

Agenda

Zoning Board of Appeals

City of Kalamazoo



Thursday, July 11, 2024

7:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. APPROVAL OF MINUTES

1. Approval of minutes from the Zoning Board of Appeals meeting on June 13, 2024

C. COMMUNICATIONS AND ANNOUNCEMENTS

D. PUBLIC HEARINGS

1. ZBA #24-07-12: 5135 and 5147 Portage Street. American Village Development V, LLC is requesting:
 1. A dimensional variance from Chapter 50, 50-5.1, Table 5.1-2, to allow 83% impervious cover for this redevelopment project where 80% is the maximum allowed impervious cover for the CC District.
 2. A dimensional variance from Chapter 50-10.1 C (2) (a), to allow for 30-foot light poles in the parking lot where the maximum height for light poles in all zones is 20 feet.

E. DISCUSSION/ACTION ITEMS

F. REPORTS

G. ADJOURNMENT

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
June 13, 2024 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Joe Hohler III, Alison Haan, Remi Harrington, Tony McReynolds, Beth van den Hombergh, and Gary Wark

Members Absent: None

City Staff: Pete Eldridge, Zoning Administrator; Charles Bear, Assistant City Attorney; Shelby Donaldson, Recording Secretary

Chair Hohler called the meeting to order at 7:03 p.m.

Mr. Eldridge performed a roll call of board members present for the meeting.

Chair Hohler asked if there were any changes to the agenda and Mr. Eldridge said there is a Robert's Rules presentation after the hearings.

APPROVAL OF MINUTES:

Mr. Wark moved to approve the meeting minutes from May 9, 2024, as submitted, seconded by Mr. McReynolds. The motion was approved by voice vote unanimously.

PUBLIC HEARINGS: Chair Hohler 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 in favor of the application where they will state their name and address and speak for four minutes. Following that those in opposition will be invited to speak for four minutes and afterward, those received via phone will be aired for the panelist and audience. The public can call in to 269-226-6573 to leave comments for any of the property on the agenda then the public hearing will be closed on that request. The Board would then conduct the finding of facts. The Board must approve the Finding of Fact. Therefore, the first vote you hear 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 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. Harrington read the application for 4300 West Main Street into the record.

ZBA#24-06-10: 4300 West Main Street: An application for a dimensional variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Panda Express Group Inc, The applicant is requesting a variance from Chapter 50, 50-5.1 Table 5.1-2 of 18 feet for the front setback to allow the building to be located 38 feet from the front property line where the build-to-zone is 10 to 20 feet.

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.

Jillian Benaglio, of Atwell who is the engineering firm for the project, spoke on behalf of the applicant. She stated the desired layout was provided in the packets and it shows the 38-foot building setback with the 18-foot relief showing, and within that, the circular access within the parking lot for patrons to be able to safely maneuver, as well as a dedicated loading area and a dumpster turnaround, which leaves the drive thru area with a pass-through lane in case someone needs to get out and go back to the road. The property has two curb cuts and MDOT prefers to keep those per the discussions they have had with them. She stated they have quite a few curb cuts along the road, and these are at the max and minimum distances they would like to see, so they are confined to that. The graphic she pulled up on screen showed what she was referring to as far as the westside drive thru, both curb cuts and the internal circulation road, and in the upper right corner was the dumpster area. She said the site plan allows for circulation of loading trucks, dumpsters, pedestrians, and vehicles to circulate safely. The next on-screen graphic showed truck turning movements and how to get vehicles around the building in the case of going through the drive thru there's something wrong with the order or the customer needs to pull out and into a spot to be helped. The next graphic she showed taking the planner's comments into consideration by bringing the building closer and in the packet, there is support of a three-foot variance because of a Consumers Power easement at the front of the property, but in order to make it functional, MDOT would need to get rid of a curb cut and they don't want to. She added that in order for a vehicle to make the turn around the building, keeping the required minimum five-foot landscaping at the front, and having enough room for a travel lane between the landscaping and the building would be impossible with the average 19 foot long vehicle. She said having this layout, you would be stuck on the site, the same with delivery trucks and dumpster removal, it would require going through the drive thru lane to circulate because there wouldn't be room to maneuver. She said they also looked at having parking along the drive thru, as suggested by the planner, which they do see often with fast food, but that won't help them if there's extra wait times and customers wouldn't be able to get into those spots if the parking were behind the building because it would create unsafe access for pedestrians and said this layout isn't in the packet. She said moving the parking to the west side of the building would move more than half of the parking to that side to put them in compliance and have room for a truck to load on the east side of the site, and that will push a lot of pedestrian traffic to walk through the drive thru lanes. Ms. Benaglio said even though this is done at times, it is not a safe option and with their proposal they made every attempt to move the building forward, while still allowing for the maneuvering distances because they know the ordinances were just redone to move all the buildings forward, but some of the other buildings along this corridor, such as the strip mall that's close, has a 48-foot setback, and even though these other buildings weren't part of the new ordinance, but she wanted to highlight where their building would be placed in relation to the existing buildings. She then showed the Tim Horton's, which

has a 55-foot setback, and the credit union, which has a 97-foot setback and added that some of the buildings across the street also have greater setbacks, but they are all newer buildings and said that while there is effort being made to align with the zoning ordinance, even with the 18-foot setback if other developments were to come in and make the 20-foot setback in the future, this building wouldn't look off-putting because it's too far back from the road.

Chair Hohler asked for staff comments and Mr. Eldridge replied Ms. Benaglio touched on some of the easements along the frontage and staff is trying to take that into account that some relief is necessary which is why the three feet is mentioned in the staff report, but he wanted to talk about the newly created CC2 Zone District. The CC2 Zone District is made to be less intensive than in the CC District, namely the Stadium Drive area. He stated that West Main has a lower speed limit and development is more ripe to evolve into being more pedestrian friendly, especially with the adjacent residential whereas Stadium Drive is cut off from the neighborhoods around it, and that's the reason this was rezoned into the CC2 Zone District, as laid out in the staff report. He stated when he spoke about the scale of commercial development in the CC2 Zone District, the new design standards, which are now build to zones without a building setback, but in those areas that still have a setback requiring a minimum distance with no maximum, the build to zone says the building has to be within a range and you can't push it too far back and you bring it any further than the minimum in the build to zone. He said even though this was just adopted last year, eventually it will bring uniformity along West Main and while it was pointed out that there are newer buildings on the north side of West Main, it doesn't negate the fact that this will be the standard moving forward and as density increases in Kalamazoo, they are anticipating the speed limits will be lowered, there will be more commercial growth and the frontages will start to pack up, and there will be less asphalt and more buildings. Speaking about this site, Mr. Eldridge said in this case this will be a redevelopment which means this building will be removed, which allows for flexibility in the placement of the new building. He said there are obviously constraints including the curb cuts that can't be removed according to MDOT, as well as the easements along the frontage, but beyond that there is a lot of flexibility in design to work through, meeting the standards of the city ordinance and creating functionality for a restaurant on this site, and staff is in support with a recommendation of three feet for this site.

Chair Hohler asked if anyone wanted to speak in favor and Mr. Brian Kan spoke on behalf of Panda Express, wanted to speak on the build to zone that has been adopted into the zoning ordinance. He stated the build 2 zone is designed to push a building forward, as close to the street as possible, to create a more pedestrian friendly atmosphere, which he has seen in numerous counties and cities across the country. He said it presents a challenge for drive thru users, not particularly for restaurants but drive thru users. He pointed out the packet and stated that in it there is a red overlay where you can see that the building is pushed forward to the three feet recommended build two line, which forces all of the drive thru traffic to be dumped directly into the street and their design relieves traffic from being pushed directly into the street and being recirculated back into the parking lot. He asked that the board imagine that they have a large order but have to exit left from the drive thru into the street, but have to attempt to make another left to come back on to the site to wait for the order, which he says is more of a risky vehicular move but their proposal is to create a lane in front of the building so larger drive thru orders can circulate back into the parking lot to wait for their orders. He said their proposal also uses the drive thru lane to manage parking lot overflow within the confines of the parking lot and the red overlay also creates the risk of drive thru overflow stacking along the single drive aisle, and potentially into the street.

Chair Hohler asked if anyone wanted to speak in opposition and there were none.

Chair Hohler asked if there were any call-in comments and there were none.

Chair Hohler closed the public hearing.

Chair Hohler asked if there were any other questions from the board and Ms. van den Hombergh asked if they knew the property was zoned Commercial-Office when it was purchased, then it changed to CC2 and Ms. Benaglio said they were aware that the city was going through some rezoning of this parcel and they attempted to update their site plan but there was some confusion during the pre-site plan application around the fact that there was already a building on this site, and there was miscommunication between the city and Atwell regarding there being a 20 foot maximum building setback. She stated they thought that the site plan they presented today, even though the building is pulled a little bit more forward now, they still thought that they would be in compliance. Ms. van den Hombergh stated that for the citizens, because this isn't Stadium Drive, it's a huge issue to go from commercial office to CC2 and there are concerns that this was an office that is being more advanced with higher speeds and more traffic in front of the building. Ms. van den Hombergh said she understands wanting something in place for safety, but Mr. Eldridge said that there was some flexibility in the design and wanted to know that while working with Mr. Eldridge and Christina Anderson, were there any conversations about what that would look like, and Ms. Benaglio said yes, that's where the red overlays in the packets came from and trying to entertain moving the drive approaches was not welcomed by MDOT. She stated they also tried different building orientations and rerouting the drive thru but based on the width of the site but the circulation of the drive thru operations weren't feasible in those manners. Ms. van den Hombergh asked for clarity if they did work with the city try different things, to address their safety concerns, and having the circular lane but found it just wasn't feasible to have Panda Express there with that and Ms. Benaglio nodded.

Chair Hohler said he had questions as well and asked Mr. Eldridge if the building had to be 10 to 20 feet from the road but there are also easements that put in a defined amount and Mr. Eldridge stated the easements go 21 feet back from the front property line, which is why staff is in support of a reduced variance, which would place the building outside of the easements and would leave room for any sort of signage on the front for side of the building, not projecting into the easement. Chair Hohler asked if the easement could be used as a driving lane and Ms. Benaglio stated there can't be pavement in the easement based on pavement setback requirements and landscaping minimums and they can't pull the drive close enough to the property line and still have it be maneuverable coming out of the drive thru. Chair Hohler asked if they needed a drive thru lane in front of the building or they really don't need it, but want one and Ms. Benaglio said yes, for the safety and circulation reasons mentioned. Chair Hohler asked if a drive lane has to be 12 feet and Ms. Benaglio stated they're proposing 12 feet from front of curb to front of curb, Chair Hohler asked if there was a would the building be right on the driving lane or is there a buffer and she said she believes there is a foot and a half. Chair Hohler said when he was looking at the map he was wondering why this couldn't be wider than it is deep and would that open up space like can't they just turn the building and Ms. Benaglio stated they did look at that but the drive through would be on the back of the building and customers would have to cross the drive through in order to get into the building in addition to the limitations with the MDOT curb cuts and Chair Hohler said they can make it work but for safety reasons on the west side of the parking lot where the extra row of cars would go, they would rather not and Ms. Benaglio said they can also have parking over there but that function would work for Panda operations for any extended drive thru waiting or

if someone noticed something was wrong with their order they would have to exit out onto West Main and make two lefts back onto the property and Chair Hohler said they could just go around the line in the front and Ms. Benaglio asked if he was saying have the building and the front lane and Chair Hohler said yes because he's trying to figure out a way to get them what they need. Ms. Benaglio asked if he meant if the building was paralleled with the road and keep the pass-through lane on site in front of the store and Chair Hohler said he was just going over the options they had and rejected because he understands there's a certain orientation to the operation.

