addition, the Commercial Office (CO) District no longer exists in the text of the Zoning Code.

THE CITY OF Kalamazoo

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January, 8 2023

JOHN VELEZ
255 PARK TERRACE BLVD
OSPREY, FL 34229

RE: Rezoning – 1316 S Park Street

Dear Mr. Velez,

In November of 2023 the City Commission of the City of Kalamazoo approved a comprehensive rezoning of nearly 2,000 parcels in the City of Kalamazoo as part of a zoning update to remove some commercial zones and establish new ones in their place. A review of the zoning map identified an oversight; two parcels were missed in the zoning update process, including yours. 1316 S Park St. is zoned Commercial, Office (CO). In the Vine Neighborhood, the CO District was replaced with the Live-Work 1 (LW1) district.

Our office will initiate the rezoning of these two parcels at the February 1, 2023 Planning Commission meeting. If approved by the Planning Commission the item would move to the City Commission for the final decision.

The LW1 District permits the same uses as Commercial Office (CO) and many more uses, including residential. Attached is an informational sheet for additional reference.

Later this month you will also receive the formal public notice announcing the Public Hearing for this action. Attached to this letter is an informational sheet on the LW1 District and a webpage with a comprehensive background on the commercial rezoning initiative can be found at:
https://www.imaginekalamazoo.com/projects/zoningupdates/

If you have any questions, please contact me in the Community Planning and Economic Development Department at (269) 337-8172.

Sincerely,

Bobby Durkee, AICP
Assistant City Planner

Attachment – Informational Sheet for LW-1 Zone

P.C. #2024.05 - 1316 S. Park Street

Rezoning from Commercial Office (CO) to Live Work-1 (LW-1)

Aerial View

Subject Property

Other Property

2018

Red: Band_1

Green: Band_2

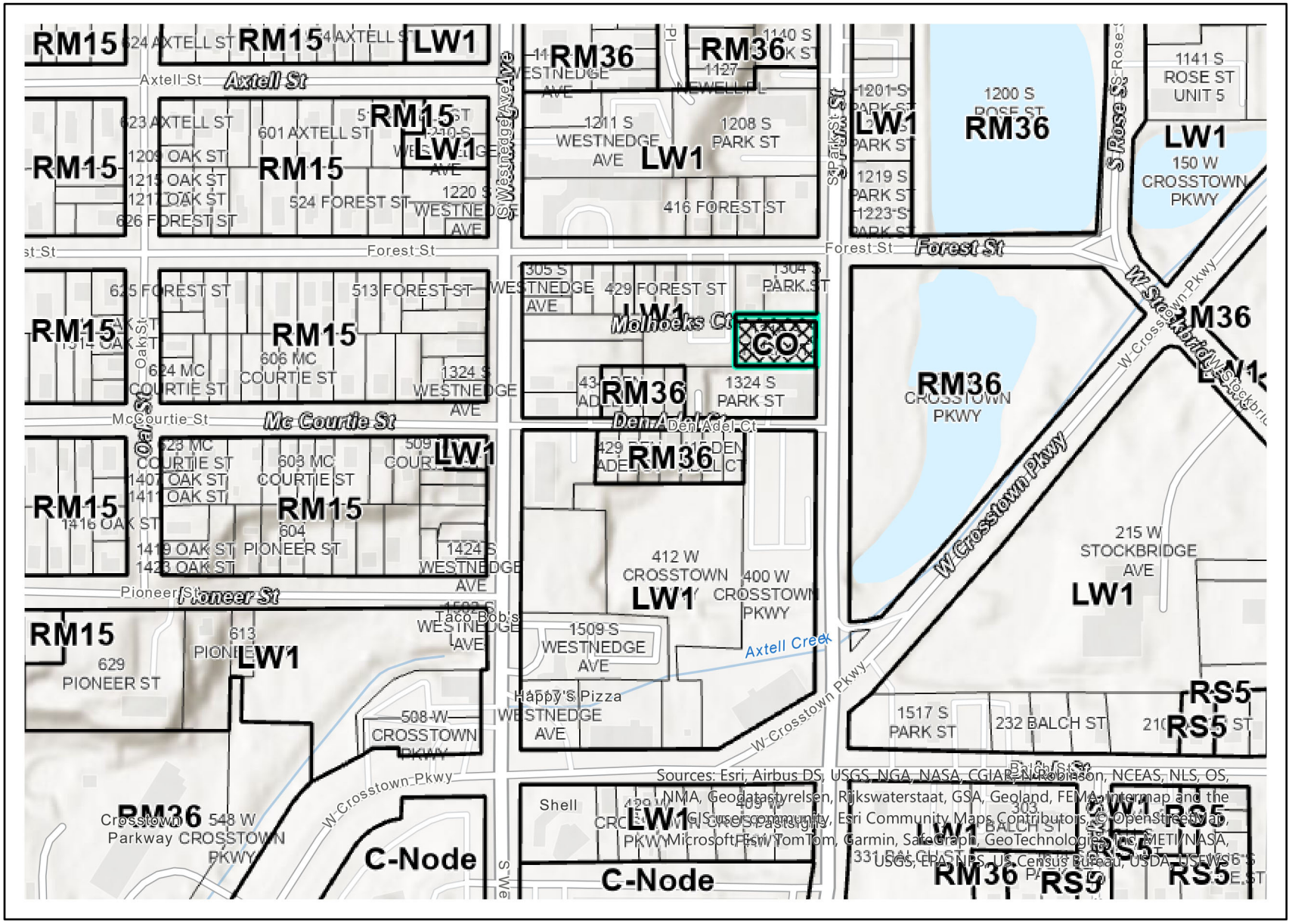
Blue: Band_3

0 0.01 0.03 0.06 mi

N

P.C. #2024.05 - 1316 S. Park Street

Rezoning from Commercial Office (CO) to Live Work-1 (LW-1)



