Planning Commission Meeting Minutes

May 24, 2023

1. **Call to Order at 6:00pm**
2. **Roll Call –** Chairperson DeBoer, Commissioners Lyon-Jenness, Tecca, and Bliesener, City Manager Stoddard, and Zoning Administrator (ZA) Harvey.
* Motion to excuse Commissioner Dean by Chairperson DeBoer and supported by Commissioner Bliesener. All ayes.
1. **Approval of Minutes – April 26, 2023**
* Bliesener amended a spelling error and correction on wording.
* Lyon-Jenness asked about the use of the words Public Hearing Continuation. ZA Harvey confirmed that it was the correct terminology.
* Motion to accept the minutes with amendments by Bliesener and supported by Lyon-Jenness. All ayes.
1. **Citizen Comments**
* No comments
1. **Old Business**
2. Status of Fishbeck (formerly Envirologic) grant application
* City Manager (CM) Stoddard stated that the EPA Multipurpose grant will be awarded in late spring, so we should know something soon.
1. Outline of Planning Commission Work Plan Item #2
* ZA Harvey spoke to the memo last month that was reviewed and conversed about by the PC in the past month. The take away was that the PC would focus on #2 Housing. Sample ordinances were sent. Any questions from the PC? If not, she will prepare an outline of overlay to the district, with a sample order that the PC can approve or not.
* DeBoer believes that would be the next logical step and that ZA Harvey should go forward.
1. **New Business**
2. Letter of Intent – Flybuzz Custom Woodworking, Dan Bussema
* Chairperson DeBoer opened by saying that the PC would not be voting to determine if the City should allow a developer to purchase the property. They would be voting to either move the Letter of Intent forward, seek further information from the developer or deny if the proposal does not align with the Planned Unit Development (PUD) and Master Plan (MP). Comments from the PC members will be forwarded with the Letter of Intent to the City Commission. DeBoer asked that the developer explain to the PC their proposal and to field questions from the members. The PC will then vote on one of the three decisions. He reiterated that this is the only time that the City of Parchment would be able to pick their new neighbors and that the decision would not be made in haste.
* DeBoer went on to explain that this is the first step in the process. The purpose is to determine if the proposal is eligible. The issues of significance that need to be included are: sketch or drawing of the plan, an accurate legal description (if available), name(s), address, total acreage, number of acres to be developed, green space, vehicle and parking area, natural features, and the relationship to PUD.
* DeBoer stated that Chapter 6 of the Master Plan speaks specifically to use. The PC will be looking to see if the proposal aligns with the Master Plan.
* Dan Bussema, Flybuzz Custom Woodworking was invited to speak about his proposal by DeBoer.
* ZA Harvey reminded the PC and meeting attendants that this is not the plan review time. The City Commission has been clear as to what is needed for this review. Applying with a pre-application packet by the developer is the 1st step in the process. Developers are encouraged to attend a pre-application meeting to work out kinks before the site plan review. It reinforces what needs to be added or to deal with issues of concern.
* Dan Bussema stated that he has a Petoskey woodworking business and a sawmill in the Upper Peninsula. He explained that the site in the mill property is good as they make outdoor furniture. People will be trained and hired; they do not need to come with the skill. Site could be ready within 2 weeks of purchase approval. He spoke to the roof repair, securing windows, the use of solar and a generator. A portable bathroom will be on site. The company is 400 chairs behind on their orders. He has brought the mill site information forward to other developers who are interested in sites on the mill property. He sees this as a way to increase revenue to the city. He mentioned that his Dad was a former mayor for the city who felt honored to have helped Jake Kindleberger with his efforts in the City of Parchment. Dan believes that the City of Parchment can be made whole again and he feels that the leaders are putting the mill development into the forefront as something good for the community.
* Lyon-Jenness said that the PC does see a larger thought plan
