

Agenda

Planning Commission

City of Kalamazoo



Thursday, September 3, 2026

7:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. ADOPTION OF FORMAL AGENDA

C. APPROVAL OF MINUTES

1. Approval of Minutes from the Planning Commission meeting on June 4, 2026

D. COMMUNICATIONS AND ANNOUNCEMENTS

1. Letter to the Planning Commission from Asylum Lake Preservation Association (ALPA)

E. PUBLIC HEARINGS

1. P.C. #2026.06 - A recommendation to the City Commission to approve text amendments to the Zoning Ordinance, Chapter 50, Article 4.1, General Provisions.

F. DISCUSSION/ACTION ITEMS

G. REPORTS

1. City Planner's Report
2. Site Plan List

H. PUBLIC COMMENTS

I. CITY COMMISSION LIAISON COMMENTS

J. PLANNING COMMISSIONER COMMENTS

K. ADJOURNMENT

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
June 4, 2026
DRAFT

Members Present: Thomas Kostrzewa; Roland Bissonnette; Diego Sandoval; Mitchell Curtiss; Michelle Audette-Bauman; Zack Wilson; Drew Duncan; Sakhi Vyas

Members Excused: Wendell Tolber

City Staff: Bobby Durkee, Assistant City Planner; Beth Cheeseman, Executive Administrative Assistant; Charlie Bear, Assistant City Attorney

A. CALL TO ORDER/ROLL CALL

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

Planner Durkee proceeded with roll call and determined there was a quorum.

B. ADOPTION OF FORMAL AGENDA

Commissioner Bissonnette, seconded by Commissioner Kostrzewa, moved approval of the June 4, 2026 agenda as presented. With a voice vote, the motion carried unanimously.

C. APPROVAL OF MINUTES

Commissioner Audette-Bauman, seconded by Commissioner Bissonnette, moved approval of the May 7, 2026 minutes as presented. With a voice vote, the motion carried unanimously.

D. COMMUNICATIONS AND ANNOUNCEMENTS

None.

E. PUBLIC HEARINGS

Planner Durkee clarified for Planning Commissioners that a site plan review does not require a public hearing.

F. DISCUSSION/ACTION ITEMS

1. P.C. #2026.05 – Site Plan Review for a new office building at 4755 Campus Drive in the WMU Business, Technology and Research Park.

Planner Durkee shared the background of why the site plan review was in front of the Planning Commission for approval. He noted that if a site plan review is on private property in the BTR zone district, it must be approved by the Planning Commission. Planner Durkee said Owen-Ames-Kimball (OAK) submitted this

site plan for a new office building. He explained that Western Michigan University (WMU) is a state university and not subject to local zoning. However, they formed a partnership with the City regarding the Business Technology and Research Park (BTR). There is also a BTR Design Group that must give approval and that approval needs to be provided to the City.

Planner Durkee spoke about the workflow of the site plan review process with and without Planning Commission review. He also mentioned Project Review meetings. Planner Durkee reminded Planning Commissioners that they are welcome to sit in on site plan reviews.

Planner Durkee stated that this applicant didn't have many significant changes needed on their site plan. He showed maps/photos and spoke about the area around the site. He noted that the site plan is posted on the website.

Planner Durkee reviewed the site plan stating that staff didn't think there would be any changes that would trigger a variance. The plan does have more parking than permitted by ordinance. The applicant has a plan to reduce it to the appropriate amount and make all necessary changes.

Mr. Aaron Keyser, OAK, gave the background of the business in Kalamazoo and showed a slide listing their local projects. He said that the new building would support OAK's continued growth for expanded project management, field operations, and support staff.

Commissioner Kostrzewa asked if jobs were being created or if this development was for existing staff. Mr. Keyser said it was for both. With the new building, they would have room to bring in 8-10 new employees.

Commissioner Vyas mentioned that this parcel was classified industrial whereas the parcel next to it was classified commercial. The Future Land Use plan showed it as campus use. She wondered if the current classification would affect the site plan review process. Planner Durkee stated that she was referring to Current Land Use. He clarified that the State of Michigan has assessing classifications on each parcel. That is not a zoning classification. Commissioner Vyas asked for staff to include the Natural Features Protection (NFP) overlay on the maps in the future. Planner Durkee agreed that staff can include that in the future.

Commissioner Curtiss asked if the Planning Commission's approval was automatically contingent on necessary changes being completed for the Site Plan Review Committee's approval or if they needed to include that in their motion. Planner Durkee stated that staff's recommendation says approval with the condition that the Site Plan Review Committee approves the plan. He said they could leave it with that condition or alternatively request the site plan be brought back to the next meeting after changes have been made.

Commissioner Bissonnette asked for their current parking count number and how much it was to be reduced. He wondered if the reduction would affect the footprint of the concrete pour or just the number of spots in the lot itself. Planner Durkee indicated that parking count changes would result in impervious coverage and stormwater changes. When the applicant makes changes, those documents get updated. Mr.

