

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
February 2, 2023
FINAL

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

Members Excused: Sakhi Vyas, Vice Chair; James Pitts

City Staff: Christina Anderson, City Planner; Beth Cheeseman, Executive Administrative Assistant; Chris Praedel, City Commissioner; Clyde Robinson, City Attorney; Bobby Durkee, Assistant City 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.

B. ADOPTION OF FORMAL AGENDA

Commissioner Pittelko, seconded by Commissioner Harrison, moved approval of the February 2, 2023, 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 December 1, 2022, minutes as presented. With a voice vote, the motion carried unanimously.

D. COMMUNICATIONS AND ANNOUNCEMENTS

Planner Anderson announced that Mr. Bobby Durkee, new Assistant City Planner, would be working with the Planning Commission starting the next month.

*Commissioner Chambers entered the meeting during Planner Anderson's announcement.

E. PUBLIC HEARINGS

1. 2023.01 A Request for a Special Use Permit at 3651 East Cork Street to allow Outdoor Sales & Service Use.

Planner Anderson shared that the applicant wants to open an Enterprise rental car and rental truck at this location. The site is a former Burger King that has been vacant for a couple of years. She said the site is surrounded by auto-oriented uses, hotels, restaurants, and Two Men and a Truck. The property is zoned Community Commercial which is meant for auto-oriented areas and areas adjacent to highways,

interchanges, and large corridors. The site is also noted as commercial in the Future Land Use plan. Planner Anderson explained why staff supports the request. The location is appropriate for the use. Zoning is commercial and the uses around it are commercial. Cork Street has the capacity for the added use. There are no anticipated environmental impacts. The site has a clear ingress and egress and has access to utilities.

Commissioner Pittelko asked why they needed a special use permit. Planner Anderson explained that right now outdoor sales and storage requires a special use. She said that as they go through updates, they will think about if they need to break that down, but that is how it falls right now.

Commissioner Burgess asked about environmental impact. He noted that the building proposed for the back part of the site will be for cleaning and washing vehicles. He wondered if there was adequate wastewater processing there. Planner Anderson said they believe it will be adequate for the site. Vehicle repair and oil changes won't be done at that location. Cleaning, vacuuming, and detailing do not raise environmental concerns for this site.

The applicant, Ashby Donohue from Enterprise Holdings, came forward to speak to the request. He said they want to open a traditional Enterprise rental car business that includes Enterprise truck rental. The closest truck rental for Enterprise is in Grand Rapids, and they want to expand that market here. Mr. Donohue said that business is growing since Covid with delivery and box truck use. They think it would be beneficial to open one in Kalamazoo. He gave an overall description of the Enterprise business and spoke about their presence in Michigan. Mr. Donohue said they partner with local businesses and local charities. They plan to upgrade the existing building and add landscaping. He showed a diagram of the vehicle prep building and said the car washing is done by hand. Mr. Donohue assured Planning Commissioners that they put in oil/water separators and trap separators, so all the wastewater is contained. Enterprise does environmental audits of the businesses three times/year. He said they plan to keep the lot as it is – they won't expand the footprint, the parking lot will stay, and they will keep the wooded spaces. He showed the proposed site plan. Mr. Donohue explained that the truck business will be account based, and they don't generally have the trucks sitting on the lot. They will be rented out to commercial customers for periods of 2-4 months. He said they may put in a privacy fence or vegetation and upgrade the lighting on site. They don't plan on touching ingress or egress. Mr. Donohue showed pictures of all the trucks that will be rented from this site, and he talked about similar projects Enterprise has done in Michigan.

Commissioner Harrison wanted to know about any current connections to local charities or entities in Kalamazoo. Mr. Donohue said he can get that information for the Planning Commissioners.

Commissioner Milliken opened public hearing

Mr. Jeff Messer came forward and stated that in 2019, Enterprise proposed establishing a regional car rental center with car washing and a large truck rental at the former Wayside West on Stadium Drive. He thought there was a problem with landscaping requirements. Mr. Messer wondered if staff could say why that didn't go through. He also asked when this location opens, if any existing locations in Kalamazoo county would be closing.

Mr. Charles Cherney, Member of the Kalamazoo Board of Realtors and an appraiser, came forward to speak in favor of this request. He worked with Enterprise to find this site, and he was happy they would not be tearing down the existing building. Mr. Cherney thought it would be a great use for this location.

