

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
November 4, 2021
FINAL

This meeting is being conducted electronically pursuant to the Open Meetings Act MCL 15.263 (2) and MCL 15.263a 1(b).

Members Present: Gregory Milliken, Chair; Sakhi Vyas, Vice Chair; David Burgess; Mariah Phelps; Brian Pittelko; Jennifer Swan; James Pitts; *Michael Harrison

Members Excused: Shardae Chambers

City Staff: Christina Anderson, City Planner; Pete Eldridge, Assistant City Planner; Beth Cheeseman, Executive Administrative Assistant; Chris Praedel, City Commissioner; Charles Bear, Assistant Attorney; Amanda Cockroft, Marketing and Communication Specialist; Jamie McCarthy, Redevelopment Project Coordinator; Bobby Durkee, Planner I; Don Hepler, Senior Systems Analyst

Public Present: Mae Risk; Stephany Nagel; Tempest Anderson; Katherine Ehninger; Josh Strautz; Annie Gigowski

A. CALL TO ORDER/ROLL CALL

Commissioner Milliken called the meeting to order at 7:01 p.m.

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

B. ADOPTION OF FORMAL AGENDA

Commissioner Burgess, seconded by Commissioner Swan, moved approval of the November 4, 2021 Planning Commission agenda as presented. With a voice vote, the motion carried unanimously.

C. APPROVAL OF MINUTES

Commissioner Phelps, seconded by Commissioner Burgess, moved approval of the October 7, 2021 minutes as presented. With a voice vote, the motion carried unanimously.

D. COMMUNICATIONS AND ANNOUNCEMENTS

None.

E. PUBLIC HEARINGS

Commissioner Milliken shared the process for people to leave public comment.

1. P.C. #2021.17: 1919 Stearns Avenue. Heirloom Arts, LLC is requesting approval of a special use permit to authorize the placement of the tattoo shop and art gallery in a building located in the RM-15 District.

*Commissioner Harrison entered the meeting and was noted in the attendance.

Commissioner Burgess stated that he would abstain from the discussion and vote as he is a neighbor to this property.

Planner Eldridge presented the staff report. He said the property is a commercial building in the RM-15 district. A narrow scope of retail businesses and service establishments are allowed as a special use in this district. Planner Eldridge shared that there is tenant space on the upper and lower levels of the building. He explained the variety of uses on the block that really make it a mixed-use area – residential, YMCA, church, school, and offices. Traffic comes through on a regular basis for the other uses. Planner Eldridge said that the Future Land Use map designates this area as R2-Residential. He noted that this is a local business trying to expand and stay within the City of Kalamazoo. Planner Eldridge said that City Staff sent the public notice letters and put a notice in the Gazette. He said the applicant gave fliers to surrounding property owners and that was well received. Planner Eldridge stated that he received emails from people who appreciated the additional information. Nine responses were received – some were in support, some in opposition, and some just expressed concerns and asked questions. These responses were shared with the Planning Commissioners. Planner Eldridge reviewed Special Use Permit evaluation criteria. He noted that this use was appropriate for the proposed location. He explained that the location was previously used for retail and office space by the Boy Scouts of America; counseling services; one tenant space is currently used as a yoga studio. Planner Eldridge said the square footage of the building and the floor space accommodates the proposed use. The applicants do not have alterations planned for the building or parking lot. There is barrier free access to the building which may need to be updated. The site has approximately 22 paved parking spaces which can accommodate both tenants. Retail signs will not have an adverse effect to adjacent landowners. This project will need to go through the site plan process. They will address any parking lot, lighting, dumpster, and landscaping issues at that time. All services will occur inside the building. The property is not in the NFP Overlay. Planner Eldridge shared that Tattoo/Body Art business are regulated by the State of Michigan. They will have to follow State standards. There are no environmental impact issues. He stated that there is adequate road capacity and linkage to an adjoining parking lot if needed for emergency use. Ingress and egress already exist. There are adequate facilities, access for emergency vehicles, and off-street parking.

