

## Agenda

### City of Kalamazoo - Zoning Board of Appeals

July 12, 2018

City Commission Chambers, City Hall

7:00 p.m.

A. Call to Order:

B. Communications and Announcements:

C. Approval of Meeting Minutes for June 14, 2018

D. Public Hearings:

1. 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, and **2)** 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.
2. ZBA #18-07-17: 615 W. Kalamazoo Avenue. 615 Holdings LLC and 10<sup>th</sup> Street Enterprises LLC are 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 entire ground floor level in Zone CMU.
3. ZBA #18-07-18: 1311 Portage Street. Community Promise Federal Credit Union is requesting the following variance for the Community Promise Federal Credit Union tenant space at 1313 Portage Street. A variance from Chapter 7, Section 7.2 F, to allow an eight square foot sandwich board sign on the public sidewalk, where sandwich board signs in the right of way are only allowed in the Commercial Central Business District. Please note that if approved this sign will also require a temporary encroachment agreement be entered into with the City of Kalamazoo.
4. ZBA #18-07-19: 500 Golden Drive. Heritage Community of Kalamazoo is requesting a dimensional variance from Chapter 5, Section 5.1, to authorize a new 60 unit multi-tenant building which will be 68.5 feet in height, where the maximum height for structures in Zone RM-15 is 35 feet. This is a dimensional variance of 33.5 feet.
5. ZBA #18-07-20: 400 E. Cork Street. LED Lighting Wholesalers Inc. is requesting a dimensional variance from Chapter 7, Section 7.2 D, to allow 75% of the wall sign area to be changeable copy where in the M-2 District only 25% of the wall sign area may be changeable copy.

E. Other Business:

F. Adjournment:

**MINUTES  
CITY OF KALAMAZOO  
ZONING BOARD OF APPEALS  
June 14, 2018 - 7:00 p.m.  
CITY COMMISSION CHAMBERS**

**Members Present:** Matt Lager, James Houston, Reed Youngs, Chris Flach, Christina Doane

**Members Absent:** Jeff Carroll

**City Staff:** Pete Eldridge, Zoning Administrator; Clyde Robinson, City Attorney;  
Deanna Benthin, Recording Secretary

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

**COMMUNICATIONS AND ANNOUNCEMENTS:**

Mr. Eldridge stated the agenda item for 1109 Portage St. requested to move that application to the next regular meeting.

**MINUTES:**

**Mr. Houston moved to approve the minutes of May 10, 2018 as submitted, seconded by Mr. Lager.**

**Motion approved by voice vote unanimously.**

**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 3641 E. Cork Street, Parcel #06-25-485-003:

**ZBA# 18-06-14: 3641 E. Cork Street: An application for a variance to 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 items described above. There were fourteen notices of public hearing sent and zero responses were received.

Scott Bryer, spoke on behalf of the request, stating the pride in ownership and upgrade the facilities and property. Mr. Eldridge had spoken to him when he applied that there wasn't a hardship. Mr. Bryer stated the property to the south has a large bush that obstructs their sign coming from the south. He provided photographs that showed the obstruction due to the bush and stated the neighbor hasn't been willing to trim or remove the bush.

Mr. Houston questioned the new sign is to beautify that side of the building. Mr. Bryer stated correct, they've put in new windows, they'll be upgrading the building, and landscaping and they feel it's a graphic display. Mr. Houston questioned if they could achieve the effect of beautifying the building with a smaller sign. Mr. Bryer discussed the actual placement of the sign on the building, stating the sign isn't taking up the entire wall. The original intent was more than three and a half times the allowable sign size; he commented he could reduce the sign to only two and a half times the allowable size and obtain the same affect.

Mr. Lager commented it still functions as a sign and would be more than two and a half times the allowable size and he had issues with that.

Mr. Houston questioned if it would enhance or distract from the surrounding properties?

Mr. Eldridge commented the aerial view shows the bush in question. He stated the City has been trying to bring consistency to the sign regulations. He had spoken with Mr. Bryer and the issues with the neighbor not trimming the bush. The building itself doesn't sit that far back, the existing freestanding sign is visible. The wall area could have a conforming 200 sq. ft. wall sign. He discussed M1 Zone District sign regulations; the freestanding signs for that zone district have an allowable size of one sq. ft. of sign area per linear foot of street frontage. This site has 95 feet of street frontage, the current sign is 52 sq. ft. and could be up to 95 sq. ft. in area. Height wise it could be a maximum height could be 25 feet. He spoke of other taller permitted signs along E. Cork Street. The freestanding sign can be made more visible by the owner; they can place a wall sign on the front face of the building as well as the wall being discussed tonight.

Mr. Houston questioned if they put decorative art on that side of the building. Mr. Eldridge stated a mural has to be neutral content, it can't advertise a business or service, and it can't be a commercial signage in nature.

There were no comments from the public.  
Chair Youngs closed the public hearing.

## **FINDING OF FACT**

Mr. Flach moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 3641 E. Cork Street shall include all information included in the notice of public hearing dated May 30, 2018.

- 2.) Fourteen 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 lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter.
- 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: Scott Bryer stated the idea is to show pride in ownership with the sign, the hardship is the sign can't be seen from both directions in traffic. The neighbors bush impedes the vision of the sign. Staff said there are other options for signage. They could raise the sign up to 25 feet, enlarge it by 30 sq. ft. and have a conforming sign of 200 sq. ft. on the building

**Mr. Lager seconded the Finding of Fact.**

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

**Mr. Lager moved to approve the application, seconded by Mr. Doane.**

Mr. Houston commented the proposed signage exceeds the zoning limits. There are other alternatives, possibly reducing the size of the sign.

Ms. Doane commented there are other options for signs that meet the requirements.

Mr. Flach commented he appreciates they have pride in the ownership of their building, but they could have up to almost 400 sq. ft. of allowable signage. However, a sign that's three and a half times over the allowable requirement is too much.

Chair Youngs reviewed the criteria conditions that must be met to qualify and stated they are allowed a 200 sq. ft. sign and they have other options. If the Board grants this request then other request will follow for even larger signs.

**Motion denied by roll call vote unanimously.**

Mr. Houston read the application for 508 Harrison Street, Parcel #06-15-295-100:

**ZBA# 18-06-15: 508 Harrison Street: An application for a variance to 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 a variance only regarding the items described above. There were twenty-two notices of public hearing sent and zero responses were received.

Mike Flynn, Vice-President and Architect with Byce & Associates Inc. spoke on behalf of the applicant RiverCaddis. They responded to a request from the City of Kalamazoo's Brownfield Group to solicit to developers to develop this area. A team responded and they worked closely with the City and were awarded the bid. This is a proposed mixed-use, commercial /residential development, including MISHDA subsidized housing, market rate housing and work force housing. A commercial space, including a leasing office space, fitness area, community rooms for the residents, available leasing space also. Requirements for MISHDA strongly influence where the apartment buildings sits on the site. The intent of the development is to create a mixed use and mixed income development along the Rivers Edge on unused Brownfield land.

The first request is a use variance for residential units on the ground floor. Two buildings will have 42 apartments and the third will have 30 apartments. The footprints of the buildings and locations of the buildings forced them out towards Gull Road. Two are 1200 sq. ft. and a 900 sq. ft. building, which would require a lot of commercial floor space. Today's market need is for more housing. They are requesting to have more residents on the first floor.

The second, is a dimensional variance for parking, the required count is 1.5 spaces per unit they are asking for a reduction of 45 parking spaces out of the 215 required, bringing it down to a ratio of 1.25. This gives a total of 170 parking spaces in Phase 1. They can add more in the phased development if the market requires more they can provide it.

Chair Youngs clarified the boundaries, if it was owned by the Brownfield. Mr. Flynn stated yes. They discussed the area around them that's in the flood plain area.

Mr. Houston questioned the placement of the building, north of the River Walk. Mr. Flynn commented on the City's new urban look for buildings and wanting them on the street edge now. There was some discussion on the water run off issues that would be finalized in the site plan approval process. Along with discussions on the placement of buildings for the privacy of the tenants and boundaries between the neighbors. The intent of MISHDA is for affordable housing, and mixed income units.

Mr. Eldridge commented on other similar projects. This is within the Master Plan; it's a walkable mixed use area. One building is all commercial on the ground floor, another with commercial on the ground floor and residential above, and residential in the other buildings. City staff supports this; it meets the intent of the mixed use language. The building positioning on the street edge is desirable. The off-street parking requests granting for the Walbridge Street project was approved, it was for a 30% reduction, Heritage Community project had 16% reduction approval, that project hasn't moved forward yet. This request is at

20% reduction difference. Mr. Eldridge spoke to the reserved areas for future Food Trucks, those spaces could be available. Noting not all tenants will have cars.

John McGraw commented on the parking, they've noticed in development they fail if there are not enough parking spots at a development.

Chair Youngs questioned their starting date. Mr. Flynn stated site work could begin in fall of 2018 with the first three buildings. Spring on 2019 would begin the phase 1 commercial building.

Chair Youngs closed the public hearing.

## **FINDING OF FACT**

Ms. Doane moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 508 Harrison Street shall include all information included in the notice of public hearing dated May 30, 2018.
- 2.) Twenty-two 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 lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter.
- 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: Mike Flynn with Byce & Associates, spoke on behalf of RiverCaddis, stating the housing project contains MISHDA low income and work force housing and commercial spaces. They worked closely with the City to create a mixed use area in the Brownfield space. The need for housing is greater than the need for commercial space. The second request is for fewer parking spaces, research indicates they will meet Phase 1 needs for parking. They wish to build to demand, not to excess. They have planned for the flood concerns in the building design. Staff stated similar past projects have been approved and this fits the Master Plan for intent. They gave other examples of similar projects in regards to design and parking. Potential for growth exists for parking. John McGraw commented they have to provide proper parking to succeed and is very excited about this project. Mr. Flynn stated they hope to start the project in the fall of 2018.

**Mr. Houston seconded the Finding of Fact.**

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

**Mr. Lager moved to approve the application for part 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, seconded by Mr. Houston.**

Mr. Houston stated it meets the future plans and development for the area.

Chair Youngs reviewed the criteria conditions that must be met to qualify and stated he was in favor.

**Motion approved by roll call vote unanimously.**

**Mr. Houston moved to approve the application for part 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, seconded by Mr. Lager.**

Mr. Flach stated he was in favor, citing the need for affordable housing,

Chair Youngs reviewed the criteria conditions that must be met to qualify and stated he was in favor.

