

PLANNING COMMISSION

Minutes

May 3, 2007

DRAFT

The City of Kalamazoo Planning Commission meeting was called to order by Commissioner Kuseske at 7:00 p.m. in the City Commission Chambers, 241 W. South St., Kalamazoo, MI 49007. Approximately a dozen additional people were in attendance.

MEMBERS PRESENT

Terry Kuseske, Chair; Frank Cody, Vice Chair; Casey Fawley; James Kneen; Merilee Mishall; Linda Wienir; Reed Youngs

MEMBERS EXCUSED

Sonja Dean; Bertha Stewart

GUESTS

Barb Miller, City Commission Liaison

CITY STAFF

Keith Hernandez, Deputy Director/City Planner, Rob Bauckham, Assistant City Planner; John Kneas, Assistant City Attorney; Amy Thomas, Recording Secretary

ROLL CALL

Planner Hernandez completed roll call and determined that the aforementioned members were present.

AGENDA (May 3, 2007)

There were no changes to the agenda.

Commissioner Cody, supported by Commissioner Wienir, moved approval of the May 3, 2007 Planning Commission Agenda as presented. With a voice vote, the motion carried unanimously.

MINUTES (April 3, 2007)

Commissioner Wienir requested the following changes: Page 3, next to last paragraph, based "upon" not "in". Pages 4 and 5 remove the "?" marks. Page 5, "wellhead" is one

word and “groundwater” is one word. Page 12 “temporary” means forever. Remove question marks in the text regarding the first application.

Commissioner Cody referred to page 12 and stated that Commissioner Kuseske “acknowledged” with a “d.”

Commissioner Youngs, supported by Commissioner Mishall, moved approval of the April 3, 2007 Planning Commission Minutes as amended. With a voice vote, the motion carried unanimously.

COMMUNICATIONS AND ANNOUNCEMENTS

Planner Hernandez read a letter dated April 19th from the City of Portage stating their intent to amend the Comprehensive Plan for the City of Portage and requesting comments on the proposed changes.

On May 10th there will be a presentation sponsored by ISAAC (Interfaith Strategy for Advocacy and Action in the Community) regarding inclusionary housing. The speaker will be David Rusk and the meeting will be held from 9:00 a.m. to 11:00 a.m. at 538 Nichols Rd. in the Westwood United Methodist Church. Breakfast will be served at 8:00 a.m.

On May 15th the Stuart Area Restoration Association (SARA) will be holding a meeting to discuss the proposed housing density overlay for the Stuart Neighborhood. The meeting will be held at 7:00 p.m. at the Woodward School on the corner of Woodward and North.

On May 22nd and 23rd there will be a conference in Rochester, New York regarding the international housing code. Commissioner Fawley will attend the meeting as a voting member to voice concerns on behalf of the City of Kalamazoo in his capacity as a contractor.

The Planning Commission retreat is tentatively scheduled for June 14th from 3:00 p.m. to 7:00 p.m. at the Innovation Center in the BTR park. City staff is working on an agenda for the retreat. Discussion of the Comprehensive Plan will be one of the items on the agenda.

PUBLIC HEARINGS

- 1. P.C. #2007.07: Consideration of a request from Natasha Clay for a special use permit (SUP) to allow a group day care use in her home at 1124 Mason Street for seven (7) to twelve (12) children.**

Planner Bauckham gave the staff report, which is incorporated in these minutes by reference hereto. The subject property is located on the city's north side, east of Douglas and south of Alamo. The house was built by KNHS (Kalamazoo Neighborhood Housing Services) last year. The applicant and her husband live in the house and they would like to have a group day care at this address. This use is allowed in zoning district RM-15 with a special use permit. The applicant is also seeking a license from the State of Michigan. The children attending the facility will range from 1 to 9 years of age and the day care center will be open from 7 a.m. to 11 p.m. five days per week to accommodate parents working 1st and 2nd shift. There are apartments to the north of the subject property, and houses to the east, south and west of the property. City staff believes this request meets the criteria for a special use permit, and approval of the request is being recommended with the following condition: the day care business is not to begin until a copy of the state license for the use is provided to city staff.