Commissioner Phelps asked if they received communication from the yoga studio. Planner Eldridge said there were no communication from them.

Mae Risk, Tempest Anderson, and Stephany Nagel said they are a queer owned, female run boutique, tattoo shop and a potential art gallery. They've always wanted to have a strong art presence in the Kalamazoo community. Their current location at 505 W. Vine Street is a small, compact space. The property at Stearns would give them space for an art gallery. They would be able to focus on tattooing while also incorporating painting classes, an art gallery, showings, and Art Hop type events. They emphasized that they are an education-based shop. Tempest has some apprentices, and they love to teach people how to tattoo. They are looking to change the tattoo industry dynamic from cis male-dominated. Mae touched on some concerns they heard. They are not open 24 hours. Their typical hours of operation are from Monday - Saturday (Sunday sometimes) from 11-8, but those hours may vary. She also brought up a concern related to loitering. Tempest said they don't take walk-in appointments - they are by appointment only. They indicated that people who accompany friends who have an appointment can stay in their waiting room

inside the building. Mae left a flier for the person in the yoga studio. Stephany said they don't throw parties – at most they will host an Art Hop. She said there would not be any alcohol involved in the art classes.

Commissioner Harrison asked how the business fits in the community currently, and if they identified any other locations for their business within Kalamazoo. He also wondered if the Special Use Permit will stay with the property even if this group moves to a different location. Mae shared that the business started in 2018 on Gull Road. They were there briefly and then moved to the Vine Street location in 2019. They made it through the pandemic and are now trying to move to this building. Mae said they are a safe place for the queer community. They receive a lot of emails thanking them for being such a different tattoo shop. Tempest said they prioritize having people enjoy being at their business. They strive to make people feel supported, taken care of, and they want to create a personal connection. They feel they fit a niche missing in the industry and the community. Stephany said they looked at other spaces, but those opportunities fell through. She said an advantage of this location is that it has enough space to allow privacy for customers if they need to disrobe. They've all lived in the community for several years and they care about small business. They hope this place gives them the ability to reach out further in the community and give them space to build their business.

Planner Eldridge explained that the Special Use Permit would be tied to retail business and a service establishment. The Special Use Permit would stay in effect at that location if a similar type of business moved in. A different type of business would need to come back to the Planning Commission for another Special Use Permit.

Commissioner Phelps asked how many people are working in the shop. They said four full-time artists and three apprentices. They explained that the apprentices are also students and only come when they can. Two of the artists live out of town. Stephany, Tempest and Erica would be there most of the time. They stated that the artists wouldn't all be there at the same time.

Commissioner Harrison clarified that they would take the upstairs and the yoga studio is staying in the lower level. The vote would be on the special use of the upstairs portion of the building. They said that was correct.

Commissioner Milliken opened the public comment portion of the public hearing.

Commissioner Milliken reminded Planning Commissioners that they had nine communications in their packet as well.

Mr. Jeff Marsh called. He expressed concern about the amount of traffic coming to the establishment – especially with headlights. He and his wife are right on the other side of the parking lot. He wondered if they could put more trees in the area to keep them from seeing as many headlights as possible.

Ms. Mary Stryker said she lives directly across from the building. She is opposed to the business in the neighborhood. She said the neighborhood is residential, has two schools, the YMCA, and a church. Ms. Stryker said she was worried about their hours, signage shining into housing, and the traffic in a residential neighborhood.

Commissioner Milliken closed the public hearing.

Commissioner Harrison asked about the outreach to the community. Mae said her approach was simple. Mae and Stephany went around the whole block, knocked on the doors, gave them fliers and candy. They put their contact information on the flier but didn't hear from anyone.

Commissioner Pitts asked about the positive communications and the other responses. Planner Eldridge clarified that there were three letters of support, a couple emails that expressed concerns, some questions. Commissioner Vyas suggested that Commissioner Pitts missed the email sent that morning. Those comments were sent separate from the packet.

