

Agenda

City of Kalamazoo - Zoning Board of Appeals

June 14, 2018

City Commission Chambers, City Hall

7:00 p.m.

A. Call to Order:

B. Communications and Announcements:

C. Approval of Meeting Minutes for May 10, 2018

D. Public Hearings:

1. ZBA #18-06-14: 3641 E. Cork Street. International Brotherhood of Electrical Workers, Local Union 131 is requesting a dimensional variance from Chapter 7, Section 7.3 B 3, to authorize a wall sign of 715 square feet, where the maximum size for a wall sign is 200 square feet in commercial and manufacturing zone districts.
2. ZBA #18-06-15: 508 Harrison Street. Byce & Associates Inc. on behalf of River Caddis Development is requesting the following: **1)** requesting a use variance from Chapter 3, Section 3.7 C 1, to allow dwelling units on the ground floor level for a proposed mixed-use development project, where retail or other commercial floor space is required on the ground floor level in Zone CMU, and **2)** A dimensional variance from Chapter 6, Section 6.1, of 45 off-street parking spaces to allow 185 total off-street parking spaces, where 230 are required.
3. ZBA #18-06-16: 1101 Portage Street. Byce & Associates Inc. on behalf of the Hollander Development Corporation is requesting the following: **1)** requesting a use variance from Chapter 4, Section 4.2 Q.3, to allow dwelling units on the ground floor level for a proposed mixed-use development project, where retail or other commercial floor space is required on the ground floor level in Zone CC, **2)** A dimensional variance from Chapter 5, Section 5.2, to authorize 54 dwelling units (1,121 square feet per dwelling unit), where 45 units or 1,350 square feet per dwelling unit is the maximum density in Zone CC, and **3)** A dimensional variance from Chapter 6, Section 6.1, of 37 off-street parking spaces to allow 64 total off-street parking spaces, where 101 are required.

E. Other Business:

F. Adjournment:

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
May 10, 2018 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: James Houston, Reed Youngs, Chris Flach, Christina Doane, Jeff Carroll

Members Absent: Matt Lager

City Staff: Pete Eldridge, Zoning Administrator; Clyde Robinson, City Attorney; Beth Cheeseman, Recording Secretary

Chair Youngs called the meeting to order at 7:00 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

Mr. Eldridge announced that the application for postponed public hearing, ZBA #18-04-08: 2701 W. Michigan Avenue, has been withdrawn.

MINUTES:

Mr. James Houston moved to approve the minutes of April 12, 2018 as submitted, seconded by Mr. Jeff Carroll.

Motion approved by voice vote unanimously.

NEW BUSINESS:

PUBLIC HEARINGS: Chair Youngs summarized the process and explained the Zoning Board of Appeals public hearing rules of procedures stating that a full board consists of six members and that approval requires four affirmative votes. If only four members are present the applicants would have the option to hold their requests over to the next meeting or present their requests with the hopes of getting all four affirmative votes.

Mr. Houston read the application for 1907 N. Burdick Street, Parcel # 06-10-330-006:

ZBA#18-05-11: 1907 N. Burdick Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by A.F. Auto Glass & Detail. The request concerns the property at 1907 N. Burdick Street, which is situated in use Zone RS-5, Commercial – Community District. The applicant is requesting a dimensional variance from Chapter 7, Section 7.3 A, to allow two 24 square

foot wall signs on the existing commercial building, where no wall signage is stated for commercial uses in Zone RS-5.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above.

Chair Youngs requested the applicant come forward to state their case. No one came forward at that time. Mr. Eldridge stated he had spoken with the applicant the day before and clarified meeting place and time. He asked for this agenda item to be moved to the end of the agenda.

Board members agreed to move the first public hearing item to the end of the agenda.

Mr. Houston read the application for 118 Bulkley Street, Parcel # 06-16-376-031:

ZBA# 18-05-12: 118 Bulkley Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by PCW Design Build on behalf of Bill and Linda Leonard. The request concerns the property at 118 Bulkley Street, which is situated in use Zone RS-5, Commercial – Community District. The applicant is requesting a dimensional variance from Chapter 4, Section 4.3 D 1, to authorize the construction of a 400 square foot detached garage one foot from the west rear property line, where three feet is required for this building setback in Zone RS-5.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above.

Ms. Angie Polderman from PCW Design Build came forward to speak on behalf of Bill and Linda Leonard. She stated that they have a one-car detached garage and desire to build a two-car detached garage. The Historical Board has given permission to replace the garage in the same location. Ms. Polderman said they are asking for a variance because to build in the same location means they are only one foot from west edge of property instead of the three feet required. The southern and western wall of the garage would remain exactly where they are now, and the garage would expand into the property on the northern and eastern sides.

Mr. Eldridge presented the staff comments. He stated the lot is 54' which was increased to 57' with 3' purchased from the neighbors. Mr. Eldridge indicated the lot size is substandard in width compared to the RS-5 zone district. Because of the age of this area of the City, the construction of the homes, and the size of the lots, the detached garage is a common theme on this street. Mr. Eldridge said the applicant reduced the degree of non-conformity for the current garage by purchasing 3' of land from the neighbor. They are just concerned with the setback to the rear property line. He noted the expansion would increase difficulty of maneuvering around the corner of the house and getting to the garage if the garage was moved forward.

There were no comments from the public.

FINDING OF FACT

Mr. Chris Flach moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 118 Bulkley Street shall include all information included in the notice of public hearing dated April 25, 2018.
- 2.) Thirty-five notices of public hearing were sent and one response was received.
- 3.) A public hearing was held before the board and public comments were accepted.
- 4.) The Zoning Board of Appeals received no additional documents on the request other than those in the agenda.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: The applicant said they have a one-car garage and they want to construct a two-car garage. They needed and received Historic Approval with the stipulation that it had to be in the exact same spot - which led them to be within one foot of the boundary lines. Staff made the comment that putting the garage behind the house would make it difficult to maneuver a car back there. Detached garages are common in that area.

Mr. James Houston seconded the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Mr. James Houston moved to approve the application, seconded by Mr. Jeff Carroll.

Mr. Flach asked for clarification of the intent of the 3-foot ordinance. Mr. Eldridge explained it is a minimal separation of structures. He stated that commercial buildings with no setbacks have to meet fire protection standards with fire walls.

Chair Youngs reviewed the criteria conditions that must be met to qualify and stated he was in favor. He indicated that special circumstances are particular to the land and for the structure for which the variance is sought. Chair Youngs stated that granting of the variance is a minimum action that will make possible best use for the structure that is not contrary to public interest. The granting of this variance will not adversely affect adjacent land in any way.

Mr. Houston added that he has not seen any adverse comments from neighbors regarding the relocation closer to the property line. He expressed support of this request.

Mr. Flach asked about the current setback from the property line. Ms. Polderman explained that the owners had purchased land from the neighbor making the existing building 3ft from property line on the south side. The one-foot property line is in the west or rear of the structure.

Ms. Doane asked about the comment Mr. Eldridge made regarding being more in compliance with the ordinance. Mr. Eldridge explained that they are more in compliance because of the purchase from the neighbor and that is why they are only concerned with the property line at the rear of the structure.

Motion approved by roll call vote unanimously.

Mr. Houston read the application for 418 and 424 S. Rose Street / 215 W. Lovell Street, Parcel # 06-22-104-001, #06-22-109-001, #06-22-104-002:

ZBA#18-05-13: 418 and 424 S. Rose Street / 215 W. Lovell Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Park & Cedar, LLC and 400 Rose, LLC. The request concerns the properties 418 and 424 S. Rose Street and 215 W. Lovell Street Avenue, which are situated in use Zone CC, Commercial – Community District. The applicant is requesting a use variance from Chapter 4, Section 4.2 Q.3, to allow dwelling units on the ground floor level for a proposed mixed-use development project, where retail or other commercial floor space is required on the ground floor level in Zone CC.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above.

Mr. Greg Dobson, AVB, spoke on behalf of the application for the variance. Mr. Rich MacDonald, The Hinman Company, and Mr. Curtis Aardema, AVB, were also present in support of the application. Mr. Dobson reported the property is currently zoned CC and he understands the City may pursue rezoning the area to CCBD. Mr. Dobson reviewed the zoning of properties nearby some of which are already zoned CCBD – allowing residential use on the first floor. Mr. Dobson stated their project fits with the City's desire for a mixed use development at this location. Mr. Dobson showed the Appeals board some images of their project - a 4-story building with a portion of the property being residential on the first floor. He stated they have already obtained approval from Downtown Development Review. Per their guidelines, the building is built up close to the sidewalks – intentionally engaging the pedestrians with a commercial retail area and street-side parking. Mr. Dobson noted the project is consistent with the 2025 Master Plan and this property is not in a node which requires commercial only. He stated the project is designed to LEED standards and is a brownfield type project. The design intentionally goes from commercial northeast corner and goes more residential along Rose Street and along Cedar as well. Mr. Dobson mentioned another building at the corner of Rose and Cedar which received a variance and has residential units on the first floor.

Mr. Houston and Mr. Carroll asked about the commercial activities proposed for this site. Mr. Dobson indicated it would be a retail use possibly food or coffee to be frequented by residents and pedestrians. He also clarified that retail and housing would both be located on the ground level. Mr. Carroll suggested that a grocery store such as Aldi may be appropriate for this type of building. He stated that a grocery will have to be in place at some point for a walkable City core. Mr. Carroll asked about content of the feasibility study for the amount commercial/retail this community can hold. Mr. Dobson referenced Mr. Bob Gibbs study suggesting there is room for enhanced retail with a focus on re-invigorating the mall and Michigan Avenue.

Mr. Houston asked for more information about the type of dwellings in the proposed project. Mr. Dobson replied that they will construct for rent apartments including studio, one-bedroom, two-bedroom apartments. He was unable to quote any price ranges, but stated that 10% (14 of 135 apartments) will be considered workforce housing. Workforce housing is a term HUD uses – meaning to ‘hit the missing middle.’

Mr. Eldridge explained to the Board that workforce housing is intended for young folks getting into the market and for service workers. It is for fully employed individuals working up the career ladder who want to live downtown. He stated that it is similar to the Walbridge Commons project.