Keyser said they planned to cut 10 parking spots. Planner Durkee said their current count was 39-40 parking spaces when the maximum allowed is 32. The applicant will reduce the parking count to 30.

Commissioner Audette-Bauman asked what it would take to remove the requirement that site plans come to them for approval simply because they are in the BTR park. She felt their approval was redundant to the Site Plan Review Committee. Planner Durkee said he would start looking at that. Historically, people were happy to see the City and WMU partnering. Things have changed, but the decision would have to be made with WMU.

Commissioner Curtiss opened public comment on this item. He gave the number for phone comments.

No in-person or phone comments.

Commissioner Audette-Bauman, seconded by Commissioner Kostrzewa, moved to approve the site plan for a new office building at 4755 Campus Drive in the WMU Business, Technology and Research Park with the condition of final approval by the Site Plan Review Committee.

A voice vote was taken, and the motion was approved unanimously.

G. REPORTS:

1. City Planner's Report

Planner Durkee stated that the City Commission approved the bid for the Kalamazoo Avenue work, and that would start very soon. He said that staff would give more information about the work at a presentation on June 15 at the Committee of the Whole (COW) meeting.

2. Site Plan List

No comments.

H. PUBLIC COMMENTS:

Commissioner Curtiss announced the phone number for phone comments.

No in-person or phone comments.

I. CITY COMMISSION LIAISON COMMENTS

Commissioner Praedel thanked Planner Durkee for queuing up the two-way conversion of Kalamazoo Avenue. He emphasized how big this was for Kalamazoo – almost a 10-year process. It is a three-phased project and will require a lot of patience from the community. Commissioner Praedel talked about Verburg Park. Money was allocated to build a bicycling pump track, kayak launch, pavilion, and playground. He also mentioned Lunchtime Live, Kik Pool, splash pads, and movie nights in the parks.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Kostrzewa announced that Commissioner Bissonnette has a new job. Commissioner Bissonnette agreed that he is very excited. He will be the Community Disaster Program Manager for the Red Cross Southwest Michigan Chapter.

K. ADJOURNMENT

Commissioner Curtiss adjourned the meeting at 7:37 pm.

Board Secretary	Date
-----------------	------

Recording Secretary	Date
---------------------	------



Asylum Lake Preservation Association

Established 1990

August 2026

To: City of Kalamazoo – City Commission, Planning Commission, and Environmental Concerns Committee

Proposal and Support for Green Space and Conservation Zoning Districts

We at the Asylum Lake Preservation Association (ALPA) write to you today to formally propose and express our strong support for the establishment of dedicated **Green Space and Conservation Zoning Districts** in the City of Kalamazoo's zoning ordinance.

Background

This proposal has roots in a June 2024 Kalamazoo Planning Commission meeting, where community members raised the need for a zoning designation that more accurately reflects green and ecologically sensitive parcels. At that time, City Planning acknowledged that no such district exists in Kalamazoo, but noted that other cities have adopted similar designations and that it would be worth exploring here. We have been waiting for that exploration ever since.

The urgency of this proposal has only grown. The ongoing tensions over the Asylum Lake Preserve corridor and repeated rezoning pressure on ecologically sensitive lands across the city **make** clear that Kalamazoo has a distinct and unmet community need. Though the City *does* have a Natural Features Protection Overlay, an overlay is merely a guideline layered on top of a base zone that still permits development – it does not prohibit development outright or limit it to the extent often required for the adequate protection of our environment. The City also recently introduced new commercial zoning districts to reflect evolving land use needs. We ask: **why not do the same for our environment?**

The Case for Two Distinct Districts

ALPA proposes two distinct districts, as they serve fundamentally different purposes and should be applied to different parcels:

1. A **Conservation Zoning District** would protect ecologically sensitive areas – prioritizing habitat, biodiversity, and ecological integrity with minimal human intervention. This is the appropriate designation for places like Asylum Lake Preserve and lands adjacent to Kalamazoo's watersheds and waterways. Additionally, Conservation Zoning Districts should require appropriate transitional buffers. In other words, **a conservation district should never**

directly abut a high-intensity commercial or industrial zone. Graduated zoning transitions protect the ecological integrity of sensitive areas from the pressures of adjacent intensive land uses.

2. A **Green Space Zoning District** would protect and promote publicly accessible green spaces – prioritizing community access, recreation, and public health. This is the appropriate designation for parks like Oakwood Memorial Beach Park, which is currently zoned *Residential* despite functioning as a community green space. This also happens to be the park which was discussed in the June ‘24 meeting with City Planning.

Kalamazoo has both types of land. It needs both levels of protection.

Furthermore, these zoning districts encode established community values into the planning process itself. Without these dedicated zoning districts, our existing green and conservation-based properties have no more legal protection than the residential (often the case) zone they sit in. Dedicated districts shift the burden of proof – rather than residents bearing the responsibility of defending green spaces and conservation lands case by case, it would require developers to demonstrate why an exception to that protection is warranted. It gives planners a tool they can proactively apply to future parcels, not just defend existing ones. And it signals to the development market what Kalamazoo values, before proposals are even submitted.