Zoning

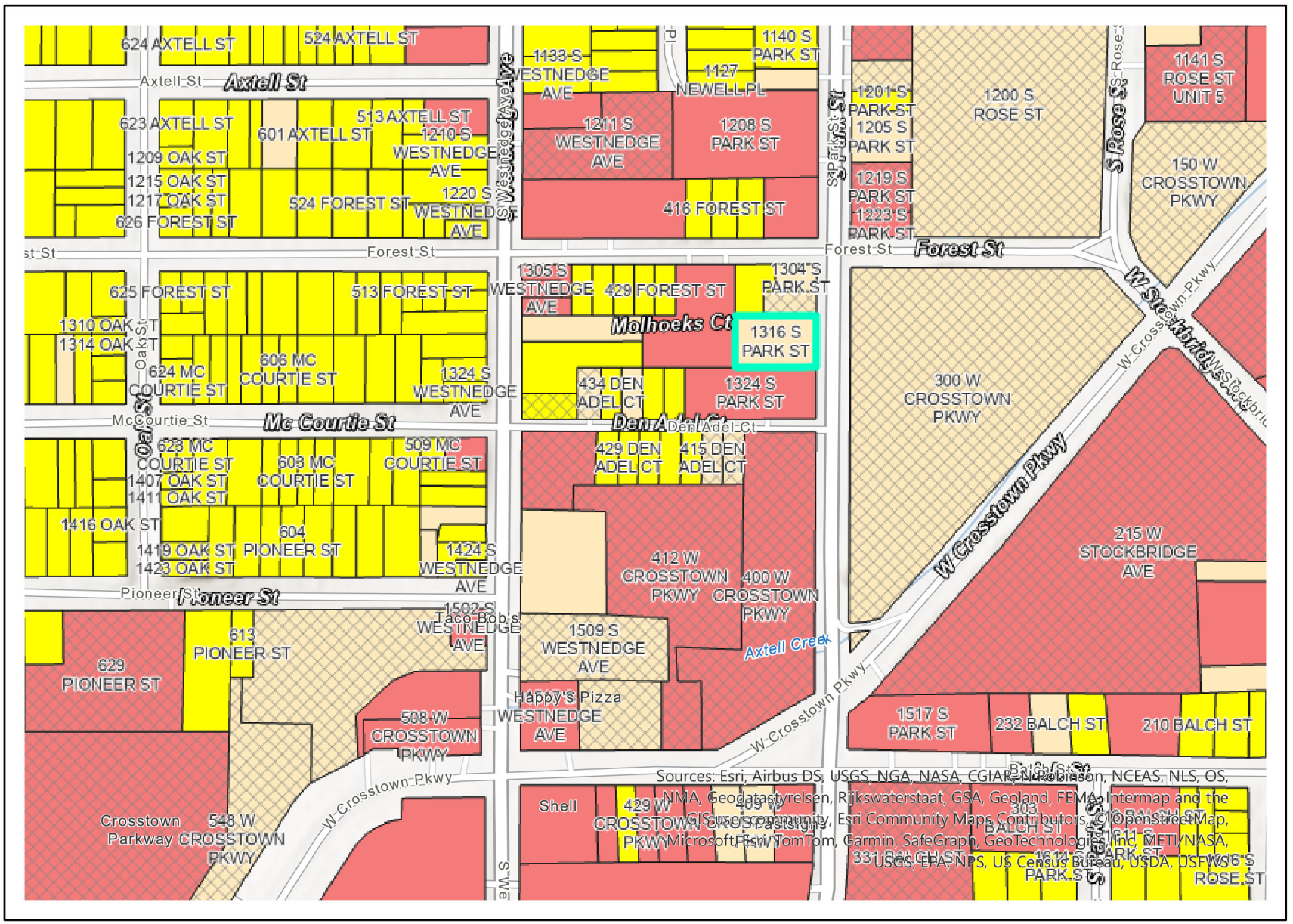
- Zoning
- Subject Property
- Subject Property
- Other Property

0 0.03 0.06 0.12 mi

N

P.C. #2024.05 - 1316 S. Park Street

Rezoning from Commercial Office (CO) to Live Work-1 (LW-1)