Ms. van den Hombergh asked if during the talks with the city, were they aware of the three-foot option or is that something she's hearing about today, and Ms. Benaglio said it was in the staff report when they had the final back and forth with the city and Mr. Eldridge did mention the city would support a reduced three foot variance, which was new to them the week prior.

Chair Hohler asked Mr. Eldridge would staff change his thinking on the request knowing the reasons for wanting the building placed on the property a certain way and knowing that the property comes with some issues and Mr. Eldridge said looking at the alternative layout with the parking being on the west property line, the premise behind having the circulation drive in front of the building, to keep people on the property in case there's a hiccup with a drive thru order, if there are parking spaces west side of the drive thru lane, they would be able to go to the window, pull over to the right side and wait for their large order to be ready and brought out versus circulating around the building. He said staff understood the reason for wanting to the circulation drive in front of the building, but they also felt there were alternatives, so staff can't support the requested variance.

Ms. Harrington asked Mr. Eldridge why staff is using an order mix up as rationale and wants to know what the extra lane has to do with that because she feels a better argument would be someone wanting to get out of the line because the order is taking too long, and Mr. Eldridge said it's being elevated because with the building forward there has to be a certain turn radius to take that circulation lane in front of the building. He said as he and Ms. Benaglio went back and forth, that's one of the issues they struggle with, the turning radius being too tight but the counter argument to that was if you have parking on the west side of the drive thru lane, is the circulation drive necessary. Ms. Harrington wanted to understand that instead of making the two lefts onto and off of West Main, are they trying to keep it contained to the property and Mr. Eldridge said yes, whether you allow the traffic to circulate around the front of the building and not leave the site or pull out of the drive thru to the west side of the building and park, those were the types of alternatives that went back and forth. Ms. Harrington asked Ms. Benaglio if containing all of the drama in the parking lot of Panda Express, would it create risk for the people patronizing Panda Express in the parking lot what is the risk mitigation now that they're saying yes? Ms. Benaglio said the internal loop in the parking lot area provides for ample travel room for a pass-through lane in case someone does want to get out of line or during high traffic times, they can pull back into a parking spot and wait for someone to bring their order out without it backing up and there will be multiple points where people can circulate out even if they aren't going through the drive thru whereas if the building was at the three foot setback there would be one lane in and one way out, unless you do go through the drive thru. She added that the parking on the west side is a good idea in theory, but they would still need the same turning radius in order to make it into the parking spots which wouldn't work because all parking has to be behind the building. Ms. Harrington asked if she helped design the Panda Express on Westnedge and Ms. Benaglio said no, Ms. Harrington tried to explain getting in and out of the parking lot there, then asked Mr. McReynolds if he could explain it and Mr. McReynolds said she's referring to the little "t" area coming into the lot, and

Ms. Harrington asked if it would have one of those and Mr. Eldridge said a right in and a right out, and Ms. Harrington said yes and Ms. Benaglio said there are two drive entrances and the one to the east is entrance and exit and the one on the west is exit only, and there will be no curved island. Chair Hohler referred to the 21-foot easement and asked if it was possible to even build within the 10-to-20-foot range and achieve everything and Ms. Benaglio said no, and Chair Hohler asked if this was something that would be there even if there was no easement or sidewalk and Ms. Benaglio stated there's a storm easement and a lot of underground utilities there and Chair Hohler said that those aren't the problem but if they could move the curb cuts would that solve everything and Ms. Benaglio said no because the graphic with the red overlays was shown with no curb cuts. Mr. Wark asked Mr. Eldridge if staff is in support because of the safety issues, and the safety when it comes to traffic and pulling out onto West Main both ways and Mr. Eldridge said staff is in support of a reduced variance because they feel that's the only relevant way to position the building and any projections off of the building outside the easements that run across the front of the property. He added that the other issue is the curb cuts directly to the west on the next parcel has curb cuts not too far from the property corner, which is why MDOT is saying no to shifting any curb cuts. Mr. Wark stated this seems more reasonable than some of the other things out on West Main such as the pizza place to the east of that is like a nightmare trying to get in and out of there and Ms. van den Hombergh spoke of the difficulties getting in and out of the businesses on the north side of West Main and said there's a little service road behind those businesses that leads to the light and asked Mr. Eldridge if Panda Express would be able to create something like that and he said that would be coordinating cross access with adjacent properties and that is something that Panda Express can do, but they would have to talk to all of the other property owners and they all would have to agree. Ms. Benaglio stated they considered cross iterations among the properties and both neighbors denied it.

FINDING OF FACT

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

- 1) The Finding of Fact for 4300 West Main Street shall include all information included in the notice of public hearing dated May 29, 2024, in the agenda packet staff provided for this request.
- 2) 29 notices of public hearing were sent, and no responses were received.
- 3) A public hearing was held before the board and public comments were accepted.
- 4) The Finding of Fact shall include all facts and comments made during the public hearing which are summarized to include without limitation, the following:

Jillian Benaglio, of Atwell, represented Panda Express and expressed some concerns about the congestion with the patrons, the drive thru and wanting to keep the loading area separated. There are two existing curb cuts and MDOT has insisted that they be kept as is, which gives them limited flexibility because they want to do internal circulation roads. city staff is supporting a three-foot easement instead of the 18 feet that Panda Express is looking for, being that that would be the minimum variance

adjustment that could be done to make this work. Parking would need to be on the West side of the drive thru as with other restaurants in the area, even though it's not the most desirable. there were concerns expressed regarding the zoning of that property because it was commercial office and was changed to CC2 which is a less intense business and there's a lot of residential in that area. Mr. Khan, a Panda Express representative, spoke in favor of the variance and reiterated that without the full approval of the variance it would represent significant challenges to the drive thru. There are concerns about the drive through traffic spilling out into West Main, and they want to create a lane in front of the building to keep everything in the parking area. The applicant was aware when they purchased the property that it moved from commercial office to CC2 and speaking to design changes, the width of the site does not make it feasible and there can be no pavement in the easement so they can't use it as part of the drive thru. They want a drive lane in front of the building and there was discussion as to why it can't be wider versus deep and parking and parking on the other side of the drive through is an issue. There was discussion about where people would wait if they had to extend the amount of time they waited for their orders and how would they get out if the wait time was too long. There was some discussion regarding shared access between the properties, but the applicant asked and was denied by the surrounding property owners.

Mr. Wark seconded the Finding of Fact with a correction that Panda Restaurant Group doesn't own the property, it's Mike Seelye and they will be renting the property and the representatives agreed. Chair asked Ms. van den Hombergh if she accepted the correction, and she said yes.

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

Mr. McReynolds moved to approve the application for a dimensional variance from Chapter 50, 50-5.1, Table 5.1-2 of 18 feet for the front setback to allow the building to be located 38 feet from the front property line where the build-to-zone is 10 to 20 feet, seconded by Ms. Haan.

Discussion:

Chair Hohler, said he will be a no because of items four and five of the staff report, which address the new zoning changes. He said they are new and are done for a reason and he understands the argument about trying to make it like the buildings that are already there but when they change the zoning they don't want those buildings like that anymore, they want them different and if they approve this variance, then any other variance along West Main would also have to be approved under the same logic. He said his other point is that she said they can't comply with any of the zoning without a variance, which means that maybe Panda Express is not right for this location, he hates to say.

Ms. Harrington said she will vote yes because this is what's available to us right now in terms of what the real estate is and she sees it differently than Chair Hohler does regarding setting a precedent and the disposition of the other properties won't match this and they have to take each individual case as they are presented before them. She added that sometimes businesses come in

and have to work within the confines of the property and they have to shape shift themselves to fit into the real estate options that they're given, and she feels it will be better for our community because it's better than what's currently there. Chair Hohler stated it is better than what's currently there, but he doesn't want to negate the zoning just because this would be a better use of the property and the point to zoning is to get to some uniformity of appearance, walkability, and all of the other things that Mr. Eldridge speaks about when he gives the staff reports. He said he feels the points the applicant is bringing up are not site related, but business related, and he feels that saying yes to Panda Express while saying no to other businesses would keep Attorney Bear constantly in court trying to defend saying yes to this but saying no to others. Ms. Harrington said that since we live in a litigious society, anyway, let them come.

Mr. Wark said he will be voting yes as well because he thinks it's the highest and best use of the location and he has a bit of a problem with the city of Kalamazoo on the north end of the street and Township on the south end, and zoning is such that they have restaurants on that side of the street but on this side of the street they have some restaurants that are a little different and he feels it should mix a little better.

Ms. van den Hombergh said she will be voting no for all of the reasons Chair Hohler stated and if they grant this variance, what does that say for all of the other businesses coming and she feels this would set a dangerous precedent. She added that she doesn't feel this is best for the citizens in that neighborhood and that this isn't a surprise to Mr. Seelye because his businesses are on Stadium Drive, and this isn't Stadium Drive. She said the intention of the neighborhood is to honor and respect that and the people who live there and all the walking and the churches and the houses and there's a 10 acre, park just one block in where there will be a large event with 500 people that come to that and this isn't what the neighborhood is about and to go from commercial office to CC2, she can't support it. Ms. Harrington asked her what she felt a better use of the space would be and is she waiting for a more appropriate fit based on what the zoning is and Ms. van den Hombergh said yes because that property is extremely valuable and if it's not Mr. Seelye renting out a Panda Express, it'll be something else and there's a huge difference in your neighborhood between having a bank or a doctor's office versus having a commercial business that isn't even a CC2, which is a lighter, more consumer, neighborhood kid friendly type place and if it's not a Panda Express it will be something else and it's been a bank for over 30 years and the building is well maintained, it's not like the Long John Silver's that's across the way and has been boarded up for four years due to a fire.

Chair Hohler asked Mr. Eldridge if Township runs all the way down to the highway and Mr. Eldridge said no it runs to North Sage Street.

