

Tentative Agenda
Kalamazoo City Planning Commission
November 5, 2009
Regular Meeting

City Commission Chambers, 2nd Floor, City Hall

7:00 p.m.

- A. Call to Order
- B. Roll Call
- C. Adoption of Formal Agenda
- D. Approval of Minutes (September 3, 2009)
- E. Communications and Announcements
- F. Public Hearings
- G. Citizens' Comments Regarding Non-Agenda Items
- H. Old Business
(Citizens' comments are welcome before each item is voted upon by the Planning Commission)
 - 1. Master Plan project update and discussion
- I. New Business
(Citizens' comments are welcome before each item is voted upon by the Planning Commission)
- J. Citizens' Comments
- K. City Planner's Report
- L. Miscellaneous Comments by Planning Commissioners
- M. Adjournment

PLANNING COMMISSION
Minutes
September 3, 2009
DRAFT

City Hall Atrium
241 W. South St., Kalamazoo, MI 49007

Members Present: Terry Kuseske, Chair; Sonja Dean, Vice Chair; Casey Fawley;
Marilee Mishall; Linda Wienir

Members Excused: Mark Fricke, James Kneen, Bertha Stewart, Reed Youngs

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

Guests: Barb Miller, City Commission Liaison to the Planning
Commission; Steve Deisler, Downtown Kalamazoo, Inc.; Thomas
Yingling, Metro PCS; James Dally and Steve Sielatyki, Mavcon,
LLC

A. CALL TO ORDER

Commissioner Kuseske called the meeting to order at 7:25 p.m.

B. ROLL CALL

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

C. ADOPTION OF FORMAL AGENDA (September 3, 2009)

There were no changes to the agenda.

Commissioner Wienir, supported by Commissioner Dean, moved approval of the September 3, 2009 Planning Commission agenda as submitted. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES (August 6, 2009)

There were no changes to the minutes.

Commissioner Dean, supported by Commissioner Mishall, moved approval of the August 6, 2009 Planning Commission minutes as submitted. With a voice vote, the motion carried unanimously.

E. COMMUNICATIONS AND ANNOUNCEMENTS

Planner Hernandez advised that some of the planning staff will be at a planning conference on October 1st. Therefore, city staff will be requesting that the October 1st Planning Commission meeting be postponed until October 6th.

F. PUBLIC HEARINGS:

1. P.C. #2009.07: Consideration of a request from Metro PCS for a special use permit to allow the existing cellular tower at 813 W. Kilgore Road to be raised by 20 feet, and to allow the co-location of antennas and equipment on the new section of the tower.

Planner Bauckham advised that the subject cellular tower is located in well field #9 between Duke St. and Westnedge Ave. The 100-foot-tall tower is on the north side of the well field, which is owned by the City of Kalamazoo. Alltel leases the property for the tower and ground compound from the city. Alltel and Sprint both maintain equipment on the cell tower. Metro PCS is requesting a special use permit to allow the tower height to be increased by 20 feet and to co-locate their equipment on the higher level of the tower. The height increase is needed to provide better reception in their coverage area. The well field is located in zone RS-5, which is a residential zone. Cell towers are allowed on city property in this zone, with a special use permit. Seventy-five foot tall towers are allowed in the RS-5 zone with a setback equal to the height of the tower.

When the tower was originally requested, the applicants received a special use permit from the Planning Commission to install a 100-foot-tall tower with a 50-foot setback from the east property line. The nearest building to the east is the Lowes store, which is about 260 feet from the cell tower. The setback is required to provide protection for surrounding buildings in the event the tower fell over during a storm or other catastrophic event. Most of the cell towers in the city are between 100 and 200 feet tall. The subject property is densely wooded, and the cell tower is not easily visible from surrounding properties. The tower is about 500 feet from the nearest house.

The engineer for the applicant advises that the FCC and FAA guidelines will be met, and the request will adhere to the city's noise ordinance. The tower will not interfere with the city's public safety communications, or with communications from local television or radio stations. The applicant is not planning to remove any trees on the property.

On August 28th, the Site Plan Review Committee recommended approval of the application with the condition that a key box be placed on the ground compound gate to provide emergency access. City staff is recommending approval of the special use permit for the 20-foot height increase and the co-location of the applicant's equipment on the cell tower, with the condition regarding the key box to be located on site.

Commissioner Mishall inquired if any of the neighbors adjacent to the cell tower expressed concern to city staff regarding the application. Planner Bauckham advised that no one expressed concern about the project. One neighbor inquired about the licensing of the applicant for the operation of the equipment. The applicant's representative stated that his company tries to use existing towers to locate their cellular equipment.