Current Land Use

- Subject Property
- Other Property
- Tax Exempt

Property Class

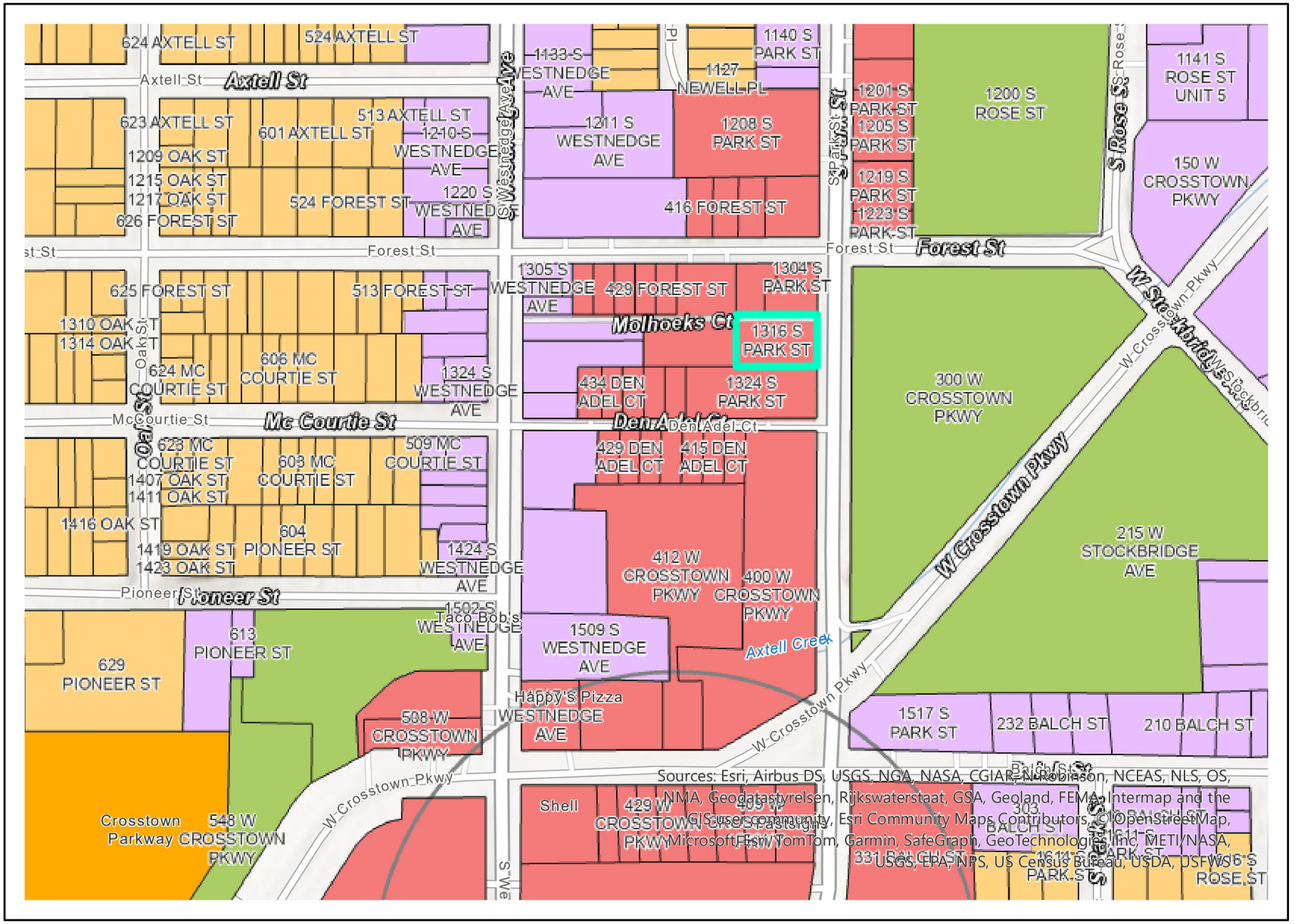
- Commercial
- Residential
- Vacant

0 0.03 0.06 0.12 mi

N

P.C. #2024.05 - 1316 S. Park Street

Rezoning from Commercial Office (CO) to Live Work-1 (LW-1)



Future Land Use

- Subject Property
- Other Property

Future Land Use

- Node
- Commercial
- Neighborhood Edge
- Open Space/ Parks
- R2-Residential
- R3-Residential

0 0.03 0.06 0.12 mi

N

Date: **2/1/2024**
Item: **E.2.**

Planning Commission Staff Report

City of Kalamazoo

TO: City of Kalamazoo Planning Commission

FROM: Reviewed by: Christina Anderson, AICP, City Planner
Prepared by: Bobby Durkee, AICP, Assistant City Planner

DATE: February 1, 2024

SUBJECT: 2024.06 - A public hearing to consider a rezoning of 107 Reed Avenue from CN-1 (Commercial - (Local) Neighborhood) to RM-15 (Residential, Multi-Dwelling)

BACKGROUND:

In September 2023, the Planning Commission provided a favorable recommendation on a comprehensive rezoning of primarily commercially zoned parcels, approximately 2,000 in total. After the Planning Commission vote, the City Commission approved the rezoning in October 2023; the updated Ordinance and zoning map became effective in November 2023. In the work updating the City zoning map and associated records, it was discovered that two parcels zoned commercial were not included in the comprehensive rezoning. Leaving these two parcels designated a zoning district that had been removed from the text of the zoning code.

The surrounding parcels adjacent and east of Burdick in this vicinity were rezoned to RM-15 from CN-1 as the parcels were all residential in use and design. This parcel is a single-family dwelling, and it is proposed to be RM-15 along with the surrounding parcels rezoned in October 2023. This action would make the single family home on the parcel a conforming use, where currently it is a non-conforming use.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:
Economic Vitality - A supportive infrastructure for growing businesses and stabilizing the local economy for the benefit of all.
Complete Neighborhoods - residential areas that support the full range of people's daily needs.
Connected City - A City networked for walking, biking, riding, and driving.

