

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
March 3, 2022
FINAL

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

Members Excused: Jennifer Swan, James Pitts

City Staff: Christina Anderson, City Planner; Beth Cheeseman, Executive Administrative Assistant; Chris Praedel, City Commissioner; Charles Bear, Assistant Attorney; Nolan Bergstrom, Community Planner

A. CALL TO ORDER/ROLL CALL

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

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

Commissioner Milliken explained new protocols regarding streaming. Planner Anderson added that the public comment opportunity will be given to those attending in-person first and then to those on the phone. Planner Anderson encouraged Commissioners to continue to say their name before they comment.

*Commissioner Chambers entered the meeting as Planner Anderson was speaking.

B. ADOPTION OF FORMAL AGENDA

Commissioner Vyas, seconded by Commissioner Burgess, moved approval of the March 3, 2022, Planning Commission agenda as presented. With a voice vote, the motion carried unanimously.

C. APPROVAL OF MINUTES

Commissioner Phelps, seconded by Commissioner Chambers, moved approval of the December 2, 2021, minutes as presented. With a voice vote, the motion carried unanimously.

D. COMMUNICATIONS AND ANNOUNCEMENTS

None.

E. PUBLIC HEARINGS

None.

F. DISCUSSION/ACTION ITEMS:

1. Annual vote to delegate Site Plan Review to the Site Plan Review Committee

Planner Anderson said that each year they ask Planning Commission to delegate their role in site plan review to the City's Site Plan Review Committee. The Committee is made up of city staff from Public Services, Building/Trades, Planning, Zoning, Economic Development, and the Fire Marshall. They conduct a technical review of the projects, reviewing them against the codes. She said the city has spent the last three years improving the process to make sure it runs smoothly. Planner Anderson said the Committee is facilitated by Planner Bobby Durkee. He holds an annual meeting with the committee to understand what is working or not working with the process. There is also a survey that the public can submit to give feedback on the process.

Commissioner Milliken said he was indebted to the Site Plan Review Committee. He said they do great work, and it takes a lot off of the Planning Commission. Commissioner Milliken didn't think the Planning Commission had the capacity to make those decisions.

Commissioner Harrison, seconded by Director Pittelko, moved to delegate site plan review to the Site Plan Review Committee.

Commissioner Pittelko said he enjoys reading the reports and not having to worry about them after that. He knows they are in good hands.

In response to Commissioner Milliken's inquiry, Planner Anderson asked Attorney Bear if the vote needed to be by voice or roll call. Attorney Bear responded it would be a voice vote.

A voice vote was taken and passed unanimously.

2. Vote on Commission Officers - Chair, Vice Chair and Secretary

Planner Anderson asked them to elect a Chair, Vice Chair, and Secretary.

Secretary

Commissioner Pittelko said he is happy to continue serving as Secretary.

Vice Chair

Commissioner Vyas said she is happy to continue in serving as Vice Chair.

Chair

Commissioner Milliken said he is happy to continue serving as Chair.

Commissioner Phelps, seconded by Commissioner Chambers, nominated Commissioners Pittelko, Vyas, and Milliken for the roles they currently serve.

A voice vote taken and passed unanimously.

3. PC #2022.01: Bylaw Amendments. Change to Planning Commission bylaws

Planner Anderson reported that the proposed amendments change two things related to public comment. She said the first amendment is to change the term Citizens Comments to Public Comment. Planner Anderson said this was changed in the City Commission bylaws and most of the City's boards will seek this amendment to align with them. The second amendment is also in alignment with the City Commission bylaws. That is to change the time for each person to speak during the public comment period. The City Commission changed their time allowed to three minutes. The Planning Commission bylaws specifically stated a time of four minutes. Planner Anderson said they propose to remove the number of minutes from the bylaws, so they have the freedom to move along with the City Commission.

Commissioner Burgess noted that Section 2.7 talking about conduct of meetings for Planning Commission is different than how it is on their agenda. He said that on page 15 of the packet, Section 2.7 in A-L, it looks like there is public comment on non-agenda items before old and new business and public comment with each point below and another public comment afterwards.

