

City of Kalamazoo  
PLANNING COMMISSION  
Minutes  
October 4, 2018  
*FINAL*

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

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

Members Excused: None

City Staff: Christina Anderson, City Planner; Robert Bauckham, Senior Development Planner; Clyde Robinson, City Attorney; and Beth Cheeseman, Code Administration Clerk/Cashier

**A. CALL TO ORDER**

Commissioner Hughes-Nilsson called the meeting to order at 7:03 p.m.

**B. ROLL CALL**

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

**C. ADOPTION OF FORMAL AGENDA**

**Commissioner Wissner, supported by Commissioner Vyas, moved approval of the October 4, 2018 Planning Commission agenda. With a voice vote, the motion carried unanimously.**

**D. APPROVAL OF MINUTES**

**Commissioner Coss, supported by Commissioner Baartman, moved approval of the August 21, 2018 Planning Commission minutes. With a voice vote, the motion carried unanimously.**

**Commissioner Greenman Wright, supported by Commissioner Wissner, moved approval of the September 6, 2018 Planning Commission minutes. With a voice vote, the motion carried unanimously.**

**E. COMMUNICATIONS AND ANNOUNCEMENTS**

None

## **F. PUBLIC HEARINGS**

**P.C. #2018.18: Request from Tyler Griffis for a special use permit to allow a group day care use in the house at 2235 Southern Avenue serving seven to twelve children. [Recommendation: motion to approve the request with two conditions.]**

Planner Bauckman reported that the applicant, Ms. Griffis, would like a group day care at this location to serve 7-12 children between the ages of 10 months to 4 years old. The applicant plans to have two full-time caregivers. Ms. Griffis lives in the house and rents it from her mother-in-law - who is in support of the request. Planner Bauckham stated the property already has a fenced in rear yard and no additions or changes are planned to the house. The daycare would operate between the hours of 6am-6pm. Planner Bauckham shared that the applicant has cared for children in a previous home. She intends to have activities to teach letters, shapes, colors, animal recognition. The children would have an outdoor playtime during the day. Ms. Griffis has reported positive results from neighbors. The only comment reported was from the Milham Neighborhood Watch Coordinator who stated the house appeared a bit small for that number of children. Planner Bauckham said the State will determine the number of children allowed to be in the home. Planner Bauckham stated the property is in the RM-15 zoning district with a factory across the road. Existing and Future land use shows the property zoned as residential. The City believes the request meets the criteria of a Special Use Permit. The rationale of the City's approval is: the property is at fringe of the neighborhood and across the street from a factory. Day care uses are common within residential neighborhoods. The use meets the Complete Neighborhood goal of the Strategic Vision for providing such services in close proximity to the users. The City is recommending approval with the following two conditions: the day care cannot operate until State licensing is obtained and the day care must meet the noise ordinance of Kalamazoo.

Applicant, Ms. Tyler Griffis, came forward to present her request. She said she has been caring for children for two to three years and has her own children. Ms. Griffis confirmed she has a daily agenda for the kids. Her goal is to have a home day care on every side of town and to get a building too. Ms. Griffis stated that she plans to keep house up with no noise complaints and make sure it is a good environment for the little ones.

Commissioner Espinosa asked if renting the house would impact what she plans to do and if she had already hired the full-time caregivers. Ms. Griffis explained that the house is a long-term rent-to-own situation she was planning to use her grandmother and cousin for staff.

Commissioner Pitts asked to confirm the age-range of the children. Ms. Griffis responded that the plan is for children 10 months to 4 years old with the potential of after school care for 1<sup>st</sup> and 2<sup>nd</sup> grade.

**Commissioner Hughes-Nilsson opened the public comments portion of the public hearing.**

No one came forward.

**Commissioner Espinosa, supported by Commissioner Coss, motioned to close the public comment portion of the hearing. A voice vote was taken and passed.**

**Commissioner Milliken, with support from Commissioner Coss, moved to approve the the request for a special use permit to allow a group day care in the house at 2235 Southern Avenue serving seven to twelve children with two conditions – the day care will not operate until the required**

**license is obtained through the state of Michigan and the operation of the daycare will meet the noise ordinance through the City of Kalamazoo.**

Commissioner Milliken noted that the request meets the requirements of the zoning ordinance.

