

Agenda

Planning Commission

City of Kalamazoo



Monday, August 9, 2021

7:00 PM

Virtual Meeting

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 July 1, 2021

D. COMMUNICATIONS AND ANNOUNCEMENTS

E. PUBLIC HEARINGS

1. P.C. #2021.11: 4221 S. Westnedge Ave. Request for a special use permit for an animal kennel in the Commercial – Community District (CC)
2. P.C. #2021.12: 333 E Alcott Avenue. Request to rezone 6.6 acres of a parcel from Manufacturing – Limited District (M-1) to Residential – Multi Dwelling District (RM-24)

F. DISCUSSION/ACTION ITEMS

G. REPORTS

1. City Planner's Report
2. Site Plan Review - 2021 Project Spreadsheet
3. Updated 2021 Planning Commission Meeting Schedule

H. PUBLIC COMMENTS

- I. CITY COMMISSION LIASON COMMENTS**
- J. PLANNING COMMISSIONER COMMENTS**
- K. ADJOURNMENT**

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
July 1, 2021
DRAFT

This meeting is being conducted electronically pursuant to the Open Meetings Act MCL 15.263 (2) and
MCL 15.263a 1(b).

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

Members Excused: Shardae Chambers; Jennifer Swan

City Staff: Christina Anderson, City Planner; Pete Eldridge, Assistant City Planner; Beth
Cheeseman, Executive Administrative Assistant; Joe Ulery, Deputy Chief
Information Officer; Don Hepler, Senior Systems Analyst; Amanda Cockroft,
Marketing and Communication Specialist; Chris Preadel, City Commissioner;
Jamie McCarthy, Redevelopment Project Manager; Clyde Robinson, City
Attorney; Nolan Bergstrom, AmeriCorps – Neighborhood Corridor Coordinator

Public present: Mr. Ron Franklin

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 Vyas, seconded by Commissioner Burgess, moved approval of the July 1, 2021
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 June 3, 2021
minutes as presented. With a voice vote, the motion carried unanimously.**

D. COMMUNICATIONS AND ANNOUNCEMENTS

Chair Milliken announced the process for people to call and leave comments to be played for the Public
Hearings or non-agenda Citizen Comments.

E. PUBLIC HEARINGS

1. P.C. #2021.09: 723 Cooley Street. Request for special use permit for a rooming house at 723 Cooley Street in the Residential Multi Dwelling District (RM-36)

Planner Eldridge presented the staff report. He explained that a rooming house is where bedrooms are rented independently from each other and the rest of the house is used as common space for the tenants. Planner Eldridge reviewed maps and pictures of the property. The house is a two-story, three bedroom, one and a half bath house with 1235 sq. ft. The area surrounding the house is predominantly residential with some commercial and a couple of vacant lots. Planner Eldridge also mentioned that there are about 50% rental properties on Cooley Street and approximately half the block is LW-1 zoned. It transitions at Cooley to RM-36 zone district. The Future Land Use map shows it designated as Neighborhood Edge – which is indicative of an area where there is support for small scale commercial, single family, and medium density residential which would include the rooming house. Planner Eldridge stated that this request aligns with the Master Plan and also the Northside Neighborhood Plan by offering alternative housing options. Regular noticing was sent out and the applicant went door to door to reach residents on Cooley Street to explain his application. Planner Eldridge explained the rationale for staff recommendation. The proposed special use is appropriate for the area and compatible with surrounding uses on the block. The rooming house complies with the use standards of the ordinance and no additional standards need to be met. RM-36 is high density residential. In addition to the rooming house, transitional residences, rehabilitation centers, group daycares, parking lots, fraternity and sorority houses are allowed in this area as a special use. The location and design of the proposed special use minimizes adverse effects, visual impact, odor, noise, glare, and doesn't create nuisances. There are no planned changes to the exterior of the structure or interior layout. There is adequate parking on the site. No environmental impact has been noted. There is adequate road capacity and the house has an existing driveway. No new ingress/egress are to be added. There is adequate City water and sewer services, and there is adequate access for emergency vehicles. Planner Eldridge stated that this special use complies with all the standards in the ordinance. It meets the zoning ordinance and is subject to rental housing code and inspections. Staff recommends approval of the Special Use permit.

Commissioner Harrison asked how long Special Use Permits are in effect once they are issued. Planner Eldridge explained that they go with the land. As long as future landowners use it in the exact same way (as a 3-room rooming house) then there isn't any change. He said that if someone modified the structure, for example, by adding more bedrooms, that would be outside of the scope of this approval. That would bring it back to the Planning Commission.

Commissioner Vyas asked how many people are allowed to live in each room. Planner Eldridge stated that it is based on the bedroom size. He thought the building code specified a minimum of 100 sq. ft. for a single occupancy bedroom and an additional 50 sq. ft. for each additional person. Commissioner Vyas wondered if there would be enough parking. Planner Eldridge said the parking requirement is three and the driveway will accommodate that number.

The applicant, Mr. Ron Franklin, shared that none of the current residents have vehicles. As long as he has owned the property, no resident who has lived there has had a vehicle. He verified that the driveway would accommodate three vehicles as was stated. Mr. Franklin stated that there is only one person in each bedroom currently. He was not sure about the sizes.

Mr. Franklin said there is a tremendous need for these types of facilities. A lot of individuals seeking housing do not have the resources to move and support a full house on their own. This serves to help fill

that gap. He said that this type of facility also helps meet the needs of individuals coming out of jail or different facilities who are trying to work back into the community to live independently. They can come together to share expenses and support. The living room, dining room, kitchen, and bathrooms are common.

Commissioner Milliken asked Mr. Franklin how far he lived from the property in reference to management and oversight. Mr. Franklin stated that he lives about 15 minutes away from this residence.

Commissioner Pitts asked about time limit for leases. Mr. Franklin said they typically want six months at a minimum to a year. He indicated that is not a strict policy. They would like to have a 30 day advance notice before a tenant moves out. Mr. Franklin said it was similar to renting to a single family. Guidelines are needed to run efficiently.

Commissioner Pitts asked if they could choose roommates and if there was any mechanism in place to handle complaints. Mr. Franklin said he always wants to make sure there is a good fit of people within the house. If there is disruption in the household, it is addressed immediately. He wants to make sure that each person has a place of peace to call home. He said the current environment of the house is really good.

Commissioner Phelps said, in theory, a group of friends could come and rent the entire space all together. Mr. Franklin responded that they could if there are openings in all the rooms. Typically, it is only one vacancy at a time. The option is always there to rent to a single family or individuals. Because it is a rooming house, they still maintain the flexibility to rent to a single family. The Special Use permit gives that option.

Commissioner Burgess noted that for this type of rental unit, Mr. Franklin would likely have to do more management than people might have to do in other types of rentals. He thanked Mr. Franklin for providing this type of housing opportunity for people.

Commissioner Harrison asked for information about the process of ranking applications. Mr. Franklin said they would check history, references, background and make sure there aren't any concerns. He said that if there are indications of problems, in terms of not working well with the others, they are addressed, and not allowed. Checking background is very important whether it is rooming house or single family rentals.

Commissioner Milliken opened the public comments portion of the public hearing.

No public comments.

Commissioner Milliken closed the public comments portion of the public hearing.

Commissioner Burgess, seconded by Commissioner Pitts, moved to approve the special use permit for the rooming house at 723 Cooley Street in the Residential Multi Dwelling District (RM-36).

Commissioner Burgess commented that the change in status for the house stays consistent with current zoning and future zoning as detailed in the staff report. He saw no concern to keep from approving the special use permit.

Commissioner Pitts thought it was a great idea. He has seen similar things on the Northside and thinks it is greatly needed. He will support the special use permit.

Commissioner Milliken said this was a great opportunity for a desperate need in the community. He believed this was a unique way to increase density without creating new construction. He indicated that they should spread the word and let people know about these types of opportunities. Commissioner Milliken concurred with the staff report that the request meets the requirements of the zoning ordinance.

Roll call vote was taken and passed unanimously.

2. P.C. #2021.10 Natural Features Protection Overlay Map and Text Amendments to Chapter 50 of the Zoning Code, Article 6.

Ms. Jamie McCarthy presented the staff report. She said the NFP Board has been working on the amendment to the map and to the text of the code for the last year and a half. Some changes that occurred was that the map incorporates updated data where possible, criteria was changed to be more objective, and the map was put out for public feedback. Ms. McCarthy said the text amendments are in response to observations and evaluations the NFP Board made in the past two years in implementing the code. It was also based on feedback received when engaging with the public and from comments received from the Planning Commission. She said that staff has provided the Planning Commission an overview of how NFP has been implemented to date and how it resulted in more intentional design and development with natural features of that site in mind. The Planning Commissioners heard specific examples where NFP has been successfully implemented. These examples included sites where hazardous materials were kept away from water bodies and projects where they were able to balance some land clearing while leaving some woodlands intact. Ms. McCarthy said they have the opportunity to take that process which has been tested and expand it to cover more significant natural features in the City. She mentioned that this expansion aligns with many Neighborhood Plans in the City.

Ms. McCarthy introduced Mr. Nolan Bergstrom. She said they have tried to provide more information to residents and businesses about what NFP is and how it would impact or influence their projects and properties. They created an online map to convey more information at the individual parcel level. Ms. McCarthy shared that 376 properties have been in the overlay district for two years. With the proposed expansion, there would be 1,865 parcels in the overlay in total. She indicated they are more fully covering water bodies and water shed slopes.

Mr. Bergstrom stated that the idea of the web map was to code it and make it easier for staff to reference, make it more searchable, and make it easier for residents to review. The map conveys what natural features were on the property. Mr. Bergstrom said their method was to have a primary, secondary, and tertiary natural features identified. He said that nearly half only had one major feature; 41% had two features and 12% of the 1800+ parcels had 3 selecting features. Mr. Bergstrom mentioned that probably a smaller percentage had four or more features. The criteria they looked for was the following: adjacent to preserve, adjacent to hydrology, hydrology, slope, woodland, and community feedback.

Mr. Bergstrom encouraged people to check out the map. He reviewed how to use the map by using Kleinstuck Preserve as an example. He shared that there is a static version of the map and a lookup table available as well. Mr. Bergstrom reviewed the NFP refinement process that took place from 2018-2021. He observed that it was a lot of work on the NFP Board, but they are now in a place that is very sound. Phase 3 of NFP would focus on engagement.

Ms. McCarthy shared that they provided a large format printed map and look up table at City Hall. She said they created a Fact Sheet and FAQ page which was mailed out and posted on the website. They had

information sessions to talk about how it applied to projects and properties and what those amendments looked like.

Ms. McCarthy went through how NFP applies to projects that are required to have site plan and those that are not required to have site plan. She talked about when projects would go to the NFP Board. She explained there is an option in the ordinance and zoning code for variances. This would be an option if there is a hardship, or if the rules severely limit the use or development of a property for its zoned purpose. Ms. McCarthy shared that there are special exceptions to the zoning code for state or government units, public utilities, or public universities. State laws exempt them from following the City zoning code. She gave the example that WMU has some parcels in the NFP Overlay and that are mapped in NFP 2. The purpose of mapping those is to verify that the natural features are there and because ownership can change over time. These types of projects may be reviewed by the City on a case by case basis if at all.

Ms. McCarthy pointed out that the changes in the proposed amendment regarding trees addresses the concerns they heard from the community. They made two changes for residential type projects where site plan is not required. If it is necessary to remove a protected tree species, then there are no replacement trees required. They have also removed the need to have an arborist or professional come out to evaluate the tree. For projects that are required for site plan review, she noted that there is an amendment to the bonding requirement. The amendment proposes that NFP Board has more guidance on when a bond is required instead of the blanket requirement that currently exists.

Ms. McCarthy reviewed their engagement efforts. She said that in the past month, they've had more one to one conversations with people. They held virtual information sessions. Notice letters were sent. Public comments were posted to the website. Ms. McCarthy said they offered NFP zoning reviews to talk with people specifically about their property and their projects. They received phone calls, emails, and letters from the public and various boards and organizations.

Commissioner Burgess asked Ms. McCarthy to speak about the bonding changes. Ms. McCarthy said the Board found that in many cases, especially for smaller projects, there was a low threat to natural features. The amendment would be to selectively use bonding as a tool based on written criteria. The NFP Board would evaluate if there were substantial natural features located on the site and if the nature of the work happening on the site would be a threat to the natural features. Ms. McCarthy noted they do something similar with demolition permits. Commissioner Burgess stated that he understood the flexibility that would bring but cautioned that it may open them up to claims of partiality or inconsistency.

Commissioner Milliken opened the public comment portion of the public hearing.

Mr. Steve Symons, Ms. Kay Takahashi, and Mr. Robert Piellusch called in support for the expansion of the Natural Features Protection Phase 2. They each noted that it was important to protect natural features in Kalamazoo, especially the Asylum Lake Preserve. Mr. Piellusch stated the importance of preserving a buffer zone in light of development near Stadium Drive.

Ms. Karen Larson called in support of the NFP expansion. She mentioned lasting damage in reference to the water quality of Asylum and Woods Lakes. Ms. Larson believed that NFP Phase 2 encourages thoughtful development. She also called to let Planning Commissioners know that the stewards of Kleinstuck have reached their goal and paid off their loan. She indicated that showed the support behind the NFP. She urged the Planning Commissioners to vote yes.

Ms. Lauri Holmes called in support of the expansion of the Natural Features Protection Ordinance. She compared the NFP rules with zoning regulations as far as limits placed on what people can do with their property. She said they have been slow to realize that green spaces, trees, sources of water, hillsides and parks are as important as having neighborhoods without factories, bars, or adult bookstores. Ms. Holmes noted an article reporting studies showing that clean air and the presence of trees and green spaces in a neighborhood makes a big difference in the physical health of residents. She noted that life expectancies have been decreasing the last 10 years which is opposite of any other industrial country in the world. Ms. Holmes asked the Planning Commissioners to help ensure this community will continue to be a place where people truly love where they live.

Mr. Jon Hoadley, Mr. Chris Vederman, Ms. Beth Gregory Wallace, Ms. Ann Wester, Mr. Alan Hunt, Ms. Connie Ferguson, and Mr. Ian Magnuson called in support of NFP Phase 2. They noted that they wanted continued protection of the City's natural features. Mr. Hoadley believed it was a reasonable plan which strikes a nice balance. Mr. Hunt complimented the committee on their work and how thorough and careful they've been in reviewing parcels. Mr. Magnuson also thanked the City for working so hard and improving this tool for smart development and environmental protection.

Mr. Tom Duffield, Mr. Joe Buyers, and Ms. Iris Potter called in support of NFP Phase 2. They hoped that this ordinance would prevent the cutting of more trees and woods. Mr. Buyers and Ms. Potter, along with Ms. Bonnie Alkema and Ms. Emily Demerest, also expressed strong support of the NFP expansion in light of climate change and the City's Climate Emergency.

Ms. Diana Morton-Thompson called in on behalf of the board of Oakland Drive Winchell Neighborhood Association. She stated that they support the NFP Phase 2 map and proposed ordinance changes. Ms. Morton-Thompson stated that the documents align with City's Master Plan and the Oakland Drive Winchell Neighborhood Plan. They felt it set a logical and equitable foundation for protecting natural features in City of Kalamazoo for now and generations to come.

