

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
April 7, 2022
FINAL

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

Members Excused: Sakhi Vyas, Vice Chair

City Staff: Christina Anderson, City Planner; Beth Cheeseman, Executive Administrative Assistant; Chris Praedel, City Commissioner; Charles Bear, Assistant Attorney; Peter Eldridge, Assistant City Planner

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.

Commissioner Milliken announced that they would not be able to take call-in comments during the meeting due to technical difficulties, but they would be able to stream the meeting. He also stated that the first item on the agenda regarding 116 Fellows would be adjourned and carried over to the next meeting per the applicant's request.

*Commissioner Harrison entered the meeting during Commissioner Milliken's announcements.

B. ADOPTION OF FORMAL AGENDA

Commissioner Phelps, seconded by Commissioner Burgess, moved approval of the April 7, 2022, Planning Commission agenda as presented. With a voice vote, the motion carried unanimously.

C. APPROVAL OF MINUTES

Commissioner Burgess, seconded by Commissioner Pittelko, moved approval of the March 3, 2022, minutes as presented. With a voice vote, the motion carried unanimously.

D. COMMUNICATIONS AND ANNOUNCEMENTS

None.

E. PUBLIC HEARINGS

1. P.C. #2022.02: 116 Fellows Avenue. OutFront Kalamazoo is requesting a special use permit for a transitional residence at 116 Fellows Avenue.

Commissioner Milliken announced that the applicant requested an adjournment of the public hearing to the May meeting of the Planning Commission.

Commissioner Harrison, seconded by Commissioner Pitts, moved to adjourn P.C. #2022.02 to the May Planning Commission Meeting. With a voice vote, the motion carried unanimously.

2. PC # 2022.03 Text Amendments to Chapter 50 Zoning Code Proposed by City Staff

Planner Anderson presented the text amendments to Chapter 50 of the zoning ordinance. She said the amendments come from running list staff keeps as they apply the code. The changes are based upon best practices, variance requests, and a need for clarification of wording.

Planner Anderson said that, based on variance requests, they changed the use definition of Bed and Breakfast. The language was adjusted to make sure it matched the intent of the code. They also made some changes to the parking code. They clarified how personal rvs can be stored on property and parked. Parking numbers changed, including those for industrial uses. Planner Anderson explained they originally had a parking requirement of one space for every two employees of a company's largest shift. That resulted in several variance requests. The ordinance was changed to one space per employee of their largest shift.

Planner Anderson said one item, allowing ground floor residential in the CC district, resulted in changes in multiple locations. She brought that District from Appendix A to Chapter 50. That included bringing the definition of the district, updating the use table and dimensional requirements.

Planner Anderson reported that through the application of the marihuana code, they determined clarification was needed for handling medical marihuana provisioning centers and adult use retailers. The code had different distances set from those uses to specific protected uses. She explained that the State allows those licenses to be stacked so they can sell medical and adult-use marihuana in one spot. The change allows them to be regulated the same. Planner Anderson said they clarified language and prohibited drive throughs.

Commissioner Phelps asked what constituted a marihuana drive-through. She wondered if it referred to a drive through window or curbside service. Planner Anderson clarified that it was for a drive through window. During Covid the State allowed temporary drive through facilities.

Commissioner Milliken asked if there were any tweaks or modifications to CC text that needed to be made to adapt to Chapter 50. Planner Anderson shared the change that residential uses are allowed on ground floor, but they should not be along the front façade. Dimensional standards, for the most part was kept the same - same height, and generally the same setbacks. She said they put in some design guidelines. Table 5.1-2 just has one district in it now but will be populated as they bring over all the commercial districts.

Commissioner Milliken asked if there is a maximum lot area for rezoning in the existing district. Planner Anderson said there is not. There is a minimum for Community Commercial. She indicated there would

be maximum lot areas associated with the upcoming new commercial districts. Planner Anderson expects there would be a maximum size to differentiate districts and to separate them.

Commissioner Milliken opened the public hearing.

No one from the public was in attendance, and the phone issue was not resolved.

Commissioner Milliken closed the public hearing.

Commissioner Phelps, seconded by Commissioner Harrison, moved to recommend approval of the Text Amendments to Chapter 50 Zoning Code to the City Commission.

Roll call vote was taken and passed unanimously.

F. PUBLIC COMMENTS:

None.

G. DISCUSSION/ACTION ITEMS

None.

H. REPORT:

Planner Andersons shared that the next sections of the code they would present would be the sign code, landscaping, screening, fencing, and lighting. The sign code is online and ready for review. She said they would bring that forward later this spring.

Planner Anderson reviewed the existing commercial districts: CO & CNO, CN-1 & CN-2, CC, CMU, Node, LW-1, LW-2, CBTR. She mentioned overlays, and that CNO and CN-2 are not mapped anywhere.