Ms. van den Hombergh wanted to return to Ms. Harrington's question and added that with this area, if they went from commercial office, bypassing CC2, then she spoke about the church on the corner of Northampton and the five acres of green space, and the fact that the value of their land has gone up in the past 40 years but it's zoned commercial office and while people don't necessarily want offices right now someone could buy the parcel and turn it into a Big Lots or any other large commercial business. Mr. Wark stated that we have to deal with what's in front of us today and that space could also be turned back into a church. Ms. Harrington said where she was going is that when she came to this community 20 years ago, that area was thriving, there were businesses, and it was well kept. She had to take her dog to get emergency grooming and the area isn't the same, and she feels that having a new business over there could reinvigorate that area because

West Main now looks sad and scary and dilapidated. She feels that putting this new Panda Express could catapult development and asked if Ms. van den Hombergh doesn't see it that way and Ms. van den Hombergh said it depends on the type of business, but she sees where Ms. Harrington is going. Ms. Harrington said they all know how she feels about preserving green space, small businesses, and selectively enforcing zoning ordinances on behalf of major developers, she has been consistent about that but she also feels we shouldn't throw the baby out with the bathwater because she feels that we can preserve neighborhoods while encouraging more business to come in and they can shape the tone and the philosophical bent of their collectivized voice to say what Ms. van den Hombergh it's saying right now, and that is that they want to preserve the integrity of their neighborhoods and they don't want churches to be displaced for a Big Lots. She said she just wanted to hear Ms. van den Hombergh's thoughts because she thinks they vote based on their values but going to that area made her sad because she remembers what it used to be and she feels having a Panda Express in that area, because everybody wants to go to a Panda Express, would catalyze more business on West Main, and we need that in Kalamazoo. Chair Hohler said he thinks it would help they just need to conform, and Mr. Wark asked if Ms. Harrington's point was in relation to Davenport College, which went under and sat vacant for years, was office but is now a carwash and Ms. Harrington agreed and said she feels they can vote, when certain things come before them, and say yes and no to certain things, but she thinks the Panda Express is a good idea. Chair asked the rest of the board if they had anything to add and they said no, but Ms. Haan said all of the points that were made have been helpful.

Motion was approved four to two by a roll call vote with Mr. Wark, Ms. Harrington, Mr. McReynolds, and Ms. Haan voting yes and Ms. van den Hombergh and Chair Hohler voting no.

Ms. Harrington read the application for 3401 Nazareth Road into the record.

ZBA#24-06-11: 3401 Nazareth Road: An application for a variance from the Natural Features Protection Ordinance, Chapter 50, 50-6.2 H, to allow construction of nonmotorized trails within the Bow in the Clouds Nature Preserve to encroach into a protected slope (which has a grade greater than 20%) and protected slope setback.

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.

Ken Peregon, a landscape architect for OCBA, represented the applicant. He referred to the slide on the screen and said the pink line is the overall boundary of the property, the dashed line that cuts off the top rectangle of the property is in Kalamazoo Township, so the dashed line represents the boundary between the city and the Township, the blue line is Spring Valley Creek, and the orange lines represent the existing trail system and they are proposing to expand the existing trail system. He stated they built phase one of the trail system in 2019, and this is a second phase to overhaul the entire system, which they planned to do before Covid. He stated they have worked closely with the Kalamazoo Department of Public Services during the design to allow their service vehicles onto the site, the city has a legal easement to get to the existing sanitary collector sewer, but there is no access and it's been there for 40 years untouched because they can't get to it. The trails are also being designed with universal access standards, for community use, low grades, firm and stable surface resting areas, and aggregate surfacing. They are requesting a variance from a protective slope standard because the sanitary sewer manholes are inaccessible without impacting

the slopes and the natural features protection ordinances allows for maintenance of existing impervious surfaces and structures on a slope and will use core coconut mats and native seed mixes to stabilize the slopes, and have already obtained an EGLE Wetland permit for work in the wetlands, although they will likely need an amendment because they have greatly reduced the amount of work in the wetland that they want to do and they are aware of other permits and agreements they need to get into with soil erosion control and are still hoping to build this this year. He showed a few slides of the existing conditions and the first slide shows entrance way and the existing trail on the upper part of the property, the next slide is from the western edge of the Upland, taken from an overlook deck that looks over the wetland. He stated they want to build trails that will get them from the overlook deck down to the wetland seen in the distance and there's 30 or 40 feet of elevation change they're trying to make up. The next slide shows an area they want to put a trail through for pedestrians and service vehicles and the next slide showed an existing trail on the northwest side of the creek that they plan to improve. The next slide showed a boardwalk in the wetland that will be replaced, along with two small bridges, over the creek with steel fabrication, wood deck, steel framed. The next slide showed a diagram representing the trail system and the dark lines showed the proposed trail and there is a zig zag trail that runs east and west that is proposed to be 10 feet wide because Public Services wants to be able to drive their vacuum truck onto the property, but the rest of the trail is designed to be six feet wide with the intent of driving the trucks to the intersections where the loop trail goes further north, they will stop there and there's a machine they will drive down to the manholes, which he pointed out as the red dots seen on the graphic. He stated they're trying to get them as close to the manholes as possible, with the exception of the one in the upper right-hand corner because it can be accessed via Nazareth Road but getting them as close as possible to the manholes is the main driver to the trail system, as well as the universal access and the low slopes. Mr. Peregon stated the natural features inventory identifies the steep slopes, and there are a few areas touching protected slopes and the intent is to do that as gently as possible and wherever possible the trail will follow the existing grade and they will have gentle slide slopes. The next graphic showed a larger version of the portion that's located in the city in the portion that's really going to be impacted in the protected slopes is kind of in the middle near a line that runs north and south on a fairly steep slope, is the area that will most likely be affected. he stated that there's an understanding that the current zoning permits recreation and they believe that it's unavoidable to impact the existing slopes in order to provide both pedestrian access and a universal design standard, and access for the public services department and their vehicles. He said stewardship of the land is the highest priority of the Michigan Land Conservancy, and that's the reason for their existence, to protect the land. He's said they will do the stabilization of the disturbed slopes and will be using all native plant materials to blend in with the existing natives that they've been introducing, they've also been working on wildlife habitat improvements on this site for as long as Mitch Latau, who is from the Land Conservancy and is present, has been working for them.

Chair Hohler asked for staff comments and Mr. Eldridge said Ken Peregon touched on almost everything in the staff report and again, these are an expansion of the existing non-motorized trail network, and they are adding universal access, which means they are widening the trail to allow for small, motorized items, such as wheelchairs, that can handle a gravel trail. He stated what has been really helpful has been their willingness to work with public services and the city in general, because there are sewer lines that traverse the property that haven't been properly maintained because the city can't get their equipment back where the manhole accesses are, so as seen on the layout for the trails, there was a wider trail and that's where the utility truck will be able to back into the property. He said as the board can see from the parking lot extending all the way to the far west side of the loop that goes around the northern part of the property, you can see how thick that

the outline of the trail is and that will extend to the south where they'll be able to use smaller equipment to get to those manholes. He also wanted to reiterate that this was before the natural features protection review board on May 28th and they unanimously supported a variance to allow the expansion of the trails, with the minor encroachments, proposed in the slope and slope setback areas, and then the staff report under findings, the review criteria differs when it comes to natural features protection variances versus dimensional and use variances, so the summary concludes this is something that does meet all four of the review criteria and staff supports the granting of the variance and staff supported this when it was before the natural features protection review board as well.

Chair Hohler asked for comments in favor of the applicant and there was none.

He asked for comments against the applicant and there were none.

He asked if there were any call-in comments and there were none.

Chair Hohler closed the public hearing.

Chair Hohler said he had questions and said that the information about the trails is not really what is before the board but what is before the board is the north-south portion that touches the slope and Mr. Peregon said that that is the primary area but there may be about two square feet where the trail just crosses the city and the Township but it's hard to tell from the graphic and Chair Hohler wanted clarity about what is really before the board and Mr. Peregon said he was correct, but in the loop that goes to the southwest, the existing trail isn't very wide and the side slopes adjacent to it are also in the protected zone and they need to touch that a little bit to get it from three feet to six feet.

Chair Hohler asked if there were more questions and there were none.

FINDING OF FACT

Mr. McReynolds moved the Finding of Fact as follows:

- 1) The Finding of Fact for 3401 Nazareth Road shall include all information included in the notice of public hearing dated May 29, 2024, and the agenda packet provided by staff.
- 2) 30 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 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:

Ken Peregon of OCBA mentioned that the trails were going to be extended and widened to six feet and spoke to providing access for public services to get to manholes

that haven't been able to be accessed. When this was brought before the NFP board it was approved unanimously according to the four criteria and there will be no trees moved and there will be coconut mats provided for seed and native plants will be planted to put things back the way it was.

Ms. van den Hombergh seconded the Finding of Fact.

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

Ms. Haan made a motion to approve the application for a dimensional variance from the Natural Features Protection Ordinance, Chapter 50, 50-6.2H, to allow construction of nonmotorized trails within the Bow in the Clouds Nature Preserve to encroach into a protected slope (which has a grade greater than 20%), seconded by Mr. Wark.

Discussion:

Chair Hohler said he would be in support for the reasons listed in the staff report and the only reason he asked about the amount of work that affects the board is to point out that it is as small as humanly possible for this project.

Ms. Harrington said she loves this project because she thinks that this is the Master Chief of what she thought that the role of the Natural Features Protection board was going to be but this embodies the idea that we're working in collaboration with nature to make it more expansive, better, and easier for human use and it's centering the land and the preservation of it, but it's doing what is minimally necessary to make us work cohesively to steward the property and her answer is yes and she's grateful that this case was brought before the board.

Mr. Wark said he will be in support and the fact that it went through and was approved by NFP, and they worked with EGLE, and they approved it, he appreciates everything the Southwest Michigan Land Conservancy is doing.

Ms. van den Hombergh said she will also be voting in support, and she loves the expansion and the inclusive nature about making things better and people in motorized carts will have more access.

Chair Hohler asked if there was any more discussion and there was none.

Motion was approved unanimously by a roll call vote.

DISCUSSION/ACTION ITEMS: Robert's Rules Summary

Robert's Rules discussion, as presented by Attorney Bear. All of the city's boards and commissions have adopted Robert's Rules of Order as the rules of procedure and every now and then there is a refresher or an introduction to those who don't know them, but it came to staff's attention that it's been about 13 years since this has been done.

Attorney Bear gave a brief overview of Henry Martin Robert, who was a career Army officer and engineer was the first chief of the Army Corps of Engineers. He attended a lot of disorganized and chaotic meetings and decided there was a better way to do it and came up with his own rules based on the rules and procedures of the United States Congress and the first publication of Robert's

Rules of order was in 1876. Robert's Rules provide order to a meeting of a deliberative body, a body that receives information and makes decisions based on that information. It keeps things organized and moving and provides an orderly, focused debate and discussion resulting in a vote or decision of the majority and establishes a record for precedent or appeal, and is intended and designed for boards, commissions, clubs... meetings of all shapes, sizes, and makeups and smaller boards don't need the formality of all of the rules. Attorney Bear said they will deal with the basics of motions, deliberations, discussion of motions, changing motions, voting or not, postponing action, reconsideration of action, and recessing and adjournment of meetings.

Motions are a proposal to take certain actions ie: how business gets done under Robert's Rules of Order and are classified as main motions and secondary motions. The main motion introduces business and secondary motions introduce matters to be addressed before a vote on the main motion, they direct procedural steps, can revise the motion, and address other matters and take precedence over the main motion because they have items that need to be acted on and considered before a decision on the main motion can be made. Secondary motions are divided into subsidiary motions, privileged motions, and incidental motions.