Ms. Rebecca Nevela, Ms. Donna Perry Keller, and Ms. Diana Morton-Thompson called in to support the NFP expansion and having their properties included in the overlay.

Ms. Judy Huxmann called in her total support of the NFP Phase 2 ordinance. She stated that it requires developers to think differently about how green spaces get developed. It doesn't unduly prohibit property owners from making changes on their parcel. Ms. Huxmann believed that the ordinance was created thoughtfully by people who know what they are doing.

Mr. John Kruizer supported the NFP Phase 2. He noted that people need places that provide restorative energy. Particularly those in the inner City without access to the country or acreage. Mr. Kruizer hoped the Planning Commission would see logic in increasing this area and giving the resources a fighting chance.

Stacy, Ms. Tina McClinton, and Richard Stewart called in support of the NFP Phase 2. They expressed thankfulness that the green space between Stockbridge and Lake Street was included in the expansion. They shared that it is full of wildlife, trees, wetlands, and a natural watershed which helps with flooding.

Ms. Sharon Deaver called in support of NFP Phase 2. She said she has watched the NFP Review Board go through cases, and she thinks they have done an amazing job. They've put a ton of work in this. Ms. Deaver noted that this is a part of the Master Plan and she hoped the Planning Commission would approve it.

Mr. Michael Vasicek called and made a statement. He said he intentionally didn't send a letter in advance for two reasons. First, his words were twisted last time and used inaccurately. Mr. Vasicek said the committee didn't address the questions or concerns that were in the letter he sent - leaving many of them to wonder if the letters were even read. He asked the Planning Commissioners to make note of his questions and discuss them live. He first requested the breakdown between commercial, public, and residential properties in the overlay. What portion is residential and why are we considering implementing this for residents? Mr. Vasicek felt it was an unnecessary undue burden. The argument for commercial and public property made sense to him and he voiced support of that. He did not think it makes sense for private residents. He suggested a proposal be made to remove private resident property from the scope. Mr. Vasicek commented that the NFP Committee stated that woodlands were only used as a secondary or tertiary characteristic of the properties in the scope. This precise statement can be found in the NFP virtual information sessions. His second question was, if that statement were true why do over 50 properties on this list have woodlands listed as their primary feature? Clearly the NFP Committee has not been truthful about the scope in this case. Potentially overreach could be the word. Mr. Vasicek thought these properties should be removed from scope regardless of classification. They may mention that community feedback was another characteristic for some of these properties. from a legal perspective, what someone thinks of your property is irrelevant from the characteristics of your property. That is just common sense. Mr. Vasicek stated that there were improvements that NFP made to their proposal and he applauded them for that. However, he said they have ignored the private property cries of government overreach. Mr. Vasicek proposed the Planning Commissioners do one of three things: 1) approve the overlay with the requirement that anyone can remove their property from scope within 30 days; 2) approve the overlay with the scope reduction as mentioned; 3) reject this proposal and have them go back and rewrite it.

Ms. Mary Vicalli from Norton Shores called in support of the NFP Phase 2. She said she comes to Kalamazoo quite often, and she really likes it. Ms. Vicalli stated that actions are needed to look out for creatures and the future of all of us. She encouraged Planning Commissioners to vote for the proposal to protect public places.

Commissioner Pittelko asked if a parcel is put in the NFP layer accidentally or by a misreading of the map, is there an appeals process if the natural features are not there. Ms. McCarthy responded that they would be able to go through the rezoning process and come to the Planning Commission. Then a case can be heard very specifically about that property.

Commissioner Phelps asked for confirmation that this would not prevent any sort of safety maintenance of natural features that were deemed a hazard. Ms. McCarthy said that was correct. She explained that there were five conditions whereby someone can remove any protected tree, such as damage to the tree or if it threatens a structure or infrastructure. Trees that are less than 24" or not on the protected species list are not considered protected and can be removed for any reason. Ms. McCarthy said the ordinance is trying to strike a balance and cause people to pause and evaluate if cutting down a tree is essential, and worth the time and expense.

Commissioner Vyas, seconded by Commissioner Pittelko, moved to recommend approval to the City Commission for the amendment to the zoning ordinance regarding the Natural Features overlay map and text amendments.

Commissioner Vyas said she was excited to move this forward. She acknowledged that they struggled with this ordinance previously, but what was put forth was an extraordinary body of work. Commissioner Vyas stated that it aligns with Imagine Kalamazoo and what multiple groups across the community are working toward. She said it is a wonderful next step to take on.

Commissioner Pittelko commented that he voted against this last time. He said that a lot of concerns were addressed with the changes that were made. Commissioner Pittelko appreciated the NFP Board and staff efforts in retooling this and bringing it back to them. He thought it looked better, and he was proud to support it.

Commissioner Phelps said she would be supporting this. She got the rare opportunity to be on the other side as a contributor when it was first released and now to be voting on it. Commissioner Phelps was glad to see from staff presentations that they did as good of a job as she hoped when she contributed as a resident of Kalamazoo.

Commissioner Milliken said he voted in favor a few months ago. He was glad that it failed because what they have before them is far superior to what was in front of them several months before. Commissioner Milliken said the text is cleaner and it addresses a lot of concerns that were raised. He thought the map was better and more defensible. Commissioner Milliken thought the extra time allowed them and the public to understand the text more and address the concerns raised throughout the process. He appreciated the examples brought before them of how the NFP ordinance was applied to specific projects. It showed that it met the goals of NFP and allowed development to continue. Commissioner Milliken noted that there were no complaints from people who have gone through the process. He stated that the public comments were overwhelmingly positive. Last time that was not the case. Commissioner Milliken said that was an important marker. He thanked everyone involved. He commented that this process has been a great example of democracy in action. Commissioner Milliken noted that there was one commenter who asked them to ask questions. He said he wasn't going to ask those questions. They've heard from staff multiple times about how the ordinance affects privately owned property. He was comfortable with where that stands. Commissioner Milliken said it satisfies the standards of the zoning ordinance for an amendment to a zoning ordinance. It is compliant with Imagine Kalamazoo and several Neighborhood Plans.

Roll call vote was taken and passed unanimously.

F. DISCUSSION/ACTION ITEMS:

None.

G. REPORT:

1. City Planner's Report

Planner Anderson said they hired a new Neighborhood Activator, Dan Baisden. She commented that Planning Commissioners haven't seen Neighborhood Plan in a bit, because they haven't had the staff to move them forward. They will see them starting again next year.

Planner Anderson said it sounded like the City Commission was going to make a motion to change meetings to in-person. She asked them to plan to be in-person for the August meeting and to reach out to herself or Planner Eldridge if they had concerns.

Commissioners Milliken and Vyas and Planner Anderson stated they would be out of town for the August meeting. Planner Anderson reminded Planning Commissioners that the September meeting is before Labor Day.

H. CITIZENS' COMMENTS (Regarding non-agenda items)

None.

I. CITY COMMISSION LIAISON COMMENTS

Commissioner Praedel said it was great to see so many people make comments and call in. He thought it could be daunting to see a list of 20 or more people who call in. He sees it as 20 people who are passionate about something and any time that happens in our community, it is a win. Commissioner Praedel thanked them for their diligence in taking feedback from everybody along this process. He thought City staff knocked it out of the park in terms of engagement and education opportunities and fine tuning things. He encouraged them to get some rest over the holiday.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Milliken thanked everyone for their attention and research. For the new members, he thought it was a good introduction into some hard core zoning ordinance work. Commissioner Milliken thought staff did a great job working through the process and addressing items that were raised last fall. He wished everyone a safe and happy fourth of July.

K. ADJOURNMENT

Commissioner Milliken adjourned the meeting at 8:45 pm.



Planning Commission Staff Report

City of Kalamazoo

Date: **8/9/2021**

Item: **E.1.**

TO: City of Kalamazoo Planning Commission

FROM: Reviewed by: Christina Anderson, AICP, City Planner
Prepared by: Pete Eldridge, AICP, Assistant City Planner

DATE: August 9, 2021

SUBJECT: P.C. #2021.11: 4221 S. Westnedge Ave. Request for a special use permit for an animal kennel in the Commercial – Community District (CC)

BACKGROUND:

Kzoo Cat Café and Rescue has been looking to relocate to a larger building in Kalamazoo for the last couple years. The building at 4221 S. Westnedge Avenue located in the Commercial – Community District (CC) has been utilized as a hair salon since approximately 1996. This location on S. Westnedge Avenue has approximately 12 to 15 parking spaces and a building floor plan which would accommodate Kzoo Cat Café and Rescue with no exterior alterations and minimal interior alterations. The building entrance has a vestibule which will keep cats confined within the building. The applicant has indicated that this will be an indoor shelter for cats only operated in the same manner as their current location.

Kzoo Cat Café and Rescue has been in operation at 1128 W. Michigan Avenue since 2017. The building is located approximately 40 feet from an adjacent residence and no complaints have been received to date. This business is classified as an animal kennel but is an indoor shelter for cats which includes a café element where patrons can visit with the cats and have a beverage and snack.

The adjacent properties to the north (insurance office) and south (nail salon) are in the same Commercial - Community District. The property to the east is in the Residential – Multi Dwelling District (RM-15) which has a single-family home fronting on Evelyn Avenue. The distance between the commercial building and this home is approximately 160 feet.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:



Economic Vitality - A supportive infrastructure for growing businesses and stabilizing the local economy for the benefit of all.

Strategic Vision and Master Plan Impact:

The City's Master Plan 2025 identifies this area as Commercial in the Future Land Use Map indicating this site is appropriate for a variety of retail, office, restaurant, entertainment, and service type businesses. The use of the property for an indoor animal kennel and café does align with the land uses allowed in this commercial designation.

The Strategic Vision Goal of Economic Vitality is supported as this is a local business that is able to move within the City and expand.

COMMUNITY ENGAGEMENT:

Inform– the community will be made aware of the project by City notice and applicant outreach.

Public Hearing Notices

Notice of the public hearing was published in the Kalamazoo Gazette and notices sent to all property owners within 300 feet of the subject property on July 23, 2021.

Engagement/Communication Tools

The applicant sent out letters to surrounding residents to provide information about the proposed special use permit request.

FINDINGS:

The Planning Commission's role is to approve or disapprove special use permit requests based on the following criteria from Chapter 8 of the Zoning Ordinance. Staff's opinion of the level of conformance of the project with the criteria is provided in the bolded text.

1. That the proposed special use is appropriate for its proposed location and compatible with the character of surrounding land uses and the uses permitted in the zone district(s) of surrounding lands.

This use will be compatible with the adjacent commercial land uses along S. Westnedge Avenue. It is similar to other animal-oriented businesses such as pet stores, pet grooming and veterinarian clinics allowed in this zone district with the exception of the overnight sheltering of cats inside the building. In addition, this business also includes a cafe element, which is a permitted use in this district.

2. That the proposed special use complies with Sec. 4.2: Use Standards of the zoning ordinance.

There are no additional use standards in Chapter 4, Section 4.2 of the Zoning Ordinance for animal kennels.

3. That the location and design of the proposed special use minimizes adverse effects, including visual impact of the proposed use on adjacent lands by: 1) avoiding significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and does not create a nuisance; 2) retaining, to the greatest extent possible, the natural features of the landscape where they provide a barrier or buffer between the proposed special use and adjoining lands; 3) locating buildings, structures, and entryways to minimize impact; and, 4) providing appropriate screening, fencing, landscaping, and setbacks.

No adverse impacts are anticipated as the building exterior and parking lot will remain unchanged and all business activity with the kenneling of cats and the café will occur inside the building. Animal waste will be properly disposed of per the applicant.

4. That the proposed special use minimizes environmental impacts and conforms to all relevant environmental protection standards of this ordinance, or any other state or federal laws.

There are no environmental impacts to note. This is a licensed animal shelter which must operate under the guidelines of the Michigan Department of Agriculture.

5. That there is adequate road capacity available to serve the proposed special use.

The existing road capacity of South Westnedge Avenue is more than sufficient to handle the traffic for this business which is not anticipated to generate more traffic and parking demand than the hair salon on the site now.

6. That the proposed special use is designed to ensure safe ingress and egress onto the site and safe road conditions around the site.

Ingress and egress drives already exist.

7. That there are adequate potable water, wastewater, solid waste, park, police, and fire/EMS facilities to serve the proposed special use.

The site is adequately served by all services.

8. That the proposed special use is located and designed so that adequate access onto the site is provided for fire, police, and EMS services.

Adequate access will continue to be provided on the site for emergency services.

9. That the proposed special use complies with the appropriate standards in Chapter 6: General Development Standards and Article 7: Parking and Loading of Chapter 50.

The proposed change does require Site Plan Review and required off-street parking can be accommodated on the property.

10. That the proposed special use complies with all standards imposed on it by all other applicable provisions of the ordinance for use, layout, and general development characteristics.

The animal kennel use will meet all applicable zoning standards and is subject to licensing and inspection by the Michigan Department of Agriculture.

RECOMMENDATION:

It is recommended that the Planning Commission approve the special use permit request.



Community Planning & Economic Development

245 N. Rose Street, Suite 100 • Kalamazoo, MI 49007

(269) 337-8026 • www.kalamazoo.org

PLANNING COMMISSION APPLICATION

APPLICANT INFORMATION			
Name: Abbey Thompson		Mailing Address: 1020 Clover St	
City: Kalamazoo		State: MI	ZIP Code: 49008
Phone: 6082342682	Email: kzoocatcafe@gmail.	Preferred Contact: ☒ Email ☐ Phone	
PROPERTY OWNER INFORMATION			
If the applicant is not the property owner, owner must sign application or provide a letter stating that owner gives consent for the application to be filed.			
Name: Thomas Marsman		Mailing Address: 3634 Lancaster Dr	
City: Kalamazoo		State: MI	ZIP Code: 49006
Phone: 269 615 3885	Email: tmarsman1@gmail.com	Preferred Contact: ☐ Email ☒ Phone	
PROPERTY INFORMATION			
Property Address(s): 4221 S Westnedge Ave Kalamazoo MI 49008			
Parcel Identification Number(s):		Zone District (kalamazoo.org/maps):	
TYPE OF REQUEST			
☐ Rezoning ☐ Text Amendment (Chapter(s) _____, Section(s) _____) ☒ Special Use Permit		☐ Planned Unit Development (PUD) ☐ Preliminary Subdivision ☐ Right of Way Vacation	
Description: Kzoo Cat Cafe and Rescue would like to use the property at 4221 S Westnedge as an "animal kennel", as allowed in zone CC with special permit.			
ATTACHMENTS			
☒ \$ 375 Fee		☒ Completed Review Sheet	
☒ Other documents or engagement information			
Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support			
SIGNATURE			
Signature of Applicant: Abbey L Thompson		Date: 6/29/2021	
Signature of Owner (if different than applicant): Thomas Marsman		Date: 7-7-21	



PLANNING COMMISSION

SPECIAL USE PERMIT REVIEW SHEET

Please describe use which requires a special use permit: (may also provide on a separate sheet):

Animal Kennel - specifically, indoor sheltering for cats (and only cats) temporarily in isolated cages for quarantine or injury-related isolation purposes. As a licensed shelter, we operate under all guidelines from the Michigan Department of Agriculture, as well as local ordinance regarding animals. The cats at the cafe are confined by a number of joined rooms in the building rather than cages for the duration of their stay at Kzoo Cat Cafe and Rescue until time of adoption. ~~Additional information attached.~~

Review Criteria for Special Use Permit

The Planning Commission will use the following criteria to review Special Use Permits. Please reach out to staff if you have any questions.