**Motion approved by roll call vote unanimously.**

**OTHER BUSINESS:**

**ADJOURNMENT:**

**The meeting was adjourned at 8:02 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.kalamazoo.org](http://www.kalamazoo.org)

NOTICE OF PUBLIC HEARING

June 27, 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)** 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, and **2)** 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, July 12, 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.kalamazoo.org/boards](http://www.kalamazoo.org/boards)

If you have any questions, please call (269) 337-8026 or submit by email at [eldridgep@kalamazoo.org](mailto:eldridgep@kalamazoo.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 C1 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)

**Signature of Applicant** *Matt Hollander* 5/15/18  
**Signature of Owner (if different than applicant)** *K. J. Hartmann, Jr.* 5/16/2018  
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%)

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**61% 1<sup>st</sup> Floor Residential**  
**39% 1<sup>st</sup> 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







## 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

**Property Address:** 1101 PORTAGE ST, KALAMAZOO, MI  
49001

**Estimated Acreage:** 1.404

**Land Class:** 701

**School District:** 39010

**Taxpayer:** KALAMAZOO COUNTY LAND BANK

**Taxpayer (care of):**

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

**Taxable Value:** 0

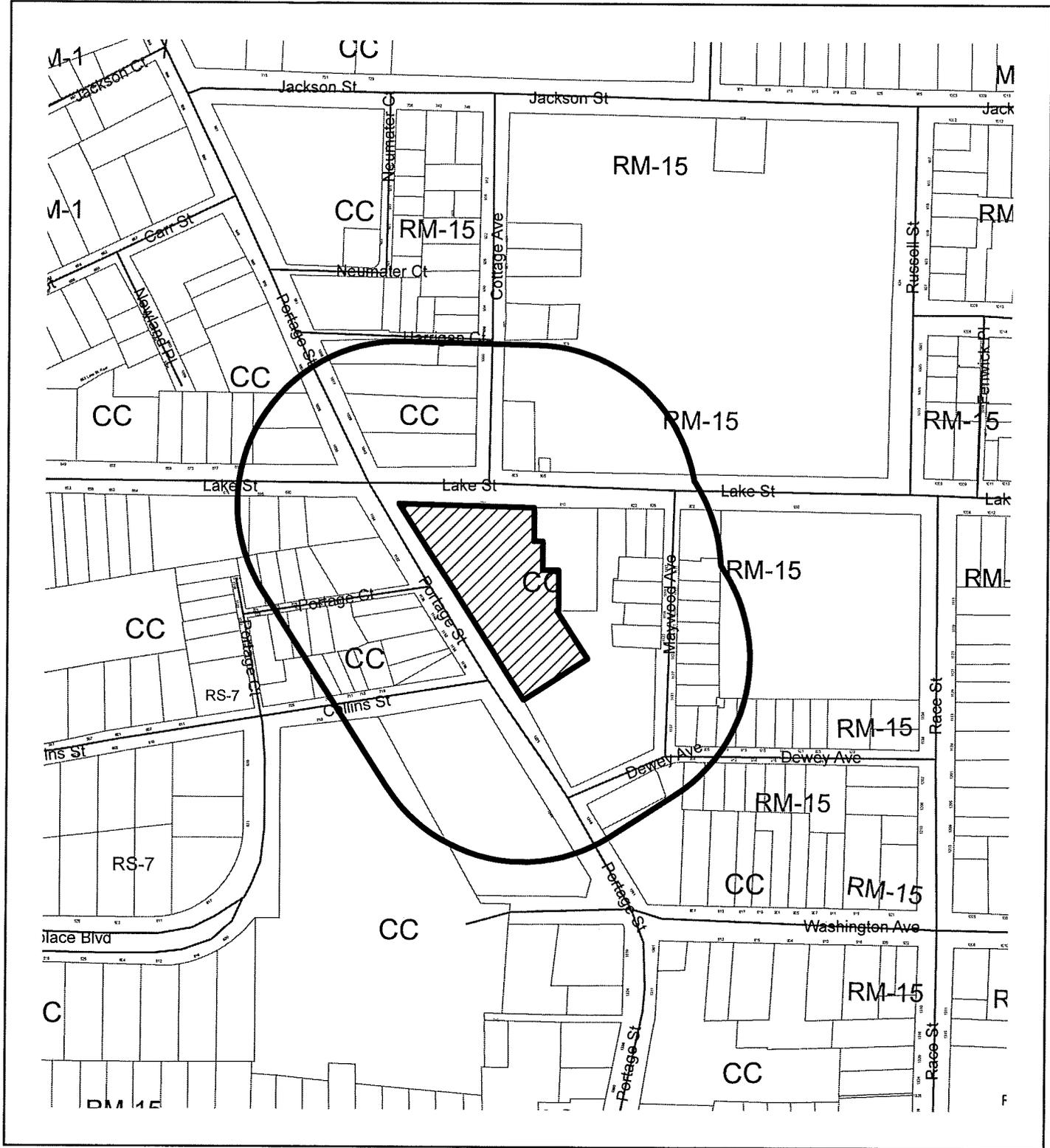
**Assessed Value:** 0

**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.



300' Mailing Boundary  
1101 Portage St.



1" = 50 Feet  
090



**Community Planning and Development**

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

[www.kalamazoocity.org](http://www.kalamazoocity.org)

NOTICE OF PUBLIC HEARING

June 27, 2018

**RE: 615 W. Kalamazoo Avenue  
Parcel #06-16-437-104  
ZBA #18-07-17**

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 615 Holdings LLC and 10<sup>th</sup> Street Enterprises LLC. The request concerns the property at 615 W. Kalamazoo Avenue, which is being rezoned to CMU, Commercial – Mixed Use 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 entire ground floor level in Zone CMU.

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

A public hearing will be held on **Thursday, July 12, 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](http://www.kalamazoocity.org/boards)

If you have any questions, please call (269) 337-8026 or submit by email at [eldridgep@kalamazoocity.org](mailto: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 615 Holdings LLC + 10th Street Enterprises LLC  
Address 119 N. Church St  
City, State, Zip Kalamazoo Michigan 49007  
Phone 269-342-9900 Cell 269 491 4736  
Fax 269 342 0280 Email William.k.murphy@sbcglobal.net

**Owner:** Name ~~Kalamazoo~~ 615 Holdings LLC + 10th Street Enterprises LLC  
Address 119 N. Church Ste 202  
City, State, Zip Kalamazoo Michigan 49007  
Phone 269 342-9900 Cell 269 491-4736  
Fax 269 342 0280 Email William.k.murphy@sbcglobal.net

(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 615 W. Kalamazoo Avenue 49007

This property is located between S Westridge Ave street and E/M street, on the

north  south  east  west side of the street.

CCN# 06-16-437-104 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 See attached

**Attachments** \$495.00

- \$ 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 William K Murphy Date 6-1-18

Signature of Owner (if different than applicant) \_\_\_\_\_ Date \_\_\_\_\_

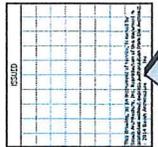
615 Holdings, LLC has submitted a proposed redevelopment plan for 615 West Kalamazoo Avenue. This involves razing all current structures, and the construction of two identical mixed-use, three-story buildings.

The buildings will have commercial space on the first floor of each building and four one-bedroom apartments on the second and third floors.

The use variance is necessary to allow one ADA compliant apartment on the first floor of each building.