Public Hearing

No one spoke at the public hearing.

Commissioner Mishall, supported by Commissioner Dean, moved to close the public hearing on P.C. #2009.07. With a voice vote, the motion carried unanimously.

Commissioner Dean, supported by Commissioner Wienir, moved approval of P.C. #2009.07, consideration of a request from Metro PCS for a special use permit to allow the existing cellular tower at 813 W. Kilgore Road to be raised by 20 feet, and to allow the co-location of antennas and equipment on the new section of the tower, with the condition that a key box be placed on the ground compound gate for emergency access. With a roll call vote, the motion carried unanimously.

#2. P.C. #2009.12: Consideration of a request from Downtown Tomorrow, Inc. to vacate a portion of Whiskey Alley between 105 and 127 E. Michigan Avenue.

Planner Bauckham advised that Whiskey Alley is located between E. Michigan Ave. and Water Street, east of the Kalamazoo Mall. The alley is currently paved and used as a pedestrian walkway. The west 25 feet of the alley, east of the mall, was vacated in 2001. A portion of the roof of the Dewing Building covers part of the alley. DTI (Downtown Tomorrow, Inc.) owns the buildings from 105 to 127 E. Michigan, also known as the 100 block of E. Michigan. Mavcon Properties, LLC is in the process of purchasing these buildings from DTI. The properties will be renovated for commercial and residential purposes.

The buildings in the 100 block of E. Michigan were constructed on different levels at different time periods, and there are no convenient internal connections between the buildings. The applicants would like to build an addition on the north side of the buildings to create a better connection. The buildings are already built to the property line, and such an addition would involve an encroachment onto the alley, which is the reason for the alley vacation request. The normal procedure for vacating a property is to split the property down the middle, and the abutting property owners on each side would obtain half of the property. The property owners on the north side of this section of the alley are the KVCC (Kalamazoo Valley Community College) and a parking lot owned by DTI. They are not interested in obtaining any portion of the alley. Therefore, the entire alley could be vacated to Mavcon, LLC.

The city Engineering Division, Public Services Department, and Public Safety Department have indicated no objections to the proposed alley vacation. The city's Engineering Division is requesting an easement to access the utilities under the alley. They are also requesting an easement for the north side of the alley to maintain the pedestrian access. The building addition will not take the entire alley; space will remain for pedestrian traffic.

City staff is recommending that the Planning Commission recommend to the City Commission to approve the request to vacate a portion of the alley.

Commissioner Mishall inquired as to the different calculations regarding the fair market value of the alley. The original Resolution Recommending Vacation of a Portion of Whiskey Alley, which was included in the Planning Commission packets, states the fair market value as \$17,544. The revised Resolution states the fair market value as \$15,057. Attorney Kneas advised that the Assessor's office looked at the alley vacation and the sale of the 41' x 58' area of lot 9. The City of Kalamazoo owns that property through the parking system. There is a separate value and an aggregate value. The applicant is purchasing both halves of the alley, and the aggregate value is lower by 15%. That amount was multiplied by 85% to arrive at the total in the revised Resolution.

Public Hearing

No one spoke at the public hearing.

Commissioner Mishall, supported by Commissioner Dean, moved to close the public hearing on P.C. #2009.12. With a voice vote, the motion carried unanimously.

Attorney Kneas advised that the action is to adopt the resolution.

Commissioner Mishall, supported by Commissioner Dean, moved to recommend to the City Commission to adopt the revised Resolution Recommending Vacation of a Portion of Whiskey Alley, with the two easements. With a roll call vote, the motion carried unanimously.

Attorney Kneas stated that the first reading of this application at the City Commission level will take place on September 8th. The final review will take place on September 21st. The approval will include the vacation of a portion of the Alley and the sale of Lot 9.

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 second meeting of the Master Plan Steering Committee took place recently. Information from the public meetings in July was discussed, and that information helped the committee determine a plan of action for future public meetings. The next public meetings will be held during the last week of October and the second week of November. The public meetings will be held on the west side and east side of the city at locations yet to be determined. Meanwhile, the working groups will meet at the end of September to discuss the four topics of the Master Plan: quality of life, transportation, market place, housing and neighborhoods. These groups will be meeting on September 22nd and 23rd. There has been much progress on the Master Plan to date.

Planner Hernandez requested that the Thursday, October 1st Planning Commission meeting be moved to Tuesday, October 6th to accommodate the schedule of the city planners who will be attending a statewide conference in Mt. Pleasant, MI.