Stephany responded that their signs won't be lit. They don't usually have late traffic. Typically, they complete their days around 4-5 pm. It is rare that they are there later.

Commissioner Milliken clarified that screening questions will be addressed in site plan process. Planner Eldridge said that was correct. There is currently minimal screening, so landscaping will be addressed during site plan.

Commissioner Milliken asked about the sign standards for RM-15 district. Planner Eldridge said for a Special Use specifically, there is an allowance of up to 30 sq. ft. for a free-standing sign. It can't be taller than 6' in height with a setback of 5' from the property line. The signs can be externally or internally illuminated. He noted this is not an historic district.

Commissioner Phelps, seconded by Commissioner Vyas, moved to grant the Special Use Permit for 1919 Stearns Avenue to Heirloom Arts, LLC.

Commissioner Phelps said she was excited to see this business apply for this Special Use Permit. She has experience in their current location, and it is not sufficient for the work they are trying to do. They've done a good job making do with what they have. Commissioner Phelps thought it was important to give small businesses in this community the opportunity to grow and thrive. She noted that the Staff report was positive. Commissioner Phelps said this group doesn't plan to modify the property to disrupt the character of the area. It is appropriate for the capacity anticipated. It fits the needs of the Neighborhood Plan, and it will be going through site plan review to correct any issues. Commissioner Phelps said she visited the property, and it is a gorgeous space. She said her work was done by the apprentices. She felt it is important to support organizations that are investing in local young talent staying in the Kalamazoo area. Businesses like this are giving them a path forward as true members of the community who can earn a living and build their lives here. She was grateful to see that this group is doing that particularly for historically marginalized folks. Commissioner Phelps stated that this group represents the values of our community and the direction we want to head. She thinks they should support them.

Commissioner Harrison brought up the point of community economic development. They want to set businesses up for success. He believed there are ways they can improve in neighborhoods investing in businesses, so it is a collaborative process and welcoming environment for both parties as they grow economic endeavors in Kalamazoo.

Commissioner Phelps noted the concern of this being mostly a residential area. She said their current location is across from a Kalamazoo school in a highly congested area. It is very similar to the proposed location.

Commissioner Vyas seconded what Commissioner Phelps said. She commended the applicants for putting together such a nice plan. She thought they did a good job in finding a location that has synergy with businesses nearby.

Commissioner Milliken said it meets the standards in the zoning ordinance. He commended them for their risk taking, prowess and growth. Commissioner Milliken said he doesn't have concerns about their position in this place. He has concerns about the next person coming into that location, but that's not this applicant's problem. He feels that is a problem with the zoning ordinance that should be addressed and addressed quickly.

A roll call vote was taken and passed. Commissioner Burgess abstained.

F. DISCUSSION/ACTION ITEMS:

None.

G. REPORT:

1. P.C. #2021.16: 4502 Campus Drive. Site Plan Review for Kalexsyn Inc. Building Addition.

Planner Eldridge gave the staff report. Kalexsyn Inc. wants to put a 2,000 sq. ft. expansion on the NW corner of the building. He explained that it is built into the ordinance that any site plans for the Commercial Business Technology Research (CBTR) zone district are all subject to review from the Planning Commission. It is a safety net to make sure the public knows what is going on in this business park. Planner Eldridge said this business park is adjacent to a planned unit development and there are wetlands in the area. He stated that the Kalexsyn facility is not adding employees, so no new parking. The positioning of the addition is well within bounds of the required setback for the district. This business has been successful. With the building addition, the business can stay in place and won't have to relocate. Planner Eldridge said the pre-site plan was completed. This is step one of the site plan review process. No concerns were raised about the project being able to proceed for full site plan approval.