615 W Kalamazoo  
Kalamazoo, Michigan 49007

PRELIMINARY  
NOT FOR  
CONSTRUCTION  
2/9/18

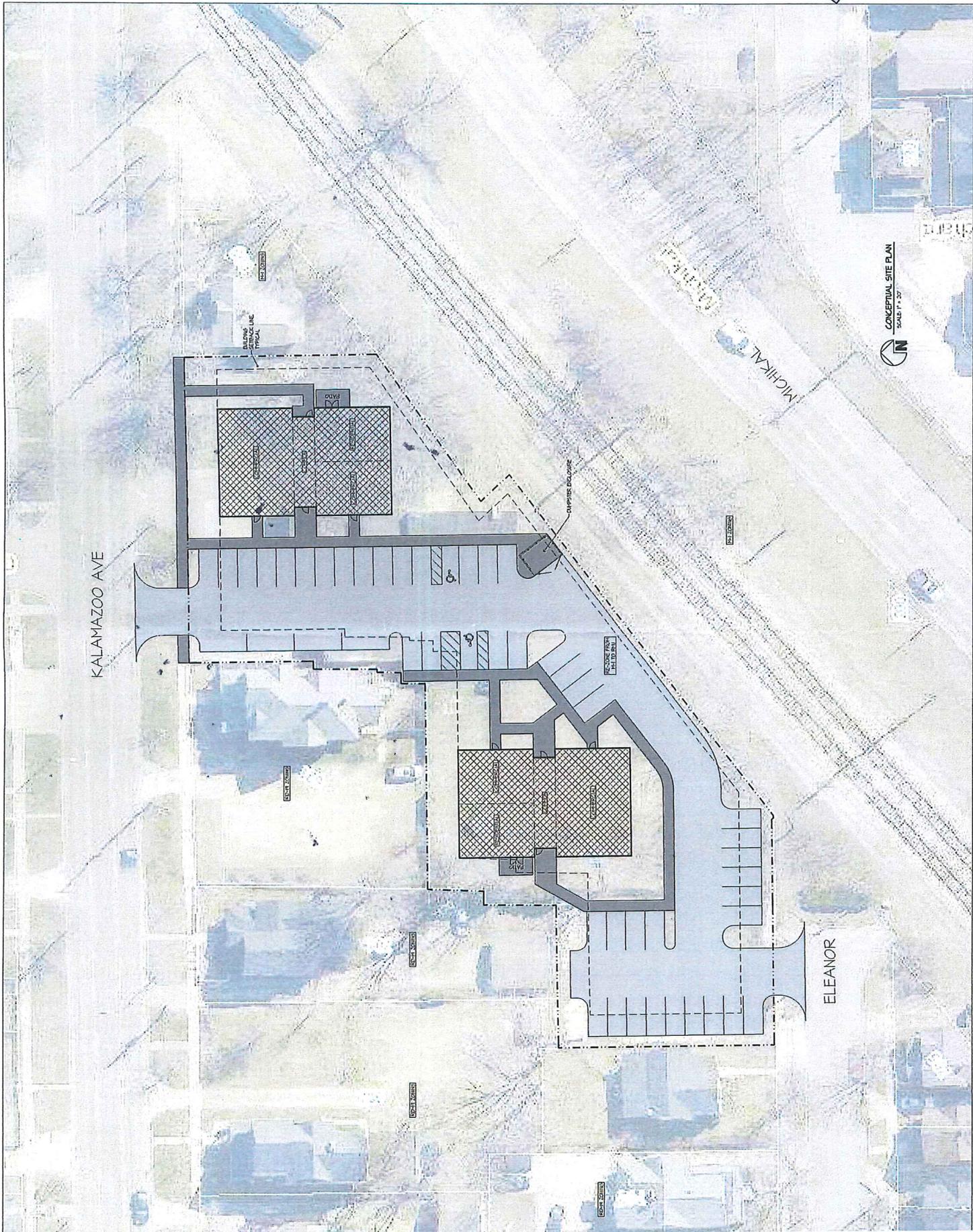


PRO NUMBER  
18013

CONCEPTUAL  
SITE PLAN

C001

180132001.dwg

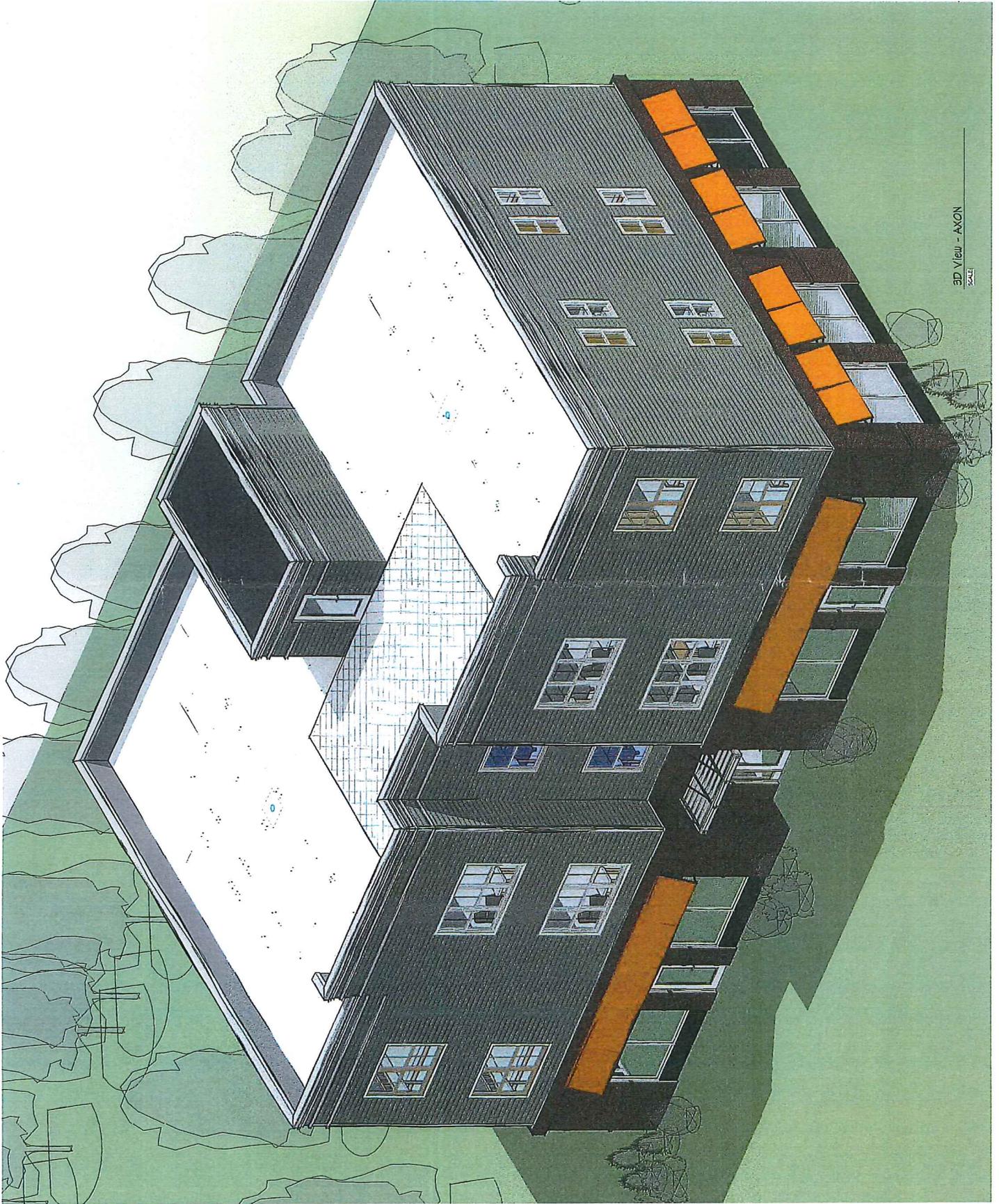


CONCEPTUAL SITE PLAN  
SCALE 1" = 20'



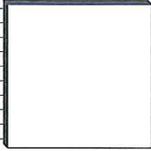






3D View - AXON  
SCALE

615 W. Kalamazoo Ave  
615 W. Kalamazoo Ave, Kalamazoo Michigan



**bosch**  
ARCHITECTURE  
ARCHITECTURE  
INTERIOR DESIGN

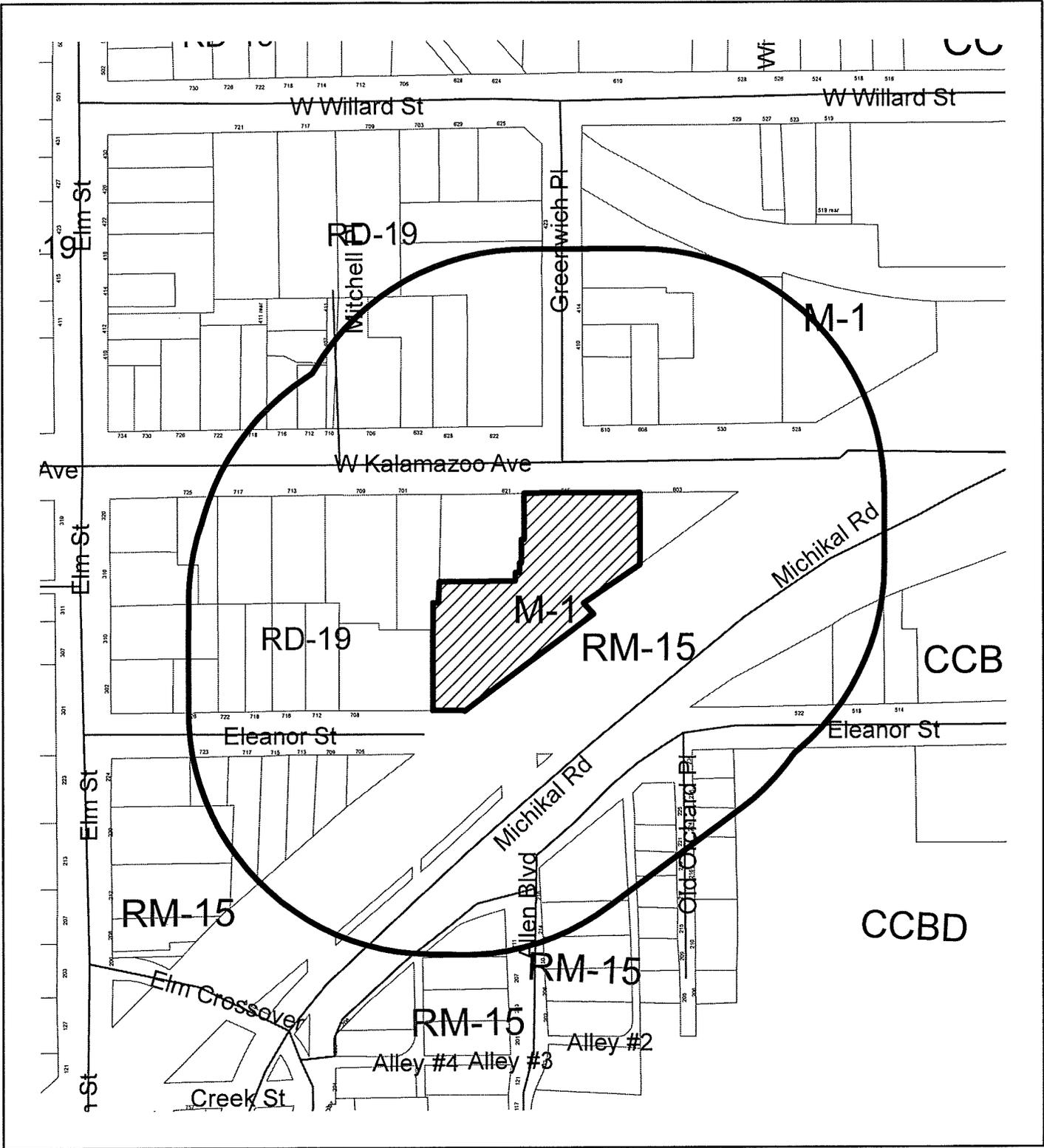
8000 Westland Parkway  
Westland, MI 48186  
PH: 248-321-0101  
www.boscharch.com

PROJECT NO. 18013

2/20/18 9:00:15 PM

2002

SCALE: ARCHITECTURAL  
RENDERINGS



300' Mailing Boundary  
 615 W. Kalamazoo Ave.



1" = 100 Feet  
 0.918



**Community Planning and Development**

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

[www.kalamazoocity.org](http://www.kalamazoocity.org)

NOTICE OF PUBLIC HEARING

June 27, 2018

**RE: 1311 Portage Street  
Parcel #06-23-320-201  
ZBA #18-07-18**

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 Community Promise Federal Credit Union. The request concerns the property at 1311 Portage Street, which is situated in use Zone CC, Community – Commercial District.

The applicant is requesting the following variance for the Community Promise Federal Credit Union tenant space at 1313 Portage Street. A variance from Chapter 7, Section 7.2 F, to allow an eight square foot sandwich board sign on the public sidewalk, where sandwich board signs in the right of way are only allowed in the Commercial Central Business District. Please note that if approved this sign will also require a temporary encroachment agreement be entered into with the City of Kalamazoo.