Commissioner Dean, supported by Commissioner Wienir, moved to allow the Thursday, October 1, 2009 Planning Commission meeting be held on Tuesday, October 6th. With a voice vote, the motion carried unanimously.

Planner Bauckham advised that city staff have reviewed 38 site plans so far this year, 40 is the goal.

Tentative agenda items for the October Planning Commission meeting include a possible special use permit for a house that had been used as a foster care facility in the past. The house was converted to regular residential use, but the owners would like to resume the foster care use, and that will require a special use permit.

Also, the proposed updates to the DDRRC (Downtown Design Review Guidelines) are tentatively scheduled for review at the October Planning Commission meeting.

L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Kuseske apologized for his late arrival at the Planning Commission meeting. He suggested that Planner Hernandez provide a presentation to the City Commission regarding progress on the updates to the Comprehensive Plan (Master Plan). Planner Hernandez stated that the City Commission would advise if they want a presentation. Commissioner Kuseske requested that city staff inquire if the City Commission would like to have a progress update.

M. ADJOURNMENT

Commissioner Wienir, supported by Commissioner Dean, moved to adjourn the September 3, 2009 Planning Commission meeting. With a voice vote, the motion carried unanimously.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

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

CITY OF KALAMAZOO
SITE PLAN REVIEW PROJECT LIST

Year	Project Address	Project Description	Applicant	Date Received	Comments Due Date	1st Review Date	Final Approval Date	Comments
2009.44	4423 West KL Avenue	Building addition	West Colony Graphics	10/13/2009	10/26/2009	10/27/2009	10/29/2009	Final approval provided.
2009.43	315 E. North Street	New manufacturing building	Cross Enterprises	9/29/2009	10/12/2009	10/13/2009	--	Under review.
2009.42	Parkview Avenue	Asylum Lake parking lot	Western Michigan University	9/18/2009	10/5/2009	10/6/2009	10/9/2009	Final approval provided.
2009.41	3315 W. Michigan Ave.	Fraternity use in existing building	SAE Financial & Housing Corp.	9/16/2009	9/29/2009	9/30/2009	10/8/2009	Final approval provided.
2009.4	308 W. North Street	Building addition for restaurant use	Heavenly Ribs	9/14/2009	9/28/2009	9/29/2009	10/8/2009	Final approval provided.
2009.39	3513 Gembritt Circle	New parking lot	Republic Services	9/11/2009	9/28/2009	9/29/2009	--	Under review.
2009.38	1601 Portage Street	School use in existing office building	Kalamazoo Public Schools	9/9/2009	Staff review only	--	9/14/2009	Final approval provided.
2009.37	400 E. Kilgore Road	Milham Park maintenance building	Parks and Recreation Dept.	9/8/2009	9/21/2009	9/22/2009	9/24/2009	Final approval provided.
2009.36	932-1016 E. Walnut	New parking lot	Jim Garrison	9/2/2009	9/16/2009	9/17/2009	9/25/2009	Final approval provided.
2009.35	590 W. Maple Street	Co-location on existing tower	Verizon Wireless	9/1/2009	9/14/2009	9/15/2009	9/18/2009	Final approval provided.
2009.34	1616-1618 E. Main St.	Re-use building for a grocery store	Kulwant Singh	8/27/2009	9/9/2009	9/10/2009	--	Under review.
2009.33	2500 E. Cork Street	Replace 6 antennas on cell tower	Verizon Wireless	8/14/2009	8/31/2009	9/1/2009	9/24/2009	Final approval provided.
2009.32	813 W. Kilgore Road	Increase cell tower height	Metro PCS	8/13/2009	8/27/2009	8/28/2009	9/8/2009	Final approval provided.
2009.31	3209 Stadium Drive	New restaurant building	Buffalo Wild Wings	8/7/2009	8/24/2009	8/25/2009	9/14/2009	Final approval provided.
2009.3	214 and 230 Sage St.	New apartment project	Village of Kalamazoo Senior Living	8/7/2009	8/24/2009	8/25/2009	--	Under review.
2009.29	4037 S. Westnedge Ave	Building addition	Exteriors of Kalamazoo	7/24/2009	8/10/2009	8/11/2009	8/26/2009	Final approval provided.
2009.28	751 Pleasant Avenue	New building and cottages	The ARK	7/14/2009	7/27/2009	7/28/2009	10/7/2009	Final approval provided.
2009.27	1629 Douglas Avenue	Building demolition, addition, park. Lot	Weiler Auto Parts	7/8/2009	7/23/2009	7/24/2009	8/3/2009	Final approval provided.
2009.26	550 W. Crosstown	Co-location on building	Metro PCS	6/24/2009	7/8/2009	7/9/2009	7/9/2009	Final approval provided.
2009.25	300 Nazareth Road	911 Training Center - Phase 2	Kalamazoo Public Safety Dept.	6/19/2009	7/6/2009	7/7/2009	7/7/2009	Final approval provided.
2009.24	5235 Portage Road	New terminal building	Kalamazoo/Battle Creek Inter. Airport	6/18/2009	7/1/2009	7/2/2009	7/10/2009	Final approval provided.
2009.23	3421 S. Burdick Street	Building addition	Sweet Manufacturing	6/17/2009	7/1/2009	7/2/2009	7/6/2009	Final approval provided.

