

City of Kalamazoo
PLANNING COMMISSION
Meeting Minutes
March 4, 2021
DRAFT

This meeting will be conducted electronically in order for members, staff, and the public to comply with the ***Emergency Order under MCL 333.2253 – Gatherings and Face Mask Order*** issued by Elizabeth Hertel, Director of the Michigan Department of Health and Human Services, on March 2, 2021.

Members Present: Gregory Milliken, Chair; Shardae Chambers; Derek Wissner; Coreen Phipps; Brian Pittelko; Sakhi Vyas; Emily Greenman Wright, Vice Chair; James Pitts

Members Excused:

City Staff: Christina Anderson, City Planner; Pete Eldridge, Assistant City Planner; Clyde Robinson, City Attorney; Beth Cheeseman, Executive Administrative Assistant; Amanda Cockcroft, Marketing and Communication Specialist; Jack Urban, City Commission Liaison; Jamie McCarthy, Redevelopment Project Coordinator; Bobby Durkee, Planner I

Additional Panelists: Mr. Jamauri Bogan; Mr. Cortney Jackson; Mr. Marshall Grate

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 Greenman Wright, supported by Commissioner Phipps, moved approval of the March 4, 2021 Planning Commission agenda as presented. With a voice vote, the motion carried unanimously.

C. APPROVAL OF MINUTES

Commissioner Greenman Wright, supported by Commissioner Vyas, moved approval of the February 4, 2021 minutes as presented. With a voice vote, the motion carried unanimously.

D. COMMUNICATIONS AND ANNOUNCEMENTS

None.

E. PUBLIC HEARINGS

Commissioner Milliken explained the process for leaving public comments for the hearings and for non-agenda items.

1. P.C. #2021.03: Rezoning of 315 E. Frank Street from Manufacturing - Limited District (M1) to Live Work -1 (LW1).

Planner Eldridge gave the staff report and reviewed pictures and maps of the area. He said they are proposing to rezone this property to the LW1 zone. The site is 1.4 acres, 550' in depth, and is 80' wide at Frank Street then widening to 140'. The property was acquired by the BRA in 2010 and has been tax exempt since that time. The structure on the site was demolished in 2015. Planner Eldridge reviewed the area, noting it is a mix of industrial, commercial, residential, and vacant lots. He said the area to the west had already been rezoned to LW2. South of the site is zoned LW1. Planner Eldridge stated that it is a part of the Neighborhood Edge designation on the Future Land Use Map. He shared that there will be a larger City initiated rezoning for areas of the Northside, but this development is moving at a faster pace. Planner Eldridge explained the staff rationale for recommendation. The property has been owned by the BRA and ready for development for several years. The rezoning aligns with the Future Land Use map and the Strategic Vision Goals of Complete Neighborhoods and Economic Vitality. The Northside Neighborhood Plan supports the rezoning of Manufacturing to mixed use districts.

Mr. Jamauri Bogan introduced his project. This phase of the project includes four duplexes with eight residential units. Four units will be market rate and four units will be affordable. The mixed use space will have 2000 square feet for youth development and 500 square feet for an owner's unit. They will also have a community garden and bike racks on the site. Mr. Bogan reported that his partners are AVB and Tower Pinkster. He said he is nearing a partnership with the YMCA for a childcare service for kids aged 3-5 years old. Mr. Bogan said he wants to rezone from M1 to LW1 because M1 does not allow them to build housing. He said his project will help create a mixed-income neighborhood, promote healthy food options, and promote better education outcomes and curiosity in children. Mr. Bogan hopes for a groundbreaking July 2021.

Commissioner Pitts asked how long his project will last. Mr. Bogan said the construction process will take about seven months, but he hopes the project will be in place for 200-300 years forward. He wants to create an inclusive neighborhood of multiple incomes and a lot of people.