Proposed Goals and Principles

ALPA recommends the following guiding principles for the development of these districts:

- **Accurate Classification:** Ensure land is classified in a way that reflects how it actually functions – so parcels serving as green space or conservation land are recognized as such, rather than left in residential or commercial categories that invite incompatible development.
- **Equity:** Promote enduring, low-impact recreational and open-space opportunities for current and future generations, equitably distributed across all of Kalamazoo’s 22 neighborhoods.
- **Natural Resource and Environmental Protection:** Promote the public health, safety, and general welfare; prevent ecological and economic damage due to unwise development patterns; and protect the free-flowing conditions, water quality, floodplain, fish and wildlife resources, scenic qualities, and recreational values of Kalamazoo’s natural areas and waterways for the benefit of present and future generations.
- **Environmental Performance:** Center green infrastructure, stormwater management, and tree canopy as core planning values – with those benefits equitably distributed across all neighborhoods.

Precedent from Other Communities

These are not radical ideas. Communities elsewhere already use dedicated conservation and green-space zoning as standard planning tools – some prohibiting development outright to protect sensitive land, others permitting only low-density use. Kalamazoo has no such districts today, and could lead among Michigan cities in adopting them. Several examples include:

- **Dane County, WI:** [Natural Resource-Conservation \(NR-C\) District](#) / [Recreational \(RE\) District](#)
- **Madison, WI:** [Conservancy \(CN\) District](#) / [Parks and Recreation \(PR\) District](#)
- **Coon Rapids, MN:** [Conservancy \(CD\) District](#)
- **Walworth County, WI:** [Lowland and Upland Resource Conservation Districts](#) / [Shoreland-Floodplain Zoning](#)
- **Washington County, MD:** [Environmental Conservation District](#) / [Preservation District](#) (pp. 43, 46)

Alignment with Kalamazoo's Own Plans

This proposal is directly consistent with Kalamazoo's own commitments, and the timing is ideal. Right now, through Imagine Kalamazoo 2035, the City is updating the guiding plans that shape how land in Kalamazoo gets used. Protecting the environment is already among the City's stated priorities – the open question is whether that commitment will come with real, enforceable protections or stay aspirational. The draft plan is open for public comment from August 31 to September 27, which makes this the moment to build these districts into Kalamazoo's planning framework, rather than waiting years for the next chance.

Our Requests

ALPA respectfully asks the City Commission, Planning Commission, and Environmental Concerns Committee to advise and encourage City Planning staff to:

1. Create a Green Space Zoning District and a Conservation Zoning District in our zoning ordinance;
2. Reflect these designations on the Future Land Use Map now, while it is being updated through Imagine Kalamazoo 2035, so the map and the new districts work together to guide development;
3. Apply the districts directly to public and institutional land already functioning as green space or conservation land, and allow private owners to opt in;
4. Study which parcels across Kalamazoo's neighborhoods would benefit from these designations; and
5. Bring a draft framework back to the community for input and eventual implementation.

Other cities have done this. Kalamazoo can too. The plan documents say we value the environment. ALPA is asking the City to zone like it means it. We welcome the opportunity to discuss this proposal further and to support the City in this work.

Respectfully submitted,

The Board of Directors

Asylum Lake Preservation Association (ALPA)



Planning Commission Staff Report

City of Kalamazoo

Date: **9/3/2026**

Item: **E.1.**

TO: City of Kalamazoo Planning Commission

FROM: Reviewed by: Christina Anderson, AICP, City Planner / Interim Director - CPED
Prepared by: Bobby Durkee, AICP, Assistant City Planner

DATE: September 3, 2026

SUBJECT: P.C. #2026.06 - A recommendation to the City Commission to approve text amendments to the Zoning Ordinance, Chapter 50, Article 4.1, General Provisions. The proposed amendment is to have the moratorium on data centers and other similar uses in the Chapter 50 Zoning Ordinance.

BACKGROUND:

At the City Commission meeting held on August 17, 2026, the City Commission approved a RESOLUTION to establish a moratorium on the acceptance and/or processing of applications for data centers, battery energy storage systems ("BESS"), cryptocurrency mining centers, and artificial intelligence ("AI") data centers. The moratorium responds to increasing development pressure in Southwest Michigan and growing community concern about noise, water usage, energy demand, environmental impacts, and compatibility issues. The moratorium directs City staff to develop zoning regulations that protect public health, safety, and welfare, identify suitable locations, and create standards to ensure these uses are responsibly managed.

This request for a moratorium will now be reviewed by the Planning Commission, since this is a zoning and land use issue. Text related to the moratorium on these land uses will be added to Chapter 50 Zoning, Article 4.1 (use table). The review will follow the same steps as all zoning text amendments, including review by the Planning Commission; the Planning Commission's recommendation to the City Commission on the proposed amendment; and review and action by the City Commission over two meetings. These steps outlined in the City's Zoning Ordinance closely mirror the State's enabling act, with additional notice provided for the City Commission public hearing as well.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Good Governance- Ensuring the City organization has the capacity and resources to effectively implement the community's Strategic Vision in a way that is sustainable over the long term.

