

**City of Kalamazoo
PLANNING COMMISSION
Minutes
July 1, 2010
DRAFT**

2nd Floor, City Hall
City Commission Chambers
241 W. South Street, Kalamazoo, MI 49007

Present: Sonja Dean, Chair; Mark Fricke, Vice Chair; Carla Chase; Casey Fawley; Todd Hamilton; Merilee Mishall; Edward Planeta

Members Excused: Reed Youngs

City Staff: Keith Hernandez, Deputy Director/City Planner; Robert Bauckham, Assistant City Planner; Amy Thomas, Recording Secretary

A. CALL TO ORDER

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

B. ROLL CALL

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

C. ADOPTION OF FORMAL AGENDA

There were no changes to the agenda.

Commissioner Fricke, supported by Commissioner Mishall, moved approval of the July 1, 2010 Planning Commission agenda as submitted. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES (June 10, 2010)

There were no changes to the Minutes.

Commissioner Fricke, supported by Commissioner Chase, moved approval of the June 10, 2010 Planning Commission Minutes as amended. With a voice vote, the motion was approved unanimously.

E. COMMUNICATIONS AND ANNOUNCEMENTS

None

F. PUBLIC HEARINGS

P.C. #2009.13: Consideration of a request from the Community Planning & Development Department to approve various text amendments to the zoning ordinance pertaining to Wind Energy regulations.

Planner Bauckham gave the staff report, which is included in these minutes by reference hereto. There have been technological improvements in wind energy over the past few years, which make this form of energy more cost effective. There are now more companies providing this technology. In response to increased interest in this technology, municipalities are adopting ordinances to regulate the technology.

City staff reviewed wind energy regulations from 24 communities, including Portage, Grand Rapids, Walker, Battle Creek, and Kalamazoo, Oshtemo, Texas and Comstock Townships. The proposed regulations for the City of Kalamazoo contain information regarding the height requirements and set backs for wind energy units. The regulations also set forth details regarding the acceptable designs for building-mounted units and free-standing units. The regulations are meant to allow free-standing units where there is room, and building-mounted units in the downtown area and other areas where space is limited.

The Environmental Concerns Committee and the DDRC reviewed the draft Wind Energy Ordinance, and adjustments have been made accordingly. The ordinance can be changed over time as the need arises. City staff is requesting that the Planning Commission recommend to the City Commission to adopt the Wind Energy regulations.

Commissioner Hamilton advised that he had no objection to the proposed ordinance. He referred to the tall, vertical wind energy units that he's seen on gable roofs of buildings. Planner Bauckham advised that if the unit is on the structure, it would be considered a building mounted unit.

Commissioner Hamilton inquired if the proposed wind energy regulations have been subjected to a historic review. Planner Bauckham advised that the Historic Preservation Coordinator has reviewed the regulations. The units would be looked at on a case by case basis in the historic districts.

Commissioner Mishall referred to page 2, paragraph 2, the last sentence of the report and inquired if changes in equipment will be allowed as new technology emerges. Planner Bauckham advised that the intent of the ordinance is to regulate the technology that currently exists. Some big cities have wind energy units that we might never see in Kalamazoo, but it is difficult to predict what new technology will become available in the future. The proposed wind energy regulations were intended to cover the most common technology that is currently available.

Commissioner Mishall inquired if the Planning Commission would review updates to the regulations, if updates are necessary due to changes in technology. Planner Bauckham stated that text amendments could be done to the regulations in the future if needed, and the Planning Commission would be part of that process.

Commissioner Mishall inquired if city staff received input from the community and from the Environmental Concerns Committee regarding the proposed wind energy regulations. Planner Bauckham advised that city staff spoke with some of the neighborhood associations within the city, the Environmental Concerns Committee and the Downtown Design Review Committee.

Public Hearing

No one spoke at the public hearing.

Commissioner Mishall, supported by Commissioner Fricke, moved to close the public hearing on P.C. #2009.13. With a roll call vote, the motion carried unanimously.

Commissioner Hamilton, supported by Commissioner Mishall, moved approval of the text amendments to the zoning ordinance pertaining to wind energy regulations. With a roll call vote, the motion carried unanimously.