Main motions and procedures: To make a main motion a member needs to be recognized by the chair and once recognized, the member states the motion and another member who doesn't need to be recognized by the chair should say second and if there is no second the motion dies. Making a motion and making a second only puts the subject matter of the motion before the board to consider and has no bearing on the vote because you can make a motion on a matter and then vote against it, just as you can second it and vote against it, and you say second, not support because that implies agreement. The chair doesn't make motions but can request or suggest a motion. A motion needs to be stated in the affirmative so that a yes vote approves or authorizes something, after a motion has been made and seconded, the chair should restate the motion and can't be discussed until restated by the chair because it makes it clear what is being discussed and keeps an accurate record of what is being discussed. The maker of the motion has the first opportunity to speak on the motion but doesn't have to. Deliberative bodies need a record to support decisions so any remarks should reference the facts that were presented either in favor or opposition.

Commissions and boards function as a quasi-judicial body with quasi-judicial authority, which is the authority to hear evidence, make decisions, and issue rulings that resemble judicial functions, and are striving to provide due process of the law, which is a constitutionally guaranteed fair procedure and requires considering only the evidence and testimony received at a public hearing on the matter. It's important to remember there are standards for decisions and almost all of the decisions that our boards and commissions make have them and discussions should consider how the facts and evidence, the testimony, received apply to those standards and decisions need to be based on facts, not feelings or emotions which demonstrates impartiality and as long as a decision is based on the standards, an appeal will be upheld. Regarding precedent, if a clear decision that applies to the standards and the facts, we get a similar situation at some time and we go through in the facts are laid out, we'll be able to distinguish in what way the new matter is similar or different. many times, a subtle change in the facts can lead to a different decision.

There will be times when changes to motion will need to be made and that can happen in two general instances: before or after the chair states the motion. Before the chair makes the motion the maker of the motion can seek to make changes by either withdrawing the motion or withdrawing and restating the motion if the motion is withdrawn and restated then the original second can accept the restatement or withdraw their second, in which case a new second is required and that becomes the motion and the chair states the motion as restated and other members, before the chair states

the motion, could suggest one or more changes to the motion or the motion as restated, and should be related to minor changes that are unlikely to be opposed and doesn't require a discussion or vote, ie: a mistake on an address, and this can also be done after the chair has restated the motion otherwise, there will be a need to motion to amend the motion.

To amend the motion a member once recognized by the chair should state the proposed amendment and if the amendment receives a second, this will be the matter discussed and will take precedence over the main motion. The chair should state the amendment and the maker of the amendment has the first opportunity to address the proposed amendment, which can also be amended, and another member can propose to amend the proposed amendment and if seconded, this will be the matter discussed. At this point there are three motions, and Robert's Rules says an amendment to an amendment takes precedence over the motion to amend and the main motion and gets discussed first and by restating the amendment to the amendment, it makes it clear what's being discussed. Once the discussion is over, the chair should state the motion being voted on and announce the results. Members of a public body have a duty to vote on all matters before it unless a person is conflicted due to personal, financial, or fiduciary interest and need to be clearly stated and reflected in the minutes of the meeting. This person can choose to stay or leave the room, but must remain, and appear to remain, unbiased.

There may be times when it will be necessary to put off a decision to obtain more information or because of the uncertainty the impact of a decision may have on the neighborhood or community, or for other reasons, this is done by a motion to postpone, not a motion to table. A motion to table is used to put something off until later in the meeting for instance, if something comes up during pending motions and needs to be decided before a main motion or a related subsidiary or secondary motion, then that matter should be tabled and brought back up, it will be a motion to remove from the table. The motion to postpone must indicate when action on the matter will be taken up and requires a second and majority vote and is debatable. Robert's Rules also has a motion to postpone indefinitely.

There can be instances where a member may have been confused or decides to change their vote and can make a motion to reconsider and should be done as soon as possible while there's no other matter pending before the body, and only a member who voted with the prevailing side can make a motion to reconsider and has to be done before the body takes up the original matter again. This has to be done on the same day the vote was taken.

Motions to recess or adjourn on the highest-ranking motions, suspend or terminate the meeting, require a second, aren't debatable, but a motion recess can be amended ie: changing a time to reconvene, and in most cases is apparent and the chair, unless a member calls for a point of order, may use their prerogative to call for a recess or adjournment in a meeting. A point of order is used when a member feels Robert's Rules aren't being followed, such as someone wanting a vote on the adjournment or recess and under the Open Meetings Act, any adjournment more than 36 hours long requires the adjourned meeting to be renoticed.

REPORTS:

ADJOURNMENT:

The meeting was adjourned at 8:58 p.m.

Submitted By _____ **Date** _____
Recording Secretary

Reviewed By _____ **Date** _____
City Staff

Approved By _____ **Date** _____
Chair

DRAFT



Zoning Board of Appeals Staff Report

Date: **7/11/2024**

Item: **D.1.**

City of Kalamazoo

TO: Zoning Board of Appeals

FROM: Reviewed by: Christina Anderson, AICP, City Planner/Deputy Director of CPED
Prepared by: Pete Eldridge, AICP, Zoning Administrator

DATE: July 11, 2024

SUBJECT: ZBA #24-07-12: 5135 and 5147 Portage Street. American Village Development V, LLC is requesting:

1. A dimensional variance from Chapter 50, 50-5.1, Table 5.1-2, to allow 83% impervious cover for this redevelopment project where 80% is the maximum allowed impervious cover for the CC District.
2. A dimensional variance from Chapter 50-10.1 C (2) (a), to allow for 30-foot light poles in the parking lot where the maximum height for light poles in all zones is 20 feet.

BACKGROUND:

The properties are in the Community Commercial (CC) District, and combined equal 1.8 acres. The former Brewster's Restaurant is located on the northern property. The other property at the corner of Portage Street and Airview Boulevard was a gas station, which had been paved over for additional parking. This site is adjacent to another hotel (Days Inn) to the east; commercial retail to the north; and a restaurant and gas station (both in the City of Portage) to the west.

The applicant is proposing to redevelop this site with a 24,000 square foot four-story Residence Inn by Marriott. The applicant has submitted a pre-application for Site Plan Review and the preliminary plan will meet all development standards except for impervious lot coverage and light pole height.

The maximum impervious coverage for the site is 80% in the CC District. The applicant is proposing 83% for this redevelopment project with an emphasis on limiting green space due to soil contamination from the former gas station. The applicant is working with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and the City Brownfield Redevelopment Authority (BRA) on ways to remove contaminated soil where possible during the redevelopment yet not disturb the deep pollutants documented on the site. The additional 3% of impervious coverage is being requested to expand the footprint of the hotel into this contaminated area, install a concrete patio off the south end of the building and expand the parking lot. The applicant explored other alternatives besides requesting this variance. First, a reduction in the number of parking spaces was considered, but there is no on-street parking

available adjacent to the site to balance the reduction. Second, the applicant attempted to purchase property from the adjacent Days Inn, but this was not successful. Finally, a green roof was explored, but Marriott determined this was not a viable option due to changes that would be needed to their standard building plans and the associated increased costs.

The second requested variance is to increase the height of the light poles in the parking lot from the required 20 feet to a height of 30 feet. The applicant has indicated that this will reduce the number of overall light poles needed to adequately illuminate the parking lot and save energy.

STRATEGIC VISION ALIGNMENT:

Strategic Goal and Master Plan 2025 Impact:

The Future Land Use map identifies the property as commercial and a hotel is permitted use within the commercial designation and the existing zoning district.

COMMUNITY ENGAGEMENT:

Inform (one-way conversation) – the community will be made aware of the project.

Appropriate Depth of Engagement:

A public hearing notice was placed in the newspaper and notices sent to the property owners within 300 feet. The applicant has been advised on outreach to the adjacent property owners.

Engagement/Communication Tools:

Public notice is the newspaper, mailing of public hearing notices to properties within 300 feet of the property, and applicable outreach.

FINDINGS:

Staff has made the following findings regarding this request:

1. That there are special circumstances or conditions (like exceptional topographic conditions, narrowness, shallowness, or the shape of property) 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.

Request #1, Impervious Coverage: The special circumstances are the documented site contamination from the former gas station located at Portage Street and Airview Boulevard. This project is considered a brownfield site.

Request #2, Light Pole Height: High levels of foot traffic in this area and nearby bus stop are reasons cited by the applicant. However, staff doesn't view these as special circumstances that are peculiar to the area.

2. That there are special circumstances which are not the result of the actions of the applicant or titleholder of the land.

Request #1, Impervious Coverage: The applicant did not create the site contamination, which is a result of the former use, a gas station.

Request #2, Light Pole Height: The applicant is clearing the site and redeveloping it for a hotel. Therefore, the circumstances are created by the actions of the applicant.

3. That 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.

Request #1, Impervious Coverage: The requirement of the ordinance limits impervious coverage to 80%. Requiring the applicant to include more green space in the development could disturb contaminants in the ground. Further, it would make it more difficult for the applicant to meet on-site parking demands for the new hotel.

Request #2, Light Pole Height: The requirement that light poles can't exceed 20 feet applies to all zone districts. What is being requested is not consistent with the ordinance or other redevelopment projects in Kalamazoo.

4. That 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.

Request #1, Impervious Coverage: The granting of the requested variance is the minimum action that will allow for redevelopment of this site and limit disturbance of ground contamination that exists.

Request #2, Light Pole Height: The granting of the variance is not the minimum action necessary since conforming alternatives exist to develop the site with 20-foot light poles.

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

Request #1, Impervious Coverage: The granting of the variance will not adversely impact adjacent properties. Additionally, the applicant has agreed to maintain the green space and landscaping within the right-of-way adjacent to the hotel along E. Kilgore Road. Therefore, the site will appear to have more green space, but this portion is within the right of way.

Request #2, Light Pole Height: The granting of the variance will not be consistent with surrounding developments that use 15 and 20-foot light poles. Further, this will not be consistent with the City of Portage ordinance that only allows up to 25 foot tall poles.

6. That the granting of the variance will be generally consistent with the purposes and intent of this Ordinance.

Request #1, Impervious Coverage: The granting of the variance will be consistent with the purpose and intent of this ordinance to allow relief from the ordinance where warranted for sites like this with significant contamination. This is a Brownfield site.

Request #2, Light Pole Height: Adequate site lighting is important. However, the nearby bus stop and current cut through foot traffic can be mitigated with fencing and on-site lighting with 20 foot light poles.

7. Where the requested dimensional variance involves required landscaping, the Zoning Board of Appeals may grant a variance upon the following additional criteria: 1) existing landscaping, screening or wetlands intended to be preserved meets the intent of this section; 2) the landscape design proposed by the applicant meets the intent of this section; 3) there is a steep change in topography that would limit the benefits of required landscaping; 4) the proposed building and parking lot placement is setback well beyond the minimum required; 5) the abutting or adjacent land is developed or will be developed in the near future with a use other than residential; and 6) similar conditions to the above exist such that no good purpose would be served by providing the landscaping or screening required.

This criterion is not applicable to the requested variances.

RECOMMENDATION:

Staff supports the variance request of 3% for the impervious coverage as it meets the above criteria. Staff does not support the variance for the light pole height as the request is not able to meet all the criteria.



Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

June 26, 2024

RE: ZBA #24-07-12
5135 and 5147 Portage Street
Parcel #s: 10-02-215-006 and 10-02-215-005

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by American Village Development V, LLC for 5135 and 5147 Portage Street in the Commercial – Community District (CC).

