This meeting will be conducted electronically in order for members, staff, and the public to comply with the Emergency Order Under MCL 333.2253 – Gathering Prohibition and Mask Order issued by Robert Gordon, Director of the Michigan Department of Health and Human Services, on October 29, 2021.

**Members Present:** Matt Lager, City of Kalamazoo, MI; Chris Flach, City of Portage, MI; Christina Doane, City of Kalamazoo, MI; Jeff Carroll, City of Kalamazoo, MI; Beth van den Hombergh, City of Kalamazoo, MI; Remi Harrington, City of Kalamazoo, MI

**Members Absent:**

**City Staff:** Pete Eldridge, Assistant City Planner; Clyde Robinson, City Attorney; Deanna Benthin, Recording Secretary

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

Chair Lager noted the meeting was being streamed live on Facebook and the City’s You Tube channel. (Chair Lager lost his connection to the meeting and Vice Chair Carroll took over the meeting.)

Mr. Eldridge stated the public had the ability to call in for audio and the public could call in to 269-226-6573 to leave comments for either of the properties on the agenda.

**NEW BUSINESS:**

Mr. Eldridge stated the agenda changes for 1007 E. Alcott Street and remaining parcels associated, there were five variance requests, variance request # 2 for the removal of the required sidewalk along Bryant Street has been removed from the agenda, there will now be a sidewalk along Bryant Street. The other change to the agenda is the second application for 2413 Parkview Avenue has been removed from the agenda. The sign alterations have been deemed to be content-based changes to the image and text only. He also introduced the newest Board member Remi Harrington.

**MINUTES:**

Ms. Doane moved to approve the minutes of December 10, 2020 as submitted, seconded by Ms. van den Hombergh.
Motion approved by voice vote unanimously.

PUBLIC HEARINGS: Vice Chair Carroll summarized the process and explained the Zoning Board of Appeals public hearing rules of procedures. For each request, the secretary will read the application into the public record. The applicant or their representative will have 10 minutes to present their comments, followed by public comments received via phone will be aired for the panelist and audience. Then the public hearing would be closed on the request. The Board would then conduct the finding of facts. The Board must approve the Finding of Fact. Therefore, the first vote you here is not a ruling on the request, but the Finding of Fact, then the Board discusses the request in order to determine a ruling. The Board reserves the privilege to ask questions of persons who have already spoken even though the public comment portion is now closed. Once discussion has ended the Board moves onto a roll call vote. A full board consists of six members and four affirmative votes are required to grant a motion for a non-use or use variance.

Ms. Doane read the application for 1007, 1015 and 1019 E. Alcott Street / 1000, 1014, 1022, 1026, 1106 Bryant Street, Parcel #: 06-26-122-103, 06-26-123-004, 06-26-123-005 / 06-26-117-301, 06-26-118-302, 06-26-118-303, 06-26-118-304, 06-26-119-305:

ZBA #21-01-02: 1007, 1015 and 1019 E. Alcott Street/1000, 1014, 1022, 1026, 1106 Bryant Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by the Kalamazoo Department of Public Safety. The request concerns the properties at 1007, 1015 and 1019 E. Alcott Street / 1000, 1014, 1022, 1026, 1106 Bryant Street, which are situated in use Zone RS-5, Residential – Single Dwelling District. The applicant is requesting the following: 1.) A dimensional variance from Chapter 5, Section 5.3 D 5, to authorize a zero-building setback where the Zoning Ordinance permits a canopy, eave or architectural feature within 9.5 feet of the front property line on the long side of a corner lot. To clarify, the required building setback on the long side of this corner lot on Bryant Street in Zone RS-5 is 12.5 feet and the canopy proposed may extend 2.5 feet into the required setback resulting in a building setback of 9.5 feet. 2.) A dimensional variance from Chapter 6, Section 6.2 E, to authorize two trees for the required landscaping for front yard setbacks without parking or paved areas along Race Street where the Zoning Ordinance requires seven trees. 3.) A dimensional variance from Chapter 6, Section 6.2 F, to authorize a reduction in landscaping for required building perimeter landscaping along the Bryant Street from 23 to six shrubs and no landscaping on the E. Alcott Street where 20 shrubs are required. 4.) A dimensional variance from Chapter 6, Section 6.2 G to authorize four trees for required parking lot landscaping along Bryant Street where the Zoning Ordinance requirement is eleven trees.

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 seventy-four notices of public hearing sent, and one response was received.

Jason Vetne of DLZ Architects, stated he’s working with Public Safety on this project, the first portion of the request has to deal with the construction of a canopy over the parking area
on the northside of the facility along Bryant Street and would be built up to the property line to cover the first responders parking area. The other request relates to the reduction of trees required along Race and Bryant Streets, this is to promote visibility for fire truck apparatus entering and exiting the facility. Mr. Vetne showed the Board Members the site plan and reiterated the setback for the proposed canopy is to cover the sidewalk and the first responders parking. The second part is limiting the trees along Race and Bryant Streets for promoting visibility.