Will the proposed special use be appropriate for this location and compatible with the character of surrounding land uses and the uses permitted in the zone districts?

Yes, the operation is not dissimilar to a pet store, pet grooming, sales, veterinary clinic, veterinary hospital. Each of these uses are permitted in the CC district, which is the zoning for properties directly north and south of the proposed site on Westnedge Ave.

Does the proposed special use comply with the Use Standards of Chapter 4 and Chapter 50 for this land use?

Yes, in both cases, no use or development standards are required for kennels in the CC district.

Will the location and design of the special use reduce any negative impacts on surrounding lands with regard to: visual impact, parking and loading, odors, noise, glare, and vibration?

No noticeable change will occur due to the special use. All cat waste will be disposed of properly. Odor will not be detected outside the building. Parking will not be any greater than current (salon) use. None of the other mentioned impacts apply.



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Does the location and design of the special use reduce undesirable effects, including visual impact of the proposed use on adjacent property by retaining some natural features of the landscape to provide a buffer between the special use and adjoining lands?

None of the landscaping buffers between adjoining lands will be altered. The building exterior will not be physically changed and any aesthetic alteration (painting, etc) will be arbitrary to taste. The special use will not have any undesirable visual affect that requires additional landscape buffering.

Does the location and design of the special use reduce adverse effects, including visual impact of the proposed use on adjacent property by locating buildings, structures, and entryways to reduce impact?

The existing design will remain as-is with no adverse effect to adjacent properties.

Does the location and design of the special use reduce adverse effects, including visual impact of the proposed use on adjacent property by providing appropriate screening, fencing, landscaping, and setbacks?

No alteration to existing screening, fencing, landscaping or setbacks planned at occupancy.
No adverse effects to mitigate. Buyer may choose to add landscaping at a future time to beautify the grounds.

Will the proposed special use reduce environmental impacts, and conform to all environmental protection standards of this Ordinance, or any other state or federal laws?

Waste related to kennel operation is exposed of properly. Operation will continue to conform with Ordinance and all appropriate state and federal laws per current lease operation at 1128 W Michigan Ave.

Will there be adequate road capacity available to serve the proposed special use?

Westnedge Avenue is a commercial corridor and ideally suited to serve the proposed special use.

Will the proposed special use be designed to ensure safe ingress and egress onto the site and safe road conditions around the site?

Site is currently designed to do so. No alterations shall be made other than maintenance of asphalt.

Will there be adequate potable water, wastewater, solid waste, park, police, and fire/EMS facilities to serve the proposed special use?

We anticipate no increase in the need for any of the services mentioned. It is likely water use may be somewhat reduced from that of the current (hair salon) use.

Will the proposed special use be located and designed so that adequate access onto the site is provided for fire, police, and EMS services?

Yes

Does the proposed special use meet the appropriate standards in Chapter 6: General Development Standards?

Yes, all development standards in Chapter 6 apply equally to the existing use and the proposed special use. No alterations shall be made.

Does the proposed special use meet all standards imposed on it by all other sections of this Ordinance for use, layout, and general development characteristics?

Yes

From: [Kaitlyn Bates](#)
To: [Eldridge, Peter](#)
Subject: [External Email] Kzoo Cat Cafe and Rescue Support Letter
Date: Friday, July 23, 2021 10:57:59 PM

To whom it may concern,

I don't want to take up too much of your time, but I wanted to write to you in support of something I deeply care about. It is my understanding that a zoning meeting is coming up in August for the Kzoo Cat Cafe and Rescue with regard to their potential new building. I am connected to this animal rescue as a volunteer, adopter, & kitten foster.

To start, six months ago I didn't even like cats, but after just one visit to the Kzoo Cat Cafe I completely fell in love with them. The owner of the cafe, Abby Thompson, is on fire with passion for animal welfare in a city that struggles with an ever-growing feral cat population. She makes a real difference with her nonprofit animal rescue and I was inspired by her to help her cause in any way I could.

The animals in the cafe are well cared for in an enclosed environment that is both quiet & clean where they can receive visits from potential adopters. The volunteers take every precaution that animals do not get loose from the cafe as each animal is loved & valued.

In addition, during the time I have spent volunteering at the rescue it has never been unreasonably loud, or caused any disturbances to its nearby residential neighbors or Jimmy Johns. There is absolutely no reason for property owners in Kalamazoo to be concerned about being located near the Kzoo Cat Cafe. Honestly, if individuals were not informed of the Kzoo Cat Cafe's location there is nothing that would indicate their current building is an animal rescue at all other than the feline faces curiously peering out the windows.

I strongly encourage that the Kzoo Cat Cafe be permitted the necessary permits to occupy their potential new building because to my knowledge their move to the new building would not conflict with the zoning ordinances of Kalamazoo.

Thank you for your consideration,

Sincerely,

Kaitlyn Bates

From: [Tom Marsman](#)
To: [Eldridge, Peter](#)
Subject: [External Email] Kazoo Cat Cafe,
Date: Tuesday, July 27, 2021 3:56:59 PM

To Peter Eldridge,

I would like to voice my support for the Cat Cafe. After viewing their website and seeing the good they do I feel they would be a great addition not only to the community but to the other business in the area. Thank you Tom Marsman Styles Ahead 269/615/3885

P. C. #2021.11 - 4221 S. Westnedge Avenue
Special Use Permit
Animal Kennel in the Commercial-Community District (CC)



P. C. #2021.11 - 4221 S. Westnedge Avenue
Special Use Permit
Animal Kennel in the Commercial-Community District (CC)

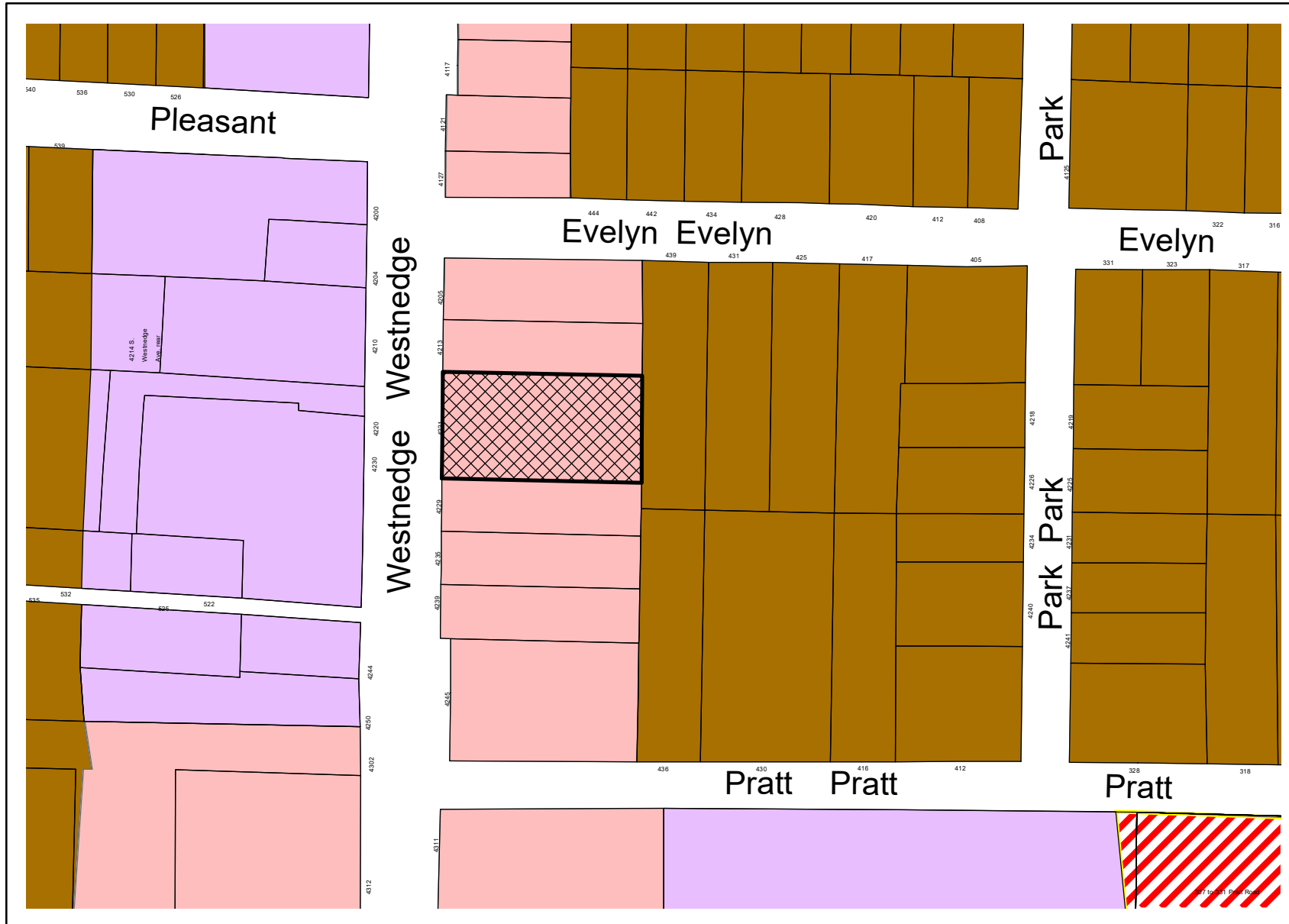
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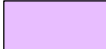
P. C. #2021.11 - 4221 S. Westnedge Avenue

Special Use Permit

Animal Kennel in the Commercial-Community District (CC)



Current Zoning

-  CC
-  CO
-  PUD
-  RM-15



P. C. #2021.11 - 4221 S. Westnedge Avenue
Special Use Permit
Animal Kennel in the Commercial-Community District (CC)

0 62.5 125 250 Feet

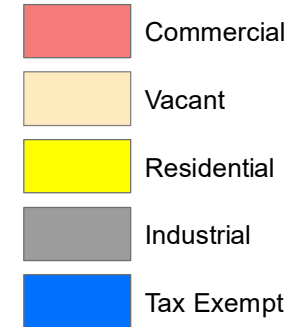


P. C. #2021.11 - 4221 S. Westnedge Avenue
 Special Use Permit
 Animal Kennel in the Commercial-Community District (CC)

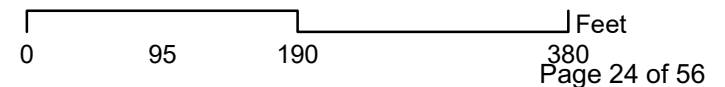
EXISTING LAND USE

Land Use

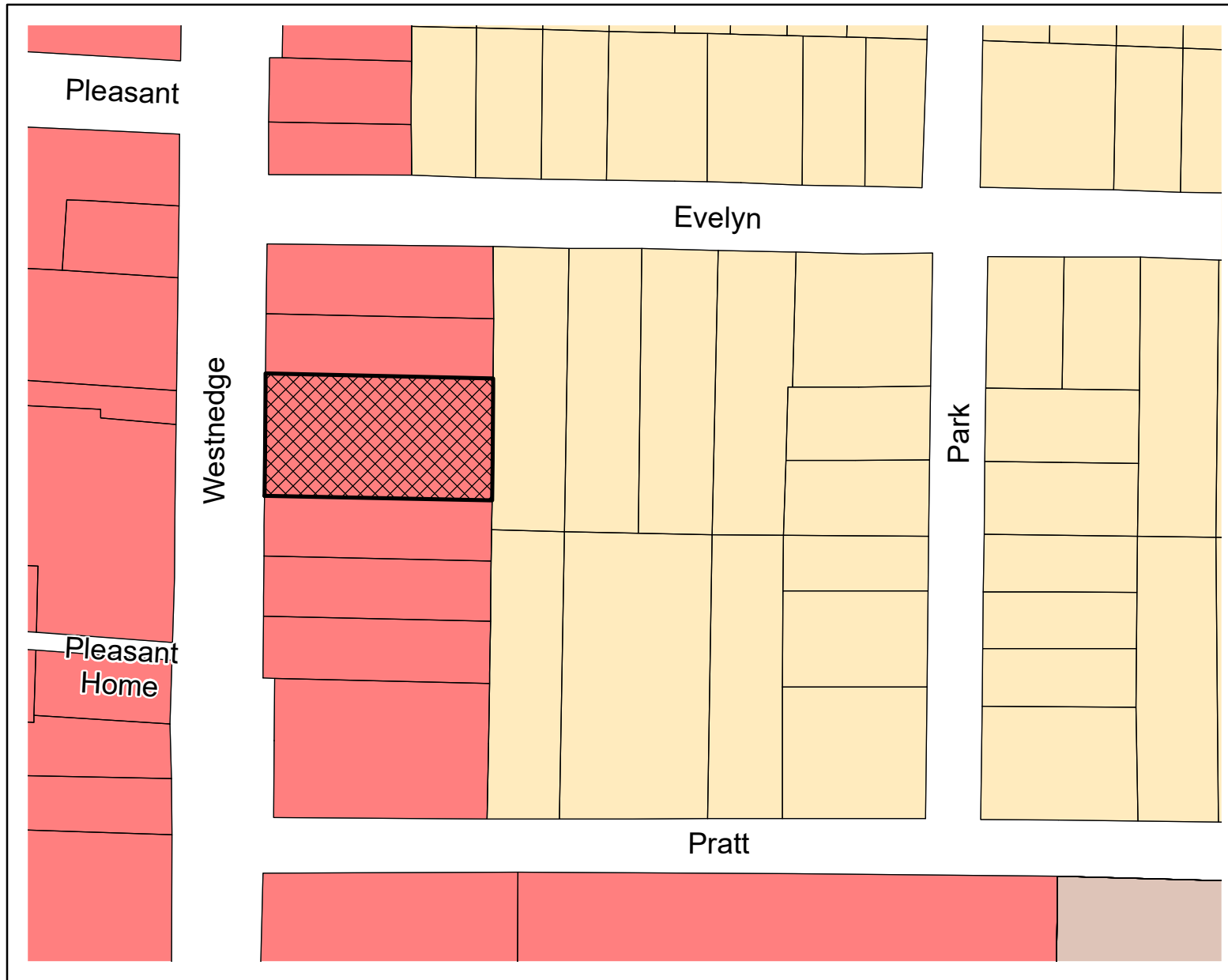
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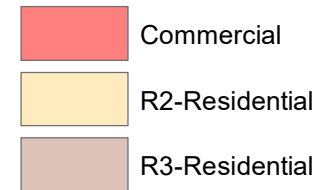
P. C. #2021.11 - 4221 S. Westnedge Avenue
 Special Use Permit
 Animal Kennel in the Commercial-Community District (CC)



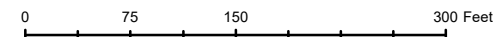
P. C. #2021.11 - 4221 S. Westnedge Avenue
Special Use Permit
Animal Kennel in the Commercial-Community District (CC)



**FUTURE
LAND USE**



P. C. #2021.11 - 4221 S. Westnedge Avenue
Special Use Permit
Animal Kennel in the Commercial-Community District (CC)





Planning Commission Staff Report

City of Kalamazoo

Date: **8/9/2021**

Item: **E.2.**

TO: City of Kalamazoo Planning Commission

FROM: Reviewed by: Christina Anderson, AICP, City Planner
Prepared by: Pete Eldridge, AICP, Assistant City Planner

DATE: August 9, 2021

SUBJECT: P.C. #2021.12: 333 E Alcott Avenue. Request to rezone 6.6 acres of a parcel from Manufacturing – Limited District (M-1) to Residential – Multi Dwelling District (RM-24)

BACKGROUND:

This Brownfield Redevelopment Authority parcel is vacant and undeveloped. It formerly contained facilities for the Performance Paper Company. The Bryant Paper Company was the first business located on the site which began operations in 1895. Other paper manufacturers operated on the site for the next 102 years include Allied Paper and Performance Paper. All manufacturing operations ceased on the site in 1997 and the facility sat dormant until 2004 when the State of Michigan began demolition of the buildings. This work was completed in 2011. Since then these former industrial sites have slowly been redeveloped. The one building which remained on the site is the former Illinois Envelope Building at 400 Bryant Street, which was redeveloped as offices for the Kalamazoo County Health Department. In 2017, the 49,000 square foot Family Health Center at 505 E. Alcott Street was completed. In 2019, the State of Michigan constructed a 70,000 square foot office building on 427 E. Alcott Street for the Department of Health and Human Services.