The applicant is requesting:

1. A dimensional variance from Chapter 50, 50-5.1, Table 5.1-2, to allow 83% impervious cover for this redevelopment project where 80% is the maximum allowed impervious cover for the CC District.
2. A dimensional variance from Chapter 50-10.1 C (2) (a), to allow for 30-foot light poles in the parking lot where the maximum height for light poles in all zones is 20 feet.

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

The meeting will be held on Thursday, July 11, 2024, at 7 p.m. in the City Commission Chambers at City Hall, 241 W. South Street. This meeting will also be streamed live on the [City's Facebook page](#) and [YouTube Channel](#).

To examine documents related to this request or provide written comments, please contact Pete Eldridge at eldridgep@kalamazoocity.org or call (269) 337-8806. The agenda will be posted at <https://www.kalamazoocity.org/boards>

Sincerely,

Peter C. Eldridge, AICP
Zoning Administrator

Zoning Board of Appeals Application



Submitted on	9 April 2024, 9:47AM
Receipt number	38
Related form version	14

Introduction

Have you scheduled a pre-application meeting?	Yes
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Applicant Information

Name	5135 Portage Road, LLC
Organization (if applicable)	American Village Development V, LLC
Email Address	caardema@avbinc.com
Phone Number	2693293656
Address	4200 W Centre Ave, Portage, MI 49024, USA Map (42.1984402, -85.64111849999999)
Preferred Contact Method	Email
Are you the property owner?	No

Property Owner Information

Name	Phillip R. Mott Trust
Mailing Address	16400 S 21st St, Vicksburg, MI 49097, USA Map (42.0771384, -85.55897850000001)
Email Address	info@mottfarms.com
Preferred Contact Method	Email
Authorization from property owner:	Purchase Agreement Copy.pdf

Property and Application Details

Property Address	5135 Portage Rd, Portage, MI 49002, USA Map
------------------	---

Parcel Identification Number	10-02-215-006
Zone District	CC
Type of Request	Dimensional Variance
Application Fee	\$300.00
Project Description & Reason for Request	Please see attached Project Description letter.

Dimensional Variance Review Criteria

Are there conditions, like unusual topography, the shape of the lot or structure that are not commonly found on other lots or structures in the same zone district that make this request unique?

For request #1, the site is unique due to its documented deep contamination that could be exacerbated by standard pervious requirements. Per the attached Project Description document, contaminated brownfield sites can be better controlled with more impervious materials that help to "cap" the site.

For request #2, the site is challenged with high levels of foot and vehicle traffic that cross the parcel. The primary reason for the "cut-through" traffic stems from the location of the Metro bus stop along Kilgore Road, with southbound foot traffic taking a direct path through this site (see attached aerial map). Moreover, even distribution of lighting from the taller poles is essential to minimize unsafe dark pockets around the hotel's parking areas.

Is there a hardship that is unique to the land or structure that is not applicable to other land or structures in the same zone district?

As noted above for Request #1, the site is contaminated with deep pollutants from a previous gas station on the property. Additionally, the site has no access to on-street parking spaces, yet must meet the parking requirements of the zoning district and the Marriott brand standard.

For request #2, the site is surrounded on three sides by public roads that make it appealing for pedestrians to "cut-through" to reach their destination. As such, the property has experienced elevated crime events in 2024 that are consistent with loitering and heavy foot traffic (see attached crime report from KDPS).

Are the special circumstances created by actions of the applicant?

No, the unique conditions noted above existed prior to our work on this conceptual project.

Will the granting of the variance be the minimum action necessary for the use of the land or structure that will meet the spirit of this Ordinance?

The land is located at an important gateway location to serve Kalamazoo's large employers, the airport, and visitors arriving from Interstate 94. The construction of a first-class national brand hotel at this location is an excellent market-driven approach to service the potential of this gateway property. Moreover, the requested variances are required to overcome the challenged environmental condition of the site, the parking requirements of the city, and the concerns about lighting to deter loitering and "cut-through" traffic.

Will the granting of the variance negatively affect adjacent land?

No, the overall project and the requested variances will help to "cap" the deep pollutants at this site from spreading to neighboring parcels, and the taller light poles and enhanced lighting will help to reduce loitering and potentially reduce crime.

Will the granting of the variance be generally consistent with the purpose and intent of this Ordinance?

Yes, the City's zoning ordinance states an intent to "Create a flexible, market driven approach to the districts defined to promote public health,

safety, and general welfare." Each of these objectives will be supported by the project and the requested variances. More specifically, the environmental clean-up and enhanced lighting will promote each of these goals for the Portage Road corridor, the Milwood neighborhood, and the City of Kalamazoo.

Does existing landscaping, screening or wetlands planned to be preserved meet the intent of the Ordinance?

The site currently consists of a vacant building, asphalt parking lots, and a mowed grass area over contaminated soils. There are some small trees planted near the entry to the existing building that will need to be removed during demolition.

Does the landscaping proposed by the applicant meet the intent of this section?

The proposed landscaping provides new trees, bushes, shrubs, and ornamental grasses that are intended to greatly enhance the site and provide a buffer from the heavy commercial traffic and uses on adjacent parcels.

Are there steep changes in topography that would limit the benefits of landscaping?

No, the site is relatively flat.

Are the proposed building and parking lot locations setback beyond the required setback?

There is an enhanced setback and proposed landscape area at the southwest corner of the site, but the other areas match setback requirements.

Are there abutting lands developed or could be developed in the near future with a use other than residential?

No, the site is surrounded on three sides by public roads, and on the fourth side by a commercial hotel operation. The immediate area includes an airport, and interstate highway, retail stores, restaurants, and office buildings, so it is not conducive to future residential development.

Do similar landscaping conditions exist which would result in no added benefit if additional landscaping or screening was provided?

The site and area are heavily developed with commercial uses, so the proposed landscaping at the site is actually intended to help buffer from those existing uses. The current site is primarily asphalt and mowed grass over contaminated soils. We have, however, been working with the City of Kalamazoo on the concept of formally "adopting" the new right-of-way area north of this site (adjacent to Kilgore Road) to provide enhanced landscape plantings and maintenance.

Supporting Documents

Supporting Documents

[Project Description and Reason for Request.pdf](#)
[Project Renderings.pdf](#)
[5135 Portage Road - Crime Reports.pdf](#)
[Site Layout Plan 2-28-24.pdf](#)
[Landscape Plan 2-28-24.pdf](#)
[Site Layout Plan over Aerial 2-28-24.pdf](#)
[Walk Pattern Map on Existing Site.pdf](#)

Submit

Your Signature



[Link to signature](#)

5135 Portage, LLC

Project Description and Reason for Request

We are excited to be working on a comprehensive redevelopment of the former Brewster's restaurant site on Portage Road, near I-94 and the Kalamazoo/Battle Creek International Airport. Our development team is based in Kalamazoo County and has worked on numerous local projects, including both 400 Rose buildings in downtown Kalamazoo, the Springhill Suites by Marriott in Portage, and Tall Timbers in Portage (under construction). This proposed project involves the development of a new 4-story Residence Inn by Marriott hotel, which is intended to serve as a gateway to Milwood and the City of Kalamazoo. In addition, the project will be designed to support major regional employers in the area, including Stryker, Pfizer, and Zoetis.

The existing site includes the former Brewster's building, and a gas station that was closed and demolished in the 1990's. As a part of this proposed project, we are working with the Michigan Department of Environment, Great Lakes, and Energy (MDEGLE), the City of Kalamazoo's Brownfield Redevelopment Authority, and Fishbeck to mitigate the impact of the former gas station on the site and surrounding neighborhood. Overall, the Portage Road corridor south of I-94 has suffered from a period of heavy road construction that partially closed the interchange with I-94 for nearly four years. Over that time, several businesses closed and remain vacant. This project is intended to spur additional investment and growth in the area.

Our design team has worked diligently to create a project that complements the community, meets the requirements of Marriott, and addresses the challenges of this unique site. As shown in the project details, we have two items to bring before the Zoning Board of Appeals.

The first is a request to exceed the 80% impervious coverage limit by 3% for the following reasons:

- The site is contaminated, and additional pervious surfaces could exacerbate the environmental challenge. Although we are working closely with MDEGLE, the City, and Fishbeck on concepts to help clean the site and remove contaminated soils, deep pollutants have been documented and are beyond the clean-up scope of this project. The Environmental Protection Agency has documented in its report titled ***Design Principles for Stormwater Management on Compacted, Contaminated Soils in Dense Urban Areas*** that "*Unlike many conventional developments, impervious footprints on brownfields cannot always be minimized through site designs that incorporate more porous surfaces to allow for infiltration. Direct infiltration on a brownfield site may introduce additional pollutant loads to groundwater and nearby surface waters.*" As such, we are requesting a 3% reduction in pervious cover to minimize the opportunity to further spread deep pollutants at the site. We are only asking for 3%, because we intend to plant the remaining areas with enhanced landscaping to soften the impact of heavy suburban development that has occurred on adjacent properties. Soils will be removed to a safe depth for these plantings to occur.
- Since the site is located in a suburban setting, there are no on-street parking accommodations. As such, all guests and employee parking must be accommodated on

5135 Portage, LLC

the site, which creates a need for parking spaces as designed on the attached site plan that contribute to the 83% impervious coverage. By contrast, many city of Kalamazoo projects are located in areas that offer adjacent on-street parking, but the unique suburban conditions of this site do not provide that type of parking.

- We have explored the purchase of additional land area to accommodate the additional 3% of pervious surface area. Three sides of the parcel, however, are wrapped by public road frontages or right-of-way. The fourth side of the parcel (to the east) is adjacent to the Days Inn hotel. We have approached and met with their ownership group about a sale, and they have not been interested and have not responded.
- We have explored the idea of a “green” roof installation on the building, but the economic impact to the project is substantial as it requires not only the green roof infrastructure, but enhanced building structure as well. The inclusion of a green roof at today’s prices would likely inhibit the ability of the project to proceed.