**A roll call vote was taken and the request was unanimously approved.**

**P.C. #2018.19: Request from the Community Planning & Economic Development Department to approve the 2018 Imagine Eastside Plan. [Recommendation: motion to approve the Plan and recommend to the City Commission to confirm the approval of the Plan as an amendment to the 2025 Master Plan.]**

Ms. Pat Taylor from the Eastside Neighborhood Association came forward to introduce the Neighborhood Plan. She stated the Eastside board and many of the residents gave input and suggestions which helped to create a strategic plan. Ms. Taylor believes this plan brings everyone together with the same vision and goals. Ms. Taylor stated she was thankful that in addition to the residents, the Land Bank, KNHS, and others were involved in this process. She welcomed questions from the Planning Commissioners.

Commissioner Greenman Wright asked Ms. Taylor to elaborate on an aspect of the plan of which she was excited. Ms. Taylor relayed that she is excited about the housing possibilities. She said residents came together and stated clearly what kinds of housing they want on the Eastside. She said the residents want the housing to be diverse and they want to keep the old housing intact. Ms. Taylor said they hope to move forward on Eastside development – getting small businesses up and running. She also cited the youth and education component in the plan.

Commissioner Wissner asked if there were any quick win projects – something ready to implement right away. Ms. Taylor talked about beautification projects – park benches at bus stops, a planting project of a park, a labyrinth and staging area for artists, and a mural that is planned to depict the history of E. Main. She also said they are preparing to do an oral history project with a video component. Ms. Taylor indicated they are working on getting these projects done in a timely manner.

Commissioner Milliken asked Ms. Taylor about the food access portion of the plan. Ms. Taylor said when she began work, there was already a movement to get fresh produce to low-income residents. She indicated they have a partnership with the Food Bank of Southcentral Michigan and Loaves and Fishes. Ms. Taylor stated the nearest grocery is not in walking distance to many residents – especially the senior population, so nothing is readily available. Commissioner Milliken said it was great they have identified the need and the agencies to accomplish the work.

Commissioner Vyas commended the Neighborhood's focus on youth development, stating that it was well thought out and robust. She said it was well connected with what the community and City has to offer.

**Commissioner Hughes-Nilsson opened the public comments portion of the public hearing.**

Mr. Andrew Worden, resident of the Eastside and member of the board, came forward. He expressed the hope of a fluid Master Plan so they can adjust the plan along the way. He also wondered why the Eastside was not included in the Opportunity Zones for lower-income neighborhoods.

**Commissioner Coss, supported by Commissioner Pitts, motioned to close the public comment portion of the hearing. A voice vote was taken and passed.**

Commissioner Espinosa asked about the possibility of changes to the document if needed. Planner Anderson said if it is approved tonight, there probably won't be significant changes. If they are working through things, and find things need to be in a different order or cost estimates change, that is fine. They do the same with the Master Plan.

Commissioner Espinosa asked about accountability for the activities in the Plan. Planner Anderson assured the Commissioners that the City will continue to assist the Neighborhoods and help them meet goals. Commissioner Espinosa asked if the Commissioners will receive any kinds of measurements or updates. Planner Anderson assured him they can provide annual updates on the neighborhood plans in a similar manner as is planned for the Master Plan.

Commissioner Wissner asked if staff could address the resident's question about Opportunity Zones and how those are determined – he believed the State set those boundaries. Planner Anderson stated that was correct, the City was not involved in the decision of setting those limits.

**Commissioner Coss, with support from Commissioner Wissner, moved to approve the 2018 Imagine Eastside Plan and recommend to the City Commission to confirm the approval of the Plan as an amendment to the 2025 Master Plan.**

**A roll call vote was taken and the request was unanimously approved.**

**P.C. #2018.20: Request from the Community Planning & Economic Development Department to approve the 2018 Imagine Vine Plan. [Recommendation: motion to approve the Plan and recommend to the City Commission to confirm the approval of the Plan as an amendment to the 2025 Master Plan.]**

Mr. Steve Walsh, Vine Neighborhood Association, came forward to give an overview of the Plan. He stated they were fortunate to work with a group of MSU students who were really engaged and did a lot of reaching out to the community. The students organized community meetings and events – reaching out to residents and requesting feedback. Mr. Walsh indicated they have a needs assessment plan that supports the requests and desires of the community. He said there is a strong desire for folks to live in the neighborhood. Mr. Walsh stated they are working on more public art, a dog park, and to improve bike and bus infrastructure. He said they have purchased a number of bike racks and have Neighborhood bike events/rides coming up. Mr. Walsh stated that it is a very diverse neighborhood. He was thankful for working with so many people –resulting in an incredible skate plaza, which he believes is a community unifier. He is looking forward to continuously improving upon their Neighborhood Plan and responding to community needs.