This rezoning request is the same as was brought to the Planning Commission on August 21, 2018 by this applicant. At that time the Planning Commission voted to approve a recommendation to the City Commission for the rezoning of this corner of Reed Street and Belford Street to the RM-24 District. However, due to project complications the project nor the rezoning moved forward after the Planning Commission meeting. The Hollander Development Corporation which brought this project forward in 2018 has since revised the project. The original project was 50 apartments for permanent supportive housing for individuals recovering from substance use disorders. The revised project includes a total of 48 apartments with 12 of the units being utilized for permanent supportive housing and the remaining 36 units for affordable workforce housing.

The properties to the north of the site along Reed Street are in the Residential – Single Dwelling District. This district and Residential - Multiple Family 15 (RM-15) exist to the east. These lots

contain single family residences. To the south and west the properties are zoned Manufacturing – Limited District. There are four single family occupied lots directly to the south on Bryant Street and the DHHS Office Building on the south side of Bryant Street. Portage Creek borders the parcel to the west.

STRATEGIC VISION ALIGNMENT:



Complete Neighborhoods - residential areas that support the full range of people's daily needs



Environmental Responsibility - A green and health City.

Master Plan, Strategic Vision and Neighborhood Plan Alignment:

The City's Master Plan 2025 Future Land Use Map identifies this area as Neighborhood Edge. The Neighborhood Edge category is intended to encourage a mix of small-scale development in areas that serve as the transition between more intensive commercial development. It can include a variety of uses and building types. This rezoning which would allow for medium density residential development is consistent with the Neighborhood Edge category. The rezoning also aligns with the 2019 Edison Neighborhood Plan as one of the critical development issues noted was the need for more, decent affordable housing.

The rezoning touches on the Strategic Vision goals of Complete Neighborhoods with the proposed addition of affordable work force housing units and permanent supportive housing units to add more housing options for the community. Further, the goal of Environmental Responsibility is reinforced with this sustainable multi dwelling project being located on a brownfield site.

COMMUNITY ENGAGEMENT:

Inform. – the community will be made aware of the project.

Public Hearing Notices

Notice of the public hearing was published in the Kalamazoo Gazette and notices sent to all property owners within 300 feet of the subject property on July 23, 2021.

Engagement/Communication Tools

The applicant sent out letters to surrounding residents to provide information about the proposed project and has met with the Edison Neighborhood Association multiple times.

FINDINGS:

The Planning Commission's role is to make a recommendation to the City Commission regarding the proposed zoning changes. When considering the request, the following should be considered per Chapter 8 of the Zoning Ordinance:

1) Consistency with the 2025 Master Plan and Strategic Vision.

This rezoning request aligns with the Strategic Vision, 2025 Master Plan, and Edison Neighborhood Plan goals.

2) Change of Conditions that Require a Rezoning.

Extensive environmental clean-up has brought about the opportunity for redevelopment of areas of this former paper mill parcel. The development of a medical and health services campus with residential development along the fringe no longer aligns with the existing manufacturing zoning.

3) Does Amendment Address a Demonstrated Community Need?

Yes, rezoning this parcel supports development of needed housing units in the community.

4) Compatibility with Surrounding Uses.

Yes, the rezoning will be compatible with adjacent residential zoning on the north side Reed Street and on east side of Belford Street and will be a good transitional use from this low density residential to the commercial uses.

5) Will the Amendment Result in a Logical and Orderly Development Pattern?

Yes, the proposed rezoning will result in a medium density residential transitional area between the commercial uses and the residential area.

RECOMMENDATION:

It is recommended that the Planning Commission recommend approval of the rezoning request to the City Commission.



Community Planning & Economic Development

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PLANNING COMMISSION APPLICATION

APPLICANT INFORMATION			
Name: Hollander Development Corporation		Mailing Address: 1822 W Milham Ave, Suite 2	
City: Portage		State: MI	ZIP Code: 49024
Phone: 269.388.4677	Email: matt@hollanderdevelopment.com	Preferred Contact: ☒ Email ☐ Phone	
PROPERTY OWNER INFORMATION			
<i>If the applicant is not the property owner, owner must sign application or provide a letter stating that owner gives consent for the application to be filed.</i>			
Name: City of Kalamazoo Brownfield Redevelopment		Mailing Address: 241 West South Street	
City: Kalamazoo		State: MI	ZIP Code: 49007
Phone: 269.337.8000	Email: mccarthyja@kalamazoo.org	Preferred Contact: ☒ Email ☐ Phone	
PROPERTY INFORMATION			
Property Address(s): 333 Alcott St			
Parcel Identification Number(s): 06-27-213-003		Zone District (kalamazoo.org/maps): M-1	
TYPE OF REQUEST			
☒ Rezoning ☐ Text Amendment (Chapter(s) _____, Section(s) _____) ☐ Special Use Permit		☐ Planned Unit Development (PUD) ☐ Preliminary Subdivision ☐ Right of Way Vacation	
Description: Requesting an approximately 3 acre portion of parcel be rezoned to RM-24			
ATTACHMENTS			
☒ \$ 550 Fee		☒ Completed Review Sheet	
☒ Other documents or engagement information <i>Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support</i>			
SIGNATURE			
Signature of Applicant: 		Date: 7/12/21	
Signature of Owner (if different than applicant):		Date:	



July 12, 2021

City of Kalamazoo Planning Commission
241 West South Street
Kalamazoo, MI 49007

Dear Commissioners:

Hollander Development Corporation (HDC) is seeking your approval to rezone a sub-parcel of parcel 06-27-213-003 from M-1 (Manufacturing District) to RM-24 (Residential, Multi-Family District) in order to construct a 48-unit multifamily apartment community. The parcel is currently owned by the City of Kalamazoo Brownfield Redevelopment Authority.

The proposed new 6.64-acre parcel bounds Portage Creek on the West, Reed Street on the North, and Belford Street on the East. The Southern boundary is split between Bryant Street and the back (North) boundary of four existing single-family homes.

The site is a clearly defined transition area between commercial and medical office uses and an existing single-family neighborhood. On the West is a large office building housing Kalamazoo County Health and Community Services. To the South are the State of Michigan Department of Health and Human Resources and Family Health Center, both large commercial structures. To the North and West are primarily detached, single family homes.

HDC's intent is to construct a total of forty-eight homes on the site. The apartments would be spread across multiple three-story "walk-ups" consisting of two- and three-bedroom floorplans in groups of twelve units. This use would promote a reasonable, gradual transition between the two districts described above.

An earlier iteration of this project was already approved for rezoning to RM-24 by the Planning Commission on August 21, 2018. However, the project did not move forward due to various factors unrelated to zoning. Notable changes to the project are as follows:

1. Originally, HDC intended to construct fifty units of permanent supportive housing (PSH) for individuals in recovery from substance use disorders. The supportive housing portion of this project has been scaled back to twelve units in a single building with amenities specific to that population. This change was made in response to concerns

about the density of PSH units from the Edison Neighborhood Association, neighborhood residents, and community members.

2. The remaining thirty-six units are now intended to be affordable workforce housing for households earning maximum incomes between \$32,520 and \$61,320/year depending on household size (\$16.26 and \$30.66 respectively). Maximum rents for two- and three-bedroom apartments would be \$1,045/month and \$1,207/month including utilities. This change was made to increase the City of Kalamazoo's supply of workforce housing, a critical community need.
3. Originally, the sub-parcel was going to be 2.6 acres and would omit land near the intersection of Reed Street and Belford Street containing hazardous coal ash. HDC now intends to remediate the coal ash as a part of the project and the sub-parcel size has been increased to 6.64 acres. This change was made in order to solve the site's environmental problems "once and for all" and to avoid any future exposure to residents should the buried coal ash be disturbed during future construction activities.

The Planning Commission already approved a similar rezoning request on a portion of this sub-parcel because the request fits the Strategic Vision goals of shared prosperity, environmental responsibility and economic vitality. It is consistent with Kalamazoo's Master Plan, will meet demonstrated community needs, and is fully compatible with existing zoning and development patterns.

For additional information, please contact me at 269.388.4677 or matt@hollanderdevelopment.com.

Yours Truly,



Matt Hollander, President

Exhibits:

- A. "Vision Board" of Three-Story 12-Plexes
- B. 6-11-21 Survey by Driesenga & Associates, Inc.

Exhibit A: “Vision Board” of Three-Story 12-Plexes

The following images depict typical three-story, twelve-unit apartment buildings. They are only included to convey the massing of the buildings Hollander Development Corporation intends to construct on the sub-parcel at 333 Alcott. These images are not intended for construction, permitting, or any other commercial purpose and are not the work product of HDC. Cladding types, paint colors, roof types, window placements, and other factors will differ from what is shown here. Depending upon site considerations some 12-plexes may be joined into larger buildings in multiples of twelve using this “three story walk-up” configuration.



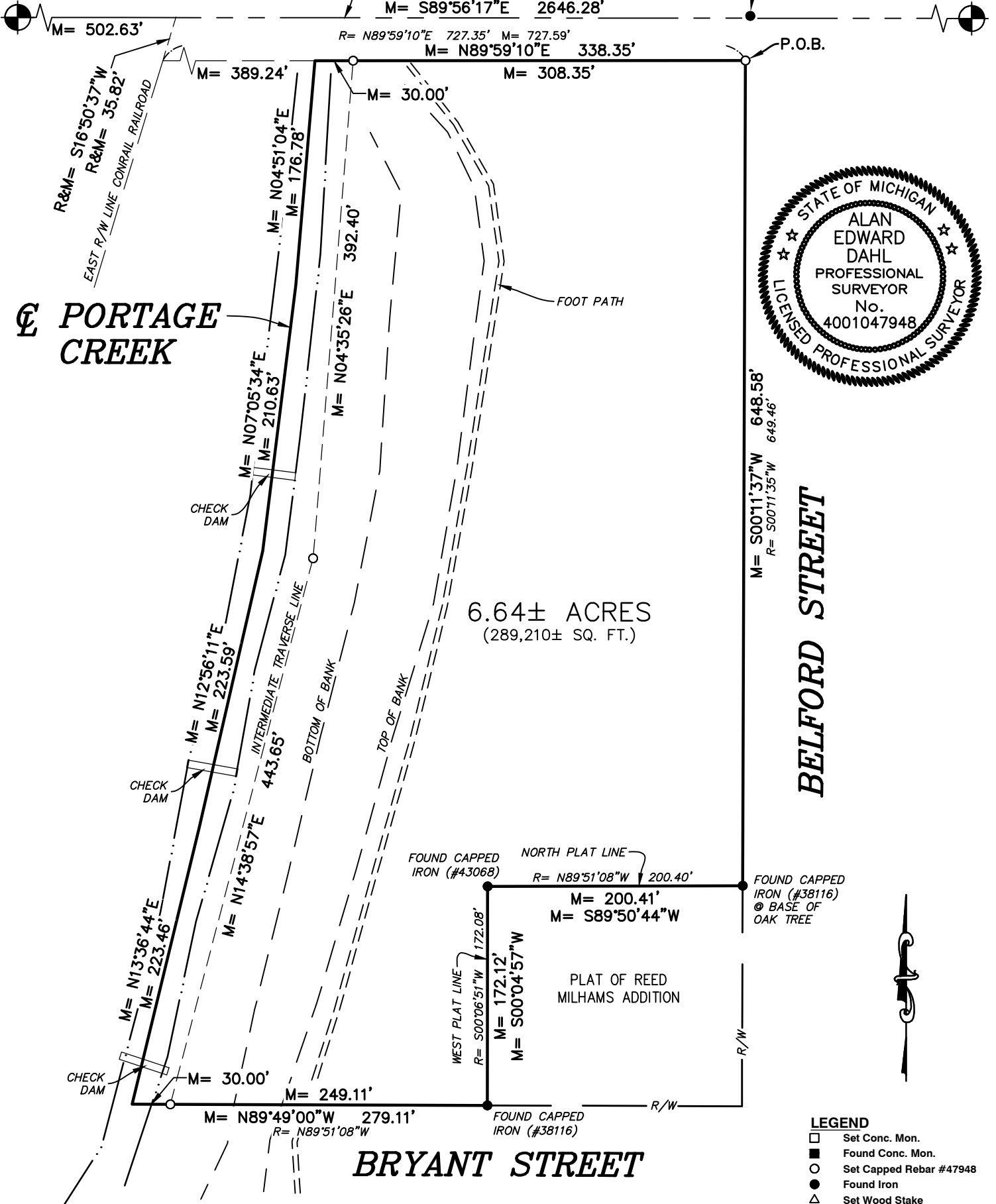
PLAT OF SURVEY

REED STREET

NORTH 1/4 CORNER OF
SEC 27, T02S, R11W

FOUND "PK" NAIL 3.7'±
EAST & 1.8'± NORTH
OF PROPERTY CORNER

NORTHEAST CORNER OF
SEC 27, T02S, R11W



Alan E Dahl

Alan Edward Dahl

P.S. No. 4001047948



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ALCOTT / REED / BELFORD STREET
SECTION 27, T02S, R11W, CITY OF KALAMAZOO, KALAMAZOO CO.