Planner Eldridge mentioned that Mr. Bogan reached out to adjacent property owners and talked to Mattie Jordan Woods, Executive Director of the Northside Association for Community Development. Neither Mr. Bogan nor the City received feedback in opposition to the rezoning.

Commissioner Milliken asked the applicant how the conversations went with the neighbors. Mr. Bogan said they were great. People were excited about something new coming.

Commissioner Milliken opened the public comment portion of the hearing.

No public comments.

Commissioner Milliken closed the public comment portion of the hearing.

Commissioner Pitts, supported by Commissioner Chambers, made a motion to recommend to City Commission the approval of the rezoning of 315 E. Frank Street from Manufacturing - Limited District (M1) to Live Work -1 (LW1).

Commissioner Phipps asked for the name of Mr. Bogans' building or project. Mr. Bogan responded that it will be called Zone 32.

Commissioner Greenman Wright said she was really excited about the project. She thought it was a great use and a great company. She also noted that it was a Kalamazoo grown and Kalamazoo focused project.

Commissioner Milliken said it was exciting to see smaller projects that can create something transformative and have a significant impact on the neighborhood and community. He affirmed the content of the staff report in terms of compliance with Future Land Use plan and consistency with the Northside Neighborhood Plan for the proposed rezoning.

Commissioner Pitts shared that he was excited about the new project. As a resident of the Northside, he was really excited about something new coming to that area.

A roll call vote was taken and passed unanimously.

2. P.C. #2021.05: Request to rezone 1014 Ampersee Avenue from Residential - Mixed Use (RMU) and Riverfront Overlay Sub Area 5 to Commercial - Mixed Use (CMU) and Riverfront Overlay Sub Area 6.

Planner Eldridge gave the staff report and reviewed maps and photos of the area. This site is on the edge of commercially zoned properties along Riverview Drive. It is a small lot, 85' wide and 130' deep, with a significant grade change (approximately 6'). Planner Eldridge explained that a lot of Ampersee gets inundated with flood water. He said this property has been used as an overflow parking lot for the adjacent business. The property is zoned RMU, but its tax classification is commercial vacant because of the parking lot usage. Surrounding the property are vacant lots, single family homes, commercial uses, and the Kalamazoo Public Safety Station. Planner Eldridge said that the property is identified as open space and parks area because of the flooding issues. He said the subarea classifications (5 and 6) are where the specific standards of that zone district are explained. The property has a corresponding subarea with a use table that directs land use. Planner Eldridge said this is all part of the Riverfront Overlay designation. In general, areas closer to the river are designated on the Future Land Use map as open space because of potential flooding issues. Because of the elevation, most of this particular property does not receive that flood water. The building will be at least 50' back from Ampersee, and the structures will be as far east as possible on the Ampersee lot. There will be a separate building on the Riverview property. This rezoning may pave the way for other commercial uses as well. Mr. Jackson reached out to the adjacent property owners. Neither the City nor Mr. Jackson has received any feedback on this rezoning. Planner Eldridge explained the staff rationale to approve the rezoning. The property has been used as an overflow parking lot for years. Land uses of this block are predominantly vacant properties and commercially improved properties. This rezoning aligns with the Future Land Use map, and it supports Strategic Vision goals which promote new business development, job creation and environmental responsibility. The property is not within the NFP Overlay. This rezoning will allow for additional commercial development along the Riverview Drive corridor.

Mr. Jackson said he is a long-time resident of Kalamazoo. He said the property has been vacant for several years, and the revitalization of this area would bring business and employment. Mr. Jackson believes that if they properly develop the properties, then the flooding won't be an issue. He is excited to move forward, clean up the properties, and bring new business and employment to the area.

Planner Eldridge shared that the agenda packet included the concept drawings showing the development of the site. This includes the Coffee Shop and the back building which would contain offices and the mobility business.