The second request is for the installation of 30’ parking lot light poles, which is requested for the following reasons:

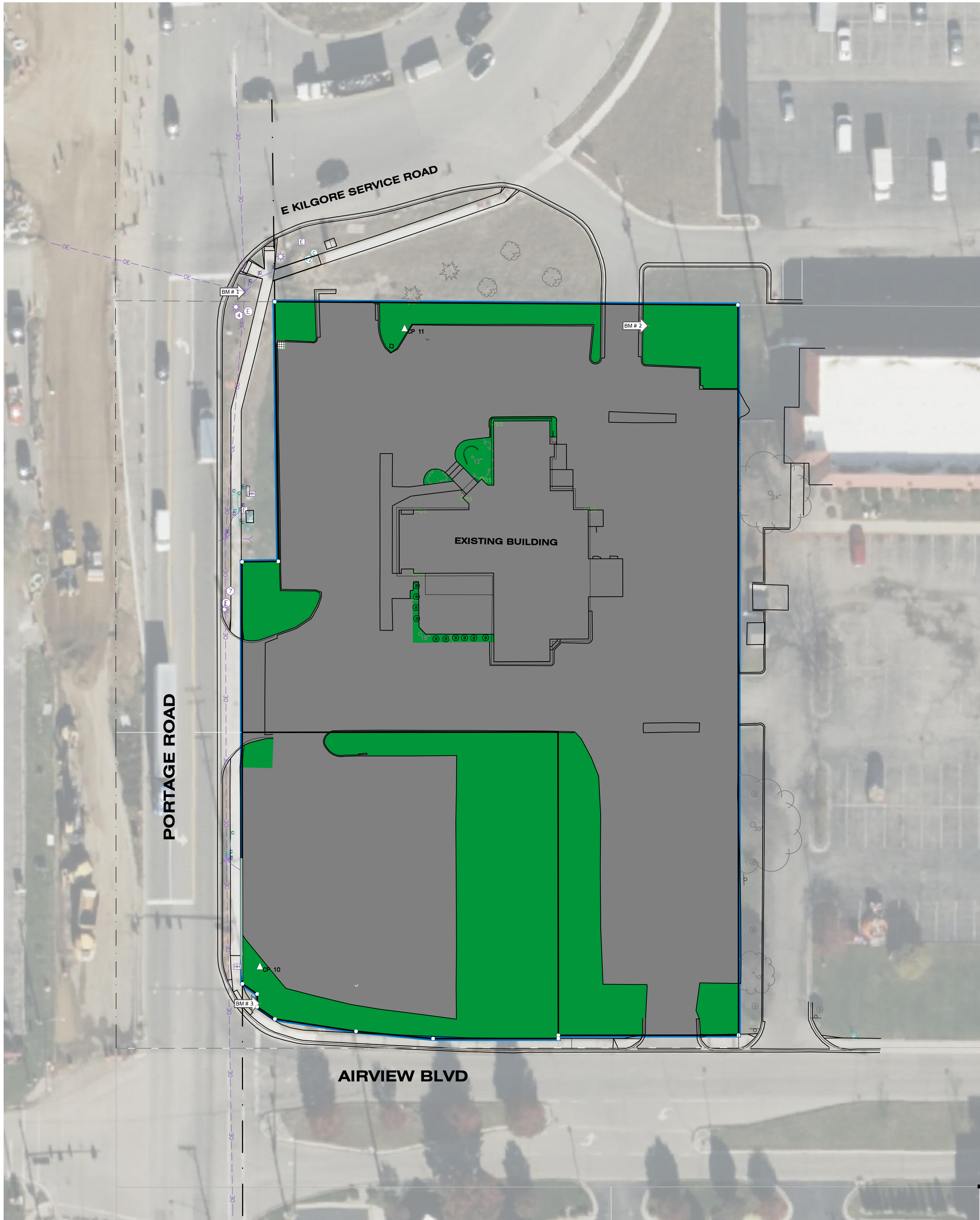
- The site is uniquely surrounded on three sides by busy roadways with high levels of vehicle and foot traffic, and safety is essential for the operation of a quality hotel. The presence of a primary bus stop immediately north of the project location also enhances the pedestrian traffic volumes. Moreover, the taller light poles provide a more even distribution of light across the site. The better light distribution helps to avoid unsafe dark pockets that can contribute to car/pedestrian collisions.
- The 30’ poles allow for potential energy efficiencies through a reduction in the number of fixtures and poles on the property.
- The 30’ poles permit the fixture light sources to be farther away from the property boundaries, reducing spillover that would occur if shorter and more frequent poles were used at the site.

We appreciate your consideration and look forward to bringing this important “gateway” project to the City of Kalamazoo.

Thank You.

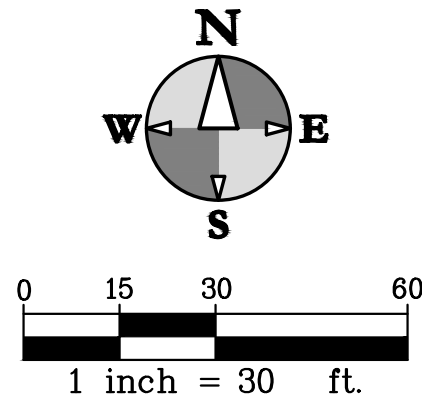
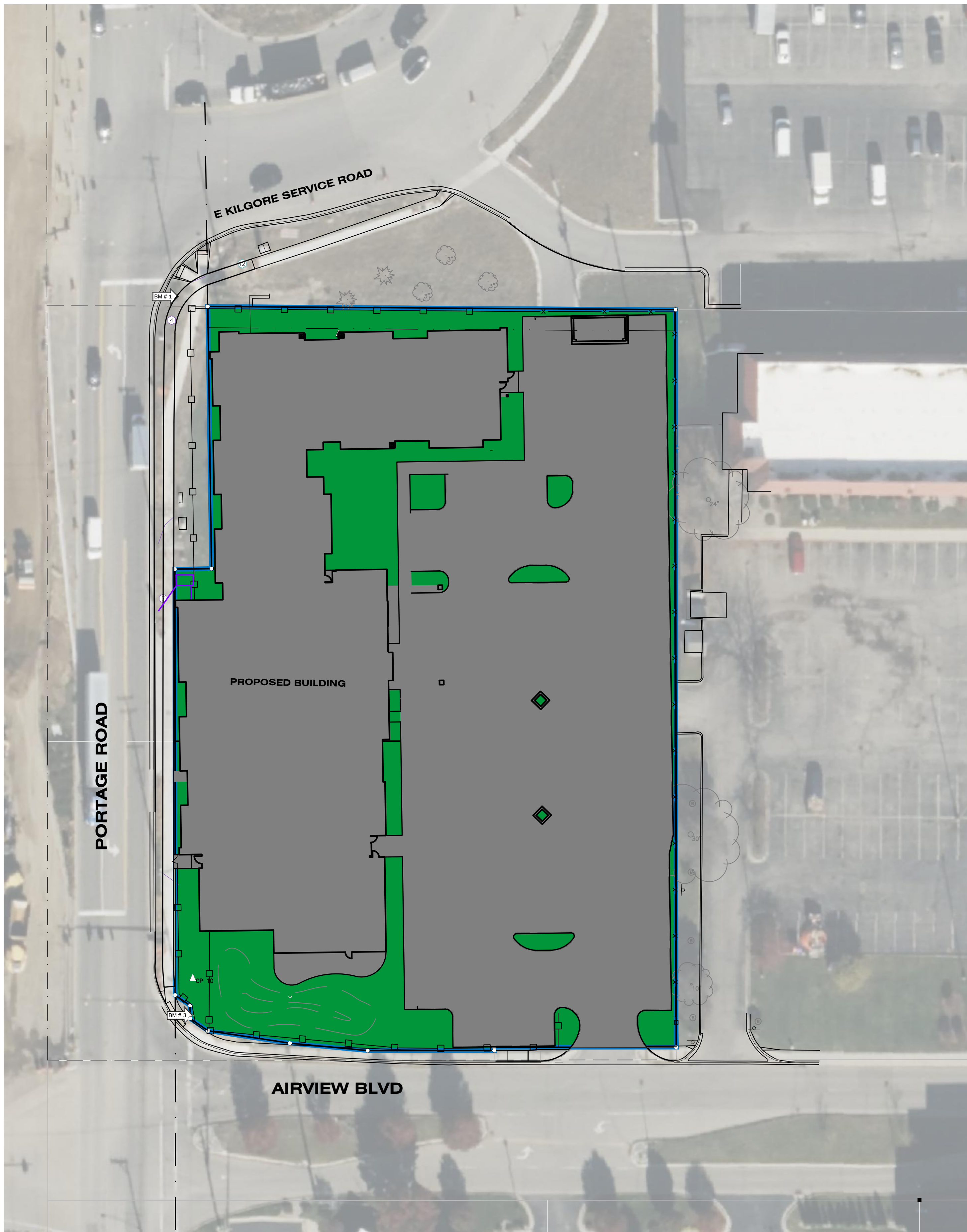
EXISTING AREA LEGEND

- PROPERTY BOUNDARY = 79,514 SFT
- IMPERVIOUS AREA = 61,609 SFT = 77.48%
- PERVIOUS AREA = 17,905 SFT = 22.52%



PROPOSED AREA LEGEND

- PROPERTY BOUNDARY = 79,514 SFT
- IMPERVIOUS AREA = 65,460 SFT = 82.32%
- PERVIOUS AREA = 14,054 SFT = 17.68%



IMPERVIOUS VS. PERVIOUS SURFACES
BREWSTER'S REDEVELOPMENT
H&G

Sheet Title:
Project:
Client:

02/09/24
Sheet

1

of 1

Job No. 23-083D P.M.T.D. DIT. MDS QA/QC 02/09/24
ISSUED FOR REVISIONS:
#1 STORM WATER CALCULATIONS 02/09/24
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hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

GENERAL NOTES

- ALL DIMENSIONS SHOWN ARE TO THE EDGE OF METAL.
- PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
- PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
- MATCH EXISTING CURB & GUTTER SECTIONS WHEN CONNECTING TO THEM. CONDITIONS VARY THROUGHOUT PROJECT.
- EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, AND THE CITY OF KALAMAZOO STANDARD SPECIFICATIONS.
- ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
- ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE P1 (3500PSI), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL.
- FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.
- IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.

PORTAGE ROAD

E KILGORE SERVICE ROAD

DOG RUN

BERM

AIRVIEW BLVD
(VARIABLE RIGHT OF WAY)

ZONING REQUIREMENTS

ZONING

THE SITE IS ZONED CC (COMMUNITY COMMERCIAL)
SETBACKS: FRONT - NOT LISTED
SIDES - 0'
REAR - 0'

PROPOSED USE

HOTEL
CONSTRUCTION TYPE 5A

PARKING

TOTAL PARKING SPACES REQUIRED:
- 1 SPACES PER HOTEL ROOM 98 ROOMS
- 1 SPACE PER EMPLOYEE = 5 SPACES

TOTAL SPACES REQUIRED = 103
TOTAL PARKING PROVIDED = 106 SPACES
BARRIER FREE SPACES REQUIRED = 5
BARRIER FREE SPACES = 5 PROVIDED
ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 9'x18'

LEGEND

	HEAVY-DUTY BITUMINOUS PAVEMENT
	STANDARD-DUTY BITUMINOUS PAVEMENT
	CONCRETE PAVEMENT AND SIDEWALK
	HEAVY-DUTY CONCRETE PAVEMENT
	PROPOSED BUILDING
	PARKING STRIPING (BLUE)
	PARKING STRIPING (GREEN)
	PARKING STRIPING (YELLOW)
	CURB AND GUTTER
	PROPOSED LANDSCAPING (SEE LANDSCAPE PLAN)
	EXISTING LANDSCAPING PAST PROPERTY LINE

SITE LEGEND

HMA	HMA PAVEMENT
C2	C2 CURB AND GUTTER (SEE DETAIL)
IC	INTEGRAL CURB WALK (SEE DETAIL)
CW	CONCRETE WALK (SEE DETAIL)
CS	CONCRETE SURFACE
PS	PARKING STRIPING (9'x18')
DE	DUMPSTER ENCLOSURE (SEE ARCHITECTURAL PLANS)
M	MDOT DETAIL M DRIVEWAY OPENING (SEE DETAIL)
ADA	PROPOSED ADA RAMP



Know what's below.
Call before you dig.