-FOR-
HOLLANDER DEVELOPMENT CORPORATION
1822 W MILHAM AVENUE, SUITE 2, PORTAGE, MI 49024

DRAWN BY: GLK | DATE: 06-11-2021 | SHEET 1 OF 1 | JOB NO. 2150416.5A

PLAT OF SURVEY

LEGAL DESCRIPTION

PART OF THE NORTHEAST 1/4 OF SECTION 27, TOWN 02 SOUTH, RANGE 11 WEST, CITY OF KALAMAZOO, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 27; THENCE ALONG THE NORTH LINE OF SAID SECTION 27, SOUTH 89 DEGREES 56 MINUTES 17 SECONDS EAST 502.63 FEET TO THE INTERSECTION OF SAID NORTH LINE AND THE EASTERLY RIGHT OF WAY LINE OF THE CONRAIL RAILROAD: THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, SOUTH 16 DEGREES 50 MINUTES 37 SECONDS WEST 35.82 FEET TO THE SOUTH RIGHT OF WAY LINE OF REED STREET: THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 59 MINUTES 10 SECONDS EAST 727.59 FEET (PREVIOUSLY DESCRIBED AS 727.35 FEET) TO THE WEST RIGHT OF WAY LINE OF BELFORD STREET FOR THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 00 DEGREES 11 MINUTES 37 SECONDS WEST 648.58 FEET (PREVIOUSLY DESCRIBED AS SOUTH 00 DEGREES 11 MINUTES 35 SECONDS WEST 649.46 FEET) TO THE NORTH LINE OF THE PLAT OF REED AND MILHAM'S ADDITION; THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 50 MINUTES 44 SECONDS WEST 200.41 FEET (PREVIOUSLY DESCRIBED AS NORTH 89 DEGREES 51 MINUTES 08 SECONDS WEST 200.40 FEET) TO THE WEST LINE OF SAID PLAT; THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 04 MINUTES 57 SECONDS WEST 172.12 (PREVIOUSLY DESCRIBED AS SOUTH 00 DEGREES 06 MINUTES 51 SECONDS WEST 172.08 FEET TO THE NORTH RIGHT OF WAY LINE OF BRYANT STREET; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF BRYANT STREET AND AN EXTENSION THEREOF, NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST (PREVIOUSLY DESCRIBED AS NORTH 89 DEGREES 51 MINUTES 08 SECONDS WEST) 279.11 FEET TO THE CENTERLINE OF PORTAGE CREEK, THENCE ALONG SAID CENTERLINE, NORTH 13 DEGREES 36 MINUTES 44 SECONDS EAST 223.46 FEET; THENCE CONTINUING ALONG SAID CENTERLINE, NORTH 12 DEGREES 56 MINUTES 11 SECONDS EAST 223.59 FEET; THENCE CONTINUING ALONG SAID CENTERLINE, NORTH 07 DEGREES 05 MINUTES 34 SECONDS EAST 210.63 FEET; THENCE CONTINUING ALONG SAID CENTERLINE, NORTH 04 DEGREES 51 MINUTES 04 SECONDS EAST 176.78 FEET TO THE SOUTH RIGHT OF WAY LINE OF REED STREET; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 89 DEGREES 59 MINUTES 10 SECONDS EAST 338.35 FEET TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT OF WAYS APPARENT AND OF RECORD. SAID PARCEL CONTAINS 6.64± ACRES (289,210± SQ. FT.).



Alan E Dahl

Alan Edward Dahl

P.S. No. 4001047948

THE DESCRIPTION WAS GIVEN TO US BY THE PERSON CERTIFIED TO, OR WAS PREPARED BY US FROM INFORMATION OR DOCUMENTS GIVEN TO US BY THE PERSON CERTIFIED TO, AND SHOULD BE COMPARED WITH THE ABSTRACT OF TITLE OR TITLE INSURANCE POLICY FOR ACCURACY, EASEMENTS OR EXCEPTIONS.



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ALCOTT / REED / BELFORD STREET
SECTION 27, T02S, R11W, CITY OF KALAMAZOO, KALAMAZOO CO.

-FOR-
HOLLANDER DEVELOPMENT CORPORATION
1822 W MILHAM AVENUE, SUITE 2, PORTAGE, MI 49024

DRAWN BY: GLK | DATE: 06-11-2021 | SHEET 2 OF 2 | JOB NO. 2150416.5A

PLANNING COMMISSION

REZONING/TEXT AMENDMENT REVIEW SHEET

Please describe the rezoning or text amendment change: (may also provide on a separate sheet):

We request that the portion of 333 E Alcott in Kalamazoo described on the attached survey be rezoned from M-1 to RM24.

Review Criteria for Rezoning/Text Amendments

The Planning Commission will review all rezoning and text amendments using the following criteria. Please reach out to staff if you have any questions.

What is the purpose of the requested change?

333 E Alcott was formerly the site of a paper mill and it's current zoning would be appropriate to that use. However, after extensive environmental cleanup and demolition the site has been transitioned to a healthcare and office campus bordering a residential neighborhood. We wish to develop multi-unit residential buildings in the transition area between existing commercial and single family land uses.

How does the rezoning or text amendment align with the Master Plan 2025 and Strategic Vision?

The Master Plan 2025 and Strategic Vision strongly support brownfield redevelopment, affordable housing, supportive housing, green construction, and investments in our core neighborhoods. This project will further all of those efforts.

Are there conditions which have changed that require this rezoning or text amendment?

Yes, this property was formerly an industrial paper mill and later a contaminated brownfield site. It is now a health campus consisting of a health center and multiple office uses. The M-1 zoning designation no longer applies to any existing uses and further industrial/manufacturing use is unlikely to be supported by the community.

How does the rezoning or text amendment change address a demonstrated community need?

Kalamazoo desperately needs affordable housing for households with incomes ranging from zero to 120% of area median income as measured by the Department of Housing and Urban Development and Michigan State Housing Development Authority. We are also in the midst of an unprecedented opioid and methamphetamine epidemic (see attached narrative). This rezoning would allow for a project that would confront both of these challenges.

How will the rezoning be compatible with existing and future land use surrounding the subject property?

The rezoning would allow for a sensible transition from office and healthcare commercial buildings to single family homes. We are proposing to construct buildings with a maximum of three stories and a density of no more than 24 units per acre. We believe this will encourage infill single family development in the surrounding neighborhood.

Will the proposed rezoning or text amendment result in a logical and orderly development pattern?

Yes. Regardless of the outcome of this specific project it makes sense for moderate density multifamily development to occur in this transitional area of the City.



Brownfield Redevelopment Authority

245 N. Rose, Suite 100, Kalamazoo, MI 49007

Phone 269.337.8082 | Fax 269.337.8182

development@kalamazoocity.org

www.kalamazoocity.org/development

July 15, 2021

Chair Milliken & Planning Commissioners
241 W. South Street
Kalamazoo MI 49007

Re: Rezoning Application for the approximate 6.64 acres parcel of 333 E. Alcott Street

Dear Chair Milliken & Planning Commissioners:

The City of Kalamazoo Brownfield Redevelopment Authority (BRA) is in support of the rezoning application submitted by Hollander Development Corporation.

As the owner of the 27+ acre former Performance Paper site, BRA has marketed this site with the goal of creating a medical and health services campus that fits with and serves the adjacent neighboring residential blocks to the north and east. The current M-1 manufacturing zoning does not fit the vision for redevelopment in this area or best serve neighboring residents. The proposed rezoning of the parcel to RM-24 or similar will continue efforts and compliment the redevelopment that has already taken place with the Family Health Center, Kalamazoo County Health and Community Services facility, and the new Michigan Department of Health and Human Services campus.

Although the BRA recognizes that the Planning Commission's decision should not consider specific proposed future uses, the BRA has engaged with Hollander Development in a Letter of Intent to further explore the sale of the parcel for residential use. This future development is consistent with the vision the BRA has for redevelopment of the Performance Paper site and future land use map in the City's current master plan and Imagine Kalamazoo 2025.

Therefore, BRA urges your support of the rezoning.

Sincerely,

Kevan Hess

dotloop verified
07/15/21 9:27 AM EDT
ZFN5-Q9QD-QVMG-FUXY

Kevan Hess, BRA Chair

City of Kalamazoo
PLANNING COMMISSION
Minutes
August 21, 2018
FINAL

Second Floor, City Hall
Commission Chambers
241W. South Street, Kalamazoo, MI 49007

Members Present: Gregory Milliken, Vice Chair; Derek Wissner; Charley Coss; Jack Baartman; James Pitts; Emily Greenman Wright; Sakhi Vyas

Members Excused: Alfonso Espinosa; Rachel Hughes-Nilsson, Chair

City Staff: Christina Anderson, City Planner; Planner; Clyde Robinson, City Attorney; and Beth Cheeseman, Code Administration Clerk/Cashier

A. CALL TO ORDER

Commissioner Milliken called the meeting to order at 7:03 p.m.

B. ROLL CALL

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

C. ADOPTION OF FORMAL AGENDA

Commissioner Greenman Wright, supported by Commissioner Pitts, moved approval of the August 21, 2018 Planning Commission agenda. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES

Commissioner Wissner, supported by Commissioner Coss, moved approval of the August 2, 2018 Planning Commission minutes. With a voice vote, the motion carried unanimously.

E. COMMUNICATIONS AND ANNOUNCEMENTS

None

F. PUBLIC HEARINGS

P.C. #2018.13: Request from Republic Development, LLC and Hollander Development Corporation to rezone a portion of 333 E. Alcott Street from Zone M-1 (Manufacturing, Limited District) to Zone RM-24 (Residential, Multi-Dwelling District).

[Recommendation: motion to recommend to the City Commission to approve the rezoning request.]

Planner Anderson presented the staff report. She stated this is a City-owned property in the Brownfield Program. The applicant will create a 2.6-acre sub-parcel from the overall parcel, and they are requesting to rezone it from M-1 (Manufacturing District) to RM-24 (Residential, Multi-Family District). Planner Anderson reviewed the maps and pictures of the property related to the request. She said there are a variety of zoning districts in the area including RS-5, RM-15, RD-19 and some commercial and manufacturing. The future land use plan denotes this area as both R-2 and Neighborhood Edge, which allows a mix of uses – residential and commercial. Planner Anderson explained that RM-24 aligns with the Neighborhood Edge and R-2 classifications in the 2025 Master Plan. This rezoning and the project associated with it fits the Strategic Vision goals of shared prosperity, environmental responsibility and economic vitality. Planner Anderson went over the factors to consider based on the City zoning ordinance: consistency with the Master Plan; a change of conditions which makes the zoning appropriate; if the request addresses a demonstrated community need; if the proposed district is compatible with surrounding uses; and if it is compatible with existing zoning and development patterns.

Planner Anderson relayed that a significant portion of the overall parcel is contaminated and is restricted from development from the Department of Environmental Quality (DEQ). The sub-parcel to be created will not have these restrictions.

Mr. Matt Hollander, Hollander Development Company, presented as the applicant. He explained that there is a restrictive covenant on the overall parcel by the DEQ. Mr. Hollander reviewed maps and drawings associated with the project and pointed out the portions of the overall parcel that are contaminated with land-filled coal ash. The coal ash is considered a hazardous material. The restrictive covenant portions are unsuitable for development without remediation. There are 2.6 acres of the overall parcel that can be developed without further remediation. This is the area they are hoping to build the proposed project. He presented a preliminary site plan sketch showing a 51-unit multi-family apartment complex with two buildings. Mr. Hollander explained it's purpose to provide permanent supportive housing for people suffering from substance use disorders referred by the Kalamazoo area drug treatment court system. He outlined the project stating that Building A would be a 3-story building with a mix of 1-2 bedroom apartments with spaces for treatment services and community amenities. Building B will be a 2-story building. Mr. Hollander stated the purpose for requesting RM-24 instead of RM-15 was due to the restrictive covenant and other constraints posed by the latter district. They didn't want to have to ask for variances for the project. He stated there will be the same amount of green space or more than would be required on a RM-15 designation.

Commissioner Greenman Wright inquired about plans for storm water management. Mr. Hollander stated there will be a storm water retention basin on the south end of the site along Bryant Street. He said they are working on sizing the basin to handle all storm water onsite unless there is an emergency overflow situation. In that case, they would divert any overflow to the existing storm sewer under Bryant Street.

Commissioner Wissner and Commissioner Pitts asked for information about leases, special requirements for the apartments, and how they would apply. Mr. Hollander stated this will be a standard lease with a minimum time of 18 months for residency. He said the housing would offer supportive and wrap-around services. The individuals would be referred from a Kalamazoo area drug treatment court and would be suffering from a substance use disorder. The permanent nature of the apartments is the same as any other traditional housing. Mr. Hollander said tenants who pay their rent and abide by their leases would have the option to stay as long they wanted. He said part of the tenant selection criteria is that 50% or more of the individuals referred to this housing would be recently homeless as defined by HUD. Mr. Hollander stated this is typical for permanent supportive housing projects.

Commissioner Pitts asked if the existing homeowners in the area have been contacted about the project. Mr. Hollander shared that they walked door to door in the neighborhood on a weekend to speak with neighbors and had held a community meeting at the Edsion Neighborhood Association. He said they have gone out of our way to engage those in the neighborhood.

Commissioner Milliken opened the public comments portion of the hearing.

Mr. Gerry Hoffman, President of the board of the Edison Neighborhood Association, stated that he was at the public meeting and there was great hostility for the project. He saw a lot of anger from the attendees, which he believes is a result of a lack of knowledge and fear of this project. Mr. Hoffman reported that he walked the neighborhood to talk with the residents and received many concerns. His concern is that this is scheduled to be a homeless, low-income dwelling arrangement. Mr. Hoffman stated there is another one planned on Lake Street, which he understands will be almost entirely low-income. He also cited existing senior housing in the area, which is low-income. Mr. Hoffman shared that one question that came up is the security for residents across the street. He was also concerned that Police were not notified of the community meeting. Another concern he cited is this area is contaminated. He wondered if it is wise to slap asphalt over this Brownfield so it may sit there and leach into the drinking water. Mr. Hoffman believes it is important to have that addressed. He said residents are also concerned about their home values. They want assurance that the property will be maintained and will not turn into a tenement. He said while residents are worried about their property and their neighborhood, no one was against the specific program to help these individuals.

Mr. Dusty Jepkema, resident, is currently working with Planner Anderson on a housing equitability project. Mr. Jepkema has a degree in social work and he worked with these types of housing for 7 years in Seattle. He stated that permanent supportive housing is the best model for those with mental illness and those with drug use histories. He encouraged Commissioners to look at the research for this type of program. Mr. Jepkema reported the best part of this supportive housing is there will be many services available onsite providing easy access to the residents. Mr. Jepkema said research shows housing values did not decrease and crime did not increase in any of those neighborhoods that contained permanent supportive housing. He said the people typically found in these housing arrangements become productive members of the community and end up providing peer support to others.

Mr. Patrick Meninga, Community Healing Centers, said he will be helping to staff the substance abuse part of the project. He said he currently runs a 90-day recovery home for men. Mr. Meninga feels there is a tremendous demand for this kind of housing. He said it is fairly difficult to place individuals leaving his program, and it is legal for landlords to discriminate against felons. He said the men can be doing all the right things and still have difficulty finding placement.

Ms. Kaye Sanders, Community Healing Centers, is the coordinator for the recovery housing program in Kalamazoo. She said there is only one house in Kalamazoo County that allows women with children under 8 years old to stay. Ms. Sanders reported that often after 90 days of treatment, they have the option of putting women and children on the street or letting them stay. She said there is no place for them to go. This proposed project gives them a place to go, continue therapy, and have security measures. Ms. Sanders stated that for the three houses she runs in Kalamazoo County, they have not had the police out once and they do not have crime. She added that these are moms who have fallen into addiction, and women who have suffered unimaginable traumas and chose substances as a means to get out of bed in the morning.