Commissioner Milliken asked for clarification whether this was one parcel or two parcels. Planner Eldridge said there are two parcels. Mr. Jackson added that the two parcels are connected, back to back to each other. Commissioner Milliken asked if they will they remain connected with access to Riverview Drive. Mr. Jackson responded that there will be access from Riverview Drive and Ampersee.

Commissioner Phipps referenced a statement by Planner Eldridge and asked how much more land is available and if there an ample amount of space for other projects. Mr. Jackson felt there is ample room for other businesses. Planner Eldridge explained that his previous statement was related to the fact that this zoning could result in other commercial uses.

Commissioner Chambers asked Mr. Jackson to really look into and think about the flooding issue in the area. She asked about the mobility part of Mr. Jackson's business. Mr. Jackson said it is a transportation company. He has two specialized vehicles to transport disabled individuals. Mr. Jackson will use part of the property for storage space of the vehicles and an office for the business. He assured Commissioner Chambers that he has anticipated the flooding. The building will be leveled during the construction process to adjust for that future possibility.

Commissioner Chambers asked if his proposed coffee shop would consider the different economic levels coming together at that point of town. She wondered if it would be affordable for the community. Mr. Jackson agreed that her comments about the area made sense. He said he prides himself on keeping his rates affordable for his transportation company. He will try to promote that in doing good business with the neighborhood.

Planner Eldridge clarified that the site currently doesn't have any water retention. The water all flows down the hill towards Riverview or towards Ampersee. This project will go through site plan review. A stormwater system and landscaping will be required. He said there will be less impervious cover when done and there will be stormwater capture. There will be definite improvements on the site.

Commissioner Greenman Wright wondered if it was possible to split off the back half and have it remain zoned parks so there is complete pervious cover. She asked if that was a practical solution to enhance the stormwater management that will happen through the site development. Planner Anderson clarified that the properties are currently zoned CMU and RMU and have Riverfront Overlays on them. That Block of Ampersee and Riverview Drive have a mix of future land uses on it including commercial. She believes that the overlay designation of parks and open space was pulled over the street in a couple places. It is not a zoning district. Planner Anderson stated that nothing will get through site plan review without a detailed, careful review of stormwater. She said right now, the front parcel is zoned for what he wants to do. Adding the back half provides him with some flexibility. She believes there will be space left over when all is said and done. Planner Anderson said they aren't able to require him to keep the back half as parks and open space.

Commissioner Milliken asked what can happen now on an RMU Subarea 5 parcel and what does Subarea 6 mean. Planner Anderson shared that the Riverfront Overlay will be removed as they update the code. It provides a layer that is confusing. She said that Subarea 5 is intended to be used as parks and open spaces along the Kalamazoo river. Subarea 6 is Riverview Drive commercial. In the Land Use table, there are very few uses permitted in Subarea 5. Subarea 6 and CMU allows for a wide range of commercial, mixed use and residential uses.

Commissioner Milliken opened public comment portion of the hearing.

No public comments.

Commissioner Milliken closed the public comment portion of the hearing.

Commissioner Greenman Wright, supported by Commissioner Pitts, moved to recommend approval to the City Commission to rezone of 1014 Ampersee Avenue from Residential - Mixed Use (RMU) and Riverfront Overlay Sub Area 5 to Commercial - Mixed Use (CMU) and Riverfront Overlay Sub Area 6.

Commissioner Greenman Wright appreciated the tight spot that these land uses have created in this area. She was excited for Mr. Jackson's opportunity to make smart use of this for his small business and enabling businesses for other residents. Commissioner Greenman Wright noted that this was the second hearing for a locally initiated development. She said she is sensitive to anything that has to do with flooding and appropriate use of land adjacent to the river. She felt that had set them up for failure previously because land was improperly used. Commissioner Greenman Wright said that she would trust staff that these concerns can be abated in site plan review, and she would vote yes.

Commissioner Pitts said that flooding is an issue, but not something that happens every year. He hopes the City will eventually tackle the flooding issues of Kalamazoo. Commissioner Pitts seemed happy to see a new business proposed, and he indicated that would be a good land use for this site. He said he would be voting yes.