This parcel along with the larger commercial rezoning project was part of the 2025 Master Plan specifically calling out the need to update the Zoning Code and Zoning Map. This work is detailed in the Imagine Kalamazoo @ Work chapter in the Master Plan and is aligned with the Strategic Vision, specifically the goals listed above. The rezoning of this parcel will make the non-conforming residential use a conforming use, which is part of the City's residential repair zoning work.

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement
Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

Discussion: The property owner was sent a letter informing them of this rezoning ahead of the public hearing notice which informed them that their parcel was missed in the October rezoning. The letter contained a link to the Imagine Kalamazoo page about the rezoning project done on the rest of the rezoned parcels. In addition, the notice of public hearing was sent to home at 107 Reed Avenue along with properties within 300 feet of their property. A notice was published in the January 14th edition of the Kalamazoo Gazette.

Engagement/Communication
Written correspondence with information on the proposed zoning to the proper owner was sent on January 8, 2024, along with the public notice for the Public Hearing and notice of public hearing in the Kalamazoo Gazette. A link to www.imaginekalamazoo/projects/zoning update was included in the information letter sent on January 8th.

FINDINGS:

The Planning Commission's role is to make a recommendation to the City Commission regarding the proposed zoning changes. When considering the request, the following should be considered per Chapter 8 of the Zoning Ordinance:

1. The extent to which the amendment is consistent with the Master Plan 2025 and Strategic Vision.

> **The rezoning is in alignment with the 2025 Master Plan and the Strategic Vision. Imagine Kalamazoo @ Work, the final chapter of the Master Plan, outlines the tasks related to the code update. The future land use plan guided the changes to the zoning map. This parcel is in alignment with the commercial rezoning project and the future land use plan in that nonconforming portions of the former zoning map were rezoned to residential where residential uses were found in commercially zoned areas.**

2. The extent to which there are changed conditions that require an amendment.

> **The changes became necessary with the approval of the 2025 Master Plan to which the Zoning Code is meant to align. This change is related to the City's overhaul of the 2005 Zoning Code and part of the work started in 2018. The current CN-1 zoning cannot remain is it was removed from the text of the Zoning Ordinance which does leaves this as a parcel without zoning standards. The conditions of the home and**

surroundings are still residential even after being zoned CN-1 for nearly 20 years which demonstrates the residential use is the appropriate use by form and use.

3. The extent to which the proposed amendment addresses a demonstrated community need.

The 2025 Master Plan defines the community's need to update the Zoning Code & Map.

4. The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and 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.

This rezoning is compatible with the existing and proposed uses on adjacent properties. The surrounding properties were all rezoned to RM-15 with the October 2023 rezoning with the exception of those to the west, which from S Burdick and were rezoned to LW-1. This proposed rezoning would make the non-conforming residential home a conforming use if approved.

5. The extent to which the proposed amendment would result in a logical and orderly development pattern.

The proposed amendment will result in logical and orderly development pattern as they are rooted in the 2025 Master Plan and Strategic Vision and in the size, scale and context of the parcel and match the surrounding zoning.

RECOMMENDATION:

Staff recommends support of the rezoning of this parcel to RM-15 for the reasons above and to provide a defined zoning code as the current CN-1 zone no longer exists as of the October 2023 rezoning.

THE CITY OF Kalamazoo

Community Planning and Economic Development
245 N. Rose Street, Suite #100
Kalamazoo, MI 49007
PH: (269) 337-8044
FAX (269) 337-8429
www.kalamazoocity.org

January, 8 2023

ROSAMARIA RUIZ
1602 LANE BLVD
KALAMAZOO, MI 49001

RE: Rezoning – 107 Reed Avenue

Dear Ms. Ruiz,

In November of 2023 the City Commission of the City of Kalamazoo approved a comprehensive rezoning of nearly 2,000 parcels in the City of Kalamazoo as part of a zoning update to remove some commercial zones and establish new ones in their place. This work included rezoning residential properties zoned commercial to a residential zone where applicable. A review of the zoning map identified an oversight; two parcels were missed in the zoning update process, including yours. 107 Reed Street is zoned Commercial, (Local) Neighborhood (CN-1). Similar non-conforming residential properties zoned commercial in the Edison Neighborhood were proposed to be Residential, Multi-Dwelling (RM-15) which aligns with the existing use of the property.

Our office will initiate the rezoning of these two parcels at the February 1, 2023 Planning Commission meeting. If approved by the Planning Commission the item would move to the City Commission for the final decision.

The RM-15 zone permits single-family homes and duplex uses which are not permitted in the CN-1 zone district unless they were above a commercial use. This change would make the home on the property a conforming and permitted use.

Later this month you will also receive the formal public notice announcing the Public Hearing for this action. A comprehensive background on the commercial rezoning initiative from last year can be found at: https://www.imaginekalamazoo.com/projects/zoningupdates/

If you have any questions, please contact me in the Community Planning and Economic Development Department at (269) 337-8172.