Mr. Jasin Theado, previously from New Beginnings, came out in support of the project. He believes this is a great opportunity for people to help themselves and help others. He said he thinks it is a win-win situation, helping people get on their feet and do positive things with their lives.

Mr. Ryan Ziegler spoke up regarding the Elizabeth Upjohn Healing Center and what it has done for him as an addict. He said it was difficult finding housing when he left treatment. Mr. Ziegler believes if this housing had been available previously, there would be more people who made it through with him. He said it will be beneficial for the tenants for them to have somewhere to go.

Ms. Susan Hull, resident, came forward in support of the request. She said she would welcome this building next to their house. Ms. Hull said these people need our support and this could help them. This would place resources right near to them.

Mr. Trevor and Mrs. Stephanie Wilson are in recovery with the Community Healing Center. They stay in the Bethany house and New Beginnings house. They said these places gave them a chance at recovery and saved their lives. Their treatment began when they found out they were having a baby. They reached out to Ms. Kay Sanders. She immediately got Mrs. Wilson in treatment followed by Mr. Wilson. Mr. Wilson stated that even without felonies, it can be difficult to find permanent housing. He said not all landlords want people like them in their rentals. Mr. Wilson stated that when someone gets a little help, it is really amazing what they can do.

Ms. Letitia McKissic, resident, agreed the community needs help in this regard and the drug epidemic is out of control. She expressed concern about what will be offered to the residents in the community for the long-term. She wanted to know if long-term security will be offered. She said she was not saying all drug addicts are sex offenders, low income or homeless, but she asked them to consider those things for security purposes. She expressed the importance of keeping her home just as safe as anyone else's. Ms.

McKissic wondered about the cost to the community and if the program is currently in place with guidelines.

Ms. Monica Gardner lived in the Vine project (designed for low-income) until she was 12 years old. As a child, she witnessed 33 people get shot and killed and also saw many drug deals. She said the system was designed such that you were never meant to leave. Ms. Gardner asked what can they do to ensure the home owners are safe, property values stay intact, and that other children never have to see what she saw. She stated that their area already has problems and she doesn't want to live in a more difficult neighborhood.

Mr. Larry Hill came forward in support of the project. He stated that he is an addict. He said he almost died twice because this kind of housing was not available at the time. Mr. Hill believes this is something the community needs. He questioned if not here, then where could it go.

Ms. Onana Terburg, resident, worked for a boarding school for juvenile delinquent teens and the Kalamazoo County Friend of the Court. She said she has seen how not having transitional housing has impacted the kids and people in our community. She asked for the Planning Commissioners to support this project.

Ms. Samantha Williams and Ms. Samantha Norge, both from the Bethany house, spoke in support of the project. Ms. Williams said if it weren't for the Bethany House, she wouldn't have her daughter back or a chance to change her life. Ms. Norge shared some of her history and also stated she is about to receive her children back. She believes there needs to be more housing for people who have drug addictions. Ms. Norge stated they are not bad people, they are good people with a sickness. They just need more help and support around the community.

Mr. Jamie Kavanaugh, resident, came in favor of the project. He said there are 5 places that support recovery within two blocks of where he lives. Mr. Kavanaugh stated they are great neighbors and are the best houses on the street. He believes some of these fears expressed are unfounded.

Ms. Nlajoria Ellerby expressed support for the program along with concerns. She said she wants the plan to work, everyone needs housing, but she needs more information about how the program will be managed.

Mr. Alejandro Rodrigues also stated that he didn't have much information about the project. He did come in support, saying that any time there is a chance to apply growth to the community, people should be all for it. Mr. Rodrigues works with KPEP and does street ministry with Outreach. He stated he knows there needs to be more housing opportunities.

Ms. Sally Reames, Community Healing Center's Executive Director, came forward in response to a question about the program and how it will be operated on the site. She said that Community Healing Centers will be managing the services within the house. They have done this for many years and have a

lot of experience with housing and early recovery. Ms. Reames said they will spread the word about the program because it is an important piece of the project.

Ms. Karen Stamm, resident, shared that she is not against the idea of this type of housing, but wants to see the neighborhood grow and look better than it is now. She said there are already problems in the area and she doesn't want more problems. She expressed a desire to have the neighborhood be like it was 30-40 years ago. Ms. Stamm agreed that the program is needed, but the location is wrong.

Ms. Cheryl Case, resident, shared a concern from the people at the community meeting that the Judges, news crews, rehab and recovery people knew about the project, but the Edison neighborhood knew nothing of it. She said she is not against recovery and giving people a chance or hand up, but didn't know enough details.

Mr. Chris Pompei, resident, said he was not there to oppose the project. He said he is a case manager working with a lot of individuals dealing with homelessness. Mr. Pompei stated that these kinds of projects are only allowed in certain zoning districts. He encouraged the community and Commissioners to work together. If it can't be at this location, what sites could be rezoned for this project.

Commissioner Milliken noted the correspondence that was received about the request and provided to Commissioners.

Commissioner Milliken closed the public comments portion of the hearing.

Commissioner Greenman Wright asked if there are other projects proposed for the larger brownfield area. Planner Anderson stated there are no other projects proposed for this property at this time. The larger area would take additional clean-up efforts. In response to a citizen, she mentioned there is a proposed project to go in at Lake and Portage, but that project will be a mix of workforce housing and market rate housing. It will not be low-income housing.

Commissioner Vyas asked if there was research done on the contaminated land, especially in light of the PFAS concern. Planner Anderson said their understanding is that coal ash is the largest issue. She said all brownfield properties go through a series of environmental studies. They have determined this area of the overall parcel can be developed.

Commissioner Pitts asked if health risks are known for coal ash. Planner Anderson stated that she didn't know about the health risks, but said the parcel in question is not where there is coal ash contamination.

Commissioner Coss brought up safety issues to the neighborhood and asked if Public Safety was alerted. Planner Anderson said the Project Team involves people who work with KPS regularly. They addressed the impacts related to zoning, but the safety concerns are not addressed by the zoning code. She invited the applicant to answer the question.

Mr. Hollander responded that they do have a meeting scheduled with KDPS, and they are aware of the project. There was a Public Safety official in the preliminary site-plan review meeting, and safety was not brought up at that meeting. He said they are attempting to address the concerns in a meaningful way.

Commissioner Wissner asked about the long-term business plan for the project. Mr. Hollander told Commissioners the payment of the rent will occur with MSHDA project-based vouchers. The tenants will pay 30% of their income for rent, even if their income is very low. Those vouchers allow them to treat the housing the same as other apartment complexes. Mr. Hollander said this project will be filed with MSHDA for low-income tax credits in October. He said that is a critical piece of financing in order to make the project work. They will also have to sign a regulatory agreement to have the apartments remain affordable for probably a period of 45 years. They will go to MSHDA with evidence that they will operate this permanent supportive housing for at least 15 years. Mr. Hollander said they have to have evidence of all financing in place for the real estate portion and funding commitments. He assured them that the likelihood of running out of money is extremely low.

Commissioners Greenman Wright and Pitts asked questions regarding the tax status for the project. Mr. Hollander answered that they will apply for a payment in lieu of taxes (PILOT) from the City Commission. He said the project will be privately funded. They are not asking for a millage to support it. Mr. Hollander stated that tax credits are typical for low-income or affordable housing. Planner Anderson agreed the City approved 3-5 PILOT projects per year, and they are reviewed and approved by the City Commission. She said it is a tool the City uses frequently to support housing projects.

Commissioner Pitts asked if any other sites were possible for this housing project if this site doesn't work. Mr. Hollander stated that this is the only property in the county that was identified as suitable for this project.

Commissioner Milliken asked Planner Anderson to clarify the request before the Planning Commission. Planner Anderson clarified the request is a rezoning of 2.6 acres of the east-central portion of 333 E Alcott from M-1 to RM-24. What the Commission is determining is if the proposed zoning is appropriate for this location. Commissioner Milliken asked if their decision should be based on the standards identified earlier. Planner Anderson agreed that it should be, and stated the zoning code does not judge the population within a structure, but talks about the appropriateness of the zoning district for the area.

Commissioner Milliken also asked for clarification of the approval process of the proposed project if the zoning is approved. Planner Anderson said it goes to the City Commission for a final decision on the rezoning, if approved the applicant will seek low-income tax credits from state as well as applying for the PILOT review and approval process, and it will also go through site plan review and approval. Commissioner Coss verified that some of the concerns will be worked out through the site plan process.

Commissioner Greenman Wright expressed concern of the appropriateness of putting a housing development along the river when flooding is an issue in the City. She wondered how it would affect the watershed throughout the neighborhood. Planner Anderson stated that the parcel has been studied for redevelopment. She said there are some storm water issues the applicant touched on, but a large part of

the site will be open. That area of the restrictive covenant does provide for the creek to overflow it's banks and not necessarily affect development. Planner Anderson assured Commissioners that the storm water engineers will take a close look at it.

Commissioner Coss, with support from Commissioner Greenman Wright, moved to recommend to the City Commission to approve the request from Republic Development, LLC and Hollander Development Corporation to rezone a portion of 333 E. Alcott Street from Zone M-1 (Manufacturing, Limited District) to Zone RM-24 (Residential, Multi-Dwelling District).

Commissioner Coss stated it is a good project with a lot of positive support. The zoning makes sense. It is a great location because it is adjacent to necessary services. He will vote to approve it.

Commissioner Greenman Wright said our responsibility is to determine if we are using the land appropriately. She said it does seem appropriate to take land that was unusable and redevelop it for use of families to redevelop their lives. Commissioner Greenman Wright stated concerns about storm water management, indicating they have seen the affects of flooding in some of the lowest income neighborhoods. She thinks the project hits the needs we have on multiple levels. She believes there are great things happening as the result of development and she will vote in support.

Commissioner Milliken stated the rezoning is clearly consistent with the Master Plan and fits the other criteria identified. He said if it wasn't rezoned, new industry could build there. He believes housing is far better than a new industrial use at the site.

Commissioner Pitts said he believes there is a big need for help for people with addictions. In that sense, the project is great, but his main concern is that some areas of the parcel are still contaminated. He indicated that he was opposed to putting families in that area without knowing the long-term health effects when the people are already at a disadvantage. Commissioner Pitts felt they could be vulnerable because they aren't able to choose where they live.

A roll call vote was taken and the request was approved: Commissioner Pitts voted no.

G. UNFINISHED BUSINESS

None

H. NEW BUSINESS

PC # 2018.14: Request to confirm that 925 Grant Street is not a City park and is not considered a park under the City's 2025 Master Plan. [Recommendation: motion to affirm that the parcel is not a City park or identified as a park in the Master Plan.]

Commissioner Greenman Wright stated she will be abstaining from the vote because of a conflict.

Planner Anderson explained there are rules on how the City manages property that is under the control of the Parks & Recreation Department. Selling property that is used as a park requires the approval of the citizens of the community. This property is controlled by Parks & Recreation, but is not used as a park. The Planning Commission needs to confirm it is not a park so it can be sold.

Sean Fletcher, Parks & Recreation Director, gave an overview of the history of the property. He said it was a gift accepted by the City Commission in the May of 1976. At that time, the Vine neighborhood was supportive of the situation, but did request the property be left in its natural state. This property is very close to the Davis Street Park, and they will not develop it as a park because it is so close to that park. The topography also does not lend itself to development. If they sell the property, he would like to have the money earmarked to improve or maintain Davis Street Park. The Vine Neighborhood Association will address this at their next meeting. Planner Anderson stated that they did receive support from Vine Neighborhood Association for the sale.

Commissioner Wissner asked if the request had been noticed to the neighborhood. Planner Anderson responded this request does not require a notice. She said one direct neighbor is aware of it. She reminded Commissioners that the question before them is to determine if the property is being used as a park.

Commissioner Coss asked if they can include a communication with the vote to affirm having the funds earmarked for use of improving and/or maintaining Davis Street Park. Attorney Robinson stated that is something the administration can request, but it is not something for the Planning Commission to decide.

Commissioner Vyas asked if any relatives of the donor remained and if they would be offended by the request. Director Fletcher did not know if anyone was still remaining of the family. Commissioner Vyas asked for that to be researched.

Commissioner Wissner asked how this came before the City. Director Fletcher said there is a person interested in buying the property. He has been working with the City Attorney to get it to the point where they can accept a fair market offer.

Commissioner Coss asked what happens to zoning if it is determined not to be a park. Planner Anderson stated that it is already zoned residential (RM-15) and parks are allowed in every zoning district.

Commissioner Milliken asked if there is any expenditure of City funds on this property. Director Fletcher stated there is none.

Commissioner Wissner recalled playing in areas like this as a child. He has reservations about the change. He would like to know from neighbors if the property is an asset or a nuisance to them. Planner Anderson stated that it is the adjacent neighbor who wants to purchase it. She explained that a piece of

property which is owned and improved as a park requires approval before it is sold. This is not designated as a park and is not identified as a park in the Master Plan.

Commissioner Wissner asked about public use for this property. Planner Anderson did not believe it is available for public use. Commissioner Milliken expressed appreciation of the comments, but brought up concerns of liability of the public being on this property when it is not developed for a park use.

Commissioner Wissner asked about urgency and why the community couldn't be asked if they want it as a park or have it developed. Director Fletcher stated they have many other existing park priorities to address before this property could be developed into a park. He said it would take years to get to it. He said the Parks & Recreation budget is not large, and the possible \$30-\$40,000 they might receive for this property would go a long way towards existing park improvements.

Commissioner Coss said this sounds like an unneeded property, one that it is not utilized. He said this would put the property back on the tax rolls, which is a win-win for the City and the neighborhood.

Attorney Robinson clarified there are no deed restrictions on the property, so there is no need to worry about members of the donor's family. The property is titled to the City of Kalamazoo. It was an outright gift to the City. He explained that under State law, the City is prohibited from selling park property without a vote of the people. A vote is not needed to sell City property if it is not identified as a park. Because this is maintained as a natural area, his advice was to get affirmation it is not a park and free up the City to sell it. This step was cautionary to eliminate any questions in the future.

Commissioner Wissner, with support from Commissioner Coss, moved to confirm that 925 Grant Street is not a City Park and is not identified as a park in the 2025 Master Plan.

Commissioner Wissner and Commissioner Vyas expressed they would like the request to be presented to the surrounding neighbors to get feedback from them. They will be voting no on the request.

Commissioner Coss said the property is not being used. He believes it is great there is interest locally to develop it and he will vote yes.

Commissioner Pitts asked if this request could be tabled. Attorney Robinson stated it could be postponed. Planner Anderson asked what information Commissioners would need to confirm this is not a City park. Commissioner Wissner suggested a formal letter from the Neighborhood Association to that effect or letters from neighbors would help.

Commissioner Coss reminded Commissioners they had already been told there are no resources to develop it as a park. He believes they would only be opening the City up to liability at this point and they should just move ahead and vote. He said there are many other parks that need those resources.

Planner Anderson confirmed this property was not on any priority list to become a park. The Parks & Recreation Department are in the process of writing their Parks Master Plan, have held public meetings

on it during the last six months, and there was no input from the participants that this needs to be a park. She stated she received an email of support from the Vine Neighborhood Association for this action.