Darnell Clay appeared on behalf of the applicant to answer questions.

Commissioner Mishall inquired as to how far along the applicants are in the licensing process. Mr. Clay stated that he and his wife are in the final stages of the licensing process. The next step is approval by the Planning Commission and then the state needs to inspect the premises. Construction on the house is also in the final stages. The house will be 1,050 square feet when completed.

Commissioner Mishall inquired if the applicant would have other staff. Mr. Clay stated that it would be just the applicant at this point. If the business expands, additional staff will be hired. The 7 to 12 kids will not all be at the facility on the same shift.

Commissioner Mishall inquired if the applicant was planning to move into another building at some point. Mr. Clay responded in the affirmative and advised that there are plans to expand in the future.

Public Hearing

No one spoke at the public hearing.

Commissioner Kneen, supported by Commissioner Mishall, moved to close the public hearing on P.C. #2007.07. With a voice vote, the motion carried unanimously.

Commissioner Cody, supported by Commissioner Youngs, moved approval of P.C. #2007.07: consideration of a request from Natasha Clay for a special use permit (SUP) to allow a group day care use in her home at 1124 Mason Street for seven (7) to twelve (12) children, with the condition required by city staff regarding the state licensing. With a roll call vote, the motion carried unanimously.

CITIZENS' COMMENTS REGARDING NON-AGENDA ITEMS

None

OLD BUSINESS

None

NEW BUSINESS

1. **P.C. #2007.08: Consideration of a request from the Kalleward Group on behalf of Fleis and Vandenbrink Engineering, Inc. for site plan approval to construct two buildings on Unit 24 of the WMU BTR Park.**

Planner Bauckham gave the staff report, which is incorporated in these minutes by reference hereto. Unit 24 is situated on the north side of the BTR park, east of the main entrance from Parkview. Unit 24 is 4 ½ acres of flat, undeveloped land. The applicant would like to have two new 10,000 square foot buildings constructed in two separate phases. A local engineering and architectural firm is planning to move into the north building, which will be parallel to Parkview Avenue. That firm recently purchased another engineering company in Kalamazoo and they have outgrown their existing building on Portage Rd. The other building would be built on the southern portion of the site as part of phase II. It would be aligned perpendicular to Campus Dr. A user for that building has not yet been identified.

Minor grade changes are being proposed for this site to accommodate the development. The parking facilities will be located around the buildings and joined in the center section. There will be two access points from this site onto campus drive. There will be no direct access to Parkview Avenue from this site. The buildings will be the same type, design, and size and the existing parking will be sufficient. Storm water will be filtered through grassy swales located along the perimeter of the site and then will flow into the main storm water management area in the center of the park. No trees will be removed but additional trees and shrubs will be planted. Outside lights similar to others in the park will be installed; the illumination will dissipate so that it will not be a nuisance to surrounding properties. A dumpster will be located on the northeast corner of the lot and it will be screened from view. Standard monument signs will be installed. Sixty-four percent of the lot will remain as open space (30% open space is required). Brick and metal will be used for the exterior, and windows will be installed on each side of the buildings.

Parkview Avenue is located to the north of the site, the Tekna facility is located to the east, the Innovation Center is located to the south, and the Fluid Process building is located to the west.

The WMU (Western Michigan University) Architectural Review Board is also reviewing the plan. Notice was given to the five neighborhoods around the BTR park regarding this application. The City Site Plan Review Committee is recommending approval of the plan with the following conditions: 1. The sanitary sewer facilities for the two new buildings shall meet the requirements of the city's Engineering Division, with particular attention to the location and elevation changes in the sewer facility; 2. The applicant is to work with the city's Engineering Division to align the south driveway entrance for the subject property with the existing roadway entrance across Campus Drive, including relocation of a fire hydrant which is currently in the area where the new driveway would be located; 3. No less than 50% of the trees to be planted on the site are to be Oak species. Several Oak trees have been identified on the site, but more will be added to bring the total up to 50%, which will be consistent with the other sites in the BTR park; 4. Twelve shrubs are to be added to the north side of the site between the north building and the north property line. The shrubs are to be noninvasive species and they are to be at least 12 inches tall at planting.