There were no incoming phone calls/comments.

Commissioner Milliken closed the public hearing.

Commissioner Milliken asked the applicant if they planned to relocate an existing facility. Mr. Donohue stated that their Portage facility's lease is up in three years, and they would like to move that business to this location. He also indicated that the truck market in Kalamazoo has been a top priority.

Commissioner Harrison asked about the timeline and their expectation knowing there is a three-year gap before their lease expires. Mr. Donohue said they would open the new location as soon as they could. They have the ability to terminate their lease with a certain amount of notice given to the landlord. He said it will be a better facility for their employees because they have outgrown their current location. They also have two locations across the street from each other, so it doesn't make sense to keep both.

Commissioner Milliken commented that he vaguely remembered the Wayside West situation. Most of those concerns will be site plan related, and they will be addressed during site plan review.

Commissioner Harrison, seconded by Commissioner Pittelko, moved to approve the special use permit at 3651 East Cork Street to allow the outdoor sales and service use as proposed.

Commissioner Harrison said it was a long-term business in the community. They are expanding, growing, and keeping a connection to the area. He especially appreciated that they are repurposing what is currently there and making it better for the community.

Commissioner Burgess thought it was clear from the staff report that necessary requirements to meet the ordinance is met. He thought it was great to use a vacant, existing space.

Commissioner Milliken agreed that the request meets the standards of special use and the zoning ordinance standards. The project will need to go through site plan review. He agreed with the staff report.

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

F. DISCUSSION/ACTION ITEMS

None.

G. REPORTS:

1. City Planner's Report

Planner Anderson shared that staff is working on an update to the commercial zoning code. She reviewed that they have been slowly updating sections of the zoning code and moving them from Appendix A to Chapter 50 as they were approved. That work included form-based zoning, Live Work districts, nodes districts, parking, NFP Overlay district - phases I & II, and three Downtown districts. They also have two sets of cannabis regulations – medical and adult use. At this time, they are operating with two documents – Appendix A and Chapter 50. She said they are going to try to do as much as they can to go down to one document this year. Planner Anderson stated that right now they are focusing on commercial districts and the zoning map as it relates to commercial districts. Their goal is to focus on residential zoning in the second half of the year.

Planner Anderson showed a list of zoning districts. She said that some zoning districts are text only and not mapped out. A lot of districts are unitasker which are focused on one use and not allowing others. This can result in variance requests. Planner Anderson said some districts will be going away and will be mapped with other districts. They are proposing two new districts – Commercial Node and Community Commercial 2 (CC2).

Commercial Node

- Exists in 2025 Master Plan and the Future Land Use Plan.
- Serves a wider area than Neighborhood Node.
- Mix of people walking and driving.
- Many have a grocery store.

Community Commercial 2

- Smaller and medium scale commercial and mixed-use areas.
- Most often found on main corridors where residential meets those corridors.
- Small commercial, strip centers.

Planner Anderson mentioned they will have a new zoning map. She said that 2,000 parcels will be impacted by the map change. She said there were a couple of districts that don't need to be changed, but just need to be moved to Chapter 50. These districts are Institutional Campus, and Planned Unit Development District (PUD). Planner Anderson said they updated the street type map through the Street Design Manual process. They will update the zoning code with the street types worked out through the Street Design Manual.

Planner Anderson said they will need to update the use table, accessory use table, and zoning standards with the new districts. The State has also created a Microbusiness A license and updated the definition of marihuana. Planner Anderson said they will propose to update the code accordingly. She mentioned that they will clean-up the code to make sure that regulations are in the right location – such as those regarding chickens and rabbits.

Planner Anderson indicated that the parking section won't see a lot of changes. She said there is currently a minimum and maximum amount of parking that a use must provide. Planner Anderson shared that many cities across the country are dropping minimum parking requirements and just setting a maximum. She said they are considering how that might work in Kalamazoo and if they want to do that. There are already parking exempt areas in the City. Planner Anderson reported that variance requests are usually made to go over the maximum cap. She said they were going to do two things: 1) give more guidance when a variance is most appropriate to go over the maximum cap; 2) create a second coverage percentage. Planner Anderson shared that people can already go over the parking maximum by 10% everywhere in the City.