Sincerely,

Bobby Durkee, AICP
Assistant City Planner

P.C. #2024.06 - 107 Reed Avenue

Rezoning from Commercial Neigh (CN-1) to Res Multi-Dwelling (RM-15)

Aerial View

- Subject Property
- Other Property

2018

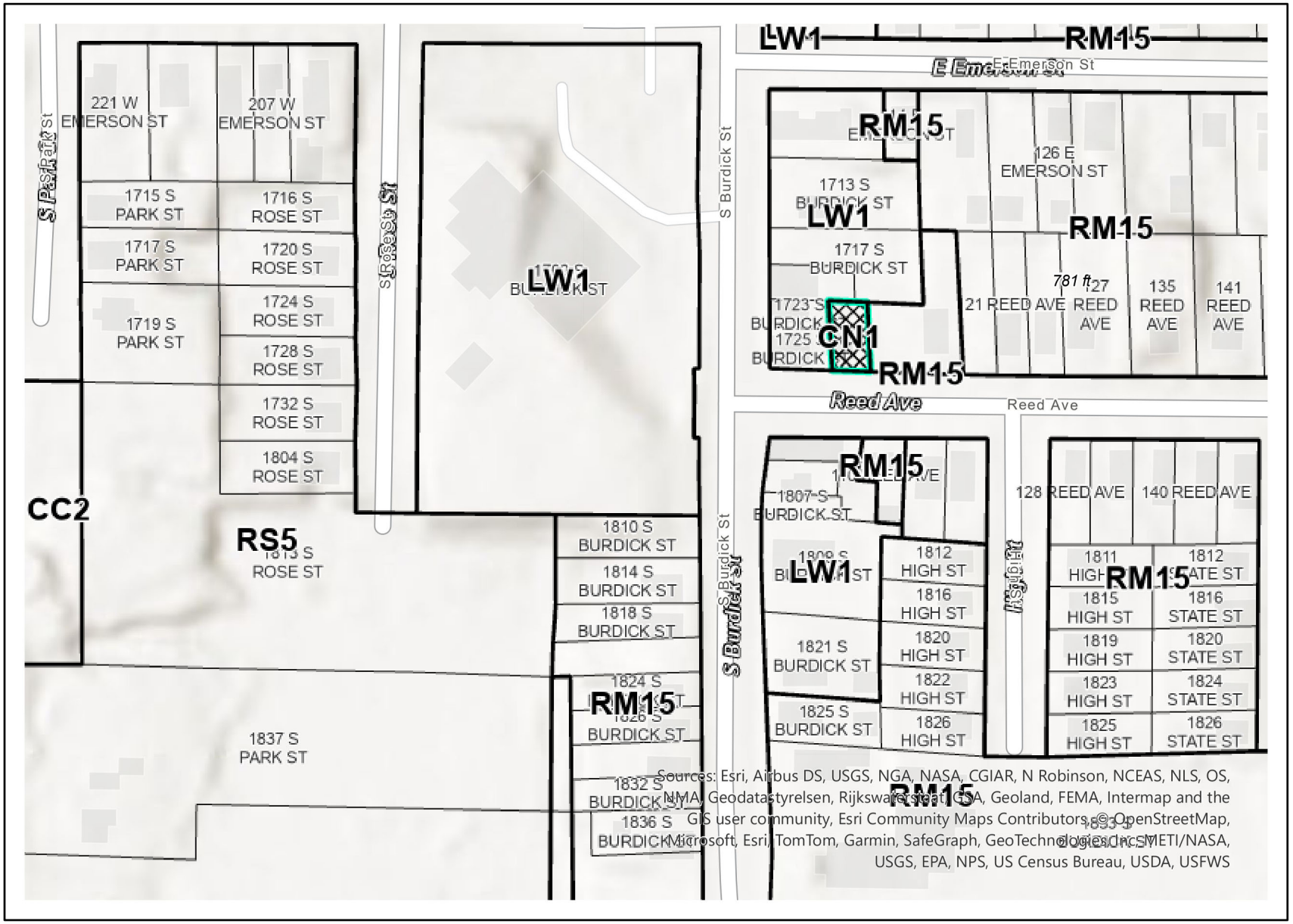
- Red: Band_1
- Green: Band_2
- Blue: Band_3

0 0.01 0.01 0.03 mi

N

P.C. #2024.06 - 107 Reed Avenue

Rezoning from Commercial Neigh (CN-1) to Res Multi-Dwelling (RM-15)



P.C. #2024.06 - 107 Reed Avenue

Rezoning from Commercial Neigh (CN-1) to Res Multi-Dwelling (RM-15)