In response to a question from Commissioner Espinosa, Planner Anderson explained who is responsible for activities and infrastructure listed in the plan. She explained residents, the Neighborhood Association and Community Partners, and the City may all be responsible for completing tasks. Some of those tasks will require partnerships. Planner Anderson said that when it comes to infrastructure, the City will always lead those efforts.

Commissioner Milliken asked Mr. Walsh to describe the biggest obstacle to achieving their goals. Mr. Walsh responded that access to affordable housing, both to purchase and to rent, is the single biggest issue in the neighborhood right now.

Commissioner Wissner asked the applicant if there was a way to solve the issue of affordable housing. Mr. Walsh stated they purchased the Central Corners Building and there are seven residential units there. He said they have worked very closely with Fair Housing to make sure the units are below market rate. Mr. Walsh indicated they are working closely with property managers to let them know of opportunities for people to rent as well as purchase. They would like to make connections and work deliberately to put houses back into homes of retirees or families. Mr. Walsh explained they are not opposed to rentals and they are looking to enhance the rentals and their relationship with the City to see that substandard housing is removed.

Commissioner Vyas commended the applicant on the number of times schools and institutions of learning show up in this plan.

**Commissioner Hughes-Nilsson opened the public comments portion of the public hearing.**

No one came forward.

**Commissioner Wissner, supported by Commissioner Vyas, motioned to close the public comment portion of the hearing. A voice vote was taken and passed.**

**Commissioner Wissner, with support from Commissioner Greenman Wright, moved to approve the 2018 Imagine Vine Neighborhood Plan and recommend to the City Commission to confirm the approval of the Plan as an amendment to the 2025 Master Plan.**

Commissioner Wissner noted that he couldn't read some information on page 10. He suggested an adjustment to the color. Planner Anderson affirmed they can adjust the color and said it will help to have the word draft taken off.

Commissioner Milliken gave kudos for the formatting and the tables. He said it was well done.

Commissioner Greenman Wright stated her hope that this is an opportunity for City to have reflected back to them the roadblocks which can be removed to make home ownership more stable.

**A roll call vote was taken and the request was unanimously approved.**

### **G. UNFINISHED BUSINESS**

**P.C. #2018.16: Request from the Community Planning & Economic Development Department for a text amendment to the Zoning Ordinance to add three new zoning classifications: Live-Work 1, Live-Work 2, and Node and to map these classifications in the Northside Neighborhood per the hearing notices. (Continued from the September 6 meeting.) [Recommendation: motion to recommend that the City Commission amend the Zoning Ordinance to create the classifications Live-Work 1, Live-Work 2, and Node and the accompanying text to accommodate those changes, amend the Zoning Map to apply these classifications as reflected in the notice of public hearing, and repeal Section 6.1 of Appendix A.]**

**P.C. #2018.17: Request from the Community Planning & Economic Development Department to rezone multiple parcels in the Northside neighborhood from Community Commercial (CC), Commercial Neighborhood (CN-1), Limited Manufacturing (M1) to Residential Multiple Family 15 & 36 (RM15, RM36) to make the zoning conform to the current uses on the parcels. (Continued from the September 6 meeting.) [Recommendation: motion to recommend to the City Commission to approve the request to rezone parcels to Residential Multiple Family 15 & 36 (RM15, RM36).]**

Planner Anderson reviewed the motions and information given from the September 6, 2018 meeting. Planner Anderson shared they have decided to revise the zoning ordinance in pieces based on plan vision and largest barriers they see and hear about from the community. They will be building one code up while slowly taking down the old code. They are starting in areas where they have a recognized need and a very clear vision.

Planner Anderson spoke about the case, # 2018.17. This request is a rezoning from commercial and manufacturing uses to residential. She spoke about how the rezoning meets the strategy goals of the Northside Neighborhood Plan: Preserve Existing Housing and Build New Housing to Accommodate all Resident Needs. Planner Anderson said they would like the zoning to support the vision for the area – they would like to rezone those parcels to the appropriate residential districts.

Planner Anderson moved on to speak about the case, # 2018.16. This request covers the new districts and the text amendment, all of which focuses in and around the Northside Cultural Business District. She spoke about the desired goals of this area – regulations that encourage having buildings built up to the street with parking to the rear or side, to have a front entrance, to have transparency, thinking about on-street parking, whenever possible having multiple-story buildings with residential or commercial space above the ground floor. Right now this district is zoned for several different classifications. Planner Anderson reviewed the proposed new districts to support the vision/goals for this area: Nodes, Live Work 1, and Live Work 2.

Planner Anderson outlined the properties added since the September discussion. They have included the intersection of Burdick and Prouty - which is the north end of the Northside Cultural Business District as well as properties along Edwards and an additional block on North Street between Edwards and Pitcher.