Mr. Eldridge presented the contents of a letter from Jerome Kisscorni, Assistant City Manager, ED Director identifying this as a brownfield project. A letter from City Planner, Christina Anderson referenced that the planning staff are aware of re-occurring variance requests like this one meeting the intent of the ordinance, but not the exact wording of the text. They are looking at removing the ground floor commercial requirement for this zone district.

Mr. Flach asked if there was an ETA on getting that requirement changed. He also inquired as to the intent of the ordinance. Mr. Eldridge said he hoped to be well into zoning ordinance changes early next year and the intent of the ordinance was to maintain the lively street atmosphere of the commercial districts. They have discovered it doesn't fit the current trend and they need flexibility instead of rigidity.

Mr. Young reminded the board that this falls in line with the 2025 Master Plan. Mr. Eldridge stated the plan is final and they are working through the goals of revising the zoning ordinance.

Mr. Rodger Storteboom, owner of Douglas & Son Paint Store, came forward in support of the project. He stated his excitement about the proposed building and he believes it is a really good idea. Mr. Storteboom said the project is proposed by local builders – local people with a good track record of putting up quality buildings. He stated that the neighborhood has been struggling, and he is sure it will be a success.

Chair Youngs closed the public hearing.

FINDING OF FACT

Ms. Doane moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 418 and 424 S. Rose Street / 215 W. Lovell Street shall include all information included in the notice of public hearing dated April 25, 2018.
- 2.) Forty notices of public hearing were sent and zero responses were received.
- 3.) A public hearing was held before the board and public comments were accepted.

- 4.) The Zoning Board of Appeals received documents on the request including information in the supplemental packet as provided.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Mr. Greg Dobson spoke in favor of the request for CC zone. He was hoping for rezoning to CCBD by now, but it has not happened. Property near it in two instances is already zoned CCBD. He named other nearby sites which are already residential. The City is encouraging mixed-use in the area - which is what this project is. The east side of Rose is zoned already CCBD. They got approval for Downtown Development Plan. They will have parking. Proposal is consistent with 2025 Plan. The area in question is in process of changing to CCBD. Commercial aspect will be retail, likely food use. Commercial and residential will be on ground floor. The residence will be studio, one- and two-bedroom apartments with a total of 135 apartments. 10% will be workforce style. Staff confirms City Planner is reviewing related variances for possible removal in that area. Time-line on that is unknown. Rodger Storteboom spoke in favor and feels it will bring more prosperity to the area.

Mr. Houston seconded the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Mr. Carroll asked the applicant about parking. The applicant stated that they are expanding parking along Rose, and he stated there is one level of underground parking for the apartments. Their consultant recommended 1.4 parking spaces per unit and they are very close to that. They feel they are in very good shape. Mr. Eldridge reminded the board this area is in the parking exempt district.

Mr. Carroll moved to approve the application, seconded by Mr. Houston.

Mr. Houston stated that the project allays his concerns of the class of construction that might be going up there. He feels it will be very attractive for the City and that area.

Chair Youngs reviewed the criteria conditions that must be met to qualify and stated he was in favor. It is a use variance. Granting of the variance is a minimum action that will make possible best use for the land and the structure that is not contrary to public interest and will carry out the spirit of the ordinance. Since this is not a first request for a mixed-use on a ground-level, he stated he was in favor of it. Chair Youngs stated this will be a great project. He feels it has been a long time coming and it will be a welcome addition to the City.

Mr. Flach stated he thinks it is a bit of an experiment to see whether changing the zoning ordinance or allowing these kinds of variances will benefit the City or not. He said he is curious to see if it will, and he believes doing something is better than nothing.

Mr. Houston encouraged the applicants to consider upcoming projects that will focus on more affordable and possibly subsidized housing. He said it is a great concern for the City and he cited gentrification of the housing downtown.

Motion approved by roll call vote unanimously.

Mr. Houston read the application for 1907 N. Burdick Street, Parcel # 06-10-330-006:

ZBA#18-05-11: 1907 N. Burdick Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by A.F. Auto Glass & Detail. The request concerns the property at 1907 N. Burdick Street, which is situated in use Zone RS-5, Commercial – Community District. The applicant is requesting a dimensional variance from Chapter 7, Section 7.3 A, to allow two 24 square foot wall signs on the existing commercial building, where no wall signage is stated for commercial uses in Zone RS-5.

Mr. John Walker, applicant, came forward to present his request. He said they would like to add a sign to the building. He owns the building north of this property and submitted a similar sign permit application for that building about 5 years ago. It was approved at that time. He expressed a desire to be compliant with the City.

Mr. Carroll asked if the sign is a different size than is allowed by the ordinance. Mr. Walker stated it was a 2' x 2' sign, but the tenant wants to have a 3' x 8' sign. He said there are sign brackets present. In response to Mr. Youngs' inquiry, the applicant also stated they want the signs in the same places as the previous tenant's signs.

Mr. Eldridge stated there were sign permits inadvertently issued for a previous tenant because it looked and functioned like a commercial building. The building is actually in a residential zone district. The sign permits can only be issued if the ordinance allows for that size sign in that zoned area. The zoning ordinance only allows signs which are 2-square feet. Mr. Walker was asked to come to the Zoning Board of Appeals to get signage approved that would be permissible to serve the current and future tenants of the building.

Mr. Houston asked about the activities the business would perform. Mr. Walker stated that the tenant plans to do auto-glass and detail work. They would be installing auto glass offsite and then do their paper work and interior detailing onsite.

Chair Youngs inquired about the contents of the sign. Mr. Walker said it would be company name, location and contact information on the sign.

Mr. Eldridge proceeded with the staff comments. He said there are three commercial buildings in this area which evolved after the housing around it. The City allowed these commercial buildings in decades past. Mr. Eldridge stated this variance will allow the use of the building. He noted that everything is done inside the building; there is no outdoor storage of parts and the vans go to the customer's location to complete the auto-glass work. There is not a presence of items on the property to be a disruption to the residents of the area. Mr. Eldridge said it is a

continued use of an active commercial building which retains its non-conforming status. It is just a matter to get the signage rectified to function as a commercial building.

No public comments.

Mr. Young closed the public hearing.

FINDING OF FACT

Mr. Carroll moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 1907 N. Burdick Street shall include all information included in the notice of public hearing dated April 25, 2018.
- 2.) Seventy-one notices of public hearing were sent and zero responses were received.
- 3.) A public hearing was held before the board and public comments were accepted.
- 4.) The Zoning Board of Appeals received no additional documents on the request other than those in the agenda.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Mr. John Walker, owner of the property, indicates that previously signs were approved in error due to the property being a residential zoning district. Upon recent new use the City identified that a variance for a larger sign is required. Administrator Eldridge indicated there are three other commercial buildings nearby – in addition to a church which comprise a small commercial area that developed after housing was constructed. Most if not all work is done offsite or inside the building with very limited outside activity.

Mr. Houston seconded the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Mr. Carroll moved to approve the application, seconded by Ms. Doane.

Mr. Houston stated support of the request noting the nature of the activity posed no detriment or nuisance to the neighbors.

Chair Youngs reviewed the criteria conditions that must be met to qualify and stated he was in favor. Granting this variance will not adversely affect any adjacent land in any material way.

This little cluster of commercial entities was put in the residential district years ago and has not changed since.

Motion approved by roll call vote unanimously.

OTHER BUSINESS:

None

ADJOURNMENT:

Mr. Young moved to adjourn the meeting and was seconded by Mr. Houston.

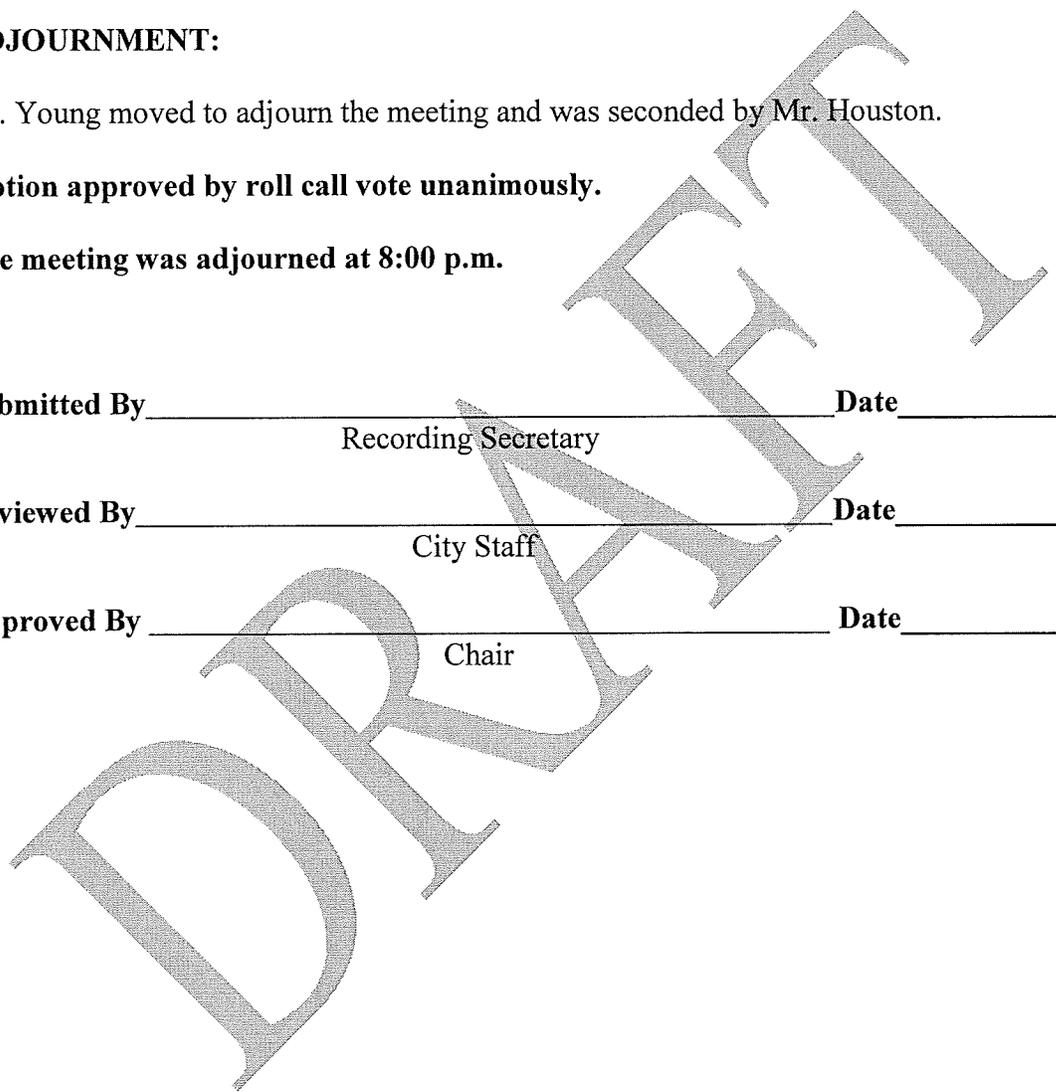
Motion approved by roll call vote unanimously.