The community has brought a concern to the City Commisison and the moratorium is a tool to provide staff, the public and Commisioners the time and expertise to evaluate the matter and develop standards that fit best for the City of Kalamazoo.

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

Collaborate (two-way conversation) - the communtiy will have a chance to shape the project by providing feedback.

Discussion: City staff will develop a Public Participation Plan (PPP) using the PPP guide of the City to plan out Ordinance language development, informational meetings, and eventual review by the Planning Commission of future zoning ordinance standards for data centers.

Engagement/Communication Tools

City website, social media, Planning Commisison meetings and other methods to inform and engage the public in the development of zoning ordinance language for data centers.

FINDINGS:

The Planning Commission recommends proposed zoning changes to the City Commission. When considering the request, the following should be considered per Chapter 8 of the Zoning Ordinance:

1. The extent to which the amendment is consistent with the Master Plan 2025 and Strategic Vision.

The amendment to set the moratorium is consistent with the 2025 Master Plan goals related to public health, environmental stewardship, responsible use, infrastructure resilience, and neighborhood protection. At the August 17 City Commission meeting, the Commission passed a RESOLUTION placing a moratorium on accepting applications for data centers, battery energy storage systems ("BESS"), cryptocurrency mining centers, and artificial intelligence ("AI") Data Centers. City Attorney Leal recommended that, in addition to the City Commission's resolution, the request follows the zoning ordinance amendment process, as the potential ordinance amendment language for the uses would be incorporated into the Zoning Ordinance. This route supports the Master Plan goal of good governance and public participation.

2. The extent to which there are changed conditions that require an amendment.

Public testimony and the City Attorney's guidance documented clear and substantial changed conditions. Over recent months, interest in hyperscaler and high-energy

digital infrastructure has expanded rapidly across Kalamazoo County and southwest Michigan. The pace of AI development, crypto mining, and closed-loop cooling innovations, along with statewide incentives, has accelerated data center siting and construction speculation. At the City Commission meeting, public comment referenced real-world and unexpected impacts of data centers. The current zoning ordinance did not foresee this type of technology or its anticipated land use, as the field and industry have rapidly evolved in recent years. A recent zoning verification letter demonstrated the changed conditions and the potential for development and associated impacts on land use.

3. The extent to which the proposed amendment addresses a demonstrated community need.

An urgent need has been demonstrated to the City, including the public testimony provided by the City Commission and the public requesting the moratorium. A summary of cited concerns included:

- **Noise and vibration impact on health and home stability**
- **Air and noise pollution**
- **Potential strain on water utility and / or groundwater.**
- **Proximity to homes and schools.**
- **Lack of standards in current City regulations.**

The community and City Commission have acknowledged the risk of proceeding without stronger regulations, noting that the City has a responsibility to protect residents and avoid setting precedent-setting actions that undermine community trust. This zoning ordinance amendment directly addresses a significant, well-documented community need for comprehensive, evidence-based standards to govern data center-related uses.

4. The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this Ordinance will maintain or improve compatibility among uses and will ensure efficient development within the City.

Public comment and testimony received demonstrated that data centers, BESS, and cryptomining-type uses create a unique industrial impact, unlike other M zoned uses. This moratorium is necessary to ensure that these uses are regulated to be compatible with surrounding uses and limit any potential impacts to adjacent properties. While data centers have existed for many years and come in different sizes and scales, recent breakthroughs in AI and the broad adoption of internet-

based subscription and cloud storage systems have made the demand increase greatly, with emerging impacts still being understood locally and regionally.

5. The extent to which the proposed amendment would result in a logical and orderly development pattern.

The proposed moratorium supports logical development patterns by ensuring that these land uses are not located haphazardly or in contexts where infrastructure cannot safely or efficiently support them. City Commissioners noted that the City's responsibility is not only to guide the current proposals but also to anticipate future iterations of data center facilities, including the categories listed in the moratorium language. Comments and testimony at the August 17 City Commission meeting highlighted the risks of unregulated development or building conversion, which could outpace the city's infrastructure capacity, environmental safeguards, and emergency services. By following the zoning amendment process with public hearings, findings, alignment with the Master Plan, and development of use standards, the amendment provides an orderly and rational development framework.

RECOMMENDATION:

It is recommended that the Planning Commission provide a favorable recommendation to amend Chapter 50, Article 4.1, Zoning Ordinance to include the moratorium on data centers, cryptocurrency data mining, BESS facilities, and AI data centers.

§ 50-4.1. General provisions.

The following general provisions apply to the uses outlined in Table 4.1-1, Use Table.

- A. Permitted uses. Uses are either permitted by right, permitted with development standards, or permitted if a special use permit is granted from the Planning Commission.