* Bussema agreed and mentioned the northern-most buildings (Noah’s Ark) and the vacant property that has been set aside for residential purposes.
* Lyon-Jenness asked if Bussema was aware of the buried tanks on the east side.
* Bussema said that he was aware and that he knew that assistance for their removal/remediation could be worked through with the Kalamazoo County Brownfield Authority.
* Lyon-Jenness asked if Bussema would need entrance through the Oak Grove access. Bussema confirmed.
* Bliesener confirmed that access would be needed to get to workplace.
* Bussema stated that he had two other developers that will eventually come before the PC.
* Tecca asked how Bussema was going to be moving forward with the repairs on the building.
* Bussema stated that they first would secure the windows and secure the west side of the roof. He has put together a materials list with special consideration being built into it for all the repairs.
* Tecca asked if it was safe to be in the building.
* Bussema said that it would be necessary to show off the buildings to developers to draw interest. They will be escorted through the buildings.
* Lyon-Jenness asked if he was prepared to give a timeline and to speak to the exterior of the building. She stated that it is heartening to see the Terrill building.
* Bussema estimated that it would take about two weeks to secure the building.
* DeBoer went through the info for the pre-application list and stated that he would be reacting to that. He stated that the Bussema Letter of Intent was very detailed, included pictures, and was consistent with the Master Plan based on the list. He recommends that the applicant talk to Kalamazoo Area Building Authority (KABA). He strongly suggests that Bussema explains what he wants to do there to see what they have for feedback.
* Bussema asked if he needed anything in writing from KABA.
* DeBoer stated that it would be helpful if Bussema had something in writing from KABA. Bussema could prepare for the next level of approval by going through the PUD bullet points, include a sketch of the layout, prepare a vehicle and pedestrian with access points to building (no detailed engineering needed).
* DeBoer stated that the City should consider a commercial appraisal to be performed on the mill buildings.
* Bliesener asked if the PC was tabling this pre-application
* DeBoer stated no – this was the first iteration in the process and that the PC should vote as to whether the Flybuzz packet should move forward to the City Commission.
* Bliesener believes that the plan fits the MP and PUD and that it may be time to recommend it to the City Commission.
* Tecca asked if they should wait for a sketch.
* Deboer said that the City Commission may want to see more.
* Lyon-Jenness asked if it was necessary to have a drawing to move it forward to the City Commission.
* Bleisener said that it was an existing building. If the City Commission wants to have an appraisal and a drawing then they could request it from Bussema. She would recommend that it goes on to the City Commission.
* DeBoer was concerned that the packet did not meet all of the bullet points of the PUD.
* Bliesener said this is step one, checking for alignment with what the City wants on the site.
* ZA Harvey stated that the PC can say: We understand the proposed use clearly and we know what building is involved. If this is satisfactory, the PC can say it aligns with the MP and PUD without going through the finer details of occupancy. The PC is reviewing to determine if that building is appropriate for that use in the PUD. If the building was coming down or another building was going up, then the PC would need to see more; it is not needed for this review. The PC is looking at appropriateness of the building and the use.
* Tecca asked what is next after the PC moves a plan to the City Commission (CC).
* ZA Harvey stated that clarity will be developed through the awareness of the process. The City would then decide if they want to allow the sale. Specifics of the purchase agreement will lie with the City Commission. After that, the site plan would have to be reviewed by the PC.
* Bliesener said that once the purchase agreement is approved, then the aesthetics of the building could be worked out.
* Lyon-Jenness asked that if the PC indicates an ok to the CC, does the info go directly to the CC.
* ZA Harvey said that the PC is giving an opinion that the building and use are consistent with the MP and the PUD use. Once it goes to the CC, then the developer comes back to the PC for site plan approval.