Planner Anderson said they are housing the proposed code (text amendment) in Chapter 50 the Zoning Ordinance. She presented the Table of Contents and information included in various tables. Planner Anderson said they included accessory uses: Accessory Dwelling Units, sidewalk cafés; and home

occupations and standards - development standards (traditional setbacks and form based). Planner Anderson said the current code has development standards by district, whereas the proposed code bundles development standards together by lot type. She said districts will allow one or more lot type. The lot types for the three new zoning districts are Commerce, Flex, Civic, Warehouse, Yard, Outdoor Market. Planner Anderson reviewed the format of the text and the information involved in the lot types in new code – Building siting, height, uses, street facing facades.

Another new portion of the zoning code was the new parking ordinance. Planner Anderson said as they were testing code language, there started to become conflict with the parking ordinance. This was especially true with driveway widths and materials and overall parking in general. She said the current Appendix A does not do a good job of thinking about parking in neighborhood commercial or urban areas. It doesn't account for shared use on a site or available on-street parking. She said the new parking ordinance will apply to the entire City. Planner Anderson said they had conversations with Public Services about bicycle parking, driveway widths, driveway materials, and dimensions of parking stalls.

Commissioner Greenman Wright told Planner Anderson that it was clear how the changes relate to the Northside and our goals moving forward.

Commissioner Milliken asked how Planner Anderson had tested the standards. She responded that she and new planner, Bobby Durkee, spent time driving around understanding the uses located in the Northside Cultural Business District. Planner Anderson said they looked at setbacks, heights, and the spread of uses. Most of the single family homes exist along Westnedge and the west side of North and Ransom. She said they got lot sizes and saw how it all works together. Then they started to think about driveways. Much of their time was spent listening to people – things they might want to do, walking, driving, taking measurements on GIS.

Commissioner Milliken asked about structures which don't conform and if variance is still an option for those who have a concern or challenge of a standard. Planner Anderson responded that the normal set of nonconforming language applies, and she built in a little flexibility. She confirmed that applying for a variance is always an option.

Commissioner Milliken asked Planner Anderson to explain occupied space. Planner Anderson indicated requiring occupied space means requiring that space to be one of the permitted uses. Parking or a less active use may not be appropriate right up in front of the building. A minimum of 15' of an active use in front of a building is an appropriate size for small building.

Commissioner Milliken asked about street facing facades and how that applies to corner lots. Planner Anderson said on corner lots, they try to prioritize primary streets vs secondary streets. Some requirements apply to both. She said there is a map which says which is primary and which is secondary.

Commissioner Hughes-Nilsson confirmed this was the first time they were seeing the parking changes. She also asked the rationale for narrowing parking stalls. Planner Anderson stated they did research on a variety of other codes. She said the City's current code for parking stalls is a flat 9' with other Cities ranging from 8-9'. They are requiring 1/2' less than the previous standard. Planner Anderson said this new standard is in alignment with other Cities. Commissioner Hughes-Nilsson also commented they have brought gravel and crushed stone back in the zoning ordinance for some residential areas and parks. She asked about storm water concerns. Planner Anderson said the change in materials was brought up through conversations with Public Services and from the zoning inspector. They have limited where those materials are allowed but opened the door to using them.

Commissioner Coss asked for an overview of what is encouraged or what would trigger a business to include bicycle parking. Planner Anderson said it is triggered when someone is expanding or changing a use. She said in the new code, they talk about designs for bike parking, updated aisle widths and size of spaces, and inside parking. They wanted to update this because of increase biking demand in the City. Planner Anderson said they made a point of elevating the importance of bicycle parking as they updated the parking standards.

Commissioner Baartman asked what would prompt the mapping of the three new districts outside of the Northside. Planner Anderson stated it would be requested by property owner for personal lots or City initiated for larger areas.

Commissioner Milliken made a suggestion of adding a footnote on the development standard charts to make a statement about primary streets and where to find more information. He also asked Planner Anderson for information about the addition of the parking exempt area for small commercial areas. Planner Anderson stated that is in the current code, but has been opened to more districts. She said the language and map did not change.

Commissioner Espinosa commented that the Node didn't mention provisioning centers of medical marihuana. Planner Anderson said there is a separate section for medical marihuana. The maps that were created when the ordinance was done don't allow for dispensaries in this area. She said there are distance codes from residential, schools, churches and nodes.