Table 4.1-1 Use Table									
Use	Node	LW1	LW2	D1	D2	D3	CNode	CC2	CC
Key:									
P = Permitted									
S = Special Use									
PD = Permitted - Development Standards Required									
Blank cell means the use is not permitted.									
Bed-and-break-fast		P	P	PD	P	P		P	
Hotel/motel	P	P	P	P	P	P	P		P
Nursing home/ assisted living/ rehabilitation center/adult foster care		PD	P	PD	P	P		PD	P
Residential (1 and 2 units)	PD	P	PD	PD	PD	P	PD	P	PD
Residential (3 and 4 units)	PD	P	P	PD	P	P	PD	P	PD
Residential: Multifamily (5 and more units)	PD	P	P	PD	P	P	PD	P	PD
Rooming house	PD	P	P	PD	P	P	PD	P	PD
Transitional residence		P	P			P		P	PD
Civic/Institutional Uses									
Assembly	PD	P	P	PD	P	P	P	P	P
Assembly, religious		S	S		P	S		PD	P
College and university		P	P		P	P		P	P
Hospital		P	P		P	P			P
Library and museum	P	P	P	P	P	P	P	P	P

Table 4.1-1 Use Table									
Use	Node	LW1	LW2	D1	D2	D3	CNode	CC2	CC
Parks, open space, and pre-serve		P	P		PD	P		P	P
Police and fire station		P	P		P	P		P	P
School		P	P			P		P	P
Commercial									
Adult regulated use									PD
Agriculture		PD	PD			PD		PD	P
Day-care center	PD	PD	PD		PD	PD	PD	PD	PD
Entertainment sports (participant - indoor)	P	P	P	P	P	P	P	P	P
Entertainment sports (participant - outdoor)		S	S		S	S		PD	P
General retail	P	P	P	P	P	P	P	P	P
General services	P	P	P	P	P	P	P	P	P
Kennels		PD	PD			PD		PD	P
Office	P	P	P	P	P	P	P	P	P
Outdoor sales and storage		S	S			S		S	PD
Package liquor	PD	PD		PD	PD	PD	PD	PD	PD
Parking (stand alone)		PD	PD		PD	PD		PD	PD
Vehicle service		PD/S	PD/S			PD/S		PD/S	PD/S
Industrial									
Craftsman industrial	PD	PD	PD	PD	PD	PD	PD	PD	PD
Industrial			PD						
Warehouse and distribution			S						S
Marihuana, Adult-Use Establishments									
Grower, all classes									PD
Processor									

Table 4.1-1 Use Table									
Use	Node	LW1	LW2	D1	D2	D3	CNode	CC2	CC
Safety compli- ance		PD	PD		PD	PD		PD	PD
Secure trans- porter									PD
Retailer		PD		PD	PD	PD		PD	PD
Microbusiness, all classes			PD					PD	PD
Designated consumption lounge				PD	PD	PD			PD
Marihuana, Medical									
Grower, all classes									
Processor									
Safety compli- ance		PD	PD		PD	PD		PD	PD
Secure trans- porter								PD	PD
Provisioning center		PD		PD	PD	PD		PD	PD

- B. Lot type required. Refer to Article 5, Zoning Standards: Lot Types, for additional use standards that may differ based on a ground or upper floor location within a building.
- C. Required licenses. Any facility that is required to be licensed by the State of Michigan shall have a valid license at all times. It is a violation of this Code to operate at any time without a valid license.

D. Moratoriums

(1) Data Centers

- (a) The City Commission determines that the approval of data centers may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety, and general welfare of property owners and residents of the City of Kalamazoo.
- (b) A data center is a facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer network equipment, systems, servers, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the data center. Some examples of data centers include: hyperscale; colocation; edge; and enterprise.

- (c) The City Commission has received from the public a multitude of land use compatibility and environmental concerns regarding data centers and their operation which include, but are not limited to, noise, vibrations, harmful decibel levels that exceed safe hearing limits and cause chronic sleep disturbances, lighting, excessive reliance of diesel generators for backup power, water usage, wastewater discharge, emergency fire response, and exceedingly high greenhouse emissions.
- (d) The City's Zoning Ordinance currently lacks specific local zoning standards, site plan requirements, design standards, utility and infrastructure requirements, environmental safeguards, and other regulatory controls tailored specifically to data centers that would address the foregoing issues.
- (e) The City Commission is reasonably concerned future data centers, without proper regulations, would be established in inappropriate or inadvisable locations within the City.
- (f) The Commission believes the concerns raised may require necessary regulations to be adopted to protect the public health, safety, and general welfare of the community.
- (g) The City Commission has a legitimate public purpose in assessing the regulation of the establishment and use of data centers within the City to ensure that data centers do not interfere with other land uses, or have substantial impacts on the environment, public health, and safety.