Aerial View

Subject Property

Other Property

2018

Red: Band_1

Green: Band_2

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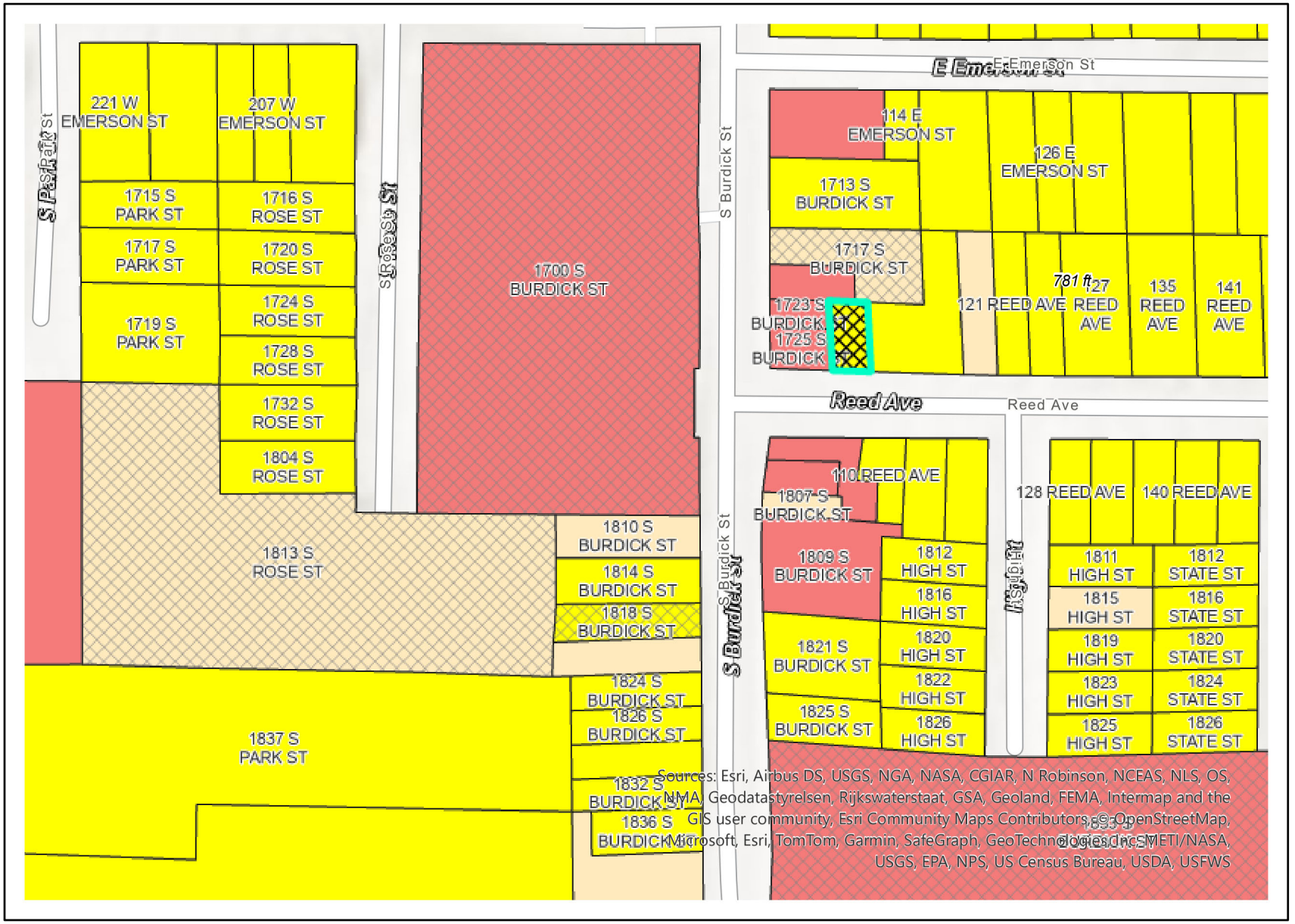
0 0.01 0.01 0.03 mi

N

P.C. #2024.06 - 107 Reed Avenue

Rezoning from Commercial Neigh (CN-1) to Res Multi-Dwelling (RM-15)