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

A public hearing will be held on **Thursday, July 12, 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](http://www.kalamazoocity.org/boards)

If you have any questions, please call (269) 337-8026 or submit by email at [eldridgep@kalamazoocity.org](mailto: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 Community Promise Federal Credit Union
Address 1313 Portage Street
City, State, Zip Kalamazoo, MI 49008
Phone 269-459-1777 Cell
Fax Email info@CommunityPromiseFCU.org

Owner: Name Angela Brown, CEO
Address 1313 Portage Street
City, State, Zip Kalamazoo, MI 49001
Phone 269-459-1777 Cell 248-229-3288
Fax Email abrown@CommunityPromiseFCU.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 1313 Portage Street
This property is located between Washington street and Stockbridge street, on the
north south east west side of the street.
CCN# 06-23-320-201 Zone CC - Community Commercial

Type of Request

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

[X] 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.)

[X] 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 use of sandwich board on sidewalk.

Attachments

- [X] \$275 Fee
[X] 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)
[X] Additional attachments as needed e.g. (pictures, architectural drawings, petitions, etc. (2 copies)

Signature of Applicant Date 6/12/2018

Signature of Owner (if different than applicant) Date

RECEIVED JUN 12 2018



June 12, 2018

Zoning Board of Appeals  
415 Stockbridge Ave  
Kalamazoo, MI 49001

Mr. Peter Eldridge  
Zoning Administrator

I am writing and submitting a form of appeal regarding the placement of a sandwich board sign on the sidewalk near the entrance of the Community Promise Credit Union. We have received a citation informing us that a sandwich is not allowed in this location. Reason given is that the sign will cause too much congestion and interfere with the pedestrian traffic on the sidewalk.

I am asking that we be exempted from this ordinance as the attached pictures will show (one taken by the zoning inspector, and one taken by an attendee at the last Art Hop) that there is ample space for normal pedestrian traffic. This is especially, shown in the picture taken at the Art Hop.

The main reason for our request is that without the sandwich board being placed on the sidewalk our walk-in business is materially affected, sometimes by as much as 10% in a month's time. For a small new business this has an adverse effect on our bottom line. Therefore, since there is not impediment to the pedestrian traffic, but there is significant detriment to our business, that a variance be granted from the relevant ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Brown", with a long horizontal line extending to the right.

Angela Brown, CEO  
Community Promise FCU  
1313 Portage Street  
Kalamazoo, MI 49001  
269-459-1777



Community Planning & Development Department  
Code Administration  
415 Stockbridge Avenue  
Telephone: (269) 337-8026  
FAX: (269) 337-8513

## ZONING VIOLATION NOTICE

05/22/2018

KALAMAZOO COUNTY LAND BANK  
1523 RIVERVIEW DR STE A  
KALAMAZOO, MI 49004

PROPERTY ADDRESS: <sup>1313</sup> ~~1311~~ PORTAGE ST  
CCN#: 06-23-320-201 CASE #: EN18-1354

Dear Property Owner:

The above referenced property is in violation of the City of Kalamazoo's Zoning Ordinance as follows:

### Ordinance Citation: § 7.2 F

*Signs on Public Property. No permanent or temporary/portable sign of any type may be erected or moved onto public property without written approval from the City, except that sandwich board signs with a sign face area of no more than eight square feet per side may be used on public property in the CCBD zone district. Prior to the use of a sandwich board sign on public property in the CCBD zone district, an encroachment permit must be obtained from the City of Kalamazoo and must be consistent with the Kalamazoo Downtown Design Guidelines.*

**Violation Description:** Sidewalk sign in right of way.

**Correction(s) Required:** Remove sidewalk sign

**Correction(s) shall be completed by:** 6/5/2018

The violation must be corrected by the date listed above and the property will be re-inspected by the inspector listed below. Failure to comply will result in an enforcement letter, additional cost recovery fees, and/or a Municipal Civil Infraction Citation, and/or a referral to the City Attorney's Office for appropriate legal action.

If you have any questions concerning this matter, please contact (269) 337-8026 and ask to speak to the inspector listed below. It is our hope that the matter can be resolved without further enforcement actions.

Sincerely,

Bobby Durkee, Zoning Inspector

c: 1311 PORTAGE ST - property file

COMMUNITY PROMISE CREDIT UNION  
1325 PORTAGE ST  
KALAMAZOO, MI 49001



# Cover Photos

https://m.facebook.com



FACEBOOK. TO CONNECT WITH Washington Square - Kalamazoo, log into Facebook.