* Bliesener reiterated that this is just a preliminary vetting with no site plan; if so, we just say that the requirements have been met.
* ZA Harvey said that there may be a use that was not envisioned or that’s our vision; the PC can say this is a good use of the building.
* Lyon-Jenness said that we are extending our opinion to the CC that this is approved to have the CC consider for purchase.
* ZA Harvey said if the CC agrees to the sale then the site design comes back to the PC.
* Motion made by Bliesener, support by Lyon-Jenness to approve sending it on to the City Commission. Roll call vote: Lyon-Jenness yes, Tecca yes, Bliesener yes, DeBoer no
1. Letter of Intent – Mavcon Inc. – James Dally
* James Dally, Mavcon Inc, said that he was excited to be here. He said he needs a project. Projects like the Double Day building, dilapidated, not occupied, used the Brownfield Process to preserve and put back on the tax roll. The Jimmy Johns building downtown was turned into apartments and another tenant. The Metro Center wanted to work with the community to build teams to finance the (14 layers) original block of the City of Kalamazoo (COK). He stated that he likes historical stuff. He knows he needs environmental studies, site plans, and that he is accomplished in construction. He would like to tour the mill site. He wants to help with the flywheel, get things turning, and work as a team. He is interested in more property; it will take due diligence. He said the City of Parchment needs someone to show the plan, show the history of restoration, get the developers that know how to finance and Mavcon knows how to do the heavy lifting. They have had familiar projects; they are in no hurry. Mavcon owns various businesses. He went on to say that he had applied for his first patent to do assembly and he needed to look for space with his new challenge. He continued on to say that he designs, no window boarding and crappy facades that cost $10-$30k. They will need time for due diligence; do not want to waste the City of Parchment’s time. They are experienced with KABA.
* Lyon-Jenness asked which buildings on the map were of interest to Mavcon.
* City Manager handed out maps and explained which buildings they wanted.
* Dally went on to explain that the patent, for which he applied, was for assembling a touchless glove device (sanitary gloves). This is a sterile glove that can be applied without spreading germs. He is working on the final prototype. It’s a machine that a person puts their hands into, it releases a pair of gloves from the bands. The patent has not been approved yet.
* Lyon-Jenness asked if the use would be for redevelopment, research design, automotive repair and storage at the location.
* Dally said that he offices will be developed into the buildings. He went on to say that the City needs something to happen to those buildings so that bigger investors will take interest. He said that he wanted the Administration Building for apartments. You need something to happen here and Mavcon does not lack experience. All businesses in the building would belong to his company. They need to move out of Biddergy building.
* Bliesener asked about the downtown Kalamazoo buildings, PNC Building.
* Dally stated that challenging properties are ok with him. He does not want something that will back fire on the City of Parchment. A developer must know environmental work; it is not good to have little experience.
* Lyon-Jenness asked Dally how he sees the PUD list compared to this application and would the due diligence preclude the PUD list.
* Dally replied that they will do their own design – including sewer, water and power. Not sure where it is at this time. He said that they will walk with KABA and have a structural analysis performed. He will check on all codes, variances, and green roofs. Dally will do all this research – the heavy lifting of the developer to know what is needed. If COP wants something he will accommodate.
* Lyon-Jenness asked if the original architecture would be restored.
* Dally said that he has worked with McKay for the limestone restoration on buildings, restoring them to their original façade. He feels that the City is probably not interested in a warehouses original façade.
* DeBoer stated that he would be reacting to the PUD list. He went through the list: 1) Site sketch needed