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.
FIELD WORK PERFORMED BY:
HURLEY & STEWART, LLC

SITE LAYOUT PLAN
RESIDENCE INN AIRVIEW BLVD
H&G

Sheet Title:
Project:
Client:
2/28/24
Sheet
C-2

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Job No. 23-082D, P.M.TDH, DRT-LAD, QA/QC, 2/28/24	ISSUED FOR/REVISIONS:
1. OWNER REVIEW	2/21/24
2. SITE PLAN REVIEW	3/1/24
3.	
4.	
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Project Renderings





Planting Schedule Perennials					
Symbol	Latin Name	Common Name	Size	Container Type	Comments
Am	Allium 'Millenium'	Millennium Ornamental Onion	#1	Cont.	
Ep	Echinacea purpurea	Purple Coneflower	#1	Cont.	15" o.c.
Er	Eupatorium rugosum 'Chocolate'	Chocolate Joe-Pye	#1	Cont.	24" o.c.
Hh	Heuchera hybrid 'Wildberry'	Dolce 'Wildberry' Coral Bells	#1	Cont	
Hk	Hosta 'Krosa Regal'	Krosa Regal Hosta	#1	Cont.	30" o.c.
LS	Liriope spicata	Creeping Lily-turf	cell	flat of 38	8" o.c.
Ms	Miscanthus sinensis 'Gold Breeze'	Gold Breeze Silver Grass	#1	Cont.	36" o.c.
Msm	Miscanthus sinensis 'Malepartus'	Malepartus Silver Grass	#1	Cont.	36" o.c.
Par	Pennisetum alopecuroides 'Red Head'	Fountain Grass 'Red Head'	#1	Cont.	24" o.c.

1. LAWN AREAS TO BE PLANTED WITH UPLAND MINERAL SOIL GROWN BLUEGRASS SOD. SOD TO HAVE BEEN HARVESTED WITHIN 24 HOURS OF PLANTING. ENSURE A SOURCE OF WATER BEFORE SCHEDULING SOD PLANTING. PREPARE SOIL TO RECEIVE SOD WITH A 19-19-19 STARTER FERTILIZER AT A RATE OF 5-7 LBS/1000 SFT.
2. ALL EDGING SHALL BE STANDARD COMMERCIAL-STEEL EDGING $\frac{3}{8}$ " X 4", ROLLED EDGE, FABRICATED IN SECTIONS OF STANDARD LENGTHS, WITH LOOPS STAMPED FROM OR WELDED TO FACE OF SECTIONS TO RECEIVE STAKES IN STANDARD FINISH OF GREEN PAINT.
3. PROVIDE QUALITY, SIZE, GENUS, SPECIES, AND VARIETY OF EXTERIOR PLANTS INDICATED, COMPLYING WITH APPLICABLE REQUIREMENTS IN ANSI Z60.1 "AMERICAN STANDARD FOR NURSERY STOCK." MEASURE ACCORDING TO ANSI Z60.1 STANDARDS.
4. WARRANT TREES, SHRUBS AND PERENNIALS FOR ONE YEAR FROM DATE OF SUBSTANTIAL COMPLETION AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM INCIDENTS THAT ARE BEYOND CONTRACTOR'S CONTROL.
5. REMOVE AND REPLACE DEAD PLANTS IMMEDIATELY. REPLACE PLANTS THAT ARE MORE THAN 25% DEAD OR IN AN UNHEALTHY CONDITION AT END OF WARRANTY PERIOD. A LIMIT OF ONE REPLACEMENT OF EACH PLANT WILL BE REQUIRED, EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO FAILURE TO COMPLY WITH REQUIREMENTS.
6. MAINTAIN TREES, SHRUBS, AND PERENNIALS FOR ONE YEAR FROM DATE OF SUBSTANTIAL COMPLETION BY PRUNING, CULTIVATING, WATERING, WEEDING, FERTILIZING, RESTORING PLANTING SAUCERS, TIGHTENING AND REPAIRING STAKES AND GUY SUPPORTS, AND RESETTling TO PROPER GRADES OR VERTICAL POSITION, AS REQUIRED TO ESTABLISH HEALTHY VIABLE PLANTINGS. SPRAY AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE.
7. BEGIN LAWN MAINTENANCE IMMEDIATELY AFTER EACH AREA IS PLANTED AND CONTINUE UNTIL ACCEPTABLE LAWN IS ESTABLISHED: A MINIMUM OF 60 DAYS AFTER SUBSTANTIAL COMPLETION.
8. MAINTAIN AND ESTABLISH LAWN BY WATERING, FERTILIZING, WEEDING, USING CHEMICAL TREATMENT TO ELIMINATE BROADLEAF AND NOXIOUS WEEDS, MOWING, TRIMMING, RESEEDING, AND OTHER OPERATIONS. ROLL, REGRADE, AND REPLANT BARE OR ERODED AREAS AND REMULCH TO PRODUCE A UNIFORMLY SMOOTH LAWN.
9. REMOVE ANYTHING 1" IN ANY DIMENSION AND REMOVE STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER FROM SITE.
10. MAINTAIN LAWN UNTIL A HEALTHY, UNIFORM, CLOSE STAND OF GRASS HAS BEEN ESTABLISHED, FREE OF WEEDS AND SURFACE IRREGULARITIES, WITH COVERAGE EXCEEDING 90% OVER ANY 10 SFT AND BARE SPOTS DO NOT EXCEED 5 BY 5 INCHES.
11. DO NOT PLACE STONE COBBLE DURING WET WEATHER. DO NOT PLACE DIRTY OR MUDDY COBBLE ON BARRIER FABRIC.
12. APPLY PRE-EMERGENT HERBICIDE TO ALL PLANTING BEDS ACCORDING TO MANUFACTURER'S RECOMMENDATIONS REAPPLY AS RECOMMENDED BY PRODUCT DURING ONE YEAR WARRANTY PERIOD.

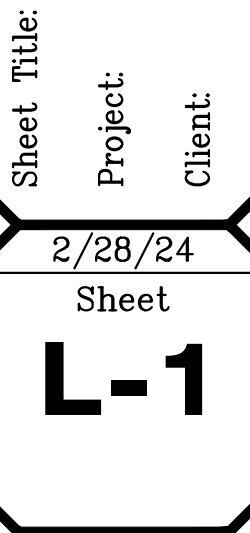
	NUMBER AND TYPE OF PLANTS TO BE PROVIDED AND INSTALLED.
	PLANT SOD.
	SEEDED LAWN.
	PERENNIAL PLANTING. SEE PLANTING SCHEDULE FOR PLANT SPACING REQUIREMENTS.
	STONE COBBLE MULCH 2-3" DIA. NATURAL STONE COBBLE WASHED OVER FILTER FABRIC.
	PROPOSED DECIDUOUS TREE
	PROPOSED EVERGREEN TREE
	PROPOSED SHRUBS, EVERGREEN AND DECIDUOUS
	PROPOSED ORNAMENTAL GRASS
	STEEL LANDSCAPE EDGING.

1. LANDSCAPE CONTRACTOR TO PROVIDE LAYOUT AND DETAILS FOR FULL IRRIGATION SYSTEM PRIOR TO INSTALLATION.
2. ALL LANDSCAPE AREAS AND LAWNS ADJACENT TO PAVED AREAS AND/OR STREETS ARE TO BE FULLY IRRIGATED.
3. IRRIGATION SYSTEM TO INCLUDE ALL SPRAY HEADS, VALVES AND CONTROLLERS.
4. A SEPARATE METER AND BACKFLOW PREVENTER WILL BE REQUIRED.
5. LOCATE HEADS A MINIMUM OF 2'-0" FROM EDGE OF PAVEMENT/ CURB.

1 TREE/ 35 LFT OF ROW = 349' AND 235' = 17 TREES
5% INTERIOR LANDSCAPE REQUIRED 33,356 SF REQUIRES 1,668 SF 1,886 SF PROVIDED
3 SHRUB/ 20' ROAD FRONTAGE AT PARKING =(118 LF/20)3 = 18 SHRUBS
1 SHRUB/ 5' BUILDING FACADE = 375 LF/5 = 75 SHRUBS
1 TREE/ 300 SQFT OF REQUIRED INTERIOR = 6 TREES

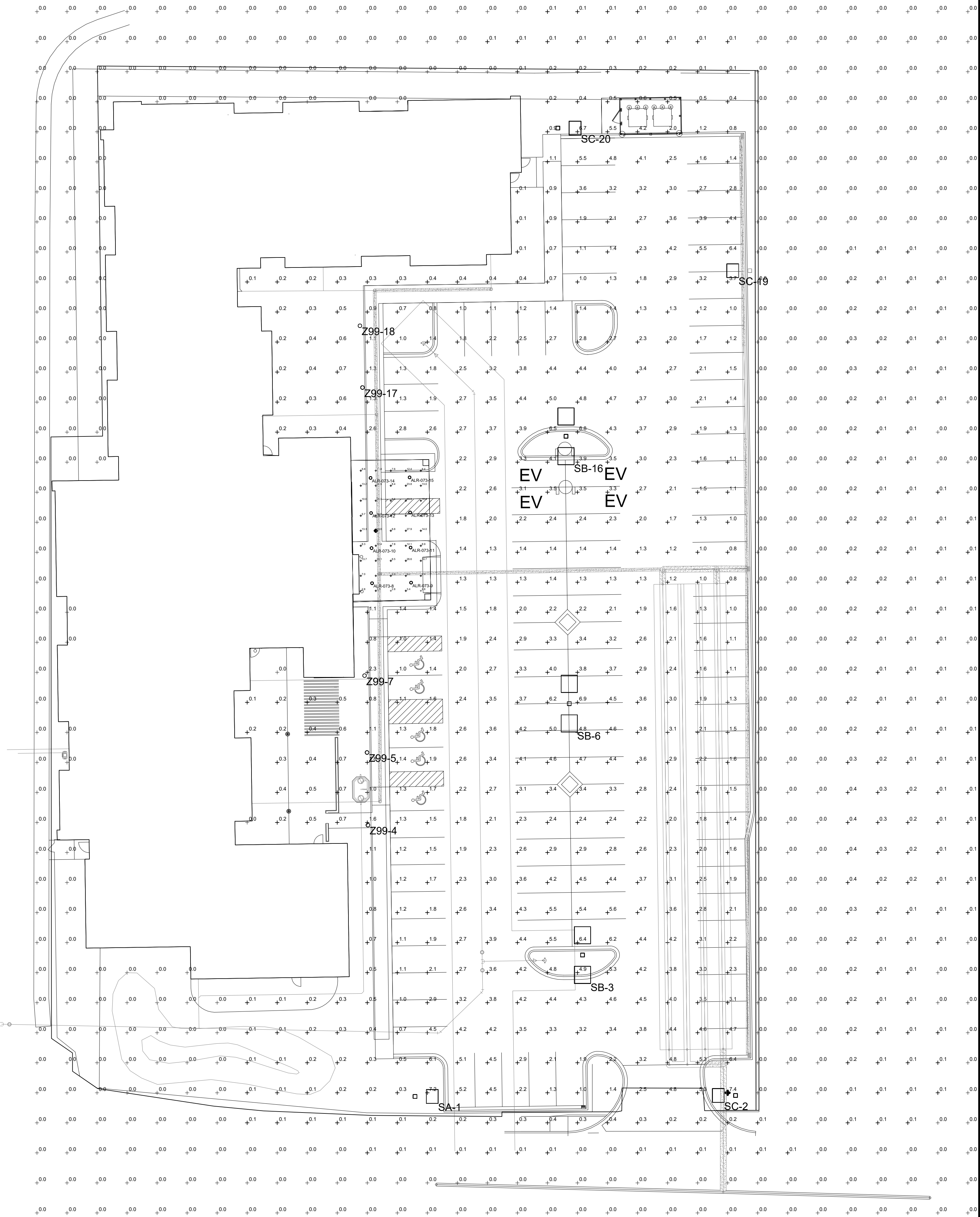
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Schedule									
Symbol	Label	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power
	ALR-073	8	COOPER LIGHTING SOLUTIONS - HALO (FORMERLY EATON)	HL618TAT - HLM6930 - HL6NFL - 455H	HALO ALLSLOPE 6" 30W, Semi-Specular Haze Reflector, White Metal Trim Ring using 25 Degree Optic at a 6-12 Pitch	1	2105	1	27.6
	SA	1	Lithonia Lighting	DSX1 LED P3 30K RCCO MVOLT	DSX1 LED P3 30K RCCO MVOLT	1	7121	1	102
	SB	3	Lithonia Lighting	[...]	[...]	1	[. . .]	1	289.187
			Lithonia Lighting	DSX1 LED P4 30K 80CRI T2M HS	D-Series Size 1 Area Luminaire P4 Performance Package 3000K CCT 80 CRI Type 2 Medium Houseside Shield	1	11978	1	123.9373
			Lithonia Lighting	DSX1 LED P6 30K 70CRI T2M HS	D-Series Size 1 Area Luminaire P6 Performance Package 3000K CCT 70 CRI Type 2 Medium Houseside Shield	1	16904	1	165.2497
	SC	3	Lithonia Lighting	DSX1 LED P3 30K LCCO MVOLT	DSX1 LED P3 30K LCCO MVOLT	1	7121	1	102
	Z99	5	PHILIPS-HADCO LIGHTING	RF6AK512LE	RF6 BOLLARD	1	346	1	12.7