Mr. Josh Strautz, Rockford Construction, commented that this is a simple addition. They plan to fit the addition in before getting to the roadway and parking area. There won't be any change to vehicular circulation. No additional parking will be needed. They will be mindful of landscaping. Mr. Strautz said they are required to submit a full set of permit level plans for Western to review. He commented that a couple non-conforming conditions were identified - bike rack location and a fire hydrant. Mr. Strautz shared that a future addition westward is planned within the next 3-5 years. He reviewed the floor plan of the addition/building. Mr. Strautz explained that from an exterior material standpoint, they will be going with a metal panel which is more readily available now. Several other buildings nearby have the same metal paneling. He explained that their primary function is to get the receiving, storage, finished product area, and office space completed.

Commissioner Phelps asked why they didn't do the complete expansion now. Mr. Strautz said a lot of Kalexsyn's business hinges on contracts. With pricing what it is in construction, they can't afford it right now. Planner Eldridge noted that many buildings in this park are intentionally positioned with added green space around them to allow for additions. Mr. Strautz added that they have an aggressive schedule which is driving the size of the addition.

Commissioner Milliken asked for clarification about if they are an approval body or a recommending body to the Site Plan Approval Committee. Planner Eldridge said they are providing Planning Commission approval of the site plan, but it is also subject to Site Plan Committee approval. He clarified that the motion would be for approval of the site plan conditioned on obtaining approval from the site plan committee.

Commissioner Burgess had technical difficulties and dropped off and on the call.

Commissioner Phelps, seconded by Commissioner Pittelko, moved to approve the site plan review at the Planning Commission level contingent upon staff site plan committee approval.

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

2. City Planner's Report

Planner Anderson announced Mr. Bobby Durkee would speak about the site plan review process and Ms. Jamie McCarthy would update them on the Sustainability Strategy.

3. Site Plan Review - Update

Planner Durkee presented. He said Heirloom Arts and the Kalexsyn addition were good examples of the range of site plans they see in Committee. Planner Durkee gave a background of how the site plan process changed from all paper to mostly digital in 2018. In March 2020, with the pandemic, meetings were moved to Zoom. They removed the paper requirement from the policy. All applicants were able to accommodate the digital requirement. From an archival history perspective Planner Durkee said they were told to do hard copy or digital, but not both. He said there are generally three things that trigger site plan review: 1) change to a more intensive use, 2) building addition of over 250 sq. ft., 3) projects that are not a single-family home or duplex. Planner Durkee reviewed the process of approval and the site plan committee staff. The plan is put in the computer system. This opens into a pdf that all reviewers can look at and write on. Before a site plan can be approved, each reviewer has a box to check for approval. No permits are issued until site plan is approved. Civil Engineers review for stormwater, sanitary, and water. The Traffic Engineer evaluates Right of Way changes (ROW), new approaches, sidewalks, and anything that impacts the driving surface of the ROW. The Environmental Programs Manager reviews environmental reports, due care plans, chemicals contained on the property, and identifies hazards that need to be addressed. The Fire Marshall reviews for fire truck access, safety concerns, lighting – anything that has to do when Public Safety responds to that building. Building safety is evaluated by the Building Official. The Zoning Inspector reviews for zoning concerns. Planner Durkee said he reviews for alignment to the Master Plan and links all the areas.