The meeting was adjourned at 8:00 p.m.

Submitted By _____ Date _____
Recording Secretary

Reviewed By _____ Date _____
City Staff

Approved By _____ Date _____
Chair





Community Planning and Development

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

May 30, 2018

**RE: 3641 E. Cork Street
Parcel #06-25-485-003
ZBA #18-06-14**

Dear Property Owner:

An application for a variance from the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by International Brotherhood of Electrical Workers, Local Union 131. The request concerns the property at 3641 E. Cork Street, which is situated in use Zone M-1, Manufacturing – Limited District.

The applicant is requesting a dimensional variance from Chapter 7, Section 7.3 B 3, to authorize a wall sign of 715 square feet, where the maximum size for a wall sign is 200 square feet in commercial and manufacturing zone districts.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the item described above.

A public hearing will be held on **Thursday, June 14, 2018 at 7:00 p.m.** in the City Commission Chambers in City Hall (241 W. South Street), at which time you may submit your views on this matter in person, by writing, or by representative. If you should know of any interested person who has not received a copy of this letter, please inform them of the time and place of the hearing.

Further information, including property diagrams and drawings are available at the Community Planning and Development Department at 415 Stockbridge Avenue. Meeting agenda packets will also be available to view on-line 10 days prior to the meeting at: www.kalamazoocity.org/boards

If you have any questions, please call (269) 337-8026 or submit by email at eldridgep@kalamazoocity.org.

Sincerely,
ZONING BOARD OF APPEALS

Peter C. Eldridge, AICP
Zoning Administrator

c: Property File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoo.org

Your fully completed application, fee, and all related documents must be submitted to the Community Planning & Development Department at least four (4) weeks prior to the Zoning Board of Appeals meeting.

Applicant: Name SCOTT BRYER c/o IBEW131
Address 3641 EAST CORK
City, State, Zip KALAMAZOO, MI, 49001
Phone 269 382-1762 Cell 269 254-4540
Fax 269 382-4810 Email SBRYER@IBEW131.COM

Owner: Name KRAIG LEE c/o IBEW131
Address 3641 EAST CORK
City, State, Zip KALAMAZOO, MI, 49001
Phone 269 382-1762 Cell 269 254-4505
Fax 269 382-4810 Email KLEE@IBEW131.COM

(If the applicant is not the property owner, a letter signed by the owner agreeing to the variance must be included with the application.)

Property Information

Street or Street Address 3641 EAST CORK

This property is located between SPRINKLE street and MILL CORK street, on the

north south east west side of the street.

CCN# 06-25-485-003 Zone M-1

Type of Request

Interpretation of Chapter(s) _____ Sections(s) _____
Paragraph(s) _____ of the City of Kalamazoo Zoning Ordinance.

Use Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, unnecessary hardship to the applicant will result. All Use Variance Requirements must be met. (See Requirements List.)

Dimensional Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, practical difficulties to the applicant will result. All Dimensional Variance Requirements must be met. (See Requirements List.)

Appeal of an Administrative Decision

Description ALLOWABLE SIGNAGE

Attachments

- \$25 Fee
- Brief narrative (less than one type-written page) describing the nature of the request (2 copies)
- Sketch plan of the property in questions (2 copies)
- Additional attachments as needed e.g. (pictures, architectural drawings, petitions, etc. (2 copies)

Signature of Applicant [Signature] Date 5-7-2018
 Signature of Owner (if different than applicant) [Signature] Date 5-7-2018



Local Union 131
International Brotherhood of Electrical Workers

3641 East Cork St.
Kalamazoo, Michigan 49001
Phone: (269) 382-1762 • Fax: (269) 382-4810
www.ibew131.com

Zoning Board of Appeals,

In keeping with Imagine Kalamazoo 2025, we, the members of IBEW LU 131, are setting High Performance Organization goals. Our first goal is a “Pride in Ownership” agenda. We would very much like to begin with repainting our building and incorporating the graphics as shown in the sketch. It is not intended as advertising but rather a testimony to our pride in ownership, and our place in this community where we have proudly served for over 100 years. We additionally plan to update our curbside landscaping and have already begun façade improvements with new windows and new panels in our sign.

Ours, and the neighboring buildings are largely indistinct and unnoticeable. We believe that our graphics are both pleasing and unobtrusive, and that they will distinguish our building as well as demonstrate our pride in both who we are and our property.

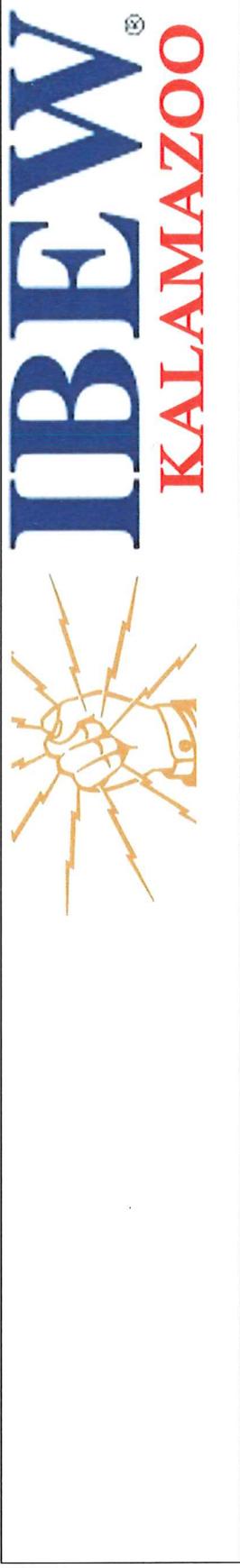
Additionally, we believe and support Kalamazoo’s strategic vision goal of “Complete Neighborhoods,” having worked on the Edison neighborhood street lighting project, supporting the 60th District Service Office, participating with Community in Schools and the Kalamazoo Promise, and hosting a Labor Day picnic for the community in conjunction with a food drive for Loaves and Fishes. We believe our graphics are in keeping with our pride in our service to our community, and our dedication to continuing that tradition.

Thank you for your consideration of our project.

Regards,

Scott Bryer
Business Development
IBEW LU 131
(269) 382-1762

SKETCH



The above illustration is the north elevation of our building with the proposed graphics. The building is approximately 106' long and 16' tall. The dimensions of the graphics are approximately 55' long and 13' tall. The approximate square footage is 715'sq. The illustration is not to scale and approximates the intention.

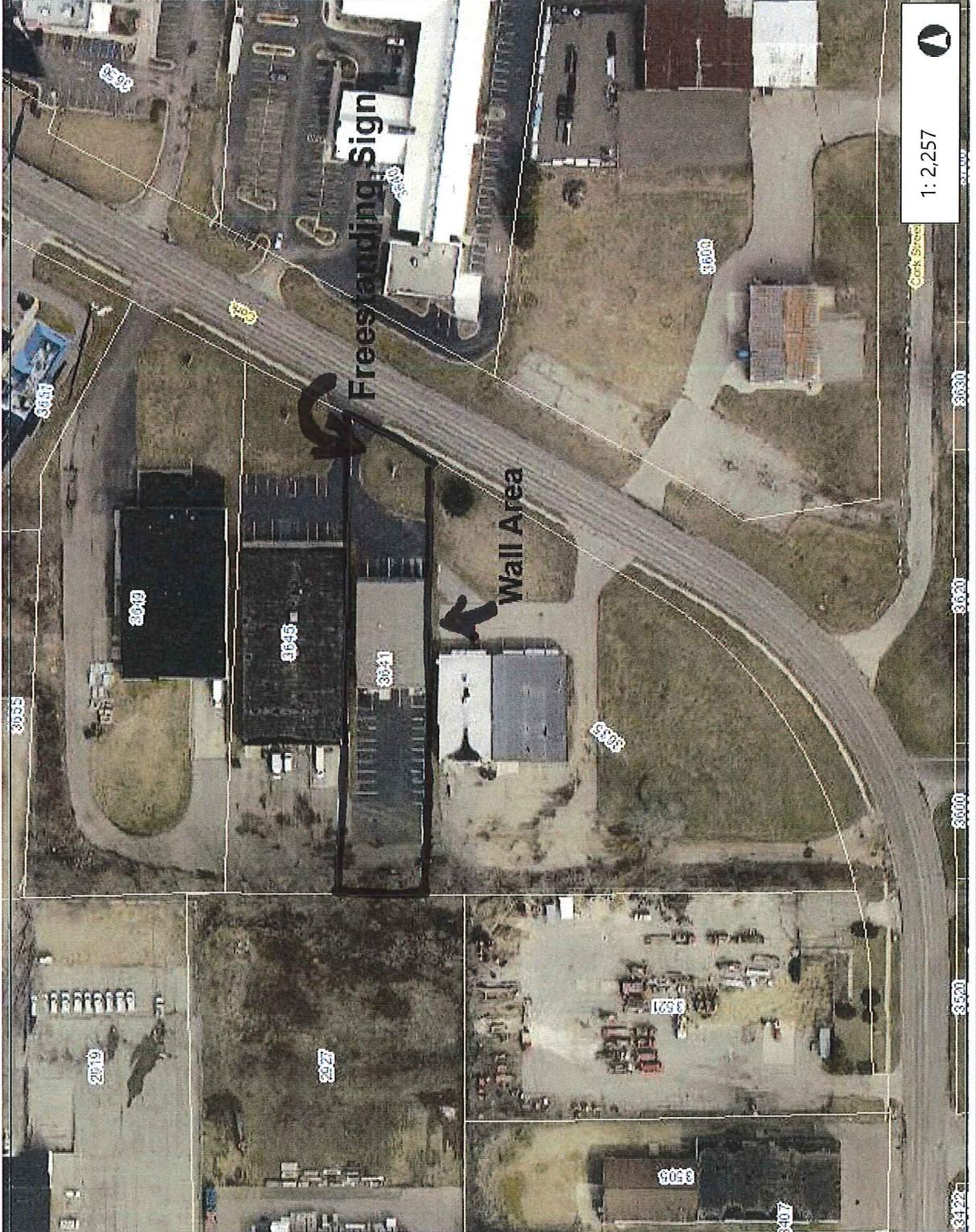
Photo of building, north elevation. Proposed location of graphics.