**Log In**

or

**Join**

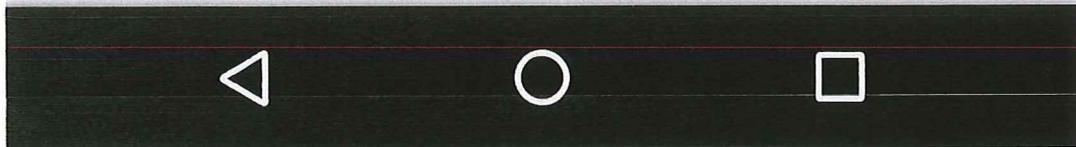


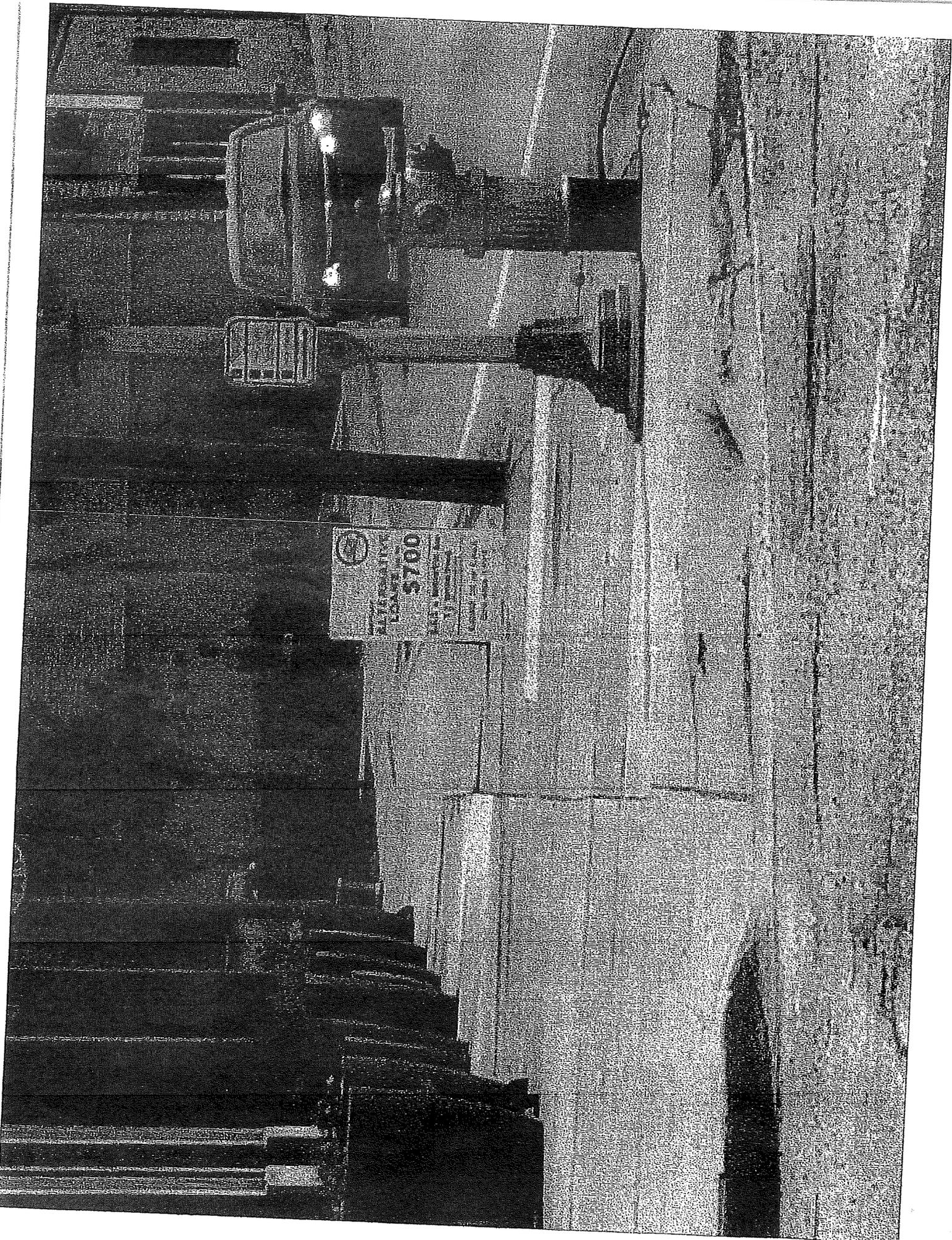
## Washington Square - Kalamazoo

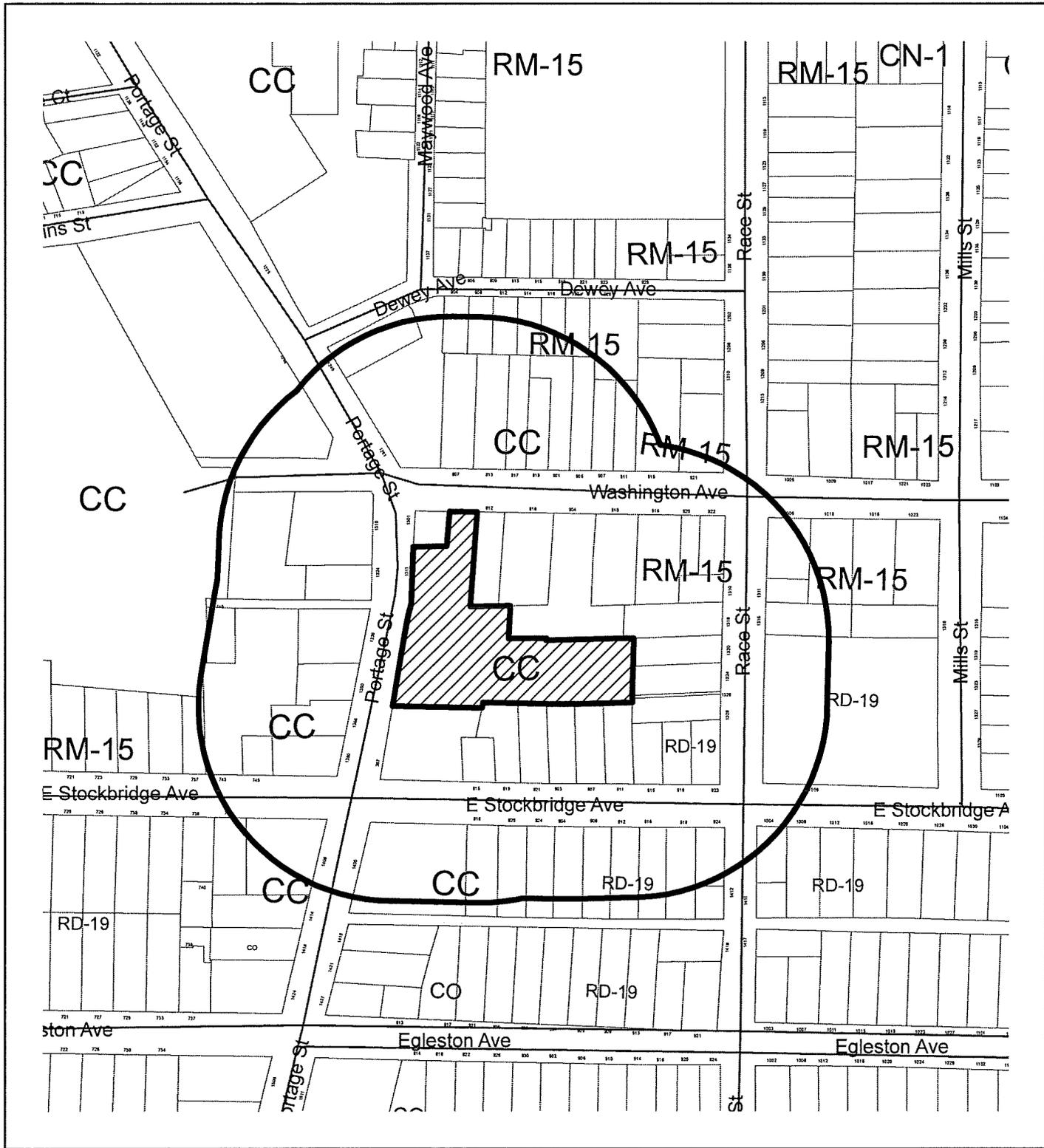
With Marcia Aguirre and Jorge Balderas

Cover Photos · Oct 23, 2017 ·

[View Full Size](#)







300' Mailing Boundary  
 1311 Portage St.



1" = 600 Feet  
 6/20



**Community Planning and Development**

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

[www.kalamazoocity.org](http://www.kalamazoocity.org)

NOTICE OF PUBLIC HEARING

June 27, 2018

**RE: 500 Golden Drive  
Parcel #06-27-425-002  
ZBA #18-07-19**

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 the Heritage Community of Kalamazoo. The request concerns the property at 500 Golden Drive, which is situated in use Zone RM-15, Residential – Multi Dwelling District.

The applicant is requesting a dimensional variance from Chapter 5, Section 5.1, to authorize a new 60 unit multi-tenant building which will be 68.5 feet in height, where the maximum height for structures in Zone RM-15 is 35 feet. This is a variance of 33.5 feet.

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

A public hearing will be held on **Thursday, July 12, 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](http://www.kalamazoocity.org/boards)

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

Sincerely,  
ZONING BOARD OF APPEALS

A handwritten signature in blue ink that reads "Peter C. Eldridge".

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 Heritage Community of Kalamazoo  
Address 2400 Portage Road  
City, State, Zip Kalamazoo, MI 49001  
Phone (269) 382-1255 Cell (616) 808-6523  
Fax (269) 382-2424 Email jprince@heritagecommunity.com

**Owner:** Name Heritage Community of Kalamazoo  
Address 2400 Portage Road  
City, State, Zip Kalamazoo, MI 49001  
Phone (269) 382-1255 Cell (616) 808-6523  
Fax (269) 382-2424 Email jprince@heritagecommunity.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 500 Golden Drive, Kalamazoo MI 49001

This property is located west of Portage Road between Miller Road and Roseland Ave.

north  south  east  west side of the street.

CCN# Parcel ID: 06-27-425-002 Zone RM-15

**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** Dimensional Variance for relief to Chapter 5, Section 5.1 Residential District Standards Table 5.5-1 Maximum Building Height in RM-15 District. Refer to attached Letter Narrative.

**Attachments**

- \$275 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

Date

6-12-18

Signature of Owner (if different than applicant)

Date



# HERITAGE COMMUNITY

OF KALAMAZOO

*Local Roots. Vibrant Senior Living.*

## Independent Living

Wyndham Apartments

Heritage Hills Apartments

## Assisted Living

Directors Hall

Wyndham West

## Memory Care

Amber Way

Amber Place

Amber Gardens

## Skilled Nursing

Harold & Grace Upjohn  
Care & Rehabilitation Center

## Heritage Community of Kalamazoo Foundation

2400 Portage Street  
Kalamazoo, MI 49001  
p: 269.382.1255  
f: 269.382.2424  
heritagecommunity.com

June 12, 2018

City of Kalamazoo Zoning Board of Appeals  
c/o: Mr. Peter C. Eldridge, AICP  
415 Stockbridge Ave.  
Kalamazoo, Michigan 49001  
Phone: (269) 337-8026

Re: Heritage Community of Kalamazoo: New Independent Living  
500 Golden Drive, Kalamazoo, MI, 49001  
Variance Request to the Zoning Board of Appeals

Dear Zoning Board of Appeals:

Heritage Community of Kalamazoo (HCK) submits this letter as reference to the submitted *Application Request to the Zoning Board of Appeals*, requesting a Dimensional Variance to the City of Kalamazoo Zoning Ordinance requirements. The below-requested variance pertains to a multi-unit residential apartment structure as a site-specific project proposed for the Heritage Campus parcel addressed at 500 Golden Drive, within the City of Kalamazoo's RM-15 Residential Zoning District.

The proposed new multi-unit residential development is planned to be an expansion of HCK's Independent Living program currently offered on the existing campus. Collaborating with Heritage Community in the planning and design of this project is Perkins Eastman as architect, Byce & Associates, Inc. as civil engineer, and Greenbrier Development as financial and development consultant.

The new Independent Living building will provide 60 new market-rate apartments in a four-story structure targeted for sale to the senior community of greater Kalamazoo. The development will also include underground parking, an internal dining venue with satellite kitchen, a wellness component, outdoor terrace and support spaces.

Currently residing on the proposed development parcel is Heritage Hills, a collection of 73 HUD apartment units distributed amongst eight separate single-story buildings. These existing structures to be demolished to facilitate proposed development, are nearly 50 years old and would require substantial renovation and repair to remain in operation. In addition to having surpassed their serviceable life expectancy, these buildings present significant accessibility challenges to their elderly user group. The proposed new Independent Living building will be constructed at the location of these outdated structures, once all current residents have been successfully relocated. Although HCK has not had success obtaining funding for a new HUD project, they have been fortunate to partner with a local HUD community to provide new housing options for relocation of the current Heritage Hills HUD residents.

### **Dimensional Variance Request - Relief to Maximum Building Height Requirement**

We kindly request that the City ZBA exercise their reasonable flexibility in granting approval of a single necessary dimensional variance to facilitate the proposed IL Building development; requesting relief from the maximum building height requirement applicable to the RM-15 Zoning District, as noted in Table 5.1-1 Residential District Standards [Amended 3-19-2007 by Ord. No. 1822] to be 35 feet maximum building height. We request a height variance be granted, to extend the allowable building height to 68 feet 6 inches, or 33 foot 6 inches beyond the allowable maximum building height, according to Zoning Ordinance definition for determination of building height for sloping roofs.

The new Independent Living (IL) Building will enable HCK to offer an enhanced residential product to the Kalamazoo Senior Living community; one that is currently lacking in the Kalamazoo senior living market, according to demographic studies produced by Greenbrier Development. The proposed IL building will incorporate features designed to meet the expectations of this market. These include, but are not limited to; taller ( $\pm$  9 ft) ceilings, generous green space and smaller, more compact, building footprints.

The compact floor-plate will enable reduced travel distances and thereby affords shorter corridors as opposed to those typically found in market-rate, multi-unit environments. The proposed four-story building structure is necessary to achieve the smaller building footprint demanded in the older adult housing market while maintaining the pro forma requirement of 60 dwelling units at an average of 1,400 square feet. This will necessitate a building height in excess of the 35 foot maximum prescribed for the RM-15 District.

Please provide ample consideration to the following design objectives, which we feel facilitate a necessity for the requested increased building height, in order to provide a more compact floorplate:

- More open green space: A smaller building footprint affords more opportunities for landscaping while naturally providing less impervious surfaces and therefore less drainage run-off. It will also present opportunities for incorporation of additional walking trails in conjunction with Portage Creek Corridor Master Planning efforts.
- Closer proximity to campus: The compact/taller building will be positioned in closer proximity to the greater HCK campus. This will promote community inclusion and discourages the “us versus them” dynamic that sometimes occurs when senior living communities construct new components.

- Solution to topographical concerns with the site: the proposed building footprint works with the severe grade change on the site without requiring multiple level changes to access residential and commons spaces.
- Roof forms: The building will have pitched gable and hip roofs. The measurement of pitched roofs, per the ordinance, inherently nets a greater dimensional height in comparison to flat roofs. But the pitched roof forms offer a necessary residential aesthetic that will be critical in the marketing of this project, as well as visual cohesion with the existing HCK campus context.
- Taller ceilings: The targeted demographic expects a gracious interior environment, including ceilings approximating  $\pm 9$  feet.
- Cost efficiency: The cost per unit of dwelling units tiered on four floors is less expensive to than that for dwelling units tiered on three floors. This efficiency affords the Owner to redirect funds toward other building attributes, such as high quality exterior building materials.

We believe the above-requested Dimensional Variance request for relief to maximum building height is consistent with the required standards pursuant to the *City of Kalamazoo Zoning Ordinance Article 8.3 E. 4 b)*, as required for ZBA approval of the noted variance request. Please also consider the following comments to the review standards set forth, in your deliberation:

- 1) *There are special circumstances or conditions that are peculiar to the land or structure for which the variance is sought, that is not applicable to other land or structures in the same zone district.*

**Comment:** The structure is designed to meet the expectations of an age-specific demographic not common to some of the other structures in the same RM-15 zone district, which is the Heritage Community campus. As cited above, the desire to build taller/more compact qualifies as a special circumstance required to attract the unique target market in order to ensure the fiscal and competitive viability of the project, and, in so doing, Heritage Community as a whole.