Attorney Robinson expressed appreciation for the concerns, but stated this is a formality. Nobody from the neighborhood was advocating for this to become a park. They have expressed a desire to improve the Davis Street Park. This is to affirm what we know and to make an official statement that it is not designated as a park and is not used as a park.

Commissioner Milliken again stated concerns about the potential liability connected with citizens using the property as it is, and sees this as a way to bring income to the community.

A roll call vote was taken: Commissioners Vyas and Wissner voted no. Commissioner Greenman Wright abstained. The other Commissioners voted to affirm it is not a City park and not identified in the 2025 Master Plan as a park. The request was approved as presented.

I. CITIZENS' COMMENTS (Regarding non-agenda items)

None

J. CITY COMMISSION LIAISON COMMENTS

City Commissioner, Jack Urban, spoke up regarding the Public Hearing for 333 E. Alcott Street. He attended the meeting at the Edison Neighborhood Association and said there was a short notice period for it. However, he expressed that when something is new, there is always a time when no one knows about it. He confirmed this special meeting was held because of MSHDA deadlines for applying for funding. Commissioner Urban believes concerns have been taken seriously and the degree of participation from the public has improved. He stated that people from the public came to the neighborhood meeting and the Planning Commission meeting, and remain engaged and wanting to know more. He told the Commissioners they are on good grounds because they are acting only on the zoning request. Commissioner Urban expressed hope for public input during the site plan review process. There is coal ash onsite in the area with most of it moved on the other side of the creek. He said if citizens ingest the soil or a shallow well is built on the property there will likely be problems. He indicated paving the site is not the answer. Commissioner Urban thanked the Planning Commissioners for going ahead with it and he will wait for the request to reach the City Commission for deliberation.

K. CITY PLANNER'S REPORT

Planner Anderson said they have been very busy with site plans. Site plans do go out to the head of the neighborhood, so they are sharing projects as soon as they come in and comments are taken. She said projects are moving along and there are a lot of good development in Kalamazoo.

Planner Anderson reported there will be two cases on the agenda for the September 6 meeting: The vacation of Scudder Court is one and the proposed rezoning for the Northside Neighborhood is the other. She said she will hold an informational session at NACD next Wednesday night from 4-7 pm for anyone to come and ask questions about the rezoning.

On September 4, the Northside Neighborhood plan is going to the City Commission for review. The public hearing for the Northside Cultural Business Authority will also be held that night.

L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Coss encouraged Commissioners to create a system for regularly attending site plan meetings. Planner Anderson noted there is a limited number of Commissioners who can be at a meeting at the same time without it needing to be noticed to the public. However they want to handle it, they are welcome to attend these meetings.

Commissioner Coss inquired about the flood plain issue. Planner Anderson stated that work is being done to study the flood plain areas in the City and find a solution.

M. ADJOURNMENT

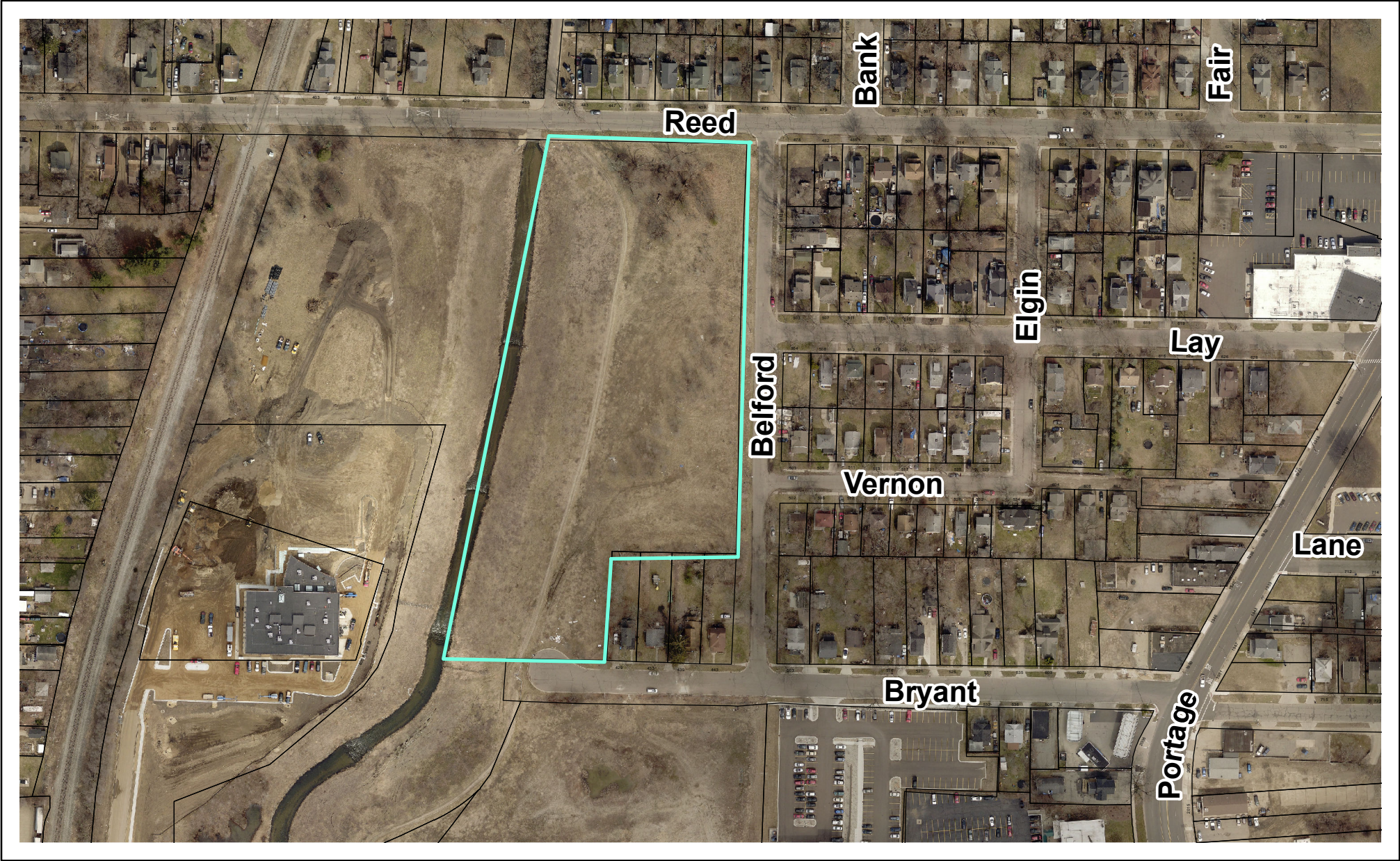
Commissioner Greenman Wright, supported by Commissioner Milliken, moved to adjourn the meeting. A voice vote was taken and passed unanimously. Meeting was adjourned at 9:20 pm.

Respectfully submitted,

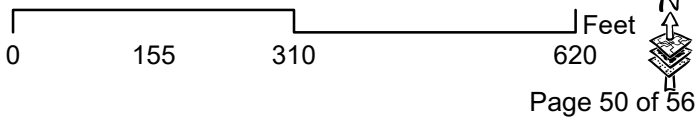
A handwritten signature in blue ink, appearing to read "C. Anderson", is written over a horizontal blue line.

Christina Anderson,
City Planner
Community Planning & Development

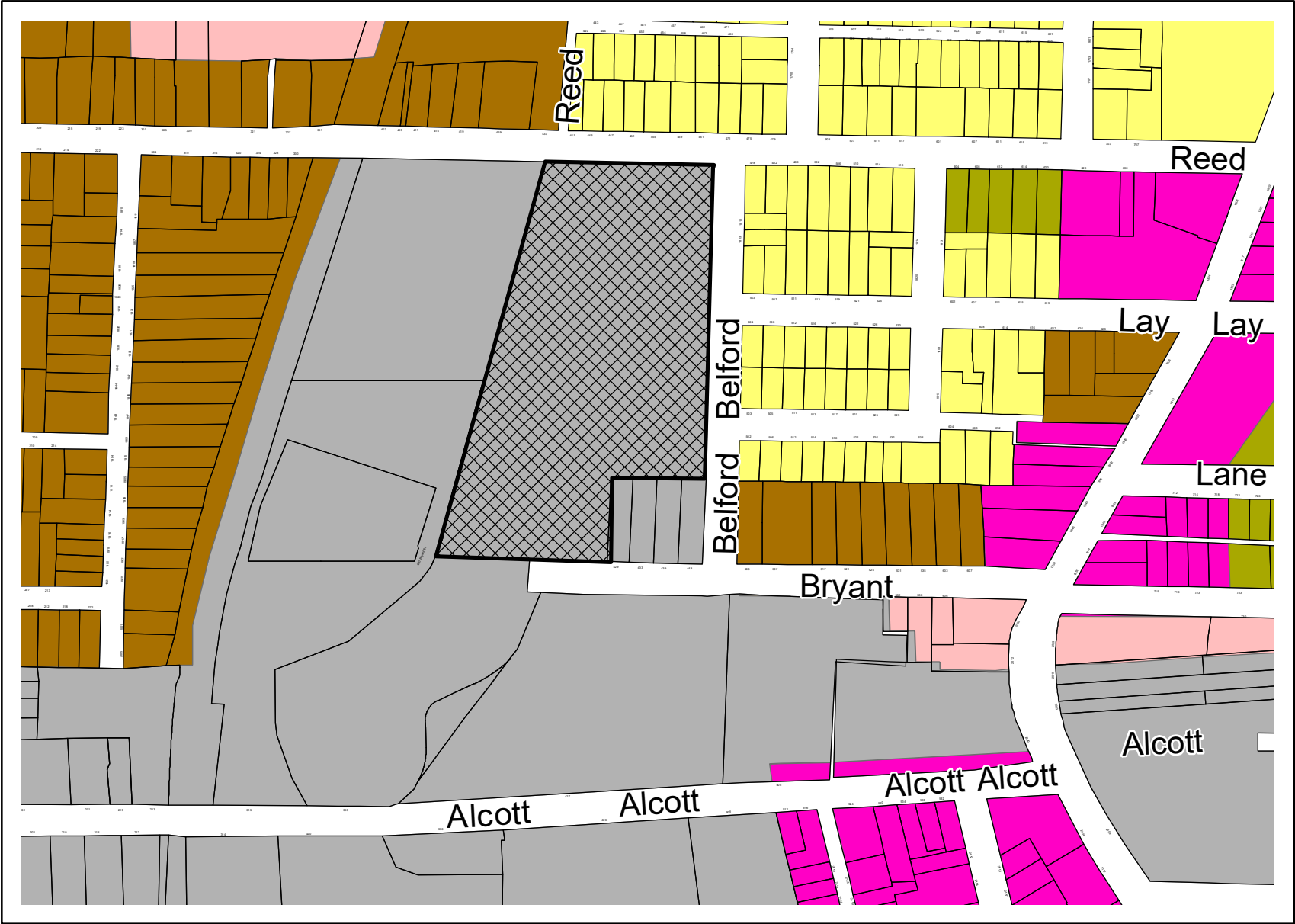
P. C. #2021.12 - 333 E. Alcott Street
Rezone from Manufacturing-Limited District to Residential-Multi Dwelling (RM-24)



P. C. #2021.12 - 333 E. Alcott Street
Rezone from Manufacturing-Limited District to
Residential-Multi Dwelling (RM-24)

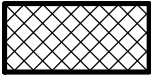


P. C. #2021.12 - 333 E. Alcott Street
Rezone from Manufacturing-Limited District to Residential-Multi Dwelling (RM-24)

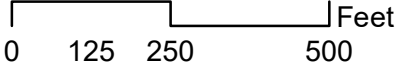


**Current
Zoning**

- CC
- CN-1
- M-1
- RD-19
- RM-15
- RS-5



P. C. #2021.12 - 333 E. Alcott Street
Rezone from Manufacturing-Limited District to
Residential-Multi Dwelling (RM-24)

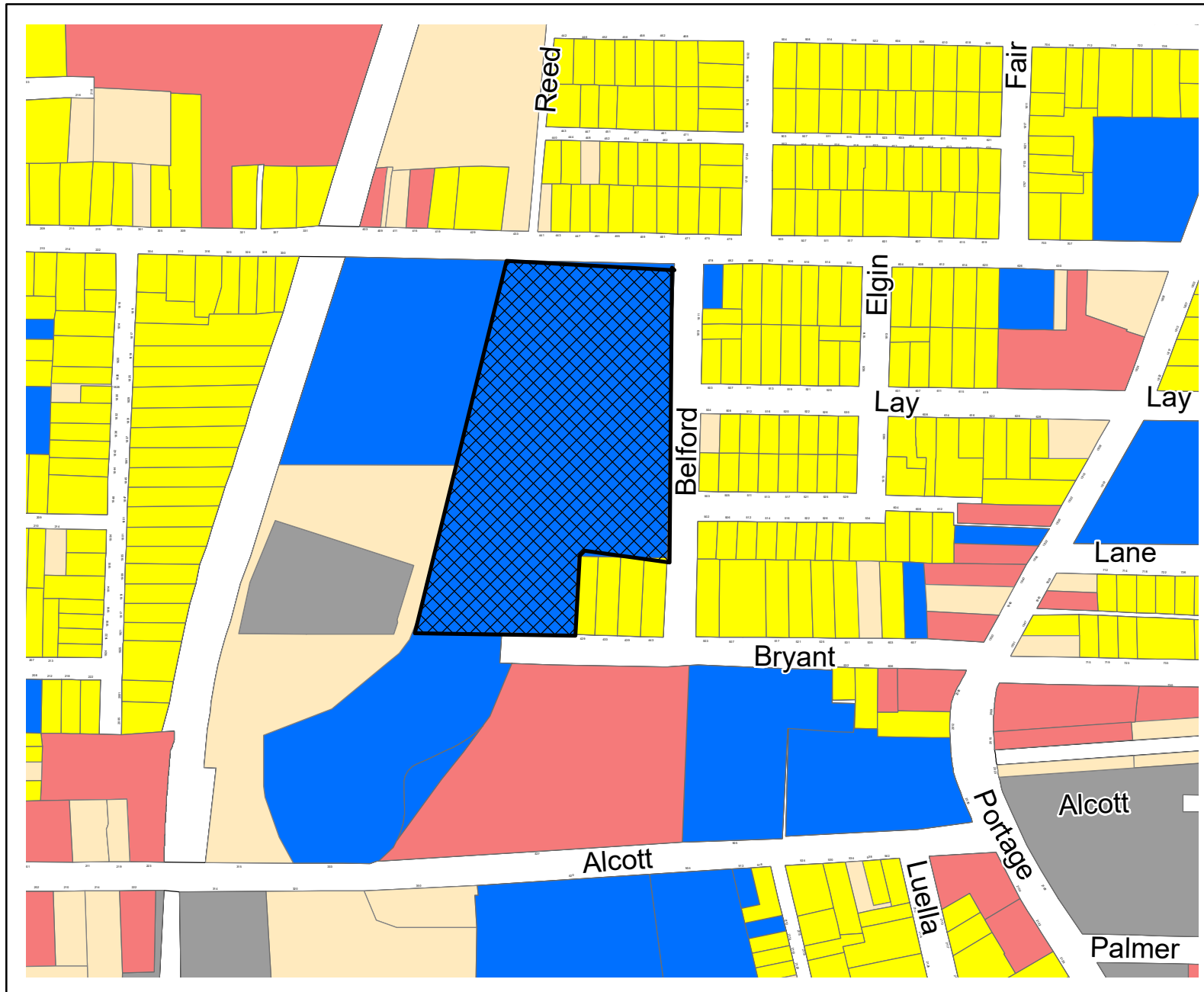
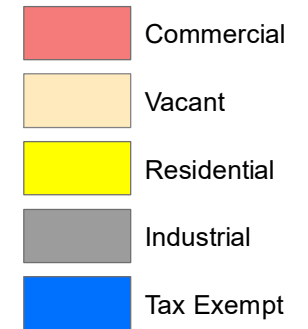