Approximation of completed graphics.



3641 E. Cork Street



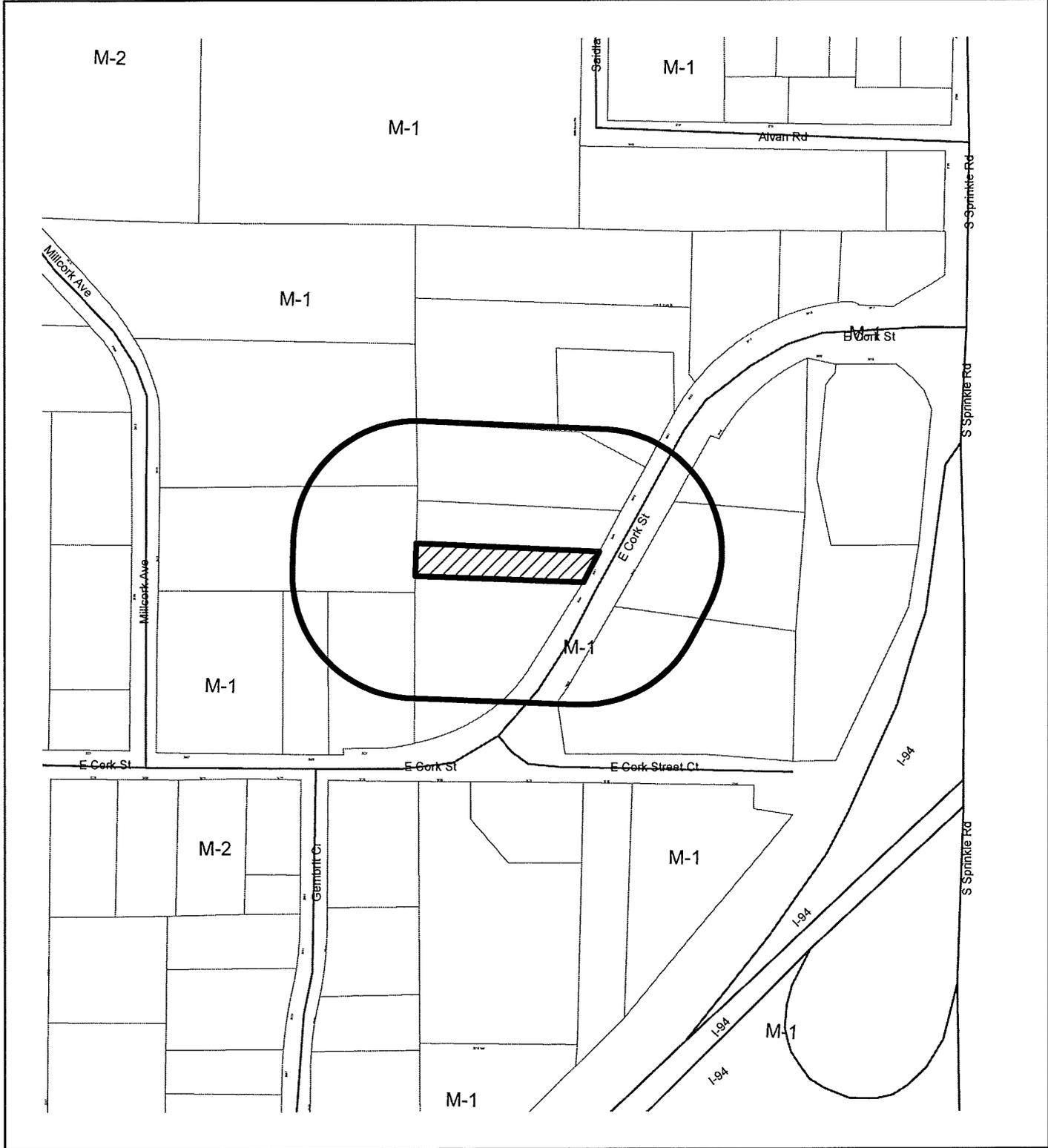
- Legend
- Street Names - City
 - Parcels



1: 2,257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



300' Mailing Boundary
 3641 E. Cork St.



1" = 50 Feet



Community Planning and Development

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

May 30, 2018

**RE: 508 Harrison Street
Parcel #06-15-295-100
ZBA #18-06-15**

Dear Property Owner:

An application for a variance from the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Byce & Associates Inc. on behalf of River Caddis Development. The request concerns the property at 508 Harrison Street, which is situated in use Zone CMU, Commercial – Mixed Use District.

The applicant is requesting the following: **1)** requesting a use variance from Chapter 3, Section 3.7 C 1, to allow dwelling units on the ground floor level for a proposed mixed-use development project, where retail or other commercial floor space is required on the ground floor level in Zone CMU, and **2)** A dimensional variance from Chapter 6, Section 6.1, of 45 off-street parking spaces to allow 185 total off-street parking spaces, where 230 are required.

Please note that this request will not change the zoning classification of the property. This is a request for variance only regarding the items described above.

A public hearing will be held on **Thursday, June 14, 2018 at 7:00 p.m.** in the City Commission Chambers in City Hall (241 W. South Street), at which time you may submit your views on this matter in person, by writing, or by representative. If you should know of any interested person who has not received a copy of this letter, please inform them of the time and place of the hearing.

Further information, including property diagrams and drawings are available at the Community Planning and Development Department at 415 Stockbridge Avenue. Meeting agenda packets will also be available to view on-line 10 days prior to the meeting at: www.kalamazoocity.org/boards

If you have any questions, please call (269) 337-8026 or submit by email at eldridgep@kalamazoocity.org.

Sincerely,
ZONING BOARD OF APPEALS


Peter C. Eldridge, AICP
Zoning Administrator

c: Property File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoocity.org

Your fully completed application, fee, and all related documents must be submitted to the Community Planning & Development Department **at least four (4) weeks prior** to the Zoning Board of Appeals meeting.

Applicant: Name Byce & Associates, Inc., c/o Danielle Rhodes
Address 487 Portage Street
City, State, Zip Kalamazoo, Michigan 49007
Phone 269-381-6170 Cell 906-281-3552
Fax 269-381-6176 Email danielle.rhodes@byce.com

*Purchaser:
River Caddis Dev.
% Kevin McGraw
1038 Troubridge Rd
East Lansing MI 48823*

Owner: Name City of Kalamazoo Brownfield Redevelopment Authority
CURRENT PROPERTY OWNER Address 241 W. South Street c/o Sara Jo Shipley
City, State, Zip Kalamazoo, Michigan
Phone 269-337-8082 Cell 269-330-4865
Fax _____ Email shipleys@kalamazoocity.org

(If the applicant is not the property owner, a letter signed by the owner agreeing to the variance must be included with the application.)

Property Information

Street or Street Address 508 Harrison Street, Kalamazoo Michigan 49007

This property is located at: at the southeast corner of Gull Road and Harrison Street intersection

CCN# Parcel ID: 06-15-295-100 Zone CMU Commercial Mixed Use

Type of Request

Interpretation of Chapter(s) _____ Sections(s) _____
Paragraph(s) _____ of the City of Kalamazoo Zoning Ordinance.

Use Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, unnecessary hardship to the applicant will result. All Use Variance Requirements must be met. (See *Requirements List*.)

Dimensional Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, practical difficulties to the applicant will result. All Dimensional Variance Requirements must be met. (See *Requirements List*.)

Appeal of an Administrative Decision

Description see attached narrative letter to ZBA

Attachments

- \$495 Fee
- Brief narrative (less than one type-written page) describing the nature of the request (2 copies)
- Sketch plan of the property in questions (2 copies)
- Additional attachments as needed e.g. (pictures, architectural drawings, petitions, etc. (2 copies)

Danielle M. Rhodes, BYCE _____
Signature of Applicant Date 5-17-2018

Signature of Owner (if different than applicant) Date

May 17, 2018

487 PORTAGE STREET
KALAMAZOO, MI 49007

CORPORATE@BYCE.COM
WWW.BYCE.COM

TEL: 269.381.6170
FAX: 269.381.6176

City of Kalamazoo Zoning Board of Appeals
c/o: Peter C. Eldridge, Zoning Administrator
Community Planning & Development Department
415 E Stockbridge Avenue
Kalamazoo, Michigan 49001
Phone: (269) 337-8806

RE: RiverCaddis River's Edge Development
508 Harrison Street, Kalamazoo, MI 49007
Variance Request to the Zoning Board of Appeals

B/A Project No: 17100255

Dear Zoning Board of Appeals –

Byce & Associates, Inc. submits this letter on behalf of River Caddis Development and the City of Kalamazoo Redevelopment Authority, as reference to the submitted *Application Request to the Zoning Board of Appeals*, pertaining to the planned Mixed-Use Housing Development, proposed on the parcel addressed at 508 Harrison Street, within the City of Kalamazoo's CMU Commercial Mixed-Use Zoning District.