Planning Commissioners and staff were asked to check their microphones because they could not be heard through streaming.

Planner Anderson shared that some of the commercial districts are well intentioned, but don't do what they need them to do. She said they are working with consultants to look at their commercial districts to see what is working. Planner Anderson indicated they will go to Commercial Node, CC2, and CC.

Planner Anderson showed zoning maps for two corridors, Stadium Drive and Westnedge. She spoke about the differences in parcel sizes, commercial vs. residential, auto dominated vs. walkable. She also said they looked to see the common size of the parcels. Planner Anderson said they've started to determine the standards and parameters of the districts.

Commissioner Harrison asked how different parcel sizes, traffic concerns, and traffic calming practices played into the rezoning. Planner Anderson said the 2025 Master Plan talks about all development as two pieces - what happens on lots and on the street next to it. She explained that you have to consider both pieces – the street impacts the success of a use. A person wouldn't front a home on a highway. The code already has street types that help guide uses, location of uses, and height in some cases. This is a continuation of that. Planner Anderson shared they are updating the zoning code because the code from 2005 doesn't necessarily reflect development patterns today. They also want to make sure they are setting standards that support what is happening on adjacent lots. She said they want the right set of uses that are flexible, creating minimum and maximum lot sizes that won't cause barriers. As they update, they keep those things in mind.

Commissioner Milliken said he will need more convincing on the value of minimum and maximum lot areas. He expressed worry that it will add standards where they're not needed and lead to more variance requests. Commissioner Milliken said he needs to know and understand what it will contribute. Most larger parcels are larger for a reason - usually coming for a rezoning for redevelopment or because there is some natural feature that limits use. Planner Anderson said there are no minimum lot sizes in LW-1 and LW-2. She said Commissioner Milliken's concerns are worth considering. Staff doesn't want to put things in the ordinance that will cause problems. Planner Anderson explained that if they want some areas to slowly evolve, a maximum lot size may help that happen. If there is a large parcel on a block of smaller parcels and it's coming for redevelopment, the encouraging factor could be the need to create smaller lots for the project.

Commissioner Milliken clarified that he is on board with lot size requirement in that district whether it is tied to rezoning or a lot split/land division process. He thought it was the mechanism that was the issue. Commissioner Milliken said someone could take 10 acres and rezone it to CC2, then come up with a plan that fits the vision. But they couldn't do that if they couldn't first rezone it. Planner Anderson said that one reason the map is taking so long is because she is going through it lot by lot. She is really trying to look at all the parcels.

Planner Anderson shared that drafts of landscaping and fencing will be released and put out for public review. She has a goal to set up public meetings in May and go to multiple locations throughout the city. She will provide an update at the next meeting as to where things stand.

Planner Anderson said the Sustainability Plan draft was released. It can be found on [imaginekalamazoo.com/projects](https://www.imaginekalamazoo.com/projects). Several virtual and in-person activities will be happening in the next few weeks. They will make the necessary edits, and then it will go to the City Commission for approval.

I. CITY COMMISSION LIAISON COMMENTS

City Commissioner Praedel expressed excitement about the Sustainability Plan. He said it is a 10 year guide with four key themes, 10 community goals, 29 strategies, and 81 actions. The first upcoming event is an open house in the Community room and then a virtual townhall on the 27th. Commissioner Praedel encouraged their attendance. He commented on the City's bond ratings. The City's general allocation

debt rating was given an AA- with a stable outlook. Commissioner Praedel shared that the City's utility funds, Water and Wastewater, each received an AA- with an improved outlook from negative to stable. They cited the biggest factor in the improvement was the City Commission's willingness to improve rates to support capital improvements to replace aging infrastructure. These ratings are significant positive indicators of management and financial factors across the board. Commissioner Praedel announced another highlight. The city will receive \$564,534 from the State's 2021 sales tax revenue sharing from marihuana. He shared that they are required to set aside 25% for social equity.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Chambers reminded Planning Commissioners about the May 3 election. She said that Kalamazoo Public Schools and law enforcement have millages to be renewed. She encouraged them to go vote or send in ballots.

Commissioner Pitts said it was good to see everyone again in the same circle – in-person.

Commissioner Harrison extended an invitation to Planning Commissioners to join him in reading the book, *13 Ways to Kill Your Community*, by Doug Griffiths. He said it is about different things leaders can do to get in the way of community growth.

Commissioner Milliken again apologized for the technical difficulties they experienced during the meeting.

K. ADJOURNMENT

Commissioner Milliken adjourned the meeting at 7:54 pm.

Respectfully submitted,

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

Christina Anderson,
City Planner
Community Planning & Economic Development