Planner Anderson said they used to have two points of public comment beyond cases. A number of years ago, they changed it to just one because it was serving the same purpose. Planner Anderson asked Attorney Bear if they should make that change with the other proposed changes, and Attorney Bear indicated they could. Planner Anderson said there were two public comments periods. One on non-agenda items and the other just listed as public comments. In practice, they do one at the end of the meeting on non-agenda items because the public has the opportunity to comment on each public hearing at the time of the public hearing. She recommended that when the Commissioners make a motion, they strike one of the two public comment sections.

Commissioner Burgess noted that the public comment period is currently at the end of the meeting. He said there was an option to have it at the beginning or end of the meeting. Commissioner Burgess encouraged the other Commissioners to consider having the public comment period at the beginning of the meeting. If it is at the end of the meeting, there may be times when the public has to wait through a very long meeting to comment.

Commissioner Pittelko shared those comments are typically attached to an agenda item. Commissioner Burgess said he was concerned about people waiting for a long period of time to comment on non-agenda items. Commissioner Phelps thought they should keep the earlier public comment period.

Planner Anderson pointed out that they can make changes to the agenda at a meeting. If they anticipate a long meeting, they could shift the public comment period then.

Commissioner Phelps asked if they were looking for a motion to add this amendment to what they are considering and adopt them as a whole. Commissioner Milliken said they would need a motion to adopt changes to bylaws with this additional change.

Commissioner Burgess said he would propose they strike the J. Public Comment and keep the G. Public Comment.

Commissioner Phelps said she also supported the other two changes to the bylaws.

Commissioner Milliken said it was a helpful review to see the bylaws.

Commissioner Burgess, seconded by Commissioner Vyas, moved adopt the proposed changes to the Planning Commission bylaws with the addition of the changed public comment period as discussed.

A voice vote was taken and passed unanimously.

G. REPORT:

1. City Planner's Report

Planner Anderson noted the Commissioners had an active list of 2021 and 2022 site plans in their packets. She also pointed out that the Annual Report was included. It is a summary of the cases they heard in 2021. Commissioner Milliken thanked her for the information. He said it was nice to see the year in review.

Planner Anderson shared that over the next 6 months, they will see a number of zoning code updates. She said they chose to update the zoning code in an incremental way, and they took care of the most urgent items. Now they are looking at two major pieces. The first one coming to them is standards related to commercial developments. Planner Anderson said this will involve new commercial districts, lighting, landscaping, screening, fencing, sign code, and an updated map.

1. Scattered text edits.

Planner Anderson shared the importance to monitor the code to make sure it is still working. She said they keep a running list of things that were hard to understand in the code or that didn't do what they were intended to do. She will bring text edits to the Planning Commission in April. Planner Anderson said they considered clarification of wording, variance requests, application of code, and planning best practices as they reviewed the code. She gave examples of the need to clarify language for the parking code, and also clarifying definitions that have resulted in variance requests.

Planner Anderson stated that they have heard numerous variance requests for the standard of ground floor residential in commercial districts. She noted that in order to make this change, they needed to update commercial districts and bring them into Chapter 50.

Planner Anderson said they also planned edits to bring adult use and medical marihuana into alignment. They want to align separation distances for provisioning centers and retail facilities, add clarifying language

for when those types of uses can co-locate on the same lot, and prohibit drive throughs. She said that drive throughs were allowed temporarily during Covid, but that isn't necessary anymore.

Planner Anderson said the Sign Code was written last year. They sent it to sign companies and commercial developers to get feedback. She said they waited in order to include it with the new commercial districts. Planner Anderson shared that it can be found online at imaginekalamazoo.com/projects/signs.

They are not expecting a lot of changes in landscaping, screening, fencing, and lighting. Planner Anderson said they would update for clarity, remove duplicate and obsolete rules, and update illustrations. She said they are looking at how they can align and support Natural Features Protection and the Community Sustainability Plan with these standards.

Planner Anderson shared that the biggest change will be the new commercial districts. She said the commercial districts of CO, CNO, CN1, and CN2 will be removed. Planner Anderson shared that they are narrow in the uses they allow, and there are parameters that have become challenging. She said they will take the current districts and create three new districts. CC will remain as the district for regional and city-wide shopping. However, Planner Anderson indicated that where it is mapped will change. They will create a less intense district, CC2, which will look at smaller scale lots. Planner Anderson stated that the Master Plan called out the neighborhood node, but they don't have one for commercial nodes. She noted the areas for these called out in the Master Plan. Commercial nodes have uses that serve more than one neighborhood. They usually have a grocery store, larger scale development, more parking, and they serve adjacent neighborhoods. Planner Anderson noted that the BTR Park will stay. She said the districts will be flexible, based on scale, and they will support development in a thoughtful way. She is working on the map now. Planner Anderson said this change is bigger than in scale than the NFP. She has been going parcel by parcel and area by area to understand what's mapped there now, if it's right, and what should it be. She said there would be something to review soon.