The proposed mixed-use, commercial residential development, includes a market balanced combination of residential and commercial building structures, believed to be consistent with the spirit and intent of the City of Kalamazoo Master Plan, applicable Riverfront Zoning Southwest Commercial sub area and CMU Commercial Mixed-Use District design standards. The proposed development includes six new building structures, with commercial focus buildings developed along Gull Road street front to achieve the urban edge desired by the City's planning staff, and residential focus buildings aiming to take advantage of river views. The proposed River Caddis River's Edge Development proposes to implement property improvements in two phases, summarized as follows:

Phase 1 Development

- Commercial Building B: 7,500 square foot commercial building to include retail sales and services to accommodate residential property developments, including leasing office space, fitness amenity and other commercial functions to be determined.
- Residential Building C: three story residential, 42 total units
- Residential Building D: three story residential, 42 total units
- Residential Building E: three story residential, 30 total units
- Mixed Use Building G: two story residential live-work building, ground level professional office space and second story town house apartments totaling 6 dwelling units

Phase 2 Development

- Commercial Building A: Approximately 5,000 sf commercial leasable space, functions to be determined

We request that the City ZBA exercise their reasonable flexibility in granting approval of two necessary variances, including a Use Variance to allow ground floor residential dwelling units in Commercial Mixed-Use district and a Dimensional Variance for relief to off-street parking requirements.

- 1. Use Variance from Chapter 4, Section 4.2 Q.3**, to allow residential dwelling units on the ground floor level where retail or other commercial floor space is required on the ground floor level in CMU Commercial Mixed-Use District.

It is our interpretation, per coordination with City Planning Staff, that Zoning Ordinance Amendments are planned in the near future which would eliminate the restriction for ground level residential dwelling units in commercial districts. Hence, we are confident the Riverfront Development, proposing residential focus structures and first floor residential units to reside within the overall mixed-use type development, is consistent with direction of City Master Planning efforts, and ordinance intent.

- 2. Dimensional Variance from Chapter 6, Section 6.1 C1, Table 6.1-1 Minimum Off-Street Parking Requirements** for relief to ordinance required off-street parking counts. Project off-street parking requirements have been estimated based on projected commercial building functions and total residential unit counts, but will be variable in nature until commercial building functions are confirmed in the future. The design team has estimated off-street parking counts, in accordance with Zoning Ordinance Table 6.1-1, as follows:

Phase 1 Development

- 120 total residential dwelling units @ 1.5/unit = 180
 - 7,500 sf Commercial Club House with combination of office, fitness and leasable retail sales & service functions within = 20
 - 5,600 sf ground floor commercial live-work space = 15
- | | |
|---------------------------------------|-----|
| Total Phase 1 Required Parking Spaces | 215 |
|---------------------------------------|-----|

Phase 2 Development

- 5,000 sf commercial building addition = 15
- | | |
|---|-----|
| Total Development Required Parking Spaces | 230 |
|---|-----|

With consideration to relative market studies of known history of vehicle parking needs for similar resident populations and the mixed-use development capacity for shared parking, we believe the actual parking demand of the proposed developments will be significantly less than the off-street parking counts required per Kalamazoo Zoning Ordinance. Hence, we request relief to the enforced off-street parking requirements; requesting that 1.125 off-street parking space be enforced for each proposed residential unit plus parking spaces as required to accommodate proposed commercial functions. Please approve a 45 parking space reduction to the Phase 1 Development off-street parking requirements, as required to allow 170 Phase 1 Development parking spaces, as estimated necessary to accommodate proposed developments.

In the case we encounter a deficiency in parking availability once the development is occupied, our team has confirmed that the development property could accommodate the required parking counts under the 10% allowed administrative adjustment, which would allow reduction to 207 total required parking spaces, and would implement additional parking areas as needed to accommodate building functions.

The above request for reduction in surface parking is supported by the City's ordinance objectives to create a balanced and integrated transportation system relying less on automobiles and to encourage patterns of development that support a mix of living, working, and recreational activities close to one another.

Pursuant to the *City of Kalamazoo Zoning Ordinance Article 8.3 E. 4 a) and b)*, please also consider the following comments to the Ordinance variance review standards set forth, in your deliberations:

- 1) ***The literal interpretation and enforcement of the terms and provisions of this Ordinance would deprive the applicant for all practical purposes from using the property for a permitted use identified in §4.1 Use Table, which is a right commonly enjoyed by other land in the same zone district.***

Comment: Proposed development is commercial mixed use type, consistent with spirit of City Ordinance per CMU district, and has been developed in conjunction with City Planning Staff and related expectations for redevelopment of property at 508 Harrison Street.

- 2) ***There is unnecessary hardship based on special circumstances or conditions that are peculiar to the land or structure for which the use variance is sought that is not applicable to other land or structures in the same zone district.***

Comment: There are special conditions of proposed development that require approval of proposed residential development, to include first floor residential dwelling units. There are special circumstances of property, including location of floodplain, railroad setbacks and other property restrictions that are not applicable to other land in same zone district.

- 3) ***The special circumstances are not the result of the actions of the applicant.***

Comment: Special conditions are not the result of the applicant, or current titleholder of the land, which is the City of Kalamazoo.

- 4) ***The granting of the variance is the minimum action that will make possible the use of the land or structure that is not contrary to the public interest, and that would carry out the spirit of this Ordinance.***

Comment: The City's support of the requested variances would be consistent with variances granted to similar developments within CMU district and would be consistent with spirit of Ordinance.

- 5) ***The granting of the variance will not adversely affect adjacent land in a material way.***

Comment: Granting of the requested variances, thus facilitating redevelopment of property at 508 Harrison Street, would be beneficial to adjacent land and surrounding stakeholders; allowing construction of high demand, affordable and work force housing.

- 6) ***The granting of the variance will be generally consistent with the purposes and intent of this ordinance.***

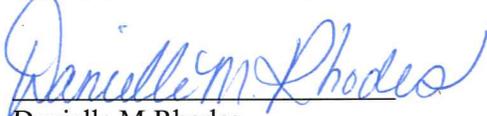
Comment: Proposed development supports City ordinance objectives Riverfront Development, including but not limited to; 1) *to encourage redevelopment of areas adjacent to the riverfront*

in an urbanist style and to strengthen connections to and from the remainder of the City 2) to create a balanced and integrated transportation system that relies less on automobiles and more on bus transit, biking, and walking, and to create a mix of land uses and intensities that support that balanced transportation system, 3) to encourage patterns of development that support a mix of living, working, and recreational activities close to one another and 4) create a high degree of connectivity with multiple circulation routes, friendlier pedestrian environment and primary buildings close to the street.

We kindly request that the ZBA approve the submitted Variance Request Application, authorizing the proposed Rivers Edge Development to proceed with first floor residential units and overall development reduced parking counts, as requested. We are confident the planned developments will contribute beneficially to the local community and surrounding stake holders while maintaining the intent of the City of Kalamazoo Ordinance requirements for Riverfront Overlay and Commercial Mixed Use Districts.

Sincerely,

BYCE & ASSOCIATES, INC.



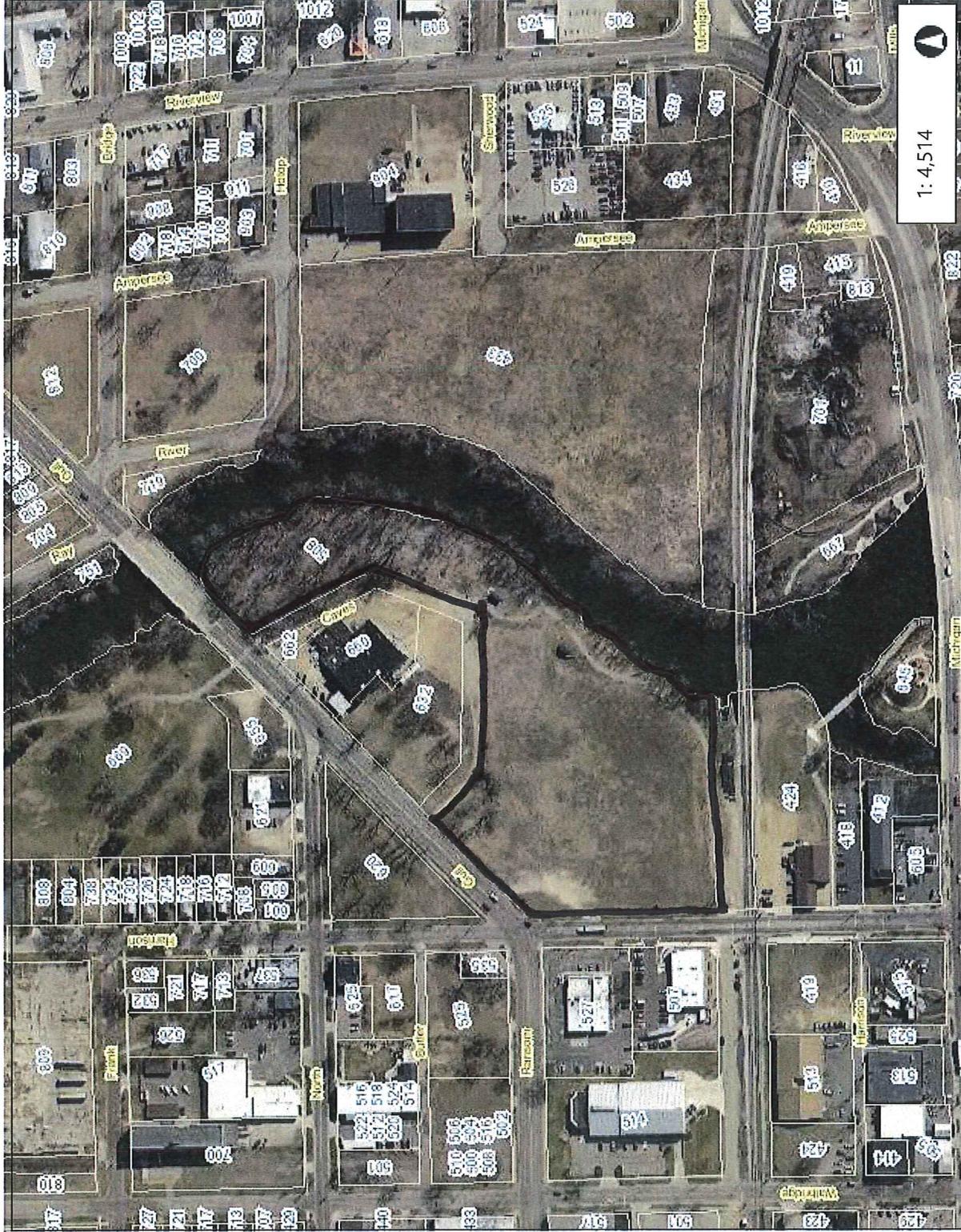
Danielle M Rhodes
Civil Engineer

Attachments:

- Zoning Board of Appeals (ZBA) Application Form
- Fee (\$495)

cc: Kevin T. McGraw, RiverCaddis Development
Sara Jo Shipley, City of Kalamazoo Redevelopment Project Manager
Christina Anderson, City of Kalamazoo

508 Harrison Street



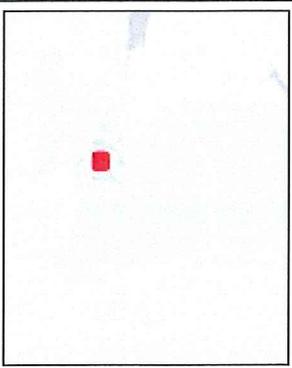
1:4,514

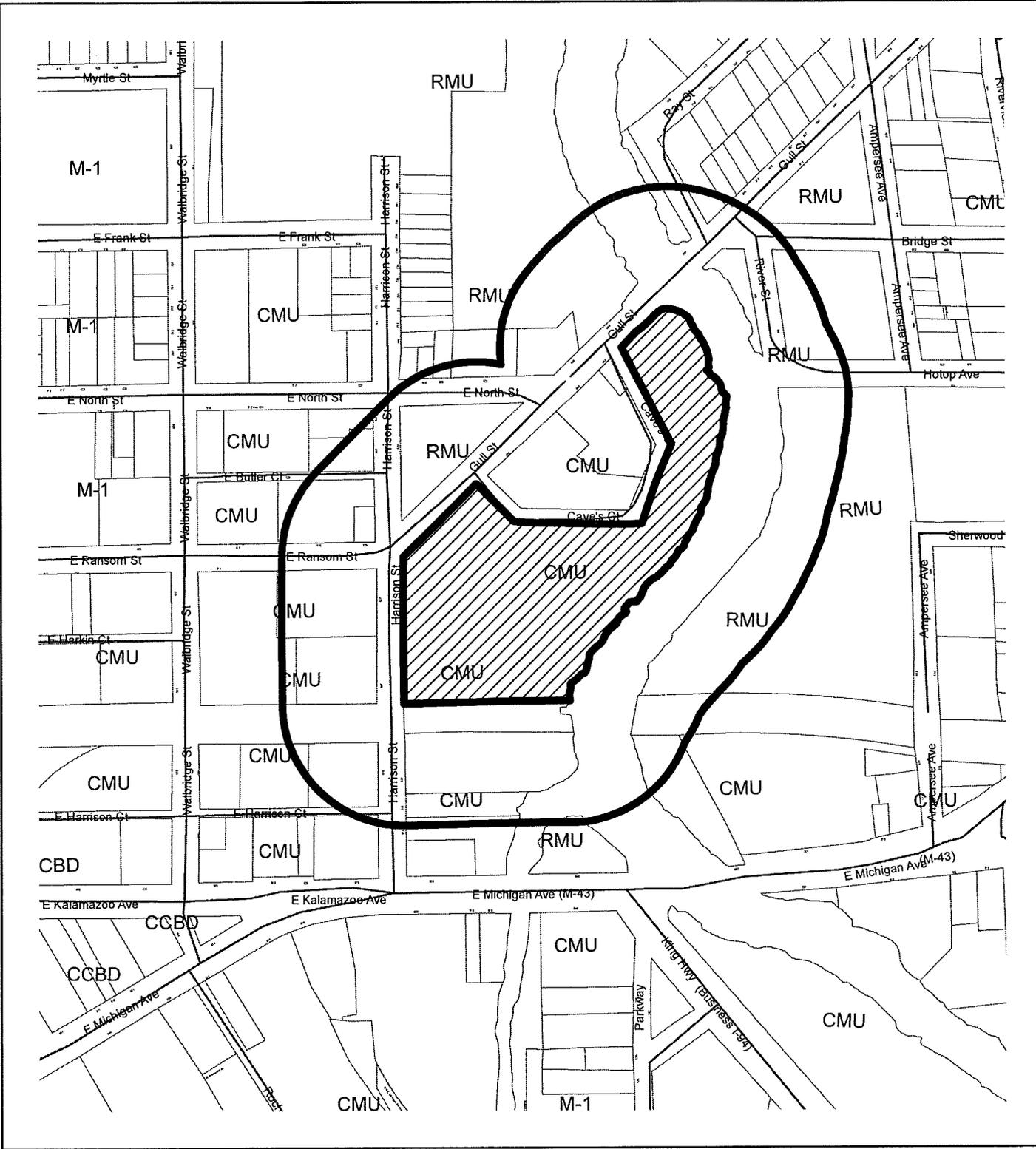


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

WGS_1984_Web_Mercator_Auxiliary_Sphere

- Legend**
- Street Names - City
 - Parcels





300' Mailing Boundary
508 Harrison St.



1" = 50 Feet



Community Planning and Development

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

May 30, 2018

**RE: 1101 Portage Street
Parcel #06-22-434-008
ZBA #18-06-16**

Dear Property Owner:

An application for a variance from the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Byce & Associates Inc. on behalf of the Hollander Development Corporation. The request concerns the property at 1101 Portage Street, which is situated in use Zone CC, Community – Commercial District.

The applicant is requesting the following: **1)** requesting a use variance from Chapter 4, Section 4.2 Q.3, to allow dwelling units on the ground floor level for a proposed mixed-use development project, where retail or other commercial floor space is required on the ground floor level in Zone CC, **2)** A dimensional variance from Chapter 5, Section 5.2, to authorize 54 dwelling units (1,121 square feet per dwelling unit), where 45 units or 1,350 square feet per dwelling unit is the maximum density in Zone CC, and **3)** A dimensional variance from Chapter 6, Section 6.1, of 37 off-street parking spaces to allow 64 total off-street parking spaces, where 101 are required.

Please note that this request will not change the zoning classification of the property. This is a request for variance only regarding the items described above.

A public hearing will be held on **Thursday, June 14, 2018 at 7:00 p.m.** in the City Commission Chambers in City Hall (241 W. South Street), at which time you may submit your views on this matter in person, by writing, or by representative. If you should know of any interested person who has not received a copy of this letter, please inform them of the time and place of the hearing.

Further information, including property diagrams and drawings are available at the Community Planning and Development Department at 415 Stockbridge Avenue. Meeting agenda packets will also be available to view on-line 10 days prior to the meeting at: www.kalamazoocity.org/boards

If you have any questions, please call (269) 337-8026 or submit by email at eldridgep@kalamazoocity.org.

Sincerely,

ZONING BOARD OF APPEALS

Peter C. Eldridge, AICP
Zoning Administrator

c: Property File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoocity.org

Your fully completed application, fee, and all related documents must be submitted to the Community Planning & Development Department **at least four (4) weeks prior** to the Zoning Board of Appeals meeting.

Applicant: Name Byce & Associates, Inc.
Address 487 Portage Street
City, State, Zip Kalamazoo, Michigan 49007
Phone 269-381-6170 Cell 906-280-3552
Fax 269-381-6176 Email danielle.rhodes@byce.com

Owner: Name Hollander Development Corporation, Matt Hollander, President
Address 1822 W Milham Ave, Suite 2
City, State, Zip Portage, Michigan 49024
Phone 269-388-4677, ext.2 Cell 269-352-5093
Fax _____ Email matt@hollanderdevelopment.com

(If the applicant is not the property owner, a letter signed by the owner agreeing to the variance must be included with the application.)

Property Information

Street or Street Address 1101 Portage Street, Kalamazoo MI 49001

This property is located : southeast corner of Portage Street and Lake Street intersection
(the old Kalamazoo Creamery Site)

CCN# Parcel ID: 06-22-434-008 Zone _____

Type of Request

Interpretation of Chapter(s) _____ Sections(s) _____
Paragraph(s) _____ of the City of Kalamazoo Zoning Ordinance.

Use Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, unnecessary hardship to the applicant will result. All Use Variance Requirements must be met. (See *Requirements List*.)

Dimensional Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, practical difficulties to the applicant will result. All Dimensional Variance Requirements must be met. (See *Requirements List*.)

Appeal of an Administrative Decision

Description 1) Use Variance from Ch.4, Sect. 4.2 Q.3 to allow ground floor dwelling units in mixed use development,
2) Dimensional Variance from Ch.5, Sect. 5.2 for relief to lot area per dwelling unit requirement, & 3) Dimensional Variance
from Ch.6, Sect. 6.1 CI for relief to off-street parking requirements (see attached narrative for details of request).

Attachments

- \$495 Fee
- Brief narrative (less than one type-written page) describing the nature of the request (2 copies)
- Sketch plan of the property in questions (2 copies)
- Additional attachments as needed e.g. (pictures, architectural drawings, petitions, etc. (2 copies)

FIGURE LAND OWNER [Signature] 5/15/18
Signature of Applicant Date
CURRENT LAND OWNER [Signature] 5/16/2018
Signature of Owner (if different than applicant) Date
Kenneth J. Hartmann, Jr.
Kalamazoo County Land Bank Authority
APPLICANT: Danielle M. Rhodes, Byce & Assoc. 5/17/2018

May 24, 2018

487 PORTAGE STREET
KALAMAZOO, MI 49007

CORPORATE@BYCE.COM
WWW.BYCE.COM

TEL: 269.381.6170
FAX: 269.381.6176

City of Kalamazoo Zoning Board of Appeals
c/o: Peter C. Eldridge, Zoning Administrator
Community Planning & Development Department
415 E Stockbridge Avenue
Kalamazoo, Michigan 49001
Phone: (269) 337-8806

RE: Kalamazoo Creamery Redevelopment
1101 Portage Street, Kalamazoo MI 49001
Variance Request to the Zoning Board of Appeals_Clarification
B/A Project No: 16100109

Dear Zoning Board of Appeals –

Byce & Associates, Inc. submits this letter on behalf of Hollander Development Corporation, as reference to the submitted *Application Request to the Zoning Board of Appeals*, pertaining to the planned MSHDA Mixed-Use Development, proposed on the parcel addressed at 1101 Portage Street, commonly referred to as 730 Lake Street or the old Kalamazoo Creamery site, within the CC Community Commercial District of the City of Kalamazoo. The proposed LEED platinum, three-story, mixed-use development, includes a market balanced combination of residential and commercial spaces, proposing 54 total residential dwelling units, including 42 total one bedroom and 12 two bedroom units, and approximately 8,000 square feet of first floor mixed use commercial spaces.