(2) Battery Energy Storage Systems ("BESS")

- (a) The City Commission determines that the approval of Battery Energy Storage Systems ("BESS") may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety, and general welfare of property owners and residents of the City of Kalamazoo.
- (b) A BESS is a system that stores energy from different sources, often renewable sources like wind and solar, and stores it in rechargeable lithium-ion batteries for later use when there is increased demand for energy from electrical grids. These systems commonly consist of lithium-ion batteries, power conversion systems, and control equipment but can vary widely in their uses and scale. The construction of these systems has increased due to the increased demand for electricity nationwide.
- (c) Since BESS systems primarily use lithium-ion batteries, they can spark fires that are extremely difficult to extinguish. According to the U.S. Environmental Protection Agency, these fires can reignite hours or days later. The fires can also release harmful gases that pose health safety risks for nearby residents and first responders.
- (d) Two BESS projects have been proposed in townships that border the City. This has raised concerns as to potential land use and environmental impacts such BESS projects may have on the City, including any BESS projects that may desire to construct a facility

within the City.

- (e) The City's Zoning Ordinance currently lacks specific local zoning standards, site plan requirements, design standards, utility and infrastructure requirements, environmental safeguards, and other regulatory controls tailored specifically to BESS systems that would address the foregoing issues.
- (f) The City Commission is reasonably concerned that future BESS systems, without proper regulations, would be established in inappropriate or inadvisable locations within the City.
- (g) The Commission believes the concerns raised may require necessary regulations to be adopted to protect the public health, safety, and general welfare of the community.
- (h) The City Commission has a legitimate public purpose in assessing the regulation of the establishment and use of BESS systems within the City to ensure that BESS systems do not interfere with other land uses, or have substantial impacts on the environment, public health, and safety.

(3) Cryptocurrency Mining Centers

- (a) The City Commission determines that the approval of cryptocurrency mining centers may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety, and general welfare of property owners and residents of the City of Kalamazoo.
- (b) Cryptocurrency mining operation involves the validating of cryptocurrency transactions on a blockchain network and adding them to a distributed ledger. These operations typically occur in specialized data centers that require substantial and specialized computing power. As a result, cryptocurrency mining operations require lots of computer processing power which requires high amounts of electricity. These operations require servers to run 24 hours a day.
- (c) Cryptocurrency mining operations' high energy use creates a significant amount of heat which could pose fire risks if the cooling systems are inadequate. In addition, their high energy consumption can destabilize electric grids. These operations also create loud industrial noise that can adversely impact nearby residents and businesses. For example, the Dowagiac, Michigan data center is a cryptocurrency mining center that has generated excessive noise that resulted in noise ordinance citations and a class action lawsuit. Finally, cryptocurrency mining centers are scalable as demand increases. Where traditional data centers are static infrastructure, cryptocurrency mining centers are modular.
- (d) The City's Zoning Ordinance currently lacks specific local zoning standards, site plan requirements, design standards, utility and infrastructure requirements, environmental safeguards, and other regulatory controls tailored specifically to cryptocurrency mining centers that would address the foregoing issues.

- (e) The City Commission is reasonably concerned future cryptocurrency mining centers, without proper regulations, would be established in inappropriate or inadvisable locations within the City.
- (f) The Commission believes the concerns raised may require necessary regulations to be adopted to protect the public health, safety, and general welfare of the community.
- (g) The City Commission has a legitimate public purpose in assessing the regulation of the establishment and use of cryptocurrency mining centers within the City to ensure that they do not interfere with other land uses, or have substantial impacts on the environment, public health, and safety.

(4) Artificial Intelligence (“AI”) Data Centers.

- (a) The City Commission determines that the approval of AI data centers may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety, and general welfare of property owners and residents of the City of Kalamazoo.
- (b) An AI data center is a computing facility designed to support artificial intelligence and machine learning workloads at scale. While traditional data centers focus on general-purpose computing, AI environments prioritize computing resources and extremely fast data movement. These facilities typically include: Graphics Processing Unit-accelerated computing clusters; high-throughput storage systems; low-latency networking fabrics; and specialized cooling and power infrastructure. AI data centers consume much more energy to power their facilities as compared to traditional data centers. As a result, AI data centers tend to be located in hyperscale or collocation data centers.
- (c) AI data centers create the same land use compatibility and environmental concerns as traditional data centers do as described in Section 2., Paragraph 3, but to a larger scale.
- (d) The City’s Zoning Ordinance currently lacks specific local zoning standards, site plan requirements, design standards, utility and infrastructure requirements, environmental safeguards, and other regulatory controls tailored specifically to AI data centers that would address the foregoing issues.
- (e) The City Commission is reasonably concerned future AI data centers, without proper regulations, would be established in inappropriate or inadvisable locations within the City.
- (f) The Commission believes the concerns raised may require necessary regulations to be adopted to protect the public health, safety, and general welfare of the community.

- (g) The City Commission has a legitimate public purpose in assessing the regulation of the establishment and use of AI data centers within the City to ensure that AI data centers do not interfere with other land uses, or have substantial impacts on the environment, public health, and safety.

(5) Moratorium of uses.