Planner Anderson reviewed the timeline for these zoning changes. Next month she will bring the scattered text edits to them. In meantime they are working on the drafts of all of these edits. The sign code is already written. Landscaping, fencing, lighting and the new zoning districts are being drafted right now for public review, comments, and editing. She said the map will be done sometime this month and will be online. They will use something similar to the NFP map. They are planning a series of meetings (mix of in-person and virtual) and they will work with the neighborhoods. After engagement, Planner Anderson said they will bring it forward to the Planning Commission. They can discuss if it is best to bring it in one chunk or smaller chunks in order for everyone to be able to review it, understand it, and have the opportunity to speak at the public hearing(s) if desired. Planner Anderson shared that the Power Point slides she used would be on the Imagine Kalamazoo page the next week with the drafts.

Commissioner Vyas said she was thinking of the rezoning and some pushback when NFP was presented. Residents didn't know their parcel was being rezoned and they thought it would change the value of their home. She asked Planner Anderson to speak to expectations of when they might pass a rezoning. Commissioner Vyas noted that NFP wasn't ready at their first review. She wondered when they hope to have this passed and how to work backwards to make sure everyone has the right communication.

Planner Anderson said that once it is posted online, they will send a mailer. That would be in addition to the required notice. She said she put May, June, July as the target months so they could see how things progress. CC is remaining, but where it is mapped will be a little different. The Commercial node and CC2 are new, so they will have to be mindful about what that means for each area. Planner Anderson said they can always choose to do things in a different order if that is helpful for the process. Ideally, they would like to have it approved by the end of summer, but they will do it as they need to do it.

Commissioner Milliken said that gives them April, May, and June to go through the process. He said that in April they know they will get the scattered text edits. Theoretically that will be straight forward. Commissioner Milliken thought they will then have a more thorough review on the specifics of the zoning. He said they can have a public hearing, see what comes of it, and continue it the next month if needed. He didn't think they needed to decide now but encouraged them to think about it. Commissioner Milliken indicated he would ask that question at the April meeting when they see the nature of the changes in a little more detail. They may get a sense of what might be able to get done more quickly. If they get to June and need to push to July, then they need to push to July.

Planner Anderson told them to expect a more detailed presentation and details in their packet in April.

Commissioner Milliken requested she let them know when these presentations are scheduled. He cautioned Commissioners about concerns of quorum at public presentations. They need to be cognizant of their role as Planning Commissioners, they can't discuss together or publicly share their opinions. Commissioner Milliken said it was worthwhile to attend and continue their education. He said there will be people coming with their passion points. Their job is to sift through people's comments and weigh the whole vs. the specific. He hoped comments would come early, so staff can consider them and adapt as needed. Commissioner Milliken requested links be sent to them for Appendix A and Chapter 50.

Commissioner Pittelko asked if people are going to have more restricted uses in the new districts. Planner Anderson said in terms of what uses are allowed, it is fairly lateral. She said there will be some struggle with CC. It has a minimum area of an acre, but it is mapped on parcels of ½ acre or less. CC has pretty intense development. It is a false promise to say you can achieve all those things on a small parcel. Planner Anderson thought that will be a key point of discussion. The new district may have different height allowances or setbacks. They have to have conversations of the scale of development. She noted that changes in zoning can also effect building requirements like sprinkling, number of entrances, elevator. Those things can cost more for a developer.

2. 2021 Planning Commission Annual Report
3. 2021 Site Plan Review Project List
4. 2022 Site Plan Review Project List

H. PUBLIC COMMENTS (Regarding non-agenda items)

Mr. Ben Stanley shared that he is a huge fan of transparency and easy accessibility for meetings. He thanked the Planning Commissioners for the work they are doing and for putting the meeting online. Mr. Stanley thanked them for coming and volunteering their time. He liked the idea of them being available for people who want to engage with their government. If the government is doing something, he hopes it is something they are proud of it and they are not hiding away. He noted that some people talk with acronyms and indicated that people may not know what those mean. Mr. Stanley said he has seen a lot of comments from people who can't hear the audio very well.

