

City of Kalamazoo
PLANNING COMMISSION
Minutes
August 3, 2017
FINAL

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

Members Present: Rachel Hughes-Nilsson, Chair; Gregory Milliken; Sakhi Vyas; Derek Wissner; Alfonso Espinosa; Charley Coss, Vice Chair; Emily Greenman Wright;

Members Excused: James Pitts;

City Staff: Christina Anderson, City Planner; Robert Bauckham, Senior Development Planner; Clyde Robinson, City Attorney; Amanda Coeur, Recording Secretary

Guests: None

A. CALL TO ORDER

Commissioner Hughes-Nilsson called the meeting to order at 7:02 p.m.

B. ROLL CALL

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

C. ADOPTION OF FORMAL AGENDA

Planner Anderson requested a change to the agenda, she requested that the Public Hearing for PC2017.09 be continued until the September 7th meeting. Commissioner Coss, supported by Commissioner Greenman-Wright moved approval of the August 3, 2017 Planning Commission agenda, as amended. With a voice vote, the motion carried unanimously.

D. APPROVAL OF MINUTES

Commissioner Wissner, supported by Commissioner Vyas moved approval of the July 6, 2017 Planning Commission minutes as presented. With a voice vote, the motion carried.

E. COMMUNICATIONS AND ANNOUNCEMENTS

None

F. PUBLIC HEARINGS

P.C. #2017.08 Request to rezone 565 S. Drake Road from Zone PUD (Planned Unit Development District) to Zone RS-5 (Residential, Single-Dwelling District). [Recommendation: motion to recommend to the City Commission to approve the rezoning.]

Planner Bauckham gave the staff report. Drakes Pond sold the property in question to the applicant as they will not be expanding. The applicant would like to build Phase Four of the Walden Woods

development on this property. Currently there are 68 units built on the development, the applicant owns 88 acres of land, which can accommodate 440 units. The applicant is only planning on 215-230 units being built throughout the entire development. The applicant met with the Arcadia neighborhood whose only concern was that they would like more walking trails through the development that they could use and they would like a small neighborhood commercial area by the development with cafes, or coffee shops the neighborhood could frequent. Planner Bauckham requests the commission approve this request.

The applicant, Mr. Jack Gesmundo from AVB, gave a presentation to the commission. During this presentation he shared the history of AVB, as well as the history of Walden Woods. He stated that with the Walden Woods development \$70 million would be added to the tax roll.

The Planning Commission opened the public hearing, no one spoke, and the public hearing was closed.

The Commissioners discussed the request, Commissioner Espinosa asked the applicant if the City had to manage the roads within the development. Mr. Gesmundo stated the roads were private and taken care of by a contractor hired by the development association.

Commissioner Wissner, supported by Commissioner Espinosa moved to recommend to the City Commission, the request to rezone 565 South Drake Road from Zone PUD to Zone RS-5. With a roll call vote, the motion carried.

P.C. #2017.09 Request for text amendments to Sections 4.1, 4.2, 4.3, and 12.3 of the Zoning Ordinance for the regulation of Medical Marijuana uses. [Recommendation: motion to extend the public hearing to the September 7th meeting.]

Attorney Robinson gave a presentation, similar to the one he gave to the Planning Commission last month. There were a few additions based on the feedback from the community meetings that were held. Some changes that are currently being looked at are the standards needed to grow marijuana. In the draft ordinance it was stated 1 acre or more was needed to grow marijuana, city staff has learned this could be lessened. Also currently under review is the space needed to process marijuana. During the community meetings it was brought up that processing could happen effectively in a very small room.

Commissioner Wissner asked Attorney Robinson to clarify the maps that were on display this evening. Attorney Robinson explained all of the white areas on the maps were prohibited due to zoning.

Commissioner Coss asked about waste from the product, Mr. Robinson said this would be addressed in the regulatory code.