P. C. #2021.12 - 333 E. Alcott Street
 Rezone from Manufacturing-Limited District to Residential-Multi Dwelling (RM-24)

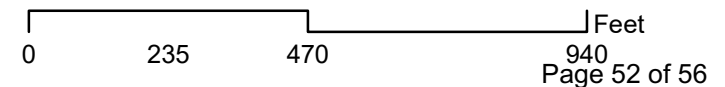
EXISTING LAND USE

Land Use

propclass



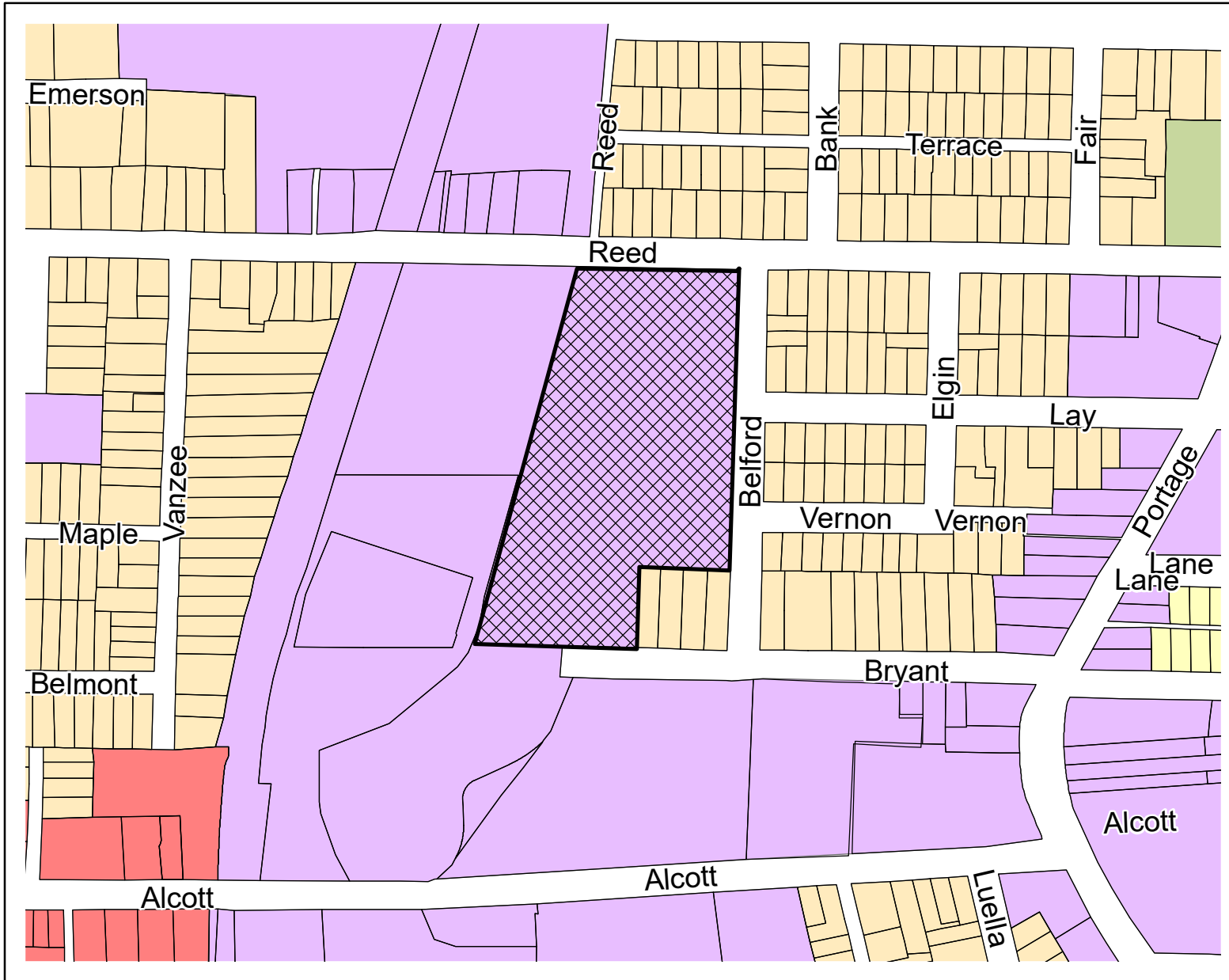
P. C. #2021.12 - 333 E. Alcott Street
 Rezone from Manufacturing-Limited District to
 Residential-Multi Dwelling (RM-24)



P. C. #2021.12 - 333 E. Alcott Street
 Rezone from Manufacturing-Limited District to Residential-Multi Dwelling (RM-24)

FUTURE LAND USE

- Commercial
- Neighborhood Edge
- Open Space/Parks
- R1-Residential
- R2-Residential



P. C. #2021.12 - 333 E. Alcott Street
 Rezone from Manufacturing-Limited District to
 Residential-Multi Dwelling (RM-24)

0 185 370 740 Feet

**CITY OF KALAMAZOO
SITE PLAN REVIEW PROJECT LIST**

Year 2021	Project Address	Project Description	Applicant	Property Owner	Pre-App. Received	Pre-App. Meeting	Pre-App. Approval Date	Date Site Plan Rec.	Fee	Committee Meet. Date	Design Review	Site Plan Review Status	Final Site Plan Approval Date	Final Inspect.
2021.31	527 Harrison St	A drive-thru to existing business	Mark Smutek	527 Harrison, LLC	2/3/2021	3/24/2021	3/24/2021	6/30/2021	\$250	8/11/2021	RiverFront Overlay	Project Under Review		
2021.3	2605 E Kilgore Rd	New Boiler Building	Zoetis	Zoetis	5/21/2021	6/16/2021	6/16/2021	7/13/2021	\$500	8/11/2021	NA	Project Under Review		
2021.29	3612 Miller Rd	New Manufacturing Bldg	James L Ware, Trustee	James L Ware, Trustee	2/18/2021	4/28/2021	7/14/2021	7/14/2021	\$500	8/11/2021	NA	Project Under Review		
2021.28	813 W Kilgore Rd	Cell Antenna Colocation							\$250	7/28/2021	NA	Site Plan Approved	7/29/2021	
2021.27	1500 N Pitcher St	Building Demolition and Pitcher Street Overhead Crossing	Hurley & Stewart	Graphic Packagin International Cellico Partnership	4/29/2021	4/29/2021	5/12/22021	6/18/2021	\$250	7/14/2021	NA	In Schedling Site Plan Approved	7/19/2021	
2021.26	519 W Willard	Cell Antenna Colocation	T-Mobile/ Haley Law Firm, PLC		5/4/2021	5/19/2021	5/19/2021	6/10/2021	\$250	7/7/2021	NA	Project Under Review		
21021.25	3521 E Cork St	New Building for Moving Business	Nederveld, Inc.	HKH Properties Spur Development, LLC	3/15/2021	3/31/2021	3/31/2021	6/10/2021	\$500	7/14/2021	NA	Project Under Review		
2021.24	432 W Paterson	Parking Lot	Hurley & Stewart	Development, LLC	4/29/2021	5/12/2021	5/12/2021	6/9/2021	\$250	7/7/2021	NA	Project Under Review		
2021.23	511 W Paerson	Trailer Parking	Hurley & Stewart	Peregrine-International, LLC	4/29/2021	5/12/22021	5/12/2021	6/9/2021	\$250	7/7/2021	NA	Project Under Review		
2021.22	121 E South Street	Adult Use Marihuana Retailer	William A Kibbe & Associates, Inc.	Frank Newman Enterprises, LLC	4/16/2021	5/5/2021	5/5/2021	6/5/2021	\$250	7/7/2021	DDRC	Site Plan Approved	7/29/2021	
2021.21	500 W Crosstown Pkwy	Marihuana Safety Compliance	Bosch Architecture	BMR Real Property Management, LLC	4/27/2021	5/19/2021	5/19/2021	5/27/2021	\$250	6/30/2021	NA	Project Under Review		
2021.2	1206 E Crosstown Pkwy	Safety Compliance Center	HCD Properites, LLC	Schupan & Sons, INC	4/7/2021	5/5/2021		5/19/2021	\$250	6/30/2021	NA	Project Under Review		
2021.19	2036 Olmstead	Rebuild Pole Buildings	Schupan and Sons, Inc	Frostiez Farms, LLC	12/10/2020	12/30/2020	12/30/2020	4/28/2021	\$500	6/23/2021	NA	Project Under Review		
2021.18	2734 Miller Rd	Marihuana Microbusiness	Inform Architecture	266 Michigan Ave LLC	3/30/2021	4/21/2021	4/21/2021	5/17/2021	\$250	6/23/2021	NA	Project Under Review		
2021.17	266 E Michigan Ave	Add apartments to building	266 Michigan Ave LLC	Gloria Tiller	3/26/2021	4/7/2021	4/7/2021	5/21/2021	\$500	6/23/2021	DDRC/ HDC	Project Under Review		
2021.16	2411 Parkview Ave	Storage Building - Kzoo Books	Gloria Tiller	Urban Alliance	4/6/2021	4/28/2021	4/28/2021	5/5/2021	\$500	6/9/2021	NA	Project Under Review	7/19/2021	
2021.15	1009 Stockbridge	Change of Use to Community Center	CSM	Denins Starbuck	2/22/2021	3/3/2021	3/3/2021	5/6/2021	\$250	6/9/2021	NA	Project Under Review		
2021.14	4037 S Westnedge	AU Marihuana Retailer	QPS Holdings, LLC	M & N Development Co.	4/2/2021	4/28/2021	4/28/2021	5/5/2021	\$250	6/9/2021	NA	Site Plan Approved	6/21/2021	
2021.13	3630 Gull Road	AU Marihuana Retailer	Viridis Design	Lyondell Environmental Trust	3/4/2021	3/24/2021	3/24/2021	5/4/2021	\$500	5/26/2021	NA	Project Under Review	7/8/2021	
2021.12	303 E Cork St(Multiple Parcels)	Allied Cleanup Site	Tetra Tech	Gillespie Garnett, Rev. Trust	3/19/2021	4/7/2021	4/7/2021	4/30/2021	\$250	5/26/2021	NA	Site Plan Approved	5/27/2021	
2021.11	610 E Cork	New Building - Gillespie Maintenance	Gar Gillespie	Consumers Credit Union	3/17/2021	3/24/2021	3/24/2021	4/14/2021	\$500	5/12/2021	NA	Site Plan Approved	6/9/2021	
2021.1	3110 Oakland Dr	New Credit Union / Mixed Use Bldgs	Bosch Architecture	601 Holdings, LLC	11/30/2020	12/30/2020	12/30/2020	3/31/2021	\$500	4/28/2021	NFP	Project Under Review		
2021.09	601 Portage	Adult Use Marihana Retailer/ Grover/ Processor	Yuma Way, LLC		1/19/2021	1/27/2021	1/27/2021	3/30/2021	\$250	4/21/2021	Southtown	Site Plan Approved	5/24/2021	
2021.08	1211 S Westnedge	Change of Use to Dwelling Units (Apartments)	Inform Architecture	Bavasar, LLC	2/11/2021	2/17/2021	2/17/2021	3/18/2021	\$250	4/14/2021	HDC	Project Under Review		

CITY OF KALAMAZOO
SITE PLAN REVIEW PROJECT LIST

Year 2021	Project Address	Project Description	Applicant	Property Owner	Pre-App. Received	Pre-App. Meeting	Pre-App. Approval Date	Date Site Plan Rec.	Fee	Committee Meet. Date	Design Review	Site Plan Review Status	Final Site Plan Approval Date	Final Inspect.
2021.07	104 & 110 N Drake	Adult Use Marihuana Retailer	Rair, INC	Echelon Real Estate, LLC	1/20/2021	2/10/2021	2/10/2021	2/22/2021	\$500	3/17/2021	NA	Site Plan Approved	6/7/2021	
2021.06	1203 Fourth Street	Marihuana Grow	Friends of the Garden, LLC	Nielsens LLC	10/6/2020	11/18/2020	11/18/2020	2/9/2021	\$250	3/17/2021	NA	Site Plan Approved	5/11/2021	
2021.05	303 Balch	Funeral Home Redevelopment	Intersect Studios	Echols, LLC	8/21/2020	9/9/2020	11/13/2020	1/27/2021	\$500	2/24/2021	NA	Site Plan Approved	4/29/2021	
2021.04	508 Harrison	Apartment Development with Commercial pad sites	Byce and Associates	City of Kalamazoo Brownfield Authority	10/15/2020	12/2/2020	12/2/2020	1/21/2021	\$500	TBD	NA	Revision Required for Scheduling		
2021.03	924 Russell	Rebuild of Edison School	Tower Pinkster	Kalamazoo Public Schools	10/2/2020	10/28/2020	10/28/2020	1/15/2021	\$500	2/17/2020	NA	Project Under Review		
2021.02	1709 Fraternity Village	Fraternity House	Hurley and Stewart	1701 Fraternity Village, LLC	11/18/2020	12/2/2020	12/2/2020	1/8/2021	\$500	2/3/2021	NA	Site Plan Approved	3/4/2021	
2021.01	1628 E Main St.	Pocket Park	Kalamazoo Land Bank	Kalamazoo Land Bank	9/18/2020	9/30/2020	9/30/3030	1/8/2021	\$250.00	2/3/2021	NA	Site Plan Approved	2/11/2021	
							Total:		\$11,250.00					

Planning Commission Meeting Schedule 2021

Application Deadline:

Meeting Date:

December 10, 2020

January 7, 2021

January 7, 2021

February 4, 2021

February 4, 2021

March 4, 2021

March 10, 2021

April 7, 2021 (Special Mtg)

March 24, 2021

April 21, 2021 (Special Mtg)

April 8, 2021

May 6, 2021

May 6, 2021

June 3, 2021

June 3, 2021

July 1, 2021

July 8, 2021

August 9, 2021 (Special Mtg.)

August 5, 2021

September 2, 2021

September 9, 2021

October 7, 2021

October 7, 2021

November 4, 2021

November 4, 2021

December 2, 2021

December 9, 2021

January 6, 2022

Note: The meeting dates shown above are for regularly scheduled monthly meeting on the first Thursday of each month. Any Special Meeting will be specially identified if alternate dates have been set.

Update: 8/2/2021