Current Land Use

- Subject Property
- Subject Property
- Other Property
- Tax Exempt

Property Class

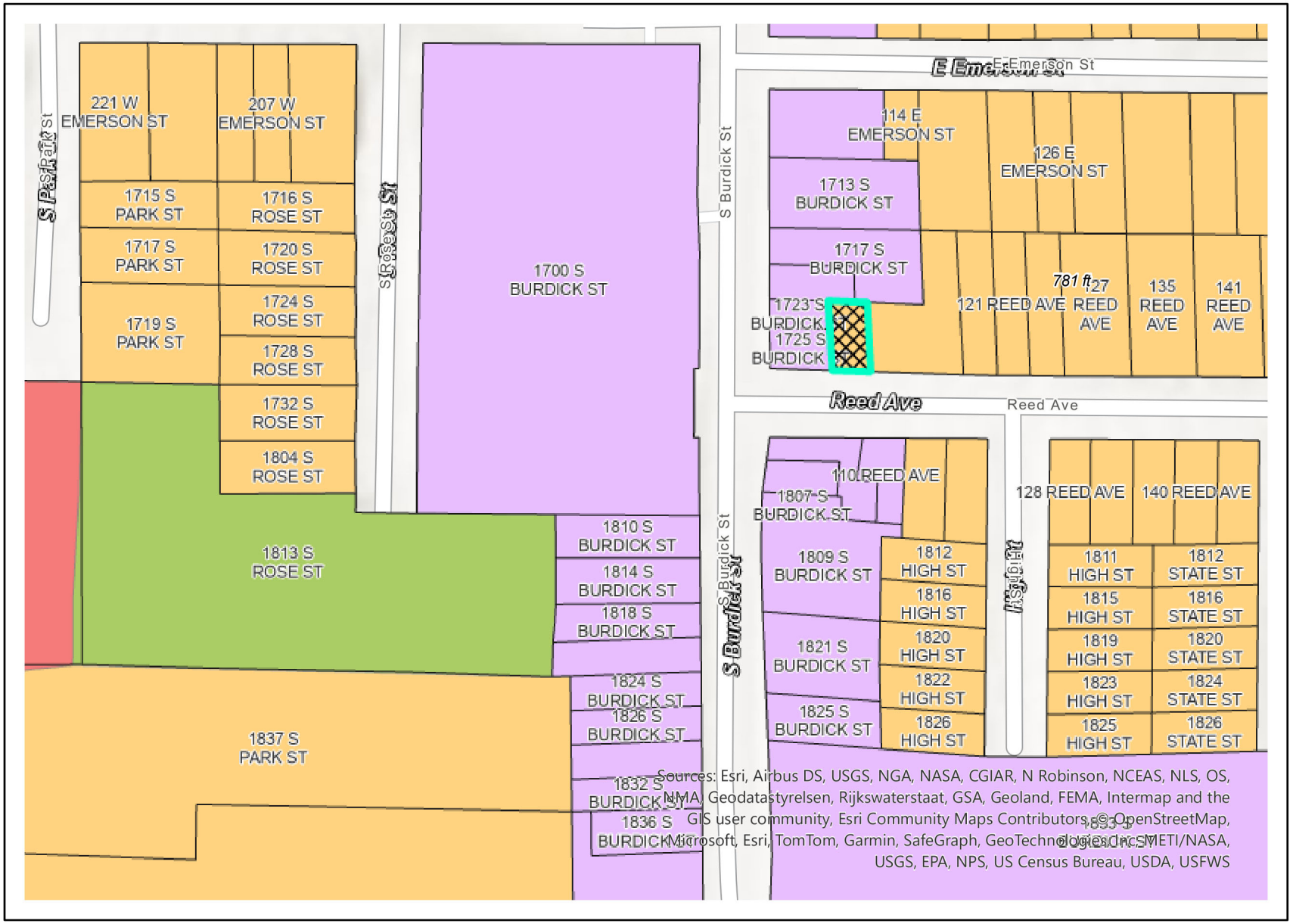
- Commercial
- Residential
- Vacant

0 0.01 0.03 0.06 mi

N

P.C. #2024.06 - 107 Reed Avenue

Rezoning from Commercial Neigh (CN-1) to Res Multi-Dwelling (RM-15)