We request that the City ZBA exercise their reasonable flexibility in granting approval of three necessary variances, including; 1. Use Variance pertaining to Ch.4, sect. 4.2 Q.3 to allow ground floor residential dwelling units within the commercially designated Zoning District, 2. A Dimensional Variance from Ch.5, Sect. 5.2 for relief to the unit density requirement and 3. A Dimensional Variance from Ch.6, Sect. 6.1 for relief to off-street parking requirements, detailed as follows:

- 1. Use Variance from Chapter 4, Section 4.2 Q.3**, to allow residential dwelling units on the ground floor level for the proposed mixed-use development project, where retail or other commercial floor space is required on the ground floor level in Zone CC Community Commercial District.

The applicant requests a Use Variance from *Chapter 4 – Use Regulations* of the *City of Kalamazoo Ordinance* for the CC Community Commercial Zoning District, proposing a market balanced combination of first floor residential dwelling units and commercial leasable spaces within the proposed mixed-use development.

Breakdown of First Floor Commercial and Residential areas, as relates to the above request for first floor residential units within CC district, with relative percent of total first floor space, are summarized as follows:

- First Floor total useable floor area: 20,726 sf
 - Residential Apartments, 14 total 1-bedroom dwelling units: 12,622 sf (61%)
 - Commercial Use YMCA Daycare Function: 3,884 sf (19%)
 - Commercial First Floor Office space: 699 sf (7%)
 - Remaining Commercial leasable space: 2,861sf (14%)

61% 1st Floor Residential

~~39%~~ 1st Floor Commercial

Although we understand and appreciate the intent of not having residential units at grade in commercial districts along main thoroughfares, the market reality for urban infill, mixed-use developments, reflects far less demand for commercial lease space at par with the area of a single residential floor plate.

The proposed first floor residential apartments, proposing 14 1-br units, will be raised 4 ft in finish floor elevation from adjacent north and south commercial leasing spaces for enhanced resident privacy. Residential units will not be accessible from exterior grade, or public right-of-way.

- 2. Dimensional Variance from Chapter 5, Section 5.2, Table 5.2-1 Commercial and Manufacturing District Standards** for relief to unit density requirement applicable in CC Community Commercial District, where the required lot area per dwelling unit is 1,350 sf, which would equate to a maximum of 45 dwelling units allowed on the 1.39 acre parcel addressed as 1101 Portage Street. We request approval of the proposed 54 residential units, thus allowing construction of proposed development at 83% of the ordinance specified minimum lot area per dwelling unit, or ±1,118.8 sf per dwelling unit.

It should be noted that adjacent westerly (church owned) properties are being negotiated for inclusion in proposed development, hoping to accommodate necessary development features such as additional parking and green space. In the case that this property is secured the above requested relief to lot area per dwelling unit standard would be closer to compliance with zoning minimum lot area per dwelling unit.

- 3. Dimensional Variance from Chapter 6, Section 6.1 C1, Table 6.1-1 Minimum Off-Street Parking Requirements** for relief to off-street parking requirements. We estimate 101 minimum off-street parking spaces required per ordinance to accommodate the proposed mixed-use development (refer to C200 Site Data for details of off-street parking calculation). We request approval of the proposed 64 parking spaces, which we found to be the maximum amount the development parcel at 1101 portage road could accommodate in conjunction with the proposed mixed-use building and related programming parameters and design conditions. The proposed parking area, includes handicap accommodations in accordance with Michigan Barrier Free Design Standards, and can be considered supplemented by an additional 10+ parallel parking spaces included in proposed streetscape and right-of-way improvements as part of property development (see plan).

Byce & Associates, Inc. requests ZBA approval of a 37 off-street parking space reduction to the estimated 101 total required, in order to facilitate development of 54 residential apartment units, commercial retail space and daycare center, in accordance with MSHDA

housing requirements, LEED design objectives and restrictive nature and configuration of the development site.

With consideration to relative market studies of vehicle parking demands for similar resident populations, the mixed-use development capacity for shared parking, availability of on-street parking, site's favorable accessibility to public transit and generous, LEED driven, interior and exterior bike storage facilities proposed; it is our belief that the actual parking demand of proposed development will be significantly less than the off-street parking counts required per Kalamazoo Zoning Ordinance, and that the 64 proposed parking spaces will be sufficient to accommodate the actual parking demand for proposed building. In the case we encounter 64 to be insufficient parking capacity, consideration has been given to deferred parking; including redevelopment of the neighboring parcel at 803 Lake Street to account for an additional 16 parking spaces and development of a portion of adjacent church parcel anticipated to support 8 spaces.

Pursuant to the *City of Kalamazoo Zoning Ordinance Article 8.3 E. 4 a) and b)*, please also consider the following comments to the Ordinance variance review standards set forth, in your deliberations:

- 1) ***The literal interpretation and enforcement of the terms and provisions of this Ordinance would deprive the applicant for all practical purposes from using the property for a permitted use identified in §4.1 Use Table, which is a right commonly enjoyed by other land in the same zone district.***

Comment: The proposed design parameters are necessary program requirements to facilitate funding and construction of the proposed mixed-use development and are consistent with similar mixed-use developments in the City limits.

We understand, per communication with City planning staff, that future ordinance amendments plan to address requirements specific to allowing ground level residential units within commercial districts and relief to unit density requirement, as appropriate to accommodate mixed-use developments becoming increasingly common in our community.

- 2) ***There is unnecessary hardship based on special circumstances or conditions that are peculiar to the land or structure for which the use variance is sought that is not applicable to other land or structures in the same zone district.***

Comment: The proposed project developments will take place on a vacant 1.39 acre brownfield property within the City of Kalamazoo limits, currently owned by the Kalamazoo County Land Bank Authority. Redevelopment of said parcel will be mutually beneficial to the City of Kalamazoo and adjacent stakeholders alike. Also, as a MSHDA housing project, unless City required approvals are obtained, security of funding may be at stake.

- 3) ***The special circumstances are not the result of the actions of the applicant.***

Comment: The special circumstances are not the result of the applicant, or current title holder of the property, which is the Kalamazoo County Land Bank Authority.

- 4) ***The granting of the variance is the minimum action that will make possible the use of the land or structure that is not contrary to the public interest, and that would carry out the spirit of this Ordinance.***

Comment: Redevelopment of the old Kalamazoo Creamery site has been of public interest for a number of years, with neighborhood preferences gauged through several community based design charrettes held in conjunction with the Kalamazoo County Land Bank, including those

conducted with and for the Edison Neighborhood Association and Edison Business Association. We believe the current proposed mixed-use development closely resembles earlier, community guided development dreams generated by local residents, stakeholders and leaders during design charettes.

5) ***The granting of the variance will not adversely affect adjacent land in a material way.***

Comment: The proposed development will be economically beneficial to adjacent property and business owners. The proposed streetscape improvements along Portage Road Corridor, to take place in conjunction with building development, are consistent with City's objective for increased pedestrian focus along Portage Road corridor.

6) ***The granting of the variance will be generally consistent with the purposes and intent of this ordinance.***

Comment: It is our understanding that near future amendments to the City Ordinance intend to address this specific restriction for ground floor residential units within commercial mixed-use developments, allowing the proposed condition to take place without the need for variance request. We are confident the proposed LEED mixed use development is consistent with the spirit, and future direction, of the City Ordinance.

We kindly request that the ZBA approve the submitted Variance Request Application for all three variances expounded upon above, based on a finding there is competent, material, and substantial evidence in the record that all standards in accordance with ***Ordinance Section 8.3, E. 4 Variance Standards, for a) Dimensional Variance and b) Use Variance***, are satisfied by the proposed mixed-use development plan. We are confident that the proposed development will contribute beneficially to the local community and surrounding stake holders.

Sincerely,

BYCE & ASSOCIATES, INC.



