

Kleinstuck-area rezoning bid fails

By JAMES SHAMP
Gazette Staff Writer

A proposal to rezone some 14 acres of property near the Kleinstuck Preserve was defeated Monday night when the Kalamazoo City Commission failed to provide the five votes needed to favor the move.

The area involved in Monday night's rezoning is bounded roughly by Stearns Avenue on the west, Maple Street on the north, Hudson Street on the east and vacant, wooded land on the south.

The Kalamazoo City Planning Commission had recommended to the City Commission that the entire area be upgraded from Zone 7, allowing apartment development, to Zone 8, limiting development to low-density, single-family residences.

Objections from owners of more

than 20 percent of the property involved in the rezoning proposal constituted a "legal protest," though. And under those circumstances, five of the seven commissioners must vote in favor of a rezoning to have it pass.

More than 2½ hours of discussion led to an even split among six commissioners, and the rezoning died. Commissioner Samuel Bennett moved that the rezoning be approved, and Vice Mayor Pete Statler and Commissioner Edward Annen Jr. voted for it. Mayor Francis Hamilton and Commissioners Patricia Cayemberg and Caroline Ham opposed it. Commissioner Edwin Walters abstained because of what he said were personal and business relationships with principals on both sides of the controversy.

Most of the support for the rezoning was based on concern for

the preservation of some four acres of natural, wooded property adjacent to the Kleinstuck Preserve. The property is part of a parcel under consideration for multiple-unit residential development by Mr. and Mrs. Richard Young and brothers Adrian and Robert DeDoes.

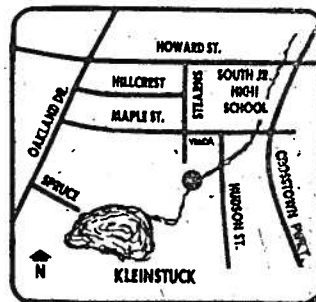
Groups and individuals favoring the rezoning generally based their arguments on the potential impact of higher-density development on the nearby Kleinstuck Preserve, and on the potential increase of traffic and other human factors that they felt could lead to erosion of the quality of the neighborhood with density higher than that allowed under Zone 8.

"The (Kleinstuck) Preserve was not intended to be used as a general park for apartment dwellers who will have nowhere else in the neighborhood to recreate," said

Patricia Adams, chairman of the Environmental Action Committee of the Audubon Society of Kalamazoo.

She was among the dozens of environmentalists, residents of the Kleinstuck area and other citizens

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DOT SHOWS CONTESTED AREA
—Gazette map

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who filled the City Commission chamber to capacity to support the rezoning move.

Gary Niemeck, acting head of the city's planning division, said a maximum of 15 dwellings could be placed on the vacant four-acre parcel at the south end of the area considered for rezoning, if it were changed to Zone 8. Under the Zone 7 dwelling-group ordinance, as many as 80 housing units can be developed on the parcel, he said.

But Terrence J. Lilly, an attorney representing the DeDoeses and Youngs, said "their concerns are economic and ecological. There are no plans to disrupt the flora and fauna of this property. If this property can be developed as they're contemplating, they can preserve the natural setting. They have no desire to stuff apartments in there."

"Why do you think I bought it?" asked Young. "To go out there and tear it up?" He said he's "tried to lay it out so it will be an asset to the city."

"Any development of land is going to have an environmental impact," said Niemeck, when commissioners asked the opinion of the professional city planners. "It all comes down to the degree of development. If somebody creates 15 single-family lots on this property, to me there would be a significant environmental impact. But 30 apartments in one or two buildings, I believe, would have a lesser impact."

Bennett said that "to me the human environment is the overriding consideration. I think people have to have some choice in what kind of life they want in their neighborhoods. And even if they're wrong, I think they ought to be allowed to make a mistake, if that's what it is."

"Your concern is density," said Mrs. Cayemberg. She noted that she's instituted a review of densities allowed in the city's zoning ordinance, especially as it pertains to Zone 7. And, she said, if that review results in a determination that housing density allowed in

Zone 7 should be decreased, "the city attorney's told me that any building not yet in the ground would have to comply with the change."

But nearly 200 city residents signed petitions favoring the change to Zone 8, as recommended by the Planning Commission at the request of three of the four owners of single-family dwellings in the area under consideration.

"This whole business has something to do with our land ethics," said Alta Lahner, of 217 Montrose. "We say that if it's open, build upon it because it will

bring more taxes. I don't think it should be a negative thing to own a piece of open property." She suggested commissioners consider some kind of policy that would "favor the keeping of open land."

But Monday night, commissioners were faced with the decision of leaving the zoning as it stands, or changing it to allow only single-family development on the remaining space. And the options didn't include an open-space zone designation that would expand the natural appearance of the 50-acre Kleinstuck Preserve nearby, owned by Western Michigan University.

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