Commissioner Kneen inquired as to why the plantings are to consist of 50% Oak trees. Planner Bauckham advised that the BTR park is located in an area which used to be an Oak savannah before it was developed or farmed. This is still evident along Parkview. The Oak savannahs vanished and it is the goal to reintroduce the Oak trees. They will be planted along the perimeter of the site.

Commissioner Mishall inquired if any of the five neighborhoods provided input regarding the application, and Planner Bauckham advised that they did not.

Commissioner Mishall stated that she thought buildings in the BTR park would not be built on speculation and that the Planning Commission would review the projects only when a tenant had been identified. Planner Bauckham commented that this project will be built in two phases. If there were no identified occupants for either of the buildings, the occupants would have been urged to identify a tenant before proceeding to this point. The applicants are actively working on securing a second tenant.

Commissioner Mishall inquired if the Planning Commission had anything to recommend on how the buildings are constructed with regard to energy efficiency or the possibility of having a roof garden, etc. Planner Bauckham advised that the Planning Commission can make recommendations regarding such issues but there is nothing to mandate it as a requirement. Commissioner Mishall mentioned global warming and concern with regard to how buildings are constructed. She expressed enthusiasm for the Planning Commission taking some kind of role in being environmentally responsible. Planner Bauckham referred to the Davis Creek Business Park on Cork Street, which was designed with LEED (Leadership in Energy and Environmental Design) certification in mind and that is directly related to the "green" building concept. The goal is to have all of the buildings within that park be LEED certified and to have them conform to the green building concept.

Commissioner Youngs mentioned the storm water system at the BTR park and commented that it has an innovative system which filters water through the existing site rather than using a retention basin. He commented that there is a cost increase associated with constructing a “green” building.

Commissioner Cody suggested that concerns regarding the environment and “green” buildings might be an appropriate topic for the Planning Commission retreat.

Commissioner Kneen commented that the buildings at the BTR park are unimaginative as far as appearance. He expressed an understanding of the cost involved with construction, but suggested that the applicants might be able to come up with buildings that are more aesthetically pleasing. Commissioner Kuseske concurred. He mentioned that one existing building has a blank wall facing Parkview. The BTR park is substantially far into construction at this point, but he suggested that applicants have their builders adjust building plans before coming to the Planning Commission. It would be preferable to not have a solid wall facing Parkview.

Commissioner Fawley commented that that he liked the simplicity of the design as it was presented.

Bob Miller, Associate Vice President of Western Michigan University, advised that this project has the support of the Western Michigan University Design Review Committee, who will see the actual materials to be used in the buildings. This building can be showcased since it is near the park entrance. The picture doesn't do it justice; there will be more details at a later date. Mr. Miller stated that phase II will not begin until an anchor tenant is identified. The university design standards do not allow for empty buildings. However, they do allow for buildings to be constructed with additional inventory. For example, if a building is 30,000 square feet, the anchor tenant may occupy 15,000 or 20,000 square feet and the rest of the space is available as inventory. Western Michigan University is not at liberty to disclose the name of the prospective tenant for the subject property at this point. Phase II will not begin until the tenant is identified. Mr. Miller stated that he met with members of the Parkview Hills Neighborhood and the principals of the company. The principals of the company have met the goals of the university and WMU embraces this project. There is hope for a significant number of jobs at the applicant's new location.

Commissioner Kneen inquired as to the property taxes and as to whether or not there would be a tax abatement. Planner Bauckham stated that there has been no request for a tax abatement at this point.

Commissioner Fawley inquired if WMU has an official position regarding the green building concept. Mr. Miller advised that the university doesn't have an official position, but they would consider the possibility of a green building. Total LEED certification can be expensive but it is also good business so that is part of the discussion. Mr. Miller

referred to the blank wall mentioned by Commissioner Kuseske. WMU and city staff agree with Commissioner Kuseske's comments and they have had discussions with the owner of that building to change it.

Commissioner Wienir advised that she appreciates the university's efforts to promote growth and that she is pleased with the proposed project.