Ms. Tina McClinton called requesting they fix the storm drains and sewer lines in Southtown neighborhood because of flooding. She asked them not to take away any more green spaces. Ms. McClinton asked them to accept Southtown neighborhood as a neighborhood. She said she has nothing against building apartments, but they shouldn't be built in a flood plain. Ms. McClinton said they already have sewers backing up in their homes and streets. She said this happens two to three things every year, and no one does anything to help them.

I. CITY COMMISSION LIAISON COMMENTS

City Commissioner Praedel stated appreciation of the Planning Commissioners service and congratulated their elected officers. He shared that on December 20, the City Commission passed a rezoning from RS-5 to RD-19. The budget was approved on January 18. Commissioner Praedel shared that at the last City Commission meeting they adopted rate increases for water and wastewater. He said they need to figure out how to support people who are struggling with the rate increases. While they think a lot about those who will be financially impacted by the rate increases, they remind themselves that they been under-investing in their utilities for decades. Commissioner Praedel said it was important to make tough decisions like that. He shared the site kalamazoocity.org/reportstreets which is where people can report potholes. Commissioner Praedel said there would be two major street projects. One is on Parkview from Oakland to Tamsin. He said the other is Stadium Drive for a culvert repair. MDOT will also do some updates on Stadium Drive. There will be non-motorized safety enhancements. Commissioner Praedel also noted items of general interest - quarterly bulk trash pickup times and rules are online. He said that brush pick up starts in May and goes through October. Commissioner Praedel said he will be the main liaison for Planning Commission and Commissioner Decker will be alternate.

Commissioner Milliken asked if there was anything of interest for the Planning Commission from the City Commission retreat. Commissioner Praedel said they identified five priorities of focus in the community: housing, infrastructure, safety, youth, and economic development. At the retreat they focused on housing, safety, and youth. He said that Director Kik reported on nine different strategies for housing. They heard from the Chief and Deputy Chief about strategies for safety. Commissioner Praedel said gun violence more prevalent when weather improves. He said the City Commission committed money to those strategies. They talked about how to integrate rocket football in Parks & Recreation. Commissioner Praedel said there is a large following for that. They talked about ways to create a growing investment in youth strategies and employment opportunities. He said they thought about what they can do so that 100% of youth have something positive in their lives to direct themselves to every day in this community. A subcommittee was formed to help with that. Their COW meetings will focus on economic development and infrastructure.

Commissioner Milliken asked him to let them know if he saw anything that would trigger concern from the City Commission as they go through the upcoming amendments. Commissioner Praedel said he wants to be accessible to them. If they want him to pass anything along, let him know.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Burgess thanked staff for their extensive work. He is looking forward to all they are going to be diving into. Commissioner Burgess said he was thankful to tackle the less complicated items first. He is looking forward to the community information events and taking in more information.

Commissioner Phelps shared that the Michigan State Housing Development Authority has opened their application period for the housing voucher program. The window to apply is March 8-15 and that is just to get on the waiting list. She encouraged people to look at the Housing Development Authority's website for more information.

Commissioner Chambers thanked staff for inviting them to the DEI meeting. She found it very informative, and she wants to be a part of the process to help support it. Commissioner Chambers encouraged them to contact Dorla Bonner, DEI Director, for updates and to see where the city is going. She said she was also excited to see that the Washington Square Neighborhood has a winery and a Thai place. It is turning into a beautiful area. The roads are better there now. Commissioner Chambers said she is looking forward to the next quarter and getting to work.

Commissioner Milliken thanked staff and thanked everyone for coming out. He had the opportunity to attend a City Streets Plan meeting. It was really exciting. He said his biggest take away was the collaboration between Planning, Public Works, Engineering and Economic Development. Commissioner Milliken said that in many communities they live in silos and are very independent of each other. He said usually they talk about streets from a curb to curb standpoint, but now they are talking about them from a front of building to front of building. They want to determine how to move all modes of transportation safely and effectively from point A and point B. He thought it was quite striking and shows the collaborative nature of people working in those departments. It is a strong note for the city.

K. ADJOURNMENT

Commissioner Milliken adjourned the meeting at 8:23 pm.

Respectfully submitted,

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

Christina Anderson,
City Planner
Community Planning & Economic Development