- 2) *The special circumstances are not the result of the actions of the applicant or titleholder of the land.*

**Comment:** Special conditions are not the result of the applicant, or current titleholder of the land, rather of the current market expectations and site demographics

- 3) *The literal interpretation and enforcement of the terms and provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zone district, and would cause practical difficulty.*

**Comment:** The enforcement of the terms and provisions specific to the 35 foot height restriction for the RM-15 district would deprive the applicant of privileges already appreciated by other land within the same district, which includes surrounding properties within the Heritage Campus. A point of comparison and precedence is HCK's other independent living product, the existing Wyndham Apartments; constructed in 1990 on the

parcel at the southeast corner of Portage and Phillips Streets. The height of Wyndham's highest pitched roof section, measured to the mean height between the eaves and ridge per § 5.3.E.1 c), measures approximately 51 feet above the average grade plane, exceeding the 35 foot restriction by at least 16 feet. Enhancing this condition, the Wyndham building resides on the HCK property characterized by the highest grade plane of the entire campus.

- 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:** Construction of Independent Living senior housing presents one of the least impactful uses of the site. Traffic impact is minimal based on senior driving habits (average age 75), and will most likely be less impactful than the current property use. Staffing at HCK only increases by approximately 2 employees as a result of this Project. The quality of the building exteriors, the surrounding landscaping, and the walking trails will improve the aesthetic on the site and will increase neighbor pedestrian interaction on the site.

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

**Comment:** Granting of the requested variance, and thus facilitating the development of the new Independent Living building at 500 Golder Drive, would be beneficial to adjacent land and surrounding stakeholders by allowing construction of an attractive residential structure with high quality exterior materials, surrounded by open green space and opportunities for enhanced landscaping. The southernmost projection of the building footprint will be positioned an additional 23 feet beyond the property's southern 25 foot property line setback distance, offering additional opportunities for trees and shrubs to screen residential views from south. The existing vegetated buffer between development and southerly residential properties is intended to be preserved to the maximum extent feasible.

Additionally, we wish to note that the location of the proposed new building relative to the overall campus will be significantly "inboard" of major street frontage to the east and north. The building's easternmost building face will be more than 1,000 feet to the west of Portage Street, and its northernmost building face will be more than 600 feet to the south of Phillips Street.

The building's inboard location in reference to these streets can be further underscored with reference to topography. The southwesterly fall in grade on the HCK campus from its highest point (El. 852', near the corner of Portage and Phillips Streets) to its lowest point (El. 784, where its southern property line meets Portage Creek) is significant. The anticipated positioning of the new building's 1<sup>st</sup> floors at El. 818.0 will negate its height due to this drop in grade.

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

**Comment:** It is our understanding that the prescriptive requirements of the current zoning ordinance, and specifically its requirements for the RM-15 zone district, are based on what can be described as "traditional" apartments. The proposed Independent Living project is a more "specific" age-segregated use commonly provided in senior living communities such as

HCK, several types of which are listed in the Use Table in § 4.1 as Specific Uses under "Group Living". Several of these typologies have been reviewed, approved, and constructed at HCK as Special Uses. In our opinion, the new Independent Living building warrants that same consideration.

We appreciate your consideration to the circumstances of the above noted variance request to the City of Kalamazoo Zoning Board of Appeals. Please feel free to contact us with any questions pertaining to the above noted exceptions.

Sincerely,

HERITAGE COMMUNITY OF KALAMAZOO

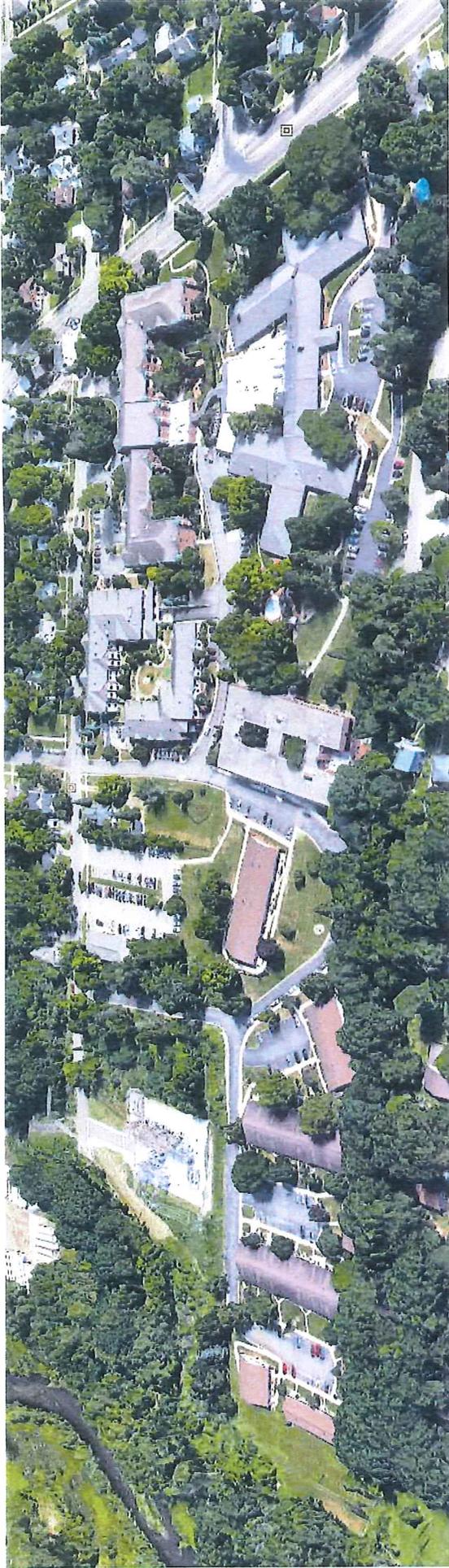


Jay Prince  
President & CEO

cc: Rachel Olmsted, HCK  
Gene Hooton, Greenbrier Development  
Jerry Walleck, Perkins Eastman  
Dennis Ryan, Perkins Eastman  
Danielle Rhodes, Byce & Associates

Enclosure:

- Application Request To The Zoning Board of Appeals
- ZBA Application Fee (\$275)
- Graphics Package (7 pages): Conceptual Site Plan, Aerial Views, Perspective Views, South Elevation



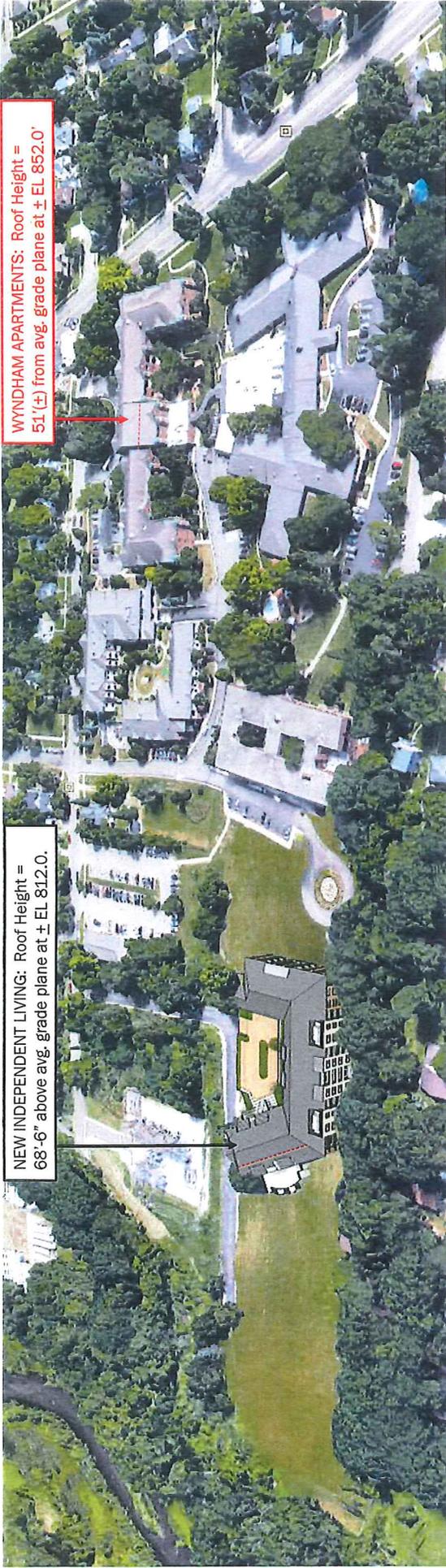
From Google Earth ↑



← From City of Kalamazoo Pictometry Imagery

## Existing Site Context





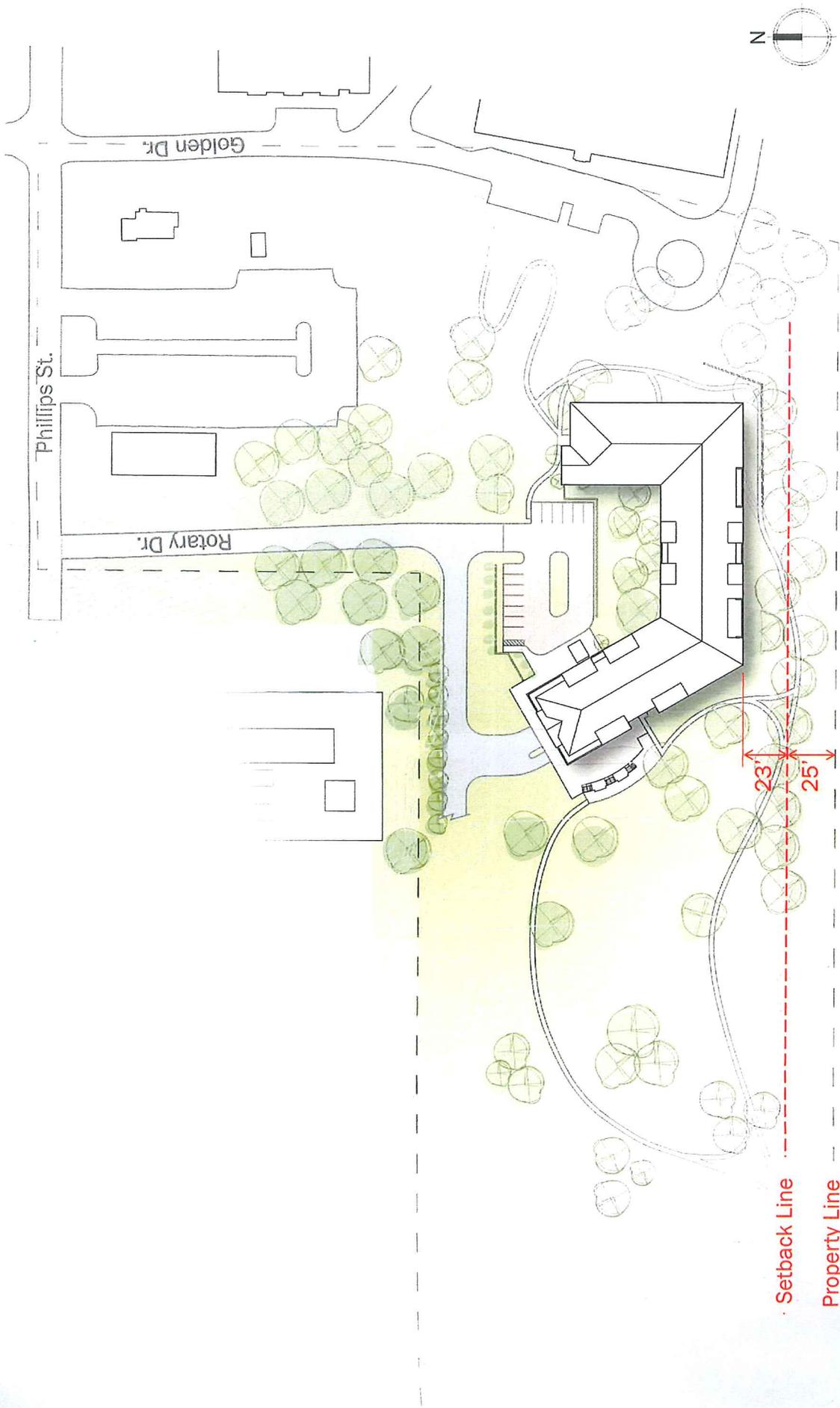
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← From City of Kalamazoo Pictometry Imagery