2) Letter of Intent was unable to determine if Mavcon’s plan was in

 alignment with the MP as the proposed use was too vast. It does not

 state what will be done there; it needs definition.

3) Not able to determine if consistent with the mill site PUD.

4) Not clear what buildings are to be used, razed, or re-used.

5) Not comfortable with the assignment of the property as we cannot

 pick our neighbors. He does not want that to happen.

6) Dollar amount - DeBoer feels that the City needs to use an appraiser

 to determine the value of the property. Due diligence is needed by

 the City of Parchment.

7) He would like Dally to speak with KABA’s building inspector.

* DeBoer stated that this concluded his commentary on the Letter of Intent and asked the other PC members if they had any other questions.
* Lyon-Jenness asked Dally to explain his comment that this plan was for a basic business, a single purpose property.
* Dally said that he wants to find LLC’s for the project; each property is an LLC. He can add clarifying language re: assignment.
* Bliesener motion to move this forward to the City Commission with clarified assignment and use language. Tecca supported. Roll Call vote: Tecca yes

Bliesener yes

Lyon-Jenness yes

DeBoer no

* Lyon-Jenness asked if the assignment language could be articulated before it is moved forward to the City Commission. She stated that they do not want to see a bad outcome.
* Dally wants to partner with the City of Parchment with open communication, sketches, and any other requirements will be met. Mavcon must do a preliminary analysis before there is a sketch. We want to do our homework and then prepare drawings to help with approval.
* The clarification must state the intended uses in the buildings.
* Dally stated that he understood the PC’s caution.
* Dally went on to say that he feels like DeBoer has an issue. Dally said of himself: I can be difficult. We need to get along. He said he appreciated all the questions and that he wants to know the mind of the PC members and help with the process. He wants to answer DeBoer’s questions to help get them both on the same page. He stated that if he is investing in a community, he wants to be a partner.

C. Short Term Rentals (STRS)

* Draft Amendments to Zoning Ordinance
* Sample general ordinance text
* DeBoer asked about the current code.
* ZA Harvey stated that the City of Parchment does not provide for STRs or description. Homes that rent out 1 room or rent out entire property equate to STRs. The ordinance does not speak to it; it’s silent. She observed that the COP zoning ordinance cannot leave out STRs language. There is a reasonable demand for them in the community and the PC needs to do something. The City’s ordinance speaks to boarding houses and Bed & Breakfasts (B&Bs) which are both STRs – Both require meals. The City ordinances are not silent because they do speak to boarding houses and B&Bs, but only allow in this capacity. So the PC must ask – Do we want to speak to the other forms of STRs?
1. Try to get an understanding to see if it is happening in this community. If not speaking, must we must enforce an ordinance that does not address all forms of STRs.
2. Do residents want it? What are the concerns? What would they like to happen?
* ZA Harvey said that it would be most helpful to read the background of STRs. Look at the articles that have come out on STRs and how they hit communities. Various groups tried to take a PC through the process (comprehensive approach).
* ZA Harvey continued: Finding the answers to questions so that a conversation can be held is important. The Three Oaks study was great reading. The COP does not have a hotel; this is not a consequence to the City. Three Oaks amended their ordinance, lots of Chicago transplants and long-time residents came together. Not sure if they have too many STRs. There is an impact to businesses and schools; they limit them. Several years of study had to be done to determine a cap and regulation modification. If the PC wants to address STRs, drafts and samples have been included in the packet.
* Lyon-Jenness asked how people figure the level of renters in a community.
* ZA Harvey – They could go on sites to see what’s offered and hearsay. Get a sense of community interest, feedback or complaints to see if there is a negative reaction to STRs. Some communities want too many regulations. The ordinance could be amended to say: This is an STR; we consider it a residential accessory use.
* Lyon-Jenness asked if this generates money for the City of Parchment.
* ZA Harvey noted that some communities without lakes don’t care about STRs, those that do have lakes care about them. Towns and villages only have so much housing stock. There are concerns about the impacts to neighborhoods. Some communities use a registration system – we don’t want a cost to the City to have STRs.
* Bliesener acknowledged that STRs exist. The PC should check with the City of Kalamazoo, Elk Rapids, and Three Oaks about caps. If it does become popular than the PC can talk about a cap.
* Lyon-Jenness said they needed someone to regulate the more STRs that there are in the community.
* Bliesener said that a little talk today would lead them to discuss it further at the next meeting or whenever the PC felt it was necessary.
* Tecca said that he liked the simplistic regulations in some towns/townships. He acknowledged that STRs happen. He stated that he has trouble imagining that these will happen here, unless there is huge changes in the City of Parchment. We are not a destination. My expanding family may need to be housed outside of my home. I have used STRs a lot, they are preferred over a hotel because they are more comfortable with their living rooms and bedrooms. Making some provisions for STRs are a good thing. We don’t want them to take over the community, but doubt it will happen.
* DeBoer asked: Do we pursue STR ordinance amendments or not?
* ZA Harvey said that the PC could make a decision at the next PC meeting.
* DeBoer confirmed that they would decide at the next meeting.
1. **Comments from Planning Commissioners –** none
2. **Next Meeting** – The next meeting will be determined.

1. **Adjournment** – Motion by Tecca, supported by Bliesener. All ayes. Meeting ended at 7:42 pm.