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SITE PLAN REVIEW PROJECT LIST**

Year	Project Address	Project Description	Applicant	Date Received	Comments Due Date	1st Review Date	Final Approval Date	Comments
2009.22	1206 E. Crosstown	Building addition	National Products	6/4/2009	6/17/2009	6/18/2009	7/14/2009	Final approval provided.
2009.21	758 E. Crosstown	Re-use building for Playhouse barbershop	Adam Hodge	6/3/2009	6/17/2009	6/18/2009	6/19/2009	Final approval provided.
2009.2	3300 Stadium Drive	Building addition	Stadium Shoppes	6/1/2009	6/15/2009	6/16/2009	6/26/2009	Final approval provided.
2009.19	710 Collins Street	Co-location on building	Metro PCS	5/1/2009	5/18/2009	5/19/2009	5/20/2009	Final approval provided.
2009.18	1004 Douglas Avenue	Co-location on building	Metro PCS	5/1/2009	5/18/2009	5/19/2009	6/4/2009	Final approval provided.
2009.17	517 E. North Street	Building addition	Life EMS	5/1/2009	5/18/2009	5/19/2009	6/8/2009	Final approval provided.
2009.16	346 S. Kalamazoo Mall	New parking lot	Thomas Huff	4/15/2009	4/29/2009	4/30/2009	5/20/2009	Final approval provided.
2009.15	5392 Beech Avenue	Co-location on tower	MetroPCS	4/14/2009	4/29/2009	4/30/2009	6/18/2009	Final approval provided.
2009.14	3100 Stadium Drive	Co-location on tower	MetroPCS	4/14/2009	4/29/2009	4/30/2009	5/1/2009	Final approval provided.
2009.13	1838 E. Stockbridge	New parking area	K's Limousine	4/9/2009	--	--	4/9/2009	Staff review only.
2009.12	2634 Mt. Olivet Road	Co-location on water tank	MetroPCS, Inc.	4/8/2009	4/22/2009	4/23/2009	4/23/2009	Final approval provided.
2009.11	1911 Hatfield	New office building	Rieth-Riley Construction Co.	4/1/2009	4/15/2009	4/16/2009	4/22/2009	Final approval provided.
2009.1	1408 Sutherland Avenue	New apartment project	Greg Watts	3/24/2009	4/8/2009	4/9/2009	6/5/2009	Final approval provided.
2009.09	924 Russell Street	New ponds, wall, fence, sign	Edison Magnet School	3/23/2009	3/31/2009	--	3/27/2009	Staff review only.
2009.08	606 E. Kilgore Road	Building addition, site improvements	Loy Norrix High School	3/23/2009	3/31/2009	--	3/27/2009	Staff review only.
2009.07	151 S. Rose Street	Co-location on tower	MetroPCS	3/16/2009	3/30/2009	3/31/2009	3/31/2009	Final approval provided.
2009.06	3419 S. Burdick Street	Co-location on tower	MetroPCS	3/16/2009	3/30/2009	3/31/2009	3/31/2009	Final approval provided.
2009.05	4401 Siesta	Co-location on tower	MetroPCS	3/3/2009	3/18/2009	--	3/24/2009	Final approval provided.
2009.04	2117 Superior Avenue	New cellular tower	Clearwire	2/25/2009	--	--	--	On hold for needed variance.
2009.03	1332-1350 W. Michigan Avenue	New restaurant building	University Roadhouse	2/25/2009	3/11/2009	3/12/2009	4/20/2009	Final approval provided.
2009.02	900 Walbridge Street	Co-location on tower	MetroPCS	2/13/2009	3/2/2009	3/3/2009	3/3/2009	Final approval provided.
2009.01	1516 W. Michigan Avenue	Building addition	Kalamazoo Islamic Center	2/9/2009	2/23/2009	2/24/2009	4/24/2009	Final approval provided.