Commissioner Milliken felt that the designation of open space and parks was a convenience when this was put together. The parcels were mostly vacant, so it was easy to designate them that. He said there are parcels closer to the river and along the river that are in greater jeopardy of flooding. Those parcels are not designated as open space and parks and are designated commercial in the Future Land Use map. Commissioner Milliken felt that inconsistency discredits the designation and limits its effectiveness. He felt the only way to make improvements to the engineering of a site is often through development. As they make these incremental developments, they will make incremental improvements to the stormwater management. He said it is consistent with the other standards of the zoning ordinance.

A roll call vote was taken. Commissioners Chambers and Phipps voted no. Commissioners Pitts, Pittelko, Milliken, Wissner, Greenman Wright, and Vyas voted yes. The motion passed.

3. P.C. # 2021.06: Vacation of Garden Street Right of Way adjacent to 924 Russell Street

Planner Durkee gave the staff report and reviewed maps and pictures. He said the best way to describe this request is that it is a gap in title. This portion of right of way is currently developed and on the

Edison school site. The school project is currently in the site plan review process for a complete reconstruction of the block. The Kalamazoo school district found a gap of unclear title of the Garden Street right of way. Planner Durkee said that in his own record search, there was a reference in the City Commission Minutes in 1911 to refer the street vacation to a Streets Committee. However, there are no Streets Committee minutes. Planner Durkee stated that the zoning is RM-15 and it largely matches the surrounding uses. The property is tax exempt because it is a school. This block will remain a school and is a central focus of the neighborhood and the Edison Master Plan. The Street Vacation Proposal noted in the old minutes was by the school district. That indicates that the school intended to occupy the block. Planner Durkee explained that the site plan shows that the structures will be removed from the right of way. This area will be used as a utility entrance, lead to a loading area, and provide access to a fire lane for a playground. The school district wanted to clear up this street vacation. Planner Durkee explained the staff rationale for approval of the street vacation. This extension of the Garden Street right of way has been utilized by the public school for a century. City Records indicate this portion of Garden Street right of way was referred by the City Commission to the Street Committee and City Attorney in 1911, but minutes are unavailable. The Edison school was constructed in 1923 across this portion of right of way. Recent title work was unable to identify that the Garden Street right of way was ever vacated by the City which will hinder the Kalamazoo Public Schools redevelopment plans.

Commissioner Greenman Wright asked if Kalamazoo Public Schools will need a special use permit. Planner Anderson said that schools are a special use in a residential district. However, public schools don't need to abide by the City's zoning standards. They do not need a Special Use permit, but they do have to go through site plan.

Mr. Marshall Grate stated that schools are somewhat unique in zoning applications. He shared that the right of way use will be an egress to service the new building. Part of the new building will be on the right of way. An outdoor basketball court will be on part of it. He felt it would be an improvement over what was there now.

Commissioner Greenman Wright asked if Kalamazoo Public Schools occupy the same category as Western Michigan University. Planner Anderson stated yes. Planner Durkee said they require site plan review for utilities and street connections. They can advocate for zoning ordinances, but not require them.

Commissioner Greenman Wright wondered if schools need to conform with Historic District standards or Downtown Design Review. Planner Anderson said there would be a difference between a local historic district or national historic district.

Attorney Robinson said public schools and WMU are slightly different in a legal sense. Public schools are under the umbrella of the State Superintendent of Schools – that body has control over school buildings. He said WMU is a constitutionally constituted entity. As to Historic districts, Attorney Robinson said he would have to do some research. He said he concluded previously that WMU is subject to historic state statutes.

Commissioner Milliken opened the public comment portion of the hearing.

No comments at this time.

Commissioner Milliken closed the public comment portion of the hearing.

Commissioner Milliken asked if there were any comments from the neighborhood. Planner Durkee said he received four phone calls asking for more information to understand the request.