Commissioner Youngs commented that although this project will leave a building vacant on Portage Rd. in the Edison Neighborhood, he commended the Grand Rapids firm for buying the Kalamazoo firm and not moving the Kalamazoo jobs to Grand Rapids. Also, the 4 ½ acres plus the new buildings will go on the tax rolls and this is another positive step. He added that he was hopeful that the applicants would use due diligence when adding the landscaping, etc. since this facility will be a statement as visitors are coming into the BTR park.

Commissioner Mishall stated that she thought this would be a good opportunity for WMU and students to do a green building and learn about the environment. Mr. Miller advised that the BTR park has won national awards regarding its storm water design. The original farmhouse on the property, the former Lee Baker farm, is home to the WMU Environmental Research Institute. The university wants to be a good environmental steward and green business practices are part of the curriculum.

Commissioner Kuseske commented that he attended a meeting in Detroit today and the former Executive Director of the Michigan Municipal League was commenting on the business park. When considering issues regarding the environment and global warming, cultural changes are involved and that requires dialogue and communication.

Brett Stockhill from Fleis and Vandenbrink engineers stated that both buildings are being presented at this point in order to facilitate a master plan for the whole site. Only phase I will be build at this time; phase II will not be built until later. The goal is to develop the site so that it will be compatible with the rest of the units in the BTR park, and to have a compact site, which helps promote the green effect. The university has great covenants regarding green space. He advised against micromanaging the applicants because there is concern that developers will leave if the process becomes too entangled. The architects are working with the university and the Kalleward Group to develop buildings that will accent the park. They are trying to have as much drainage over ground as possible before it goes underground and to the open drainage system. The goal is to keep the water/drainage system environmentally friendly.

Commissioner Youngs commended the applicants for not removing existing vegetation and for their proposed addition of 141 plantings on the vacant property. Mr. Stockhill stated that most of the plantings are required.

Commissioner Kuseske stressed that the Planning Commission is not about micromanaging, but the meetings provide an opportunity to bring forth ideas. .

Commissioner Wienir, supported by Commissioner Cody, moved approval of P.C. #2007.08: Consideration of a request from the Kalleward Group on behalf of Fleis and Vandenbrink Engineering, Inc. for site plan approval to construct two buildings on Unit 24 of the WMU BTR Park. With a roll call vote, the motion carried unanimously.

CITIZENS' COMMENTS

None

CITY PLANNER'S REPORT

Planner Hernandez advised that city staff is working on a preliminary agenda for the Planning Commission retreat. There are a couple more items to be added and then the agenda will be sent to the Planning Commission for approval. The agenda should be ready by May 11th. One topic of discussion will be the Comprehensive Plan since changes to the plan will begin next year. Also on the agenda are the Portage Creek corridor and the Allied Paper site. The redevelopment plan is an important part of the Comprehensive Plan and the first steps will be discussed at the retreat.

Planner Hernandez mentioned that the July Planning Commission meeting falls on the 5th. He suggested moving it to the following week to avoid conflict with the July 4th holiday. After a brief discussion, the following motion was made:

Commissioner Mishall, supported by Commissioner Fawley, moved approval to reschedule the Thursday, July 5th Planning Commission meeting to Tuesday, July 10th. With a voice vote, the motion carried unanimously.

Planner Hernandez advised that there has been some discussion with regard to having the July Planning Commission meeting off site. City staff will provide an update on that topic at a later date.

Planner Bauckham advised of the following potential agenda items for the June Planning Commission meeting: 1. A request for vacation of a portion of S. Lafayette regarding the Knollwood Apartments. The official request has not yet been submitted to city staff. 2. A church on Parsons Street wants to expand and create off site parking. This request requires a special use permit in this residential zone.

The site plan review program is going well. City staff have received 30 site plans so far this year; 60 site plans is the goal for the year.

MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

None

ADJOURNMENT

Commissioner Kneen, supported by Commissioner Mishall, moved to adjourn the May 3, 2007 Planning Commission meeting. With a roll call vote, the motion carried unanimously.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Keith Hernandez, AICP
Deputy Director/City Planner
Community Planning and Development