- (a) The City Commission hereby declares that it has the statutory authority to adopt a moratorium as described in this section, and the City Commission additionally adopted the findings in Sections 1 through 4 above as legislative findings supporting the need for a temporary moratorium on data centers, battery energy storage systems, cryptocurrency mining centers, and AI data centers.

- (b) The City Commission finds that adopting a limited moratorium is reasonable and necessary for, among other reasons, the following reasons:

[1] Michigan courts have recognized that a moratorium is a common and legitimate tool to preserve the status quo while formulating a development strategy.

[2] The City Commission wants to review and study the public health, safety, and welfare concerns regarding data centers and any City regulations that may impact and/or regulate such projects.

[3] The adoption of the moratorium will allow the City Commission adequate time to study and possibly implement revisions to the City's ordinances and regulations, including attention to and consideration of citizen input and involvement, public debate and full consideration of all points of view.

- (c) The City Commission hereby imposes a temporary moratorium on the acceptance and/or processing of any applications for a data center, battery energy storage systems, cryptocurrency mining center, and AI data center. The temporary moratorium is until August 16, 2027, or until the effective date of any amended or new City ordinances or regulations addressing data centers, battery energy storage systems, cryptocurrency mining centers, and AI data centers are effective, whichever occurs first.
- (d) Before the moratorium on data centers, battery energy storage systems, cryptocurrency mining centers, and AI data centers expires, the City Commission may extend the moratorium by resolution as appropriate to allow sufficient time to complete amendments or additions to its ordinances and regulations.
- (e) City staff, together with the City Attorney and appropriate technical consultants, if needed, shall undertake a comprehensive review of the land use, infrastructure, environmental, public safety, and other regulatory issues associated with data centers, battery energy storage systems, cryptocurrency mining centers, and AI data centers. Not later than the termination date of the moratorium as provided herein, City staff shall present to the Planning Commission and the City Council proposed Zoning Ordinance amendments for consideration.
- (f) If any provision, clause, sentence, or phrase of this Resolution is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such decision shall not

§ 50-4.1

§ 50-4.1

affect the validity of the remaining provisions of this Resolution, which shall remain in full force and effect.

- (g) This Resolution shall be interpreted and applied to be consistent with all applicable State and Federal laws. Nothing in this moratorium shall be constructed as limiting any vested rights recognized by law.

