Minutes
Natural Features Protection Review Board
January 23, 2024
Regular Meeting

Held at City Hall, Commission Chambers 4:00 p.m.

A. Call to Order: Director Lettow called the meeting to order at 4:00 p.m.

Members absent: Robert Glasser

Motion to excuse absent members made by Director Martin, supported by Director Fuller, motion passed unanimously.

Director Lettow welcomed the new board members.

B. Adoption of Agenda

Mr. Bergstrom stated that there is one amendment to New Business, Item 3: The February NFP Board meeting date will be rescheduled to February 29.

Motion to adopt the agenda as amended made by Director Fuller, supported by Director Fredrickson, motion passed unanimously.

C. Approval of the Meeting Minutes

Motion to approve the minutes from the November 28, 2023 NFP Review Board Meeting made by Director Fredrickson, supported by Director Martin, passed unanimously.

D. General Citizen Comments

There were no general citizen comments, either in person or by phone.

E. Board Comments

Director Lettow inquired about the status of the updated ordinance. Mr. Bergstrom stated that this is still in process, and he could send an updated PDF if desired.

F. New Business

1. **Approval of the NFP Site Plan for the Project Located at 4120 South Sprinkle Road conditioned upon approval by the Zoning Administrator and Stormwater Engineer**

Mr. Bergstrom shared the staff report. The property is owned by Green Ice, LLC, dba Sweet Cut Grow. This is a cannabis grow facility located in the Milwood Neighborhood. The parcel is zoned M-1, Industrial. The applicant is proposing to construct a new 20 by 24 feet (480 square feet) accessory structure on the site to contain equipment for the cannabis grow facility. The project attended a Pre-Site Plan review meeting on November 29, 2023 and plans to return to full Site Plan on January 31, 2024. They are seeking NFP Board approval to obtain the full Site Plan approval and site permits for this project.

The site is placed in the NFP Overlay District due to slopes of greater than 20%, proximity to Davis Creek, and the potential for hydrology on the site along the western edge of the property. The applicant proposes that there will be no impact to any of these natural features on site. To the rear of the structure, there is an entire area that is fenced off with no intent for development.

Since the project is located within the NFP district, the site requires the following site development standards.

1. Water Resources standard.
    a. The site is in proximity to Davis Creek and has water resources on site. No water resources are planned to be affected during the project.
2. Wetland standards.
    a. Any wetlands are outside of the work area and are not affected.
3. Woodland standards.
    a. Any woodlands that may be protected are outside of the work area and will not be affected.
4. Rare species review was not required for this site.
5. Plant Standard.
    a. Mr. Bergstrom noted that the agenda packet indicates a plant selection standard, but no planting are planned for this project. If there were plantings, they would need to meet the ordinance requirements for plantings.
6. Stormwater Management Standard
    a. The applicant is working with the stormwater engineer on this site to ensure that any stormwater requirements are met.

After reviewing the proposed plans, the City staff recommendation is for conditional approval based upon the approval of the Zoning Administrator and the Stormwater Engineer.

Mr. Art Bates was present to represent the project. He affirmed that neither the wetlands nor the woodlands on the site have ever been entered. The Site Plan was approved by the previous owner, and it was resubmitted by the new owner which was also approved. The main building has occupancy. They are looking to build a 20 x 24 feet building - similar to a 2 car garage. It is a slab-on-grade with no foundation walls. He stated that the deepest hole that will be dug will only be 18-24" deep, and this will be used to run electrical to the building. It is within the fenced-in area. Mr. Bates stated that it is his understanding that they have been approved for stormwater. They are not taking out any bushes or trees, nor are they adding them. Grass will be planted if ground is disturbed.

Director Lettow asked for clarification of whether the applicant was seeking a variance or approval of the plan. Mr. Bergstrom stated that they are looking for NFP Board approval to move forward with the full Site Plan. The site has proposed minimum impacts, if any for natural features on site. As this is for a new structure, not an existing structure, it has come before the Board for approval.

Director Lettow asked why no landscaping plan was required. Mr. Bergstrom stated that he would check into the zoning and landscaping requirements. He affirmed that there aren't any landscaping requirements for the frontage. He stated that as an accessory structure, requirements may have already been met by the main structure.

Director Fuller asked how far the wetlands are from the new structure. Mr. Bates stated that this is 137 feet.

Director Lettow asked what the current condition of the property was. Mr. Bates stated that this is an accessory building separate from the main building. He referred to the drawings for the size and location of the main building.

Director Fuller asked about the planting list. It was confirmed that there are no plantings proposed. Mr. Bates stated that the plants on the list are existing and were previously approved at Site Plan.

Director Fuller motioned to Approve NFP Site Plan for the Project located at 4120 South Sprinkle Road conditioned upon approval by the Zoning Administrator and Stormwater Engineer, supported by Director Fredrickson. Vote was take by roll call and passed unanimously.

2. **Board Election**

Mr. Bergstrom stated that board elections occur within the first quarter of the year if they are needed. The new Chair and Vice-Chair would begin their roles at the next meeting.

Director Fredrickson motioned to Elect Director Kyle Martin as Chairperson and Director Erin Fuller as Vice-Chairperson, supported by Director Bassett. and passed unanimously.

3. **The February Regular NFP Meeting Date has been updated from Tuesday, February 29th to Wednesday, February 21st to not coincide with Election Day.**

Mr. Bergstrom stated that the February NFP Board meeting will be moved to not conflict with Election Day. February 21 was not available due to the Commission Chambers being unavailable. February 29th was available, and therefore, the February meeting will be shifted to the 29th. Mr. Bergstrom will make this change with the City Clerk's office for posting purposes.

Director Bassett motioned to approve moving the February Regular meeting of the NFP Board from February 27, 2024 to Thursday February 29, 2024 to not conflict with election day, supported by Director Fuller, passed unanimously.

G. Unfinished Business

None.

H. Staff Reports and Updates

1. Mr. Bergstrom welcomed the two new Board members and thanked them for serving on the NFP Board.
2. Imagine Kalamazoo Engagement Survey
   - Mr. Bergstrom stated that the City conducts a lot of engagement throughout the year. The City is currently asking for feedback from residents and board members to see how we can better engage with everyone in the city. The survey is available on the City's website and will be available through February 17.
3. Jamie McCarthy stated that at 5:00 p.m. this evening, the City's sustainability planner, Justin Gish will be giving a presentation at Shakespeare's Pub from 5-7 p.m. She invited the Board to attend.

I. Communications and Announcements

1. None.

J. Adjourn Meeting

Director Lettow adjourned the meeting at 4:23 p.m.