Commissioner Espinosa expressed concern about where processors could be located, he would like to see more facilities allowed in other areas. Attorney Robinson stated that processing and growing are manufacturing processes, unfortunately so is garbage disposal, this is why they are currently allowed uses within the zoning code. He also mentioned that state law says growers are limited to manufacturing and agriculture zones, the City of Kalamazoo does not have any agriculture zones.

Commissioner Greenman-Wright asked if the charter amendment would allow processing centers to come before the Planning Commission for a special use permit if the location would be located in a CC zone. Attorney Robinson shared that staff had thought of this but decided against it due to potential legal ramifications.

Commissioner Milliken asked multiple questions including Attorney Robinson to explain the projected funds to the City, and the time frame the state has to respond to licensing requests. Attorney Robinson shared how much revenue the city could potentially earn from the excise tax. He also stated that the state does not have a time frame in place to respond to licensing requests.

Commissioner Coss asked Planner Anderson if the Commission could get a summary of how this ordinance fits within the Master Plan and Strategic Vision. Planner Anderson stated she will have this to the Commission prior to the next meeting.

The Commissioners opened the public hearing. Alison Park, non city resident spoke. She wanted to applaud the City Attorney's office for reviewing acreage requirements. She stated that the setback requirements the city is recommending could be burdensome. Federal guidelines state schools are the only requirement to setbacks, by the city including churches, parks, etc. it could limit properties.

Brian Senada, City resident spoke. He praised staff for taking the lead on this issue. He hopes commercial districts will be looked into more. He owns a commercial property and if he decided to open a provisioning center he would have to go in front of the ZBA to grant his request.

The public hearing was closed.

Commissioner Espinosa asked what would happen if Planning Commission does not pass the ordinance. Planner Anderson stated the ordinance will still go in front of City Commission and it will be stated that Planning Commission did not approve the ordinance.

Multiple Commissioners thanked city staff and residents for their time and feedback.

Commissioner Coss, supported by Commissioner Greenman-Wright moved to recommend the public hearing for P.C. #2017.09 be extended to the September 7th meeting. With a roll call vote, the motion carried.

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

None

H. UNFINISHED BUSINESS

None

I. NEW BUSINESS

None

J. CITIZENS' COMMENTS

None

K. CITY COMMISSION LIAISON COMMENTS

None

L. CITY PLANNER'S REPORT

Planner Bauckham gave the City Planner's Report. He shared with the Commission that 34 projects are underway or have been completed so far in 2017. Some of this projects include:

- 213 East Frank, which is being repurposed for a café and retail space
- Exchange Building, which is progressing and has the ground floor being built currently.
- 600 East Michigan Avenue, is putting the finishing touches on the space. The owners hope to be occupied in the fall with a restaurant.
- Spirit Shoppe, who are doubling their retail space.
- YMCA, who are building two additions onto the building.

Planner Bauckham also reported:

- The marketing strategy, and Public Participation Plan for Redevelopment Ready Communities are nearing completion, when completed all requirements will be met to become a Redevelopment Ready Community.
- The Site Plan Review process is being reviewed.
- The Master Plan has been released for public comment and will come before the Planning Commission in October.

Planner Anderson reported:

- On September 12, there will be a citywide meeting about the Master Plan at the Kalamazoo Institute of Arts.
- There will need to be a work session prior to the October meeting. Planner Anderson will be contacting the board with potential dates.

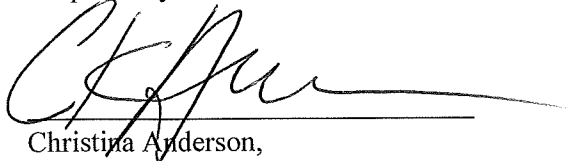
M. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS

Commissioner Hughes-Nilsson and Commissioner Milliken thanked Attorney Robinson for his hard work regarding the marijuana ordinance.

M. ADJOURNMENT

The meeting adjourned at 8:28 p.m.

Respectfully submitted,



Christina Anderson,
City Planner
Community Planning & Development