Commissioner Vyas, supported by Commissioner Phipps, moved to recommend to City Commission approval of the vacation of Garden Street right of way, adjacent to 924 Russell Street.

Commissioner Vyas commented that it is a cool piece of history. She said it was fun to see it in action and have a little play with what goes forward. Commissioner Greenman Wright agreed saying she purchased some plat maps from 1873 and this section of land was included. Garden Street was not there, but there was a mill pond.

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

F. DISCUSSION / ACTION ITEMS

None.

G. CITY PLANNER'S REPORT

Planner Anderson updated them on a couple of projects.

Northside Rezoning Phase 2

- Sending an information flier to residents and businesses next week.
- Added a virtual townhall in April.
- Will be attending NACD meetings in April and May.

Natural Features Protection – Joint Meeting

March 23 – 4pm

- NFP board will talk about the Draft Phase 2 Map and Planned Text Amendments.
- This will allow a two-way conversation between the two boards and the staff helping to lead this work.
- The public will have opportunity to comment.
- Will reach out to new Planning Commissioners to have them listen to the meeting.

Downtown Design Review

- Planning Staff (Anderson & Ferraro) & Public Services & Kalamazoo Downtown Partnership are working together to edit the guidelines.
- Focusing on things not in the zoning code - materials, signage, lighting, and streets.
- Eliminating the DDR Committee when comes to City Commission – it will be staff review during site plan.
- Planning to move this forward to City Commission this spring.

Public Participation Plan Update (Summer)

- Clarify outreach requirements by request
- Updated “toolbox” of engagement practices
- Internal communication of practices – improve coordination & efficiency
- Planning Commission & City Commission

Street Design Manual – internal document

- Hired consultant team, Smith Group, to work with Public Services & CPED
- By street type (2025 MP), provide us a kit of parts to serve all users
- Equity & transportation
- Technical guide for City work & development projects
- Should be done this fall

Planner Anderson announced that Ms. Katie Reilly, Neighborhood Activator, left the City. They posted the position and hope to have it filled soon. She said they were close to hiring a Transportation Planner.

Planner Eldridge expressed a thank you to two long-time commissioners, Commissioner Greenman Wright and Commissioner Wissner, who are rotating off the board. He appreciated their service and thought they had left their mark on very good work for the community. Planner Eldridge also said thank you to Commissioner Phipps who is moving out of the state. He said they appreciate how hard these volunteer jobs are and the time commitment.

H. PUBLIC COMMENTS (non-agenda items)

No public comments.

I. CITY COMMISSION LIAISON COMMENTS

City Commissioner Jack Urban appreciated the update from Planner Anderson. He said he hoped there would be good public participation for the joint meeting with the NFP Board. He felt a lot of precedents would be set coming out of that kind of work and he had his calendar marked to attend.

J. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioners Pitts, Pittelko, Vyas, and Chambers expressed their good wishes to the Planning Commissioners leaving.

Commissioner Milliken encouraged everyone to attend the joint meeting with the NFP Board. He said this would be the time to ask the questions. He encouraged them to be prepared to have discussion and reach some answers. Commissioner Milliken announced there would be some training in the months ahead. Some of it may be on their own and some may be together in a meeting. He felt they would all benefit from that. He encouraged them to take advantage of those opportunities and participate. Commissioner Milliken noted they would need to select some officers soon. He added that this was a great meeting, he appreciated everyone's participation and engagement.

Commissioners Phipps, Greenman Wright, and Wissner thanked staff and the other Commissioners. They shared a little about their experiences on the Planning Commission and what they may be doing in the future.

K. ADJOURNMENT

Commissioner Milliken adjourned the meeting at 8:47 pm.

Respectfully submitted,

A handwritten signature in black ink, reading "C. Anderson", is positioned above a horizontal blue line.

Christina Anderson,
City Planner
Community Planning & Economic Development