He said there are City staff who specialize in dewatering, economic development, historic district, or NFP. Those staff are pulled into the reviews as necessary. There are alternates for each reviewer in case of absences. Planner Durkee reported that plans under review for full site plan are posted on the City's website. The public can sign up on the website for email updates. He explained that the site plan review process is a two meeting format - pre-site plan and full site plan. Pre-site plan is designed to be a one-week review. Planner Durkee provides a full summary to the applicant by the end of day Friday. The applicant makes changes and returns it with the second application and is scheduled three weeks from that time. Five days before the meeting, Planner Durkee provides a summary of reviewer comments to the applicant so the applicant can propose solutions during the meeting when everyone is there to look at the plan. The revised site plan goes in the system and is reviewed for approval. When it is approved, then the applicant can have permits. Planner Durkee said the site plan is the beginning of a project and the end of a project. Various staff go and inspect that everything is done as planned. He explained that all documents are put in a folder designated for that property. That way all staff are going to same location for information. The documents are available 24 hours per day. Planner Durkee explained that the site plan process was developed in tandem with the Redevelopment Ready process. An expectation of that certification is that the Committee meets once per year to discuss the process. He will schedule the annual meeting for the end of January. He is planning to present discussions about the digital process, rework a little of the way it is operated in the permit system, and he will add some policy updates in coordination to outside agencies. Planner Durkee said they have forged relationships with County Road ROW, MDOT, EGLE, and utility companies and have learned when tandem approvals have to happen. The 2021 review found that the digital process worked really well. Most of the Committee found it was easier to work on a screen, drawing in real time. Planner Durkee encourages people to provide feedback about their site plan experience and what they think would work best. He will be able to work with the Committee to see how they can fine tune the process. He said they will look at how to go forward in 2022. Planner Durkee reminded Planning Commissioners that site plans are available for the public. They can sign up for the links and look at the projects.

4. Kalamazoo Sustainability Strategies

Ms. Jamie McCarthy gave the staff presentation. She reviewed the process of the strategy. They kicked off the initiative with a community event and a sustainability survey. Ms. McCarthy said they got out in the neighborhoods and tried to connect with residents and stakeholders. An advisory committee was created who helped form the foundation of the plan. Ms. McCarthy said the idea of environmental sustainability and a climate action plan came from the Strategic Vision, Imagine Kalamazoo 2025, and the Master Plan. She said they took directions from these plans and have been working to create a more comprehensive strategy. The Advisory Committee agreed that they needed more input on what direction to take. Ms. McCarthy said they convened six different focus groups and built an action table. They have 75 or more actions they think are needed for sustainability. She said they have been prioritizing that list. Ms. McCarthy explained that the plan is centered around a four part vision. First, they need climate goals that reduce the carbon footprint. The goal is to reduce that to net zero by mid-century. She shared that the plan is community based. All parts of the City will need to come together to be successful with the goals. Ms. McCarthy said they will see a lot of change. They need to be as just and equitable as they can be. Healthy people and a healthy ecosystem are necessary. She said that four themes emerged: focus on mobility, affordable efficient city, healthy community, and a green circular economy. Ms. McCarthy said that

Planning Commissioners will see zoning changes and code amendments to advance these goals. She thought that renewable energy would come to the board in some way. One of the first steps will be to create a vision where renewable technology fits in the City. Ms. McCarthy stated that the plan is currently in an internal review phase. They are working on priorities and with City's Environmental Concerns Committee (ECC). The draft plan will be out later this month. She said they are starting engagement now with the Planning Commission meeting. They have a couple events this month, speaking to different groups, and speaking to the ECC as the recommending body. Ms. McCarthy said they plan to take feedback, incorporate what they hear, and seek City Commission approval and adoption in January. She said they are asking people to go to the project page on the website: imaginekalamazoo.com/projects/sustainability. They can sign up for updates, download the plan later this month, leave comments and feedback.

5. Site Plan Spreadsheet- 2021

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

None.

I. CITY COMMISSION LIAISON COMMENTS

City Commissioner Praedel updated Planning Commissioners on election results. Four people will be leaving City Commission: Vice Mayor Patrese Griffin, Eric Cunningham, Erin Knott, and Jack Urban. Mayor Anderson was re-elected for a two-year term. Don Cooney was elected to be Vice Mayor. Stephanie Hoffman and Qianna Decker were elected to four year terms. Esteven Juarez was elected to a two-year term. Commissioners Hess and Praedel will return and serve through 2023. Commissioner Praedel said that new Commissioners would be sworn in at the meeting the next week.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Milliken wished everyone a Happy Thanksgiving.

K. ADJOURNMENT

Commissioner Milliken adjourned the meeting at 8:49 pm.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "C. Anderson", is written over a horizontal blue line.

Christina Anderson,
City Planner
Community Planning & Economic Development