Mr. Eldridge clarified Mr. Vetne stated the tree plantings cause a visibility issue, but all the shrubs will be planted.

There was one letter of support from the President of the Milwood Neighborhood Watch Association in support.

Mr. Eldridge commented on the challenges of the topography on the site with the grade differences. The elevation views show the sloping of the land. The first responder parking is along Bryant Street for easy ingress and egress of the emergency vehicles. The public parking lot is separated and only accessible from Alcott Street. A separate exit from Race Street is for fire apparatus. The community room can be used for community meetings and is on the southwest where the public parking is located. The first variance is for the setback of the canopy, the building is setback 20’ from the property line, the building is compliant, the awning is cantilevered out for shelter for the vehicles. The second request for the trees and shrub plantings will be reduced due to the visibility for clear lines. The third is for the trees along Bryant and Alcott Street for visibility, some shrubs have been added. The Alcott Street frontage has required screening and has a handicap ramp, there’s no green space. There’s practical difficulty on the site, they have three street frontages.

Vice Carroll closed the public hearing.

FINDING OF FACT

Ms van den Hombergh moved the Finding of Fact as follows:

1.) The Finding of Fact for 1007, 1015 and 1019 E. Alcott St /1000, 1014, 1022, 1026, 1106 Bryant Street shall include all information included in the notice of public hearing dated December 23, 2020.

2.) Seventy-four 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 documents on the request including lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter, presented a blue print layout of the parcel.
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: Jason Vretne, DLZ Architects, presented a blue print layout of the parcels along Bryant, Alcott and Race Streets, there are looking for a dimensional variance for a canopy over the parking lot area for the first responders and a sidewalk area. There was concerns with vision, site lines and safety issues along Bryant Street. The second variance deals with the trees, they are proposing two trees on Bryant Street versus the seven trees required and then four trees versus the eleven required, they are planting all the required shrubs. They received a letter of support from the Milwood Neighborhood Watch Association in support.

Ms. Doane seconded the Finding of Fact.

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

Ms. van den Hombergh moved to approve the application, 1.) A dimensional variance from Chapter 5, Section 5.3 D 5, to authorize a zero-building setback where the Zoning Ordinance permits a canopy, eave or architectural feature within 9.5 feet of the front property line on the long side of a corner lot, seconded by Mr. Flach.

Ms. Doane stated the need to protect the equipment and supplies and that she was in favor of the request.

Motion approved by roll call vote unanimously.

Ms. Doane moved to approve the application, 2.) A dimensional variance from Chapter 6, Section 6.2 E, to authorize two trees for the required landscaping for front yard setbacks without parking or paved areas along Race Street where the Zoning Ordinance requires seven trees seconded by Ms. van den Hombergh.

Ms. Harrington asked for clarification why the seven trees were required, if it was because of the NFP requirements. Mr. Eldridge stated this property is not in the NFP area, but trees are required per the landscaping requirements and is determined per distance of street frontage.

Vice Chair Carroll stated he was in favor, it’s reasonable and been well thought out.

Motion approved by roll call vote unanimously.

Ms. Doane moved to approve the application, 3.) A dimensional variance from Chapter 6, Section 6.2 F, to authorize a reduction in landscaping for required building perimeter landscaping along the Bryant Street from 23 to six shrubs and no landscaping on the E. Alcott Street where 20 shrubs are required seconded by Ms. van den Hombergh.

Public comment:
Michael Wilson, 1105 Bryant Street, asked for clarification if there would be a sidewalk along Bryant Street, stating he likes walking in the grass. He applauded the City for addressing his concerns regarding the fence, he wants to preserve as much green space as possible.

Mr. Eldridge clarified Mr. Wilson was referring to the sidewalk, it will go in front of the facility and will terminate after the staff parking lot. The second item was the fence detail of a wrought iron fence and suggested it could look more like other locations along Portage Street with brick pillars. Vice Chair Carroll clarified the sidewalk request had been removed from the agenda. Mr. Eldridge stated the sidewalk will go in.

Vice Chair Carroll stated he was in favor due to the practical difficulties of the property. Mr. Flach agreed.

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

**Ms. Doane moved to approve the application, 4.) A dimensional variance from Chapter 6, Section 6.2 G to authorize four trees for required parking lot landscaping along Bryant Street where the Zoning Ordinance requirement is eleven trees seconded by Ms. van den Hombergh.**

Public Comment:

No name given: Male resident stated they hoped to not have a curbside sidewalk along Bryant Street, he stated a curbside sidewalk wasn’t an option over the last couple years.

Vice Chair Carroll stated he was in favor due to the practical difficulties to the site.

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

**OTHER BUSINESS:**

The February meeting would be the annual meeting, they’d go over the annual report and the voting of members.

**ADJOURNMENT:**

The meeting was adjourned at 7:45 p.m.

Submitted By ___________________________ Date 2/11/21

Recording Secretary

Reviewed By ___________________________ Date 2/11/2021

City Staff

Approved By ___________________________ Date 2/11/21

Chair