Future Land Use

- Subject Property
- Subject Property
- Other Property

Future Land Use

- Commercial
- Neighborhood Edge
- Open Space/ Parks
- R2-Residential

0 0.01 0.03 0.06 mi

N

CITY OF KALAMAZOO
SITE PLAN REVIEW PROJECT LIST

Year 2023	Project Address	Project Description	Applicant	Property Owner	Pre-App. Received	Pre-App. Meeting	Pre-App. Approval Date	Date Site Plan Rec.	Fee	Committee Meet. Date	Design Review	Site Plan Review Status	Final Site Plan Approval Date	Final Inspect.	Process Issues
Full Site Plan															
PSP23-001	2300 Glendenning Rd	Replace Modular Office Building	AR Engineering	T-M Asphalt	9/27/2022	10/5/2022	10/5/2022	12/21/2022	$500	1/25/2023	NA	Site Plan Approved	5/3/2023		Lot line adjustment
PSP23-002	3921 Oakland Dr	Country Club Buildings and Golf Course	Hurley & Stewart	Oakland Finance Company	11/29/2022	12/14/2022	12/14/2022	1/3/2023	$500	2/8/2023	NFP	Site Plan Approved	7/11/2023		
PSP23-003	1827 Reed Ave	New Trucking Warehouse & Distribution Building	Byce & Associates	Reed 1827, LLC	11/3/2022	11/16/2022	11/16/2022	1/11/2023	$500	7/28/2023	NA	Project Under Review			Rail Spur Approval from RR
PSP23-004	5235 Portage Rd	Snow Equipment Storage Building	RS& H Michigan	Kalamazoo County Airport	11/29/2022	12/7/2022	12/7/2022	1/9/2023	$500	2/15/2023	NA	Site Plan Approved	3/21/2023		
PSP23-005	3505 Emerald Dr	Cell Antenna Collocation	Cellco Partnership	T-Mobile Central	NA	NA	NA	1/26/2023	$250	2/22/2023	NA	Site Plan Approved	2/28/2023		
PSP23-006	710 Collins	Cell Antenna Collocation	T-Mobile	T-Mobile Central	NA	NA	NA	1/19/2023	$250	2/22/2023	NA	Site Plan Approved	3/3/2023		
PSP23-007	2101 Fulford	Building (Truck Bay) Addition	Hurley & Stewart	Flowserve US Inc	12/2/2022	12/14/2022	12/14/2022	1/25/2023	$500	2/22/2023	NA	Site Plan Approved	6/9/2023		
PSP23-008	215 E Michigan Ave	Change of Use to Restaurant	Terry Patterson & Fritz Brown	215 EM Partners, LLC	12/12/2022	1/4/2023	1/4/2023	1/31/2023	$500	3/1/2023	DDRC	Site Plan Approved	4/6/2023		
PSP23-009	900 Hatfield	Cell Antenna Collocation	AT&T Mobility	SBA Towers II, LLC	NA	NA	NA	2/6/2023	$250	3/8/2023	NA	Site Plan Approved	3/14/2023		
PSP23-010	3651 E Cork St	Lease Co & New Wash Bldg	Enterprise Leasing Co. of Detroit	Clark Logistics Group XLI, LLC	2/7/2023	2/15/2023	2/15/2023	3/2/2023	$500	3/29/2023	NA	Site Plan Approved	5/10/2023		
PSP23-011	5225 Portage Rd	New storage building and building addition	Hurley & Stewart	5225, LLC	8/8/2022	8/24/2022	8/24/2022	3/8/2022	$500	3/29/2022	NA	Site Plan Approved	4/27/2023		
PSP23-012	3915 Stadium Dr	Paving Expansion	Hurley & Stewart	Car L Shine, LLC	3/6/2023	3/22/2023	3/22/2023	3/31/2023	$250	4/26/2023	NFP	Site Plan Approved	7/6/2023		
PSP23-013	1400 Harrison St	Site work and equipment building for clarifier	Hurley & Stewart	Graphic Packaging	2/22/2023	3/8/2023	3/8/2023	4/4/2023	$500	5/17/2023	NFP	Site Plan Approved	9/8/2023		
PSP23-014	2634 MT. Olivet Rd	Cell Antenna Collocation	Verizon Wireless	City of Kalamazoo	NA	NA	NA	5/10/2023	$250	6/7/2023	NA	Site Plan Approved	7/6/2023		
PSP23-015	2536 S Sprinkle Road	Change of Use - Gas Station to Cannabis Retailer	2536 S Sprinkle Road LLC	C&H LLC	1/17/2023	1/20/2023	NA	6/12/2023	$250.00	7/12/2023	NA	Project Under Review			
PSP23-016	209 E Stockbridge Ave	Mixed-use Development	LIFT Foundation	Kalamazoo County Housing Choices	3/22/2023	4/26/2023	4/28/2023	6/22/2023	$610.00	7/12/2023	NFP	Project Under Review			Applying for LIHTC from State
PSP23-017	128 E Frank St	Site work and residential building additions	Byce & Associates	Mt Zion Baptist Church	6/15/2022	7/28/2022	7/28/2022	6/29/2023	$500.00	7/26/2023	NA	Withdrawn			Withdrawn (per Abon-Marche Byce on 1/18).
PSP23-018	112/120 E Cork Street	Change of Use - Parking Lot for Kzoo Vet Hospital	Bosch Architecture	Moiles Properties LLC	6/30/2023	7/12/2023	7/14/2023	8/17/2023	$610.00	9/13/2023	NFP	Project Under Review			
PSP23-019	918 Jasper Street	Site work and accessory building addition	Hurley & Stewart	Senior Services Inc.	2/9/2023	3/22/2023	3/24/2023	7/28/2023	$500.00	8/23/2023	HDC	Project Under Review			
PSP23-020	2045 E Michigan Ave	Site work and new iron and PFAs water treatment plant.	Wightman	City of Kalamazoo	6/16/2023	6/28/2023	6/30/2023	8/11/2023	$500.00	9/6/2023	NFP	Project Under Review			
PSP23-021	501 N Westnedge	Site work and Change of Use from an Auto Service Garage to Office Space (EPG Security)	James Pitts	City of Kalamazoo Brownfield	5/26/2023	6/7/2023	6/9/2023	9/27/2023	$500.00	10/25/2023	NA	Project Under Review			
PSP23-022	1912 Whites Road	Site work and accessory building addition	Steve Hassevoort	--	4/5/2023	4/19/2023	4/21/2023	9/19/2023	$500.00	11/15/2023	NA	Project Under Review			Delay in scheduling due to confidentially request / revision submitted to remain confidential.
PSP23-023	1801 Factory Street	Change of Use to Cannabis Packaging Facility	Tyler Bourdo (Mitten State Engineering)	Jacob Ownbey	10/20/2023	11/1/2023	11/3/2023	11/20/2023	$500.00	12/20/2023	NA	Project Under Review			
PSP23-024	4213 S Westnedge Avenue	Change of Use to Commercial Kitchen	Dr. Luchara Wallace	Dr. Luchara Wallace	8/1/2023	8/16/2023	8/18/2023	12/15/2023	$500.00	1/17/2024	NA	Project Under Review			
PSP23-025	4120 S Sprinkle Road	Change of Use to Commercial Kitchen	Bates Architects	Green Ice LLC	11/9/2023	11/29/2023	12/1/2023	1/2/2024	$610.00	1/31/2924	NFP	Project Under Review			
							Total		$11,330						

Year 2024 Full Site Plan	Project Address	Project Description	Applicant	Property Owner	Pre-App. Received	Pre-App. Meeting	Pre-App. Approval Date	Date Site Plan Rec.	Fee	Committee Meet. Date	Design Review	Site Plan Review Status	Final Site Plan Approval Date	Final Inspect.	Process Issues
PSP24-001	3100 Stadium Drive	Cell Tower Antenna Co-Location	SBA Network Services LLC	City of Kalamazoo	8/29/2023	9/6/2023	9/8/2023	1/4/2024	$360	2/6/2024	NFP	Project Under Review			
PSP24-002	266 E Michigan Avenue	Proposed Building Addition and Addition of Residential Units (Coney Island)	266 E Michigan Ave Kalamazoo LLC	266 E Michigan Ave Kalamazoo LLC	10/27/2023	11/1/2023	11/3/2023	1/17/2024	$500	2/14/2024	HDC	Project Under Review			
PSP24-003	708 N Burdick Street	Redevelopment of Existing Structure into Mixed-Used Building with Residential / Office Space	708 N Burdick St LLC	708 N Burdick St LLC	11/30/2023	12/20/2023	20/23/2023	1/10/2024	$500	2/21/2024	N/A	Project Under Review			
							Total		$1,360						