# Proposed Site Context





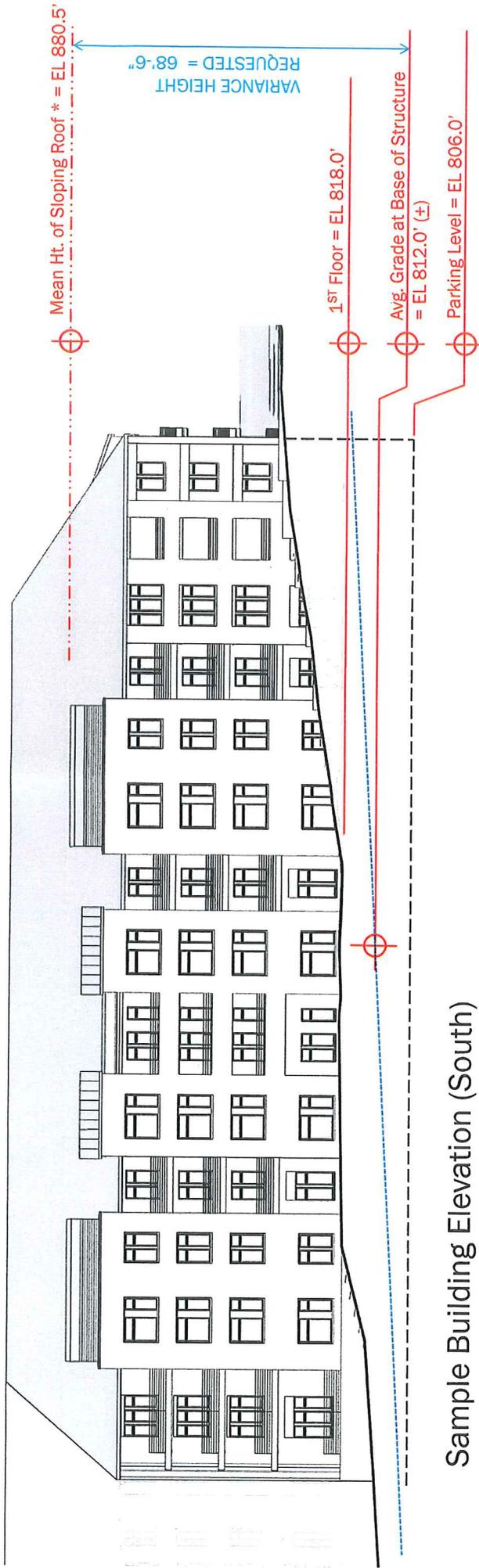
# Proposed Site Plan



Perspective: Facing South-Southeast

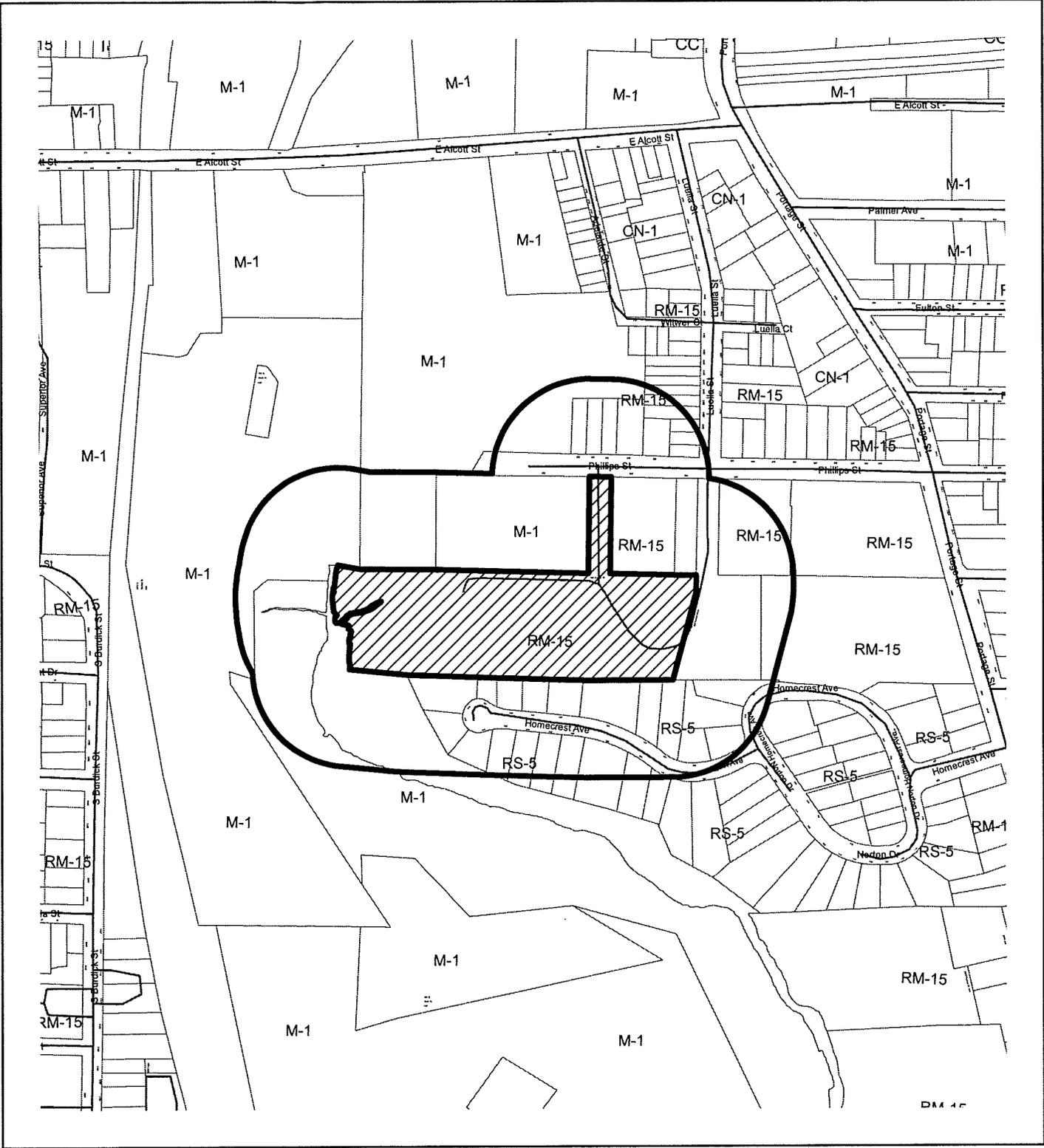


Perspective: Facing West-Northwest



Sample Building Elevation (South)

\* Per § 12.3 E 1 c): "Building height is measured as the vertical distance from grade at the base of the structure to the mean height between the eaves and ridge on gable, hip or gambrel roofs."



300' Mailing Boundary  
500 Golden Dr.



0 30 Feet



**Community Planning and Development**

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

[www.kalamazoocity.org](http://www.kalamazoocity.org)

NOTICE OF PUBLIC HEARING

June 27, 2018

**RE: 400 E. Cork Street  
Parcel #06-34-208-001  
ZBA #18-07-20**

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 LED Lighting Wholesalers Inc. The request concerns the property at 400 E. Cork Street, which is situated in use Zone M-2, Manufacturing –General District.

The applicant is requesting a dimensional variance from Chapter 7, Section 7.2 D, to allow 75% of the wall sign area to be changeable copy where in the M-2 District only 25% of the wall sign area may be changeable copy.

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

A public hearing will be held on **Thursday, July 12, 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](http://www.kalamazoocity.org/boards)

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

Sincerely,  
ZONING BOARD OF APPEALS

A handwritten signature in blue ink that reads "Peter C. Eldridge".

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

RECEIVED JUN 12 2018

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 LED Lighting Wholesale Inc  
Address 400 East Cork Street  
City, State, Zip Kalamazoo, MI 49001  
Phone 269-775-1080 Cell 269-366-0198  
Fax \_\_\_\_\_ Email Eruch@ledlightingwholesaleinc.com

Owner: Name Gar Gillespie  
Address 3312 Mindi Lane  
City, State, Zip Kalamazoo, MI 49001  
Phone 269-343-6660 Cell 269-501-5038  
Fax \_\_\_\_\_ Email \_\_\_\_\_

(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 400 East Cork Street Kalamazoo, MI 49001  
This property is located between Burdick street and Mindi Lane street, on the  
 north  south  east  west side of the street.  
CCN# 06-34-208-001 Zone M-2

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 Changeable copy sign bigger than 25% of the sign

Attachments

- \$ 275 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 6/11/18  
Signature of Owner (if different than applicant) [Signature] Date 6/11/18

LED Lighting Wholesale Inc sells commercial and industrial LED Lighting Fixtures and LED Signs, we are asking for a variance to be granted so we can display one of our signs on our building, 4x6' change able copy LED sign. The building is located at 400 East Cork Street, we are set off the street over 40ft with no residential in the area. Across the street on the north side is a large vacant lot. The sign would not bother anybody and would help us attract more business.