**Commissioner Hughes-Nilsson opened the public comments portion of the public hearing.**

Ms. Tayna Parker, resident, came forward in support of the requests. She did ask for a clarification of pop-up shops. Planner Anderson clarified that this area allows for the outdoor market lot type. This is a commercial or retail area that can include kiosks or a farm stand. The code talks about how any structures would relate to the street. Planner Anderson assured Ms. Parker that there will be more notices for the public hearing for City Commission.

Ms. Mattie Jordan-Woods, Director of Northside Neighborhood Association, came forward and talked about the Opportunity Zone. She reported that the Opportunity Zone was put in the area where the neighborhood is being gentrified - where very well-off people are buying up the property. They did not allow that opportunity on the side of the Northside Cultural Business District. Ms. Jordan-Woods said they contacted the State and the State told them to have the City take out another neighborhood. She said they agreed years ago not to do that to other neighborhoods. She said their hope is to make sure the residents can stay in the neighborhood, and that has to do with the Northside Cultural Business District. The goal is to increase the ability of our current residents to own businesses so they can stay in their neighborhood. Ms. Jordan-Woods stated that she hoped the Commissioners will continue to support them and ensure those who want to live in the neighborhood.

**Commissioner Coss, supported by Commissioner Pitts, motioned to close the public comment portion of the hearing. A voice vote was taken and passed.**

**Commissioner Greenman Wright, with support from Commissioner Vyas, moved to recommend that the City Commission amend the Zoning Ordinance to create the classifications Live-Work 1, Live-Work 2, and Node and the accompanying text to accommodate those changes, amend the Zoning Map to apply these classifications as reflected in the notice of public hearing, and repeal Section 6.1 of Appendix A.]**

Commissioner Greenman Wright stated that she is really impressed with the work that is happening, and she is excited to see Northside passionate about it. She believes it is meeting needs and that this indicates the City is taking away roadblocks to make the resident's dreams happen.

**A roll call vote was taken and the request was unanimously approved.**

**Commissioner Coss, with support from Commissioner Wissner, moved to recommend to the City Commission to approve the request to rezone parcels to Residential Multiple Family 15 & 36 (RM15, RM36).**

Commissioner Pitts stated that he was abstaining from the vote. He commented that this request affects a lot of different people so it is good they were voting on it.

Commissioner Milliken offered that the request is consistent with the Northside Plan and the Master Plan.

**A roll call vote was taken and the request was approved. Commissioner Pitts abstained.**

#### **H. NEW BUSINESS**

None

#### **I. CITIZENS' COMMENTS (Regarding non-agenda items)**

None

#### **J. CITY COMMISSION LIAISON COMMENTS**

None

#### **K. CITY PLANNER'S REPORT**

Planner Bauckham reviewed the site plan spreadsheet. He said there are 42 projects. Number 42 is a new building for LC Howard on Vine Street; number 41 is an expansion of a parking lot at Schupan Aluminum.

Updates on projects:

- Harrison Circle – new mixed use project at Harrison and Ransom – approved and applying for financing through the State
- Hollander Development – new mixed use building on Portage Street – under review and close to approval
- Eastside small homes project – a house was completed under fast build situation
- Lot 9 project – across from arcadia creek festival site is under construction
- 400 Rose Street - mixed use project under construction
- Newell Rubbermaid addition - began construction
- Hospitality house on Burdick Street – half way finished
- Exchange bldg. – working on 14<sup>th</sup> floor. The outside part of the building should be wrapped up this year with interior completion still planned for the end of next year.

There are 23 other projects in various stages of review.

#### **L. MISCELLANEOUS COMMENTS BY PLANNING COMMISSIONERS**

Commissioner Milliken cited all of the work being accomplished - 23 projects under review, multiple neighborhood plans, zoning ordinance. He said he is uncomfortable with the process with which the zoning ordinance is being done. He believes it will create some discomfort, and there will need to be some amendments. Commissioner Milliken added compliments to the staff considering all that is being done, the quality and expedience of the work. He gave kudos to the Commissioners for reviewing the requests and getting it done. He said it will be tested and they will need to make adjustments, but he believes it was a top-shelf effort.

Commissioner Baartman reviewed the numbers of housing proposals the Planning Commission has seen. He said that only 18% of housing rezoning requests have been market rate. The rest have been human trafficking, addiction, affordable housing or handicap accessible apartments. Commissioner Baartman believes Kalamazoo is providing housing for everyone.

#### **M. ADJOURNMENT**

**Commissioner Greenman Wright, supported by Commissioner Pitts, moved to adjourn the meeting. A voice vote was taken and passed unanimously. The meeting was adjourned at 9:08 pm.**

Respectfully submitted,



Christina Anderson,  
City Planner  
Community Planning & Development