Year 2026	Project Address	Project Description	Applicant	Property Owner	Checklist App. Received	Checklist App. Meeting	Checklist Approval Date	Date Site Plan Rec.	Fee	Committee Meet. Date	Design Review	Site Plan Review Status	Final Site Plan Approval Date	Final Inspect.	Process Issues
Site Plan Review															
PSP26-001	4515 Green Acres Drive	Two Building Additions (Kalamazoo Protestant Reformed Church)	Kenneth Feenstra	Kalamazoo Protestant Reformed	12/4/2025	1/7/2026	1/9/2026	1/28/2026	\$ 520.00	2/25/2026		Approved	5/6/2026		
PSP26-002	436 W Willard Street	Pave Existing Gravel Lot (Clark Logic)	AR Engineering	Clark Logistics Group LXI LLC	6/10/2025	7/16/2025	7/18/2025	3/13/2026	\$ 520.00	4/15/2026		Approved	5/26/2026		
PSP26-003	3616 Stadium Drive	Site Redevelopment for a New Car Dealership (LaFontaine Automotive Group Mazda)	LAG Stadium Dr LLC	LAG Stadium Dr LLC	9/9/2025	10/15/2025	10/17/2025	2/23/2026	\$ 520.00	3/25/2026		Under Review			
PSP26-004	3718 Stadium Drive	Building Addition and Site Work for a Car Dealership (LaFontaine Automotive Group Mercedes-Benz)	LAG Stadium Dr LLC	LAG Stadium Dr LLC	9/9/2025	10/1/2025	10/3/2025	2/23/2026	\$ 520.00	3/25/2026		Under Review			
PSP26-005	1617 N Drake Road	Phase I: Tree Clearing for Youth Sports Complex (Westgate Sports Complex)	Westgate 131, LLC	Westgate 131, LLC	1/26/2026	2/11/2026	2/13/2026	2/23/2026	\$ 635.00	4/1/2026	NFP	Approved	4/2/2026		
PSP26-006	918 Riverview Drive	Site Redevelopment for a New Gas Station (7-11/Speedway)	CESO, Inc	Midwest States, LLC	2/6/2026	2/18/2026	2/20/2026	3/18/2026	\$ 520.00	4/22/2026		Under Review			
PSP26-007	817 S Westnedge Avenue	Change of Use to a Commercial Kitchen	Mohammad Abbas	Mohammad Abbas	1/27/2026	2/18/2026	2/20/2026	3/24/2026	\$ 312.00	4/29/2026	HDC	Approved	5/1/2026		
PSP26-008	1617 N Drake Road	Phase II: Indoor Youth Sports Complex Development	Westgate 131, LLC	Discover Kalamazoo	1/26/2026	2/11/2026	2/13/2026	4/1/2026	\$ 635.00	4/29/2026	NFP	Approved for foundation ONLY			
PSP26-009	1204 E Alcott Street	Demolition, New Regulation Building, and Site Work (Consumers Energy)	Consumers Energy	Consumers Energy	2/6/2026	3/4/2026	3/6/2026	4/6/2026	\$ 520.00	5/6/2026		Approved	5/6/2026		
PSP26-010	825 Porter Street (includes 901 Pitcher)	New Mixed-Use Development (825 Porter) and Parking Lot (901 Pitcher)	Hurley & Stewart	City of Kalamazoo Brownfield	2/6/2026	3/4/2026	3/6/2026	4/16/2026	\$ 520.00	5/13/2026		Under Review			
PSP26-011	314 S Park Street	New Building Addition (Kalamazoo Institute of Arts)	Tower Pinkster	Kalamazoo Institute of Arts	3/6/2026	3/18/2026	3/20/2026	4/30/2026	\$ 520.00	5/27/2026		Approved	6/26/2026		
PSP26-012	4755 Campus Drive	Development of a New Office Building and Site Work (Owen Ames Kimball)	Owen Amens Kimball Co	Owen Amens Kimball Co	2/16/2026	3/11/2026	3/13/2026	5/6/2026	\$ 520.00	6/3/2026	BTR/PC	Under Review			
PSP26-013	1008 E Crosstown Parkway (includes 1008 Rear/1016 E Crosstown Parkway, 1007/1011 Fourth Street)	Automotive Recycling Facility (Flowers Automotive Recyclers)	Ronald Flowers Jr.	Calvin Curtis	10/16/2025	10/29/2025	10/31/2025	5/7/2026	\$ 312.00	6/3/2026		Under Review			
PSP26-014	401 E Michigan Avenue	Change of Use to a Private Collection Gallery, Demolition of Parking Lot, and Development of a New Performance Hall (The Larry J. Bell Library Foundation)	Abonmarche	The Larry J. Bell Library Foundation	11/17/2025	12/3/2025	12/5/2025	6/4/2026	\$ 520.00	6/24/2026		Under Review			
PSP26-015	607 E Kilgore Road (includes 4200 Portage Street)	Milham Park Improvement Project Phase I (City of Kalamazoo)	OCBA, Inc.	City of Kalamazoo	4/14/2026	4/29/2026	5/1/2026	6/8/2026	\$ 520.00	7/1/2026	NFP	Under Review			
PSP26-016	116 W Cedar Street (includes 427, 431, and 433 S Rose Street)	Site Redevelopment for a Four-Story Residential Development (Rose III)	Hurley & Stewart	116 West Cedar LLC	4/3/2026	4/22/2026	4/24/2026	6/5/2026	\$ 520.00	7/15/2026	NFP	Under Review			

PSP26-017	112 Born Court (includes 1216, 1222, 1228 Burdick Street, 232/310 Balch Street)	Site Redevelopment to Add Green Infrastructure and Promote Stormwater Education (City of Kalamazoo WRD Central Expansion Phased Work)	OCBA, Inc.	City of Kalamazoo	4/3/2026	4/22/2026	4/24/2026	6/12/2026	\$ 520.00	7/1/2026		Under Review			
PSP26-018	145 E Water Street	Demolition and Renovation of Arcadia Creek Festival Place (City of Kalamazoo)	City of Kalamazoo	City of Kalamazoo	12/30/2025	1/21/2026	1/23/2026	6/12/2026	\$ 520.00	7/15/2026		Under Review			
PSP26-019	3400 Covington Road	Building Addition and Parking Expansion (Schupan)	AR Engineering	North 40 Enterprises, LLC	5/20/2026	5/27/2026	5/29/2026	6/25/2026	\$ 520.00	7/22/2026		Under Review			
PSP26-020	209 and 219 W Cedar Street	New Parking Lot	Hurley & Stewart	219 West Cedar, LLC	3/6/2026	4/1/2026	4/3/2026	6/29/2026	\$ 520.00	7/22/2026		Under Review			
PSP26-021	3645 W Michigan Avenue	Permanent Food Trailer (Blowd Flav)	Hussain Mohsin	Kirit I and Chandanben K Patel	6/14/2026	6/24/2026	6/26/2026	7/3/2026	\$ 260.00	8/12/2026		Under Review			
PSP26-022	4710 Stadium Drive	Site Redevelopment for a New Gas Station (Citgo)	American Gas & Oil Inc.	American Gas & Oil Inc.	5/22/2026	7/15/2026	7/17/2026	8/18/2026	\$ 520.00	9/16/2026		Held - Incomplete			
PSP26-023	517 E North Street (includes 713 Harrison Street)	Parking Lot Expansion (Life EMS)	Fritz Wahfield Jr.	M&M Holdings, LLC	7/13/2026	7/21/2026	7/23/2026	8/21/2026	\$ 520.00	9/9/2026					