Thank you for your consideration

Erich Adalbert

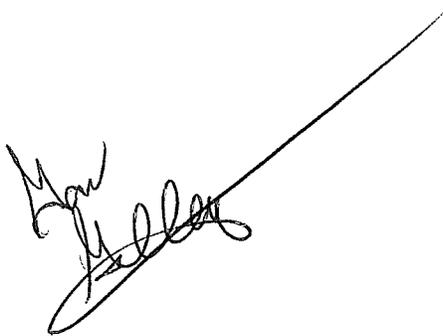
LED Lighting Wholesale Inc

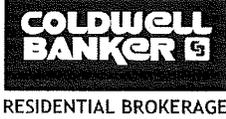
[www.ledlightingwholesaleinc.com](http://www.ledlightingwholesaleinc.com)

269-775-1080

I, Gar Gillespie the property owner of 400 East Cork Street gives LED Lighting Wholesale permission to put up a 4x6 Changeable copy LED sign on the building; and I agree to the variance.

Gar Gillespie

A handwritten signature in black ink, appearing to read "Gar Gillespie", is written over a long, thin diagonal line that extends from the bottom left towards the top right of the page.



ColdwellBankerHomes.com

400 E Cork Street, Kalamazoo, MI 49001

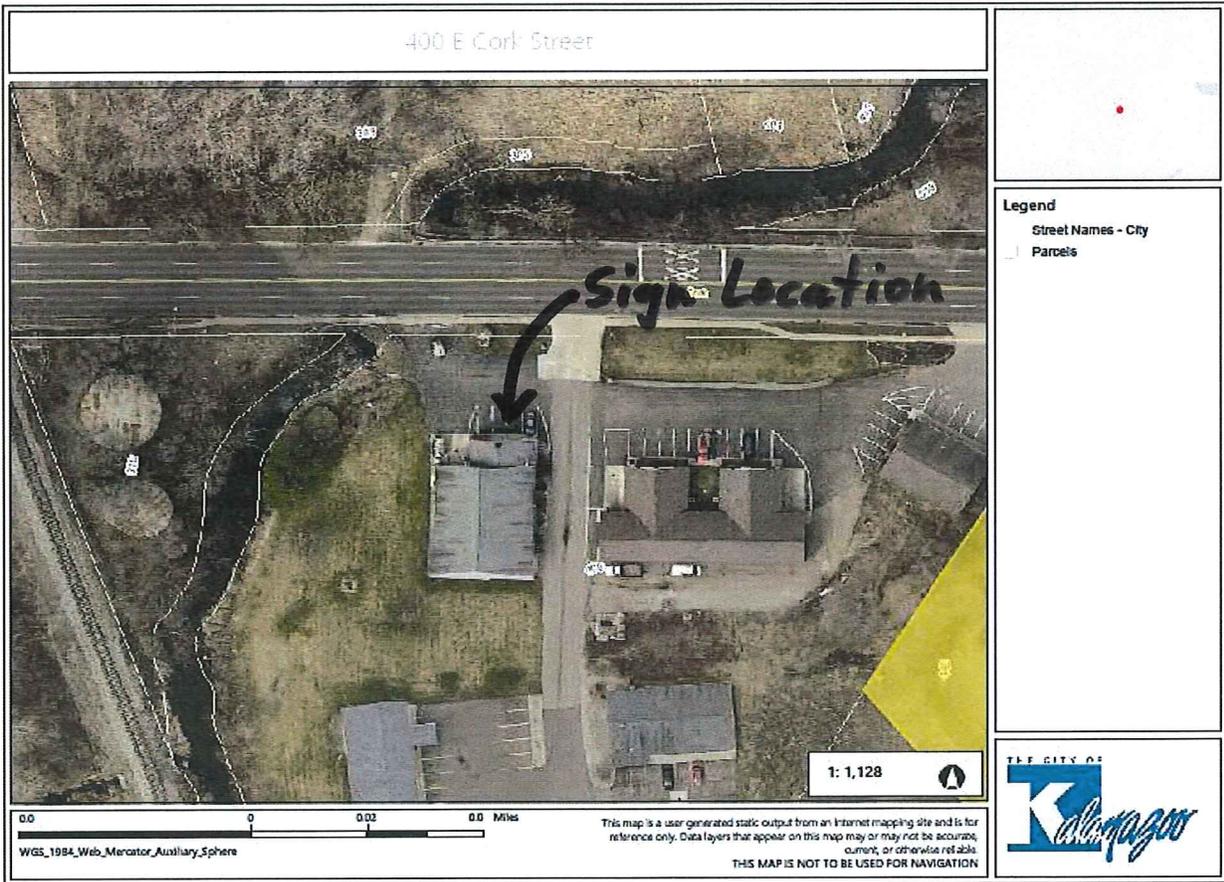
\$4

Sold | Closed | Commercial | 5,000 Sq. Ft.

2x4' LED lighting Wholesale Old sign 4'x8'  
Sign Monkey had want to put up  
4x6' LED sign



400 E. Cork Street  
June 29, 2018



## Full Property Details for 400 E Cork Street

### General

**Sold For:** \$4  
**Status:** Closed  
**Type:** Commercial  
**MLS ID:** 16053416  
**Added:** 599 day(s) ago

### Rental Information

**Lease/Rent Term:** 36 Months

### Additional Information

**Other Features:** Common-Area Bath

### Location

**Area:** Edison/Washington Sq  
**County:** Kalamazoo  
**Cross Streets:** Redmond & Burdick  
**Driving Directions:** Located on E. Cork Street between Redmond & Burdick

### School Information

**School District:** Kalamazoo

### Heating & Cooling

**Cooling Type:** Central Air Conditioning  
**Heating Type:** Natural Gas, Forced Air

### Utilities

**Sewer:** Public  
**Water:** Public  
**Onsite:** Electricity, Natural Gas, Telephone  
**Not Onsite:** Electricity, Natural Gas, Public Sewer, Public Water, Telephone

### Structural Information

**# Buildings:** 1  
**Construction:** Concrete  
**Exterior Const.:** Brick/Stone, Metal Siding, Vinyl Siding  
**Roof:** Composition

### Lot Features

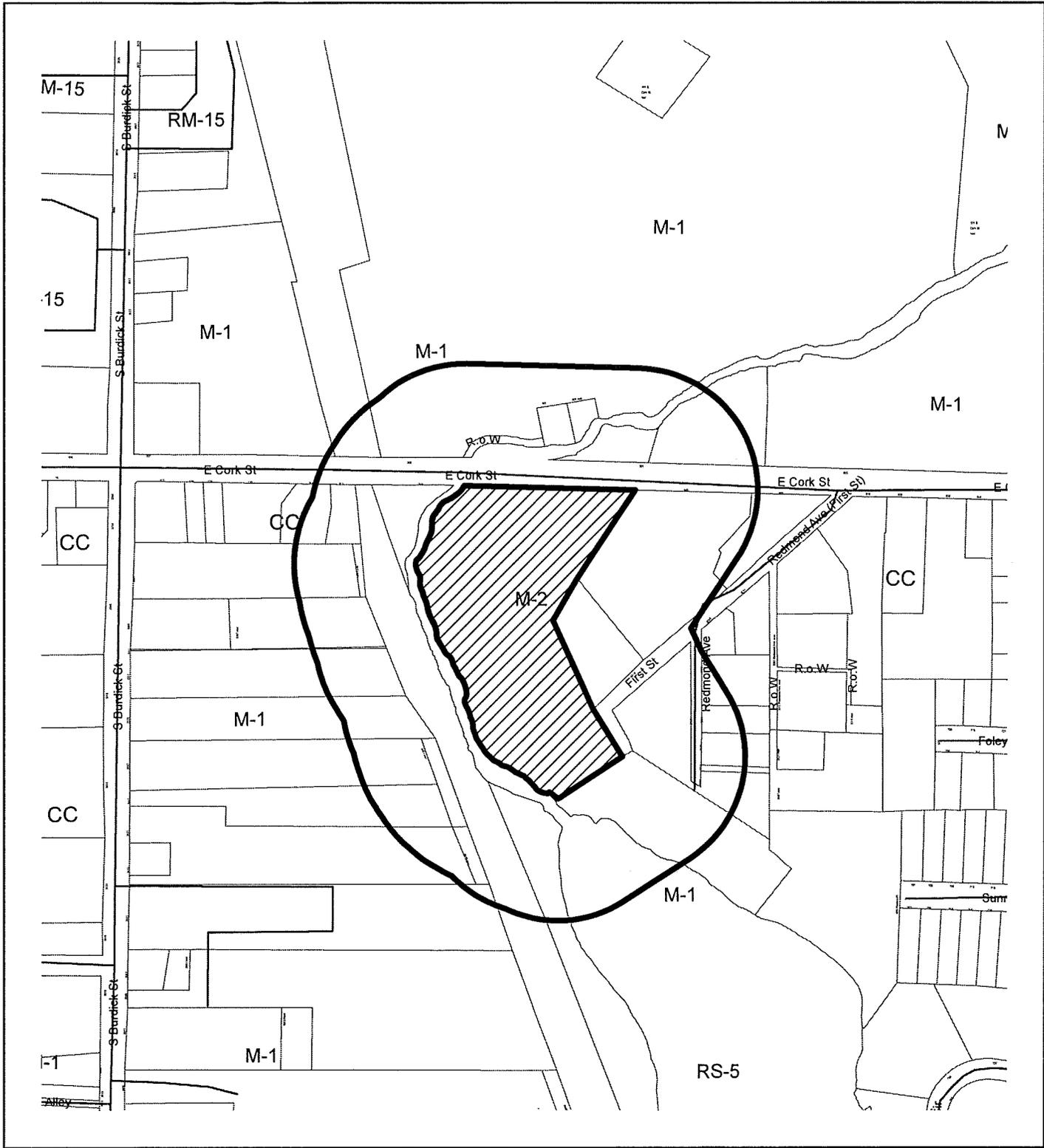
**Lot Size (Acres):** 1  
**Lot Size (Sq. Ft.):** 43,560  
**Lot Dimensions:** 1 x 1  
**Frontage Feet:** 1  
**Lot Access:** Paved, Public  
**Access Info:** Paved  
**Potential Use:** Manufacturing, Other, Professional Service, Professional/Office, Storage  
**Zoning:** M-2

### Financial Considerations

**Special Assmt Amt.:** None Known

### Disclosures and Reports

**Legal Description:** On File  
**Mineral Rights:** Nice office/industrial building with great exposur  
**APN:** 39000634208001



300' Mailing Boundary  
 400 E. Cork St.



1" = 200 Feet