G. CITIZENS' COMMENTS REGARDING NON-AGENDA ITEMS

None

H. OLD BUSINESS

None

I. NEW BUSINESS

None

J. CITIZENS' COMMENTS

None

K. CITY PLANNER'S REPORT

Planner Hernandez stated that the Master Plan was approved by the City Commission on June 21, 2010. He thanked the members of the Planning Commission for their assistance with the Master Plan rewrite.

Planner Hernandez advised that the bike rack ordinance is tentatively scheduled for review by the Planning Commission at their August meeting. The Kalamazoo Bike Club will be meeting on July 13th to discuss the bike rack ordinance. The Club is generally supportive of the ordinance.

Also, the medical marijuana ordinance will be brought before the Planning Commission soon. There is a desire to not have medical marijuana facilities as a commercial use, but rather a home-based occupation, the way it is set up in Grand Rapids. It is important to protect the identity of the people who need this treatment, and to not create an unfair burden to the neighborhoods. Planner Hernandez advised that he attended a meeting of the Kalamazoo Area Compassion Club to discuss this issue. Staff has helped develop an ordinance that they hope will be acceptable to the community. Planner Hernandez advised that there have been stories in the newspaper regarding the medical marijuana ordinance for Kalamazoo, and he will e-mail that information to the Planning Commissioners.

Planner Hernandez stated that Commissioner Stewart resigned from the Planning Commission due to her work commitments. It is important to have individuals with diverse backgrounds on the Planning Commission. Staff will approach the NAACP, the Hispanic American Council and other ethnically diverse groups to find a qualified candidate to fill the vacant position. It is also important to have different city neighborhoods represented on the Planning Commission. Planner Hernandez encouraged the Planning Commissioners to contact him with suggestions for qualified individuals to fill the vacant seat. Commissioners Mishall, Fricke and Fawley are on the Nominating Subcommittee.

Planner Bauckham advised that he attended the site plan review meeting earlier in the morning, pertaining to the proposed expansion of the Firehouse Saloon on W. Michigan. The bar had a fire last year and they are trying to renovate their facility. They are installing an outside customer area, and they have been working with the neighborhood regarding potential noise issues. They will need a special use permit for the application.

There have been 27 site plans submitted to city staff so far this year. That number is about average when compared to prior years.

The grocery store at the corner of Parkview and Oakland wants to expand its parking lot. They have purchased a church to the west of the grocery store and they would like to expand onto that property. The proposed expansion will require that one of the parcels be rezoned. This rezoning request is tentatively scheduled for review at the August Planning Commission meeting.

ThermoFisher Scientific has submitted a site plan for expansion of their parking lot to accommodate their increasing number of employees. They are also considering expanding their facility in the Business Technology and Research Park in the future.

L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Chase referred to an article she read, which indicated that Kalamazoo may be getting Super Fund dollars. Planner Hernandez advised that new funds are being made available for dedicated sites. The money may be earmarked for clean up of Davis Creek or the former Allied Paper site. Commissioner Chase mentioned that there were 10 or 12 sites listed in Michigan; Kalamazoo was one of the places on the list. Planner Hernandez stated that the Performance Paper site near Portage Creek may also be a recipient of those funds.

Commissioner Fricke mentioned that Alamo Township has been destroying a number of trees, and the result is not aesthetically pleasing. He inquired if the City of Kalamazoo has procedures for tree removal or if Consumers Power would be able to remove trees at their discretion. Planner Bauckham advised that Todd Pryor (the City's Forestry Supervisor) works with Consumers Power regarding tree removal. If trees are removed in the city, Mr. Pryor will try to make sure that new trees are planted. The city has trees available for planting; suggestions are welcome with regard to places where the trees could be planted. Specific types of trees are required for planting in the curb lawn; trees in those areas must be salt and weather tolerant. Mr. Hernandez was uncertain if the area townships have a similar Forestry Supervisor.

Commissioner Mishall inquired if there are plans for the corner of Oakland and Parkview. Planner Bauckham advised that the size of the intersection will be increased to accommodate trucks. The project is scheduled to be completed this fall. Landscaping may be added to approve the appearance of the intersection.

M. ADJOURNMENT

Commissioner Mishall, supported by Commissioner Chase, moved to adjourn the July 1, 2010 Planning Commission meeting. With a voice vote, the motion carried unanimously.

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

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