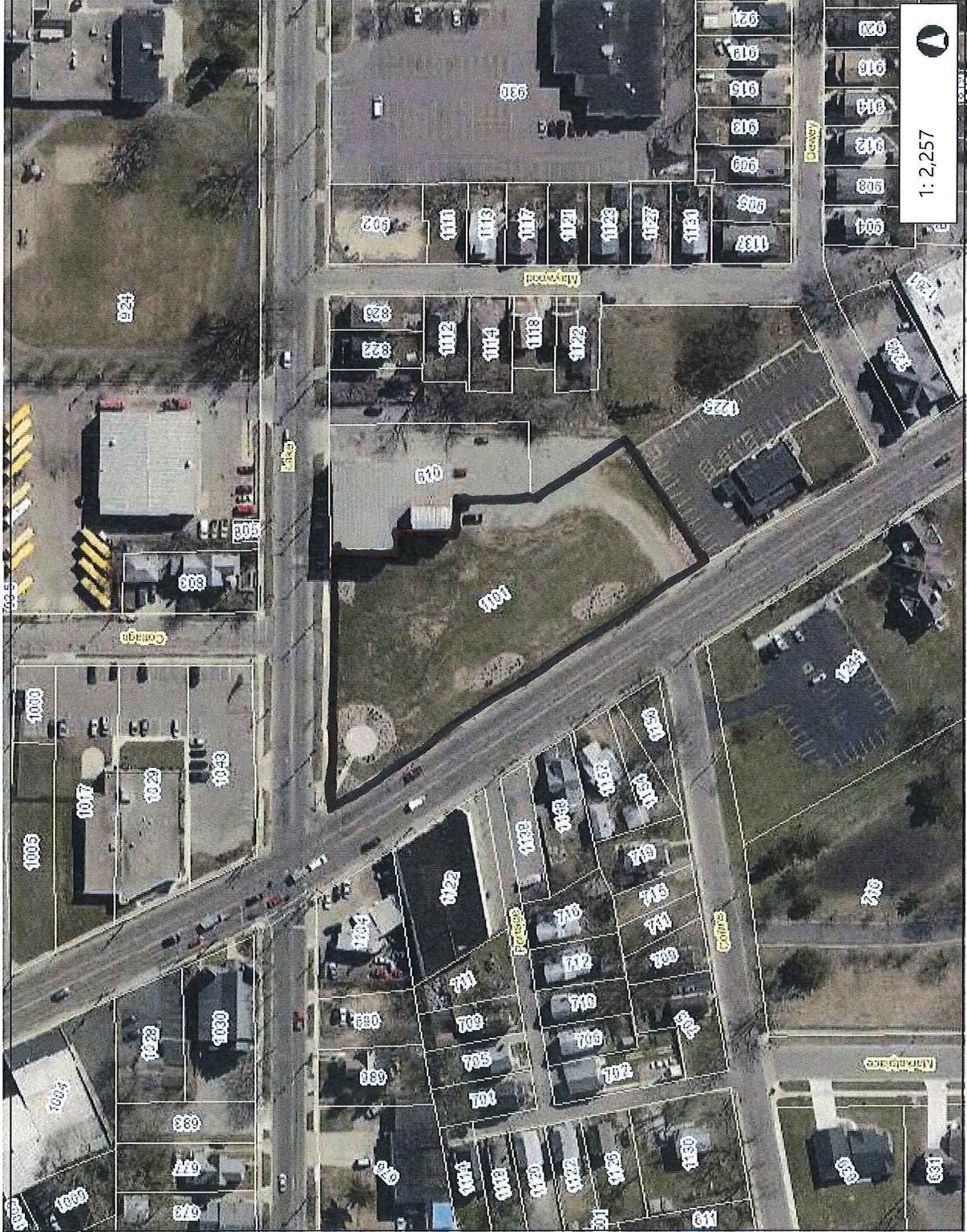
Danielle M Rhodes
CIVIL ENGINEER

Attachments:

C200 Preliminary Site Plan (revised)

cc: Matthew Hollander, Hollander Development Corporation

1101 Portage Street



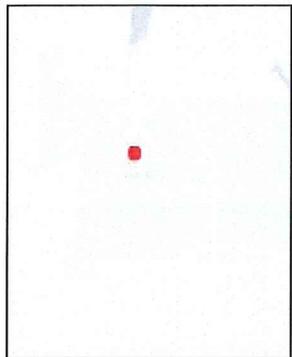
1: 2,257

0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

- Legend
- Street Names - City
 - Parcels





Kalamazoo, MI Parcels Information Report

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

Report Date: 4/16/2018

Parcel ID: 06-22-434-008

Taxpayer: KALAMAZOO COUNTY LAND BANK

Property Address: 1101 PORTAGE ST, KALAMAZOO, MI
49001

Taxpayer (care of):

Taxpayer Address: 1523 RIVERVIEW DR STE A,
KALAMAZOO, MI 49004

Estimated Acreage: 1.404

Land Class: 701

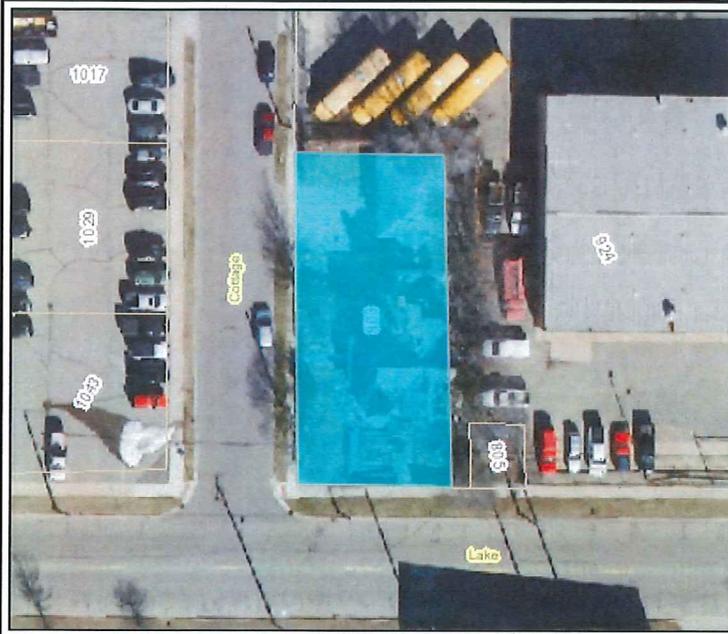
Taxable Value: 0

School District: 39010

Assessed Value: 0

Homestead Pct: 0

Legal Description: Commencing at the southeast corner of Portage Street & Lake Street; thence Easterly on the southerly line of Lake Street to a point 28.97ft West of east line of Section 22; thence South 188.86ft; thence West 74.70ft; thence South 56deg 58min West to the easterly line of Portage Street; thence Northwesterly along said easterly line to the point of beginning. Also commencing on the easterly line of Portage Street 144ft Northerly from the northwesterly corner of Lot 35 of LAKE ST PLAT; thence Northerly 114ft along the easterly line of Portage Street; thence North 56deg 58min East 132ft; thence South 33deg 02min East 114ft; thence South 56deg 58min West 132ft to the point of beginning.
Excluding the following: Commencing at the East 1/4 corner of Section 22; thence Southerly 193.77ft along the east line of Section 22 to the south line of Lake Street; thence West 28.97ft along the south line of Lake Street to the point of beginning for this exclusion: thence South 188.86ft perpendicular with the south line of Lake Street; thence West 71.69ft perpendicular to last course; thence North 74.62ft; thence West 30ft; thence North 53.64ft; thence West 16.0ft; thence North 60.60ft to the south line of Lake Street; thence East 117.69ft along the south line of Lake Street to the point of beginning of this exclusion.



Kalamazoo, MI Parcels Information Report

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

Report Date: 4/16/2018

Parcel ID: 06-22-429-002

Property Address: 803 LAKE ST, KALAMAZOO, MI 49001

Estimated Acreage: 0.176

Land Class: 401

School District: 39010

Taxpayer: HAYES, MARGARET E

Taxpayer (care of):

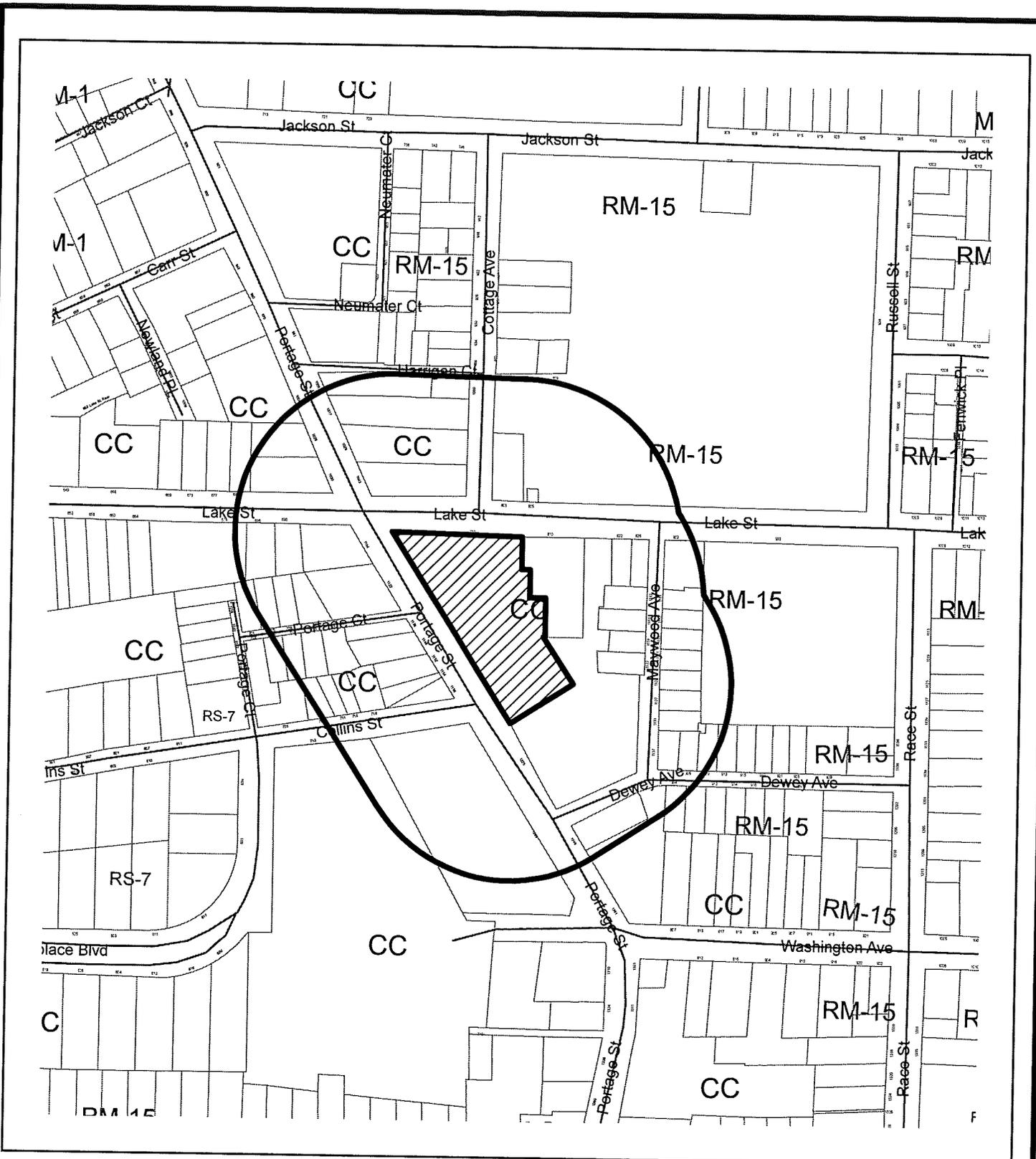
Taxpayer Address: 5539 COLLINGWOOD AVE,
KALAMAZOO, MI 49004

Taxable Value: 27533

Assessed Value: 29100

Homestead Pct: 100

Legal Description: 7752 COM AT NE COR OF LAKE & COTTAGE AVE N ALG E LI OF SD AVE 8R TO E & W 1/4 LI SEC22-2-11 E ALG SD 1/4 LI 57.5FT S 8R TO N LI LAKE ST W ALG SD N LI 57.5FT TO BEG.



300' Mailing Boundary
1101 Portage St.



1" = 300'
300'