The Landscape and Screening section will be aligned with the NFP Ordinance and the Community Sustainability Plan. Planner Anderson said that they will set goals associated with those plans.

Planner Anderson said they wrote the section on Signs and Lighting two years ago. They talked about it publicly and shared it with contractors in town. They will do that again. She said they will bring it to Chapter 50, illustrate sign types, and apply it to new districts. No major changes are planned to the Lighting section.

Planner Anderson shared information about the timeline of the changes. She said they are in the process of creating a draft map, editing text, working with the City Attorney's office, and working with staff to put out the draft document. Planner Anderson said they plan to do that in the next 2-3 weeks. They have a goal to have an interactive map online. She said they will send a postcard to every property owner and tenant in the next few weeks to ask them to review the map and draft. They will hold meetings and 1:1 office hours. These things will happen in late winter and early spring.

Commissioner Harrison verified that there would be 2,000 commercial parcels that would be affected. Planner Anderson confirmed it was approximately 2,000. She said some parcels are manufacturing but should be commercial, some are commercial properties that should be residential. The vast majority of parcels are being rezoned to a new commercial district.

Commissioner Milliken stated that there will be a lot of information. He said to scale it down to a minimum, there will be a public hearing in 4-6 months and some people will not be happy. Commissioner Milliken said they needed to be educated enough to understand the relevance of the public comments. If something was missed, if they need to pull out an element, or stop the whole process. He stated that they would not become experts, but they needed to be educated enough so they don't react in emotion.

2. Site Plan Reports

Planner Durkee introduced himself and gave his background in the Planning Department. He said he was very familiar with the existing ordinances and would be working with the changes that would come before the Planning Commission. Planner Durkee said he was looking forward to explaining the changes to the Planning Commission and the community.

H. PUBLIC COMMENTS:

Mr. Jeff Messer came forward and shared that he was volunteering with Rank my Vote. He said it is a citizens initiative that seeks to amend the Michigan Constitution in 2026 in order to establish rank choice voting statewide. The petition drive for the City of Kalamazoo is underway. Mr. Messer indicated that once all the signatures are collected, the City Commission has the option to adopt it or let it be voted on by the citizens. He believed this would change the way to vote, increasing and improving the quality and diversity of candidates. This would allow voters to express true candidate preference. Mr. Messer asked people to visit the website, rankmyvote.org, for more information. The national website for this movement is Fairvote.org. He reported that he would be at canvassing at the Vine Neighborhood Association mid-winter festival on Saturday evening. For future locations, please follow Facebook.com/Messer4kzoo. Mr. Messer added that those at the meeting would need to sign the petition outside due to a rule against circulating petitions within City Hall.

No call in comments.

I. CITY COMMISSION LIAISON COMMENTS

Commissioner Praedel said the City Commission adopted the budget for the fiscal year 2023 on January 17. This included a 22.2% increase in the budget from the previous year - largely because of capital improvements they are making in the community. He shared that the City Commission had selected five goal areas last year: youth, housing, infrastructure, safety, and economic development. Commissioner Praedel said they would see elements of those in this year's budget. He also reported about some new hires/positions approved: Sustainability Planner, Grant Writer, positions in Finance and Accounting, and Public Services. Commissioner Praedel reported that the candidate for City Attorney withdrew his application. Attorney Robinson agreed to stay on through the end of June. They increased his salary to the max cap and gave him a bonus. He announced the City Commission retreat on February 18 from 8:30-3:30 at the Foundry to talk about 2024 budget.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Chambers stated that many had voted for the Kalamazoo County Millage. She said the County had opened its portal for applications. Commissioner Chambers encouraged people to apply as soon as possible as closing date was February 17th. She said the City of Kalamazoo is looking to grow and better properties they already have and bring in new developers to add more housing.

Commissioner Milliken announced that Mariah Phelps resigned from the Planning Commission. He was sorry to see her go; she was a great contributor to the Commission. Commissioner Milliken explained that they will need to create a membership committee to cull applicants and interview them. He encouraged them share the opportunity to serve on this Board and let staff know if they wanted to serve on the Committee.

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K. ADJOURNMENT

Commissioner Milliken adjourned the meeting at 8:00 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