Luminaire Locations		
No.	Label	MH
2	SC	20.00
3	SB	20.00
	SB-1	20.00
	SB-2	20.00
4	Z99	3.00
5	Z99	3.00
6	SB	20.00
	SB-1	20.00
	SB-2	20.00
7	Z99	3.00
8	ALR-073	13.50
9	ALR-073	13.50
10	ALR-073	13.50
11	ALR-073	13.50
12	ALR-073	13.50
13	ALR-073	13.50
14	ALR-073	13.50
15	ALR-073	13.50
16	SB	20.00
	SB-1	20.00
	SB-2	20.00
17	Z99	3.00
18	Z99	3.00
19	SC	20.00
20	SC	20.00
1	SA	20.00



1 SITE PLAN PHOTOMETRIC
SCALE: 1" = 20'-0"

ARCHITECTURAL GROUP III

201 S. Nappanee St. Elkhart Indiana 46514-1953 574/293-0008
architecturalgroup3.com
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JOB TITLE

RESIDENCE INN
BY MARRIOTT
A NEW 98 ROOM HOTEL
PORTAGE, MI

JOB NO.
24109

DATE
05/29/24

REVISIONS

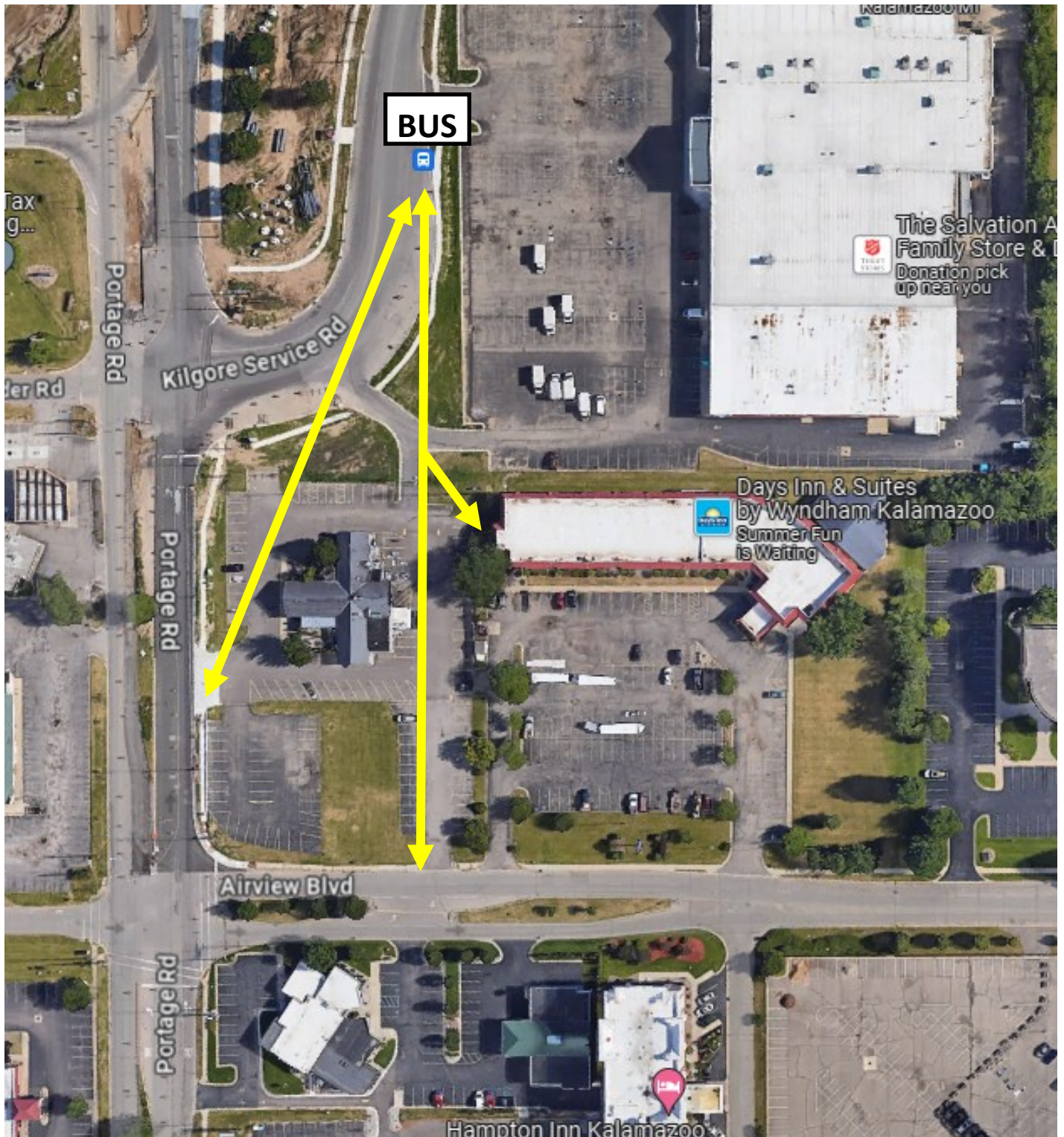
PRELIMINARY NOT
FOR CONSTRUCTION

SHEET NO.

E1.0a

SITE PLAN
PHOTOMETRICS

Walk Patterns To/From Metro Bus Stop



Walk Patterns To/From Metro Bus Stop



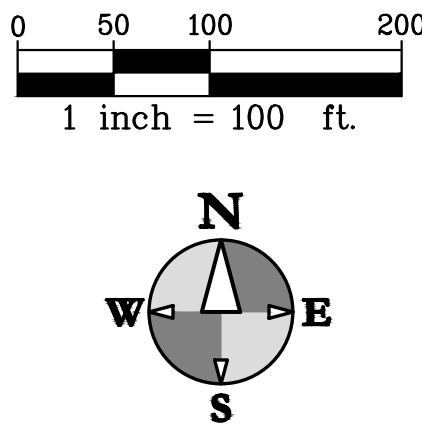
[Back to Map](#)

Crime Incidents

01-01-2024 to 04-08-2024 (99 Days)

19 Records

	Type	Description	Incident #	Location	Agency
Map it		DAMAGE TO PROPERTY - PRIVATE PROPERTY	24004339	1900 BLOCK E KILGORE SERVICE RD	Kalamazoo Dept. of Public Safety
Map it		FRAUD - FALSE PRETENSE / FRAUD (OTHER)	24003535	1500 BLOCK E KILGORE RD	Kalamazoo Dept. of Public Safety
Map it		AFFRAY, JOSTLING, ROUGHING CROWD	24003351	5100 BLOCK PORTAGE RD	Kalamazoo Dept. of Public Safety
Map it		ASSAULT/BATTERY/SIMPLE (INCL DOMESTIC AND POLICE OFFICER)	24003266	1600 BLOCK NOTTINGHAM AVE	Kalamazoo Dept. of Public Safety
Map it		DAMAGE TO PROPERTY - PRIVATE PROPERTY	24003115	2600 BLOCK AIRVIEW BLVD	Kalamazoo Dept. of Public Safety
Map it		ASSAULT/BATTERY/SIMPLE (INCL DOMESTIC AND POLICE OFFICER)	24003071	2600 BLOCK AIRVIEW BLVD	Kalamazoo Dept. of Public Safety
Map it		LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA	24002818	1700 BLOCK BLOOMFIELD AVE	Kalamazoo Dept. of Public Safety
Map it		OUIL / OUI ALCOHOL	24003713	PORTAGE RD / E KILGORE SERVICE RD	Kalamazoo Dept. of Public Safety
Map it		MOTOR VEHICLE THEFT / VEHICLE THEFT	24002239	5400 BLOCK PORTAGE ST	Kalamazoo Dept. of Public Safety
Map it		AGG/FEL ASSAULT - FAMILY - OTHER WEAPON - DOMESTIC	24002095	2600 BLOCK AIRVIEW BLVD	Kalamazoo Dept. of Public Safety
Map it		LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA	24001844	1700 BLOCK DORCHESTER AVE	Kalamazoo Dept. of Public Safety
Map it		LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA	24001505	5000 BLOCK PORTAGE RD	Kalamazoo Dept. of Public Safety
Map it		AGG/FEL ASSAULT - NON-FAMILY - GUN	24001425	2600 BLOCK AIRVIEW BLVD	Kalamazoo Dept. of Public Safety
Map it		DAMAGE TO PROPERTY - PRIVATE PROPERTY	24001131	2600 BLOCK AIRVIEW BLVD	Kalamazoo Dept. of Public Safety
Map it		TELEPHONE USED FOR HARRASSMENT, THREATS	24000722	1700 BLOCK DORCHESTER AVE	Kalamazoo Dept. of Public Safety





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Job No. 23-082D	P.M./T.D.H.	Drft. LAD	QA/QC: 2/28/24
ISSUED FOR/REVISIONS:			
1	OWNER REVIEW	2/21/24	
2	SITE PLAN REVIEW	3/1/24	
3			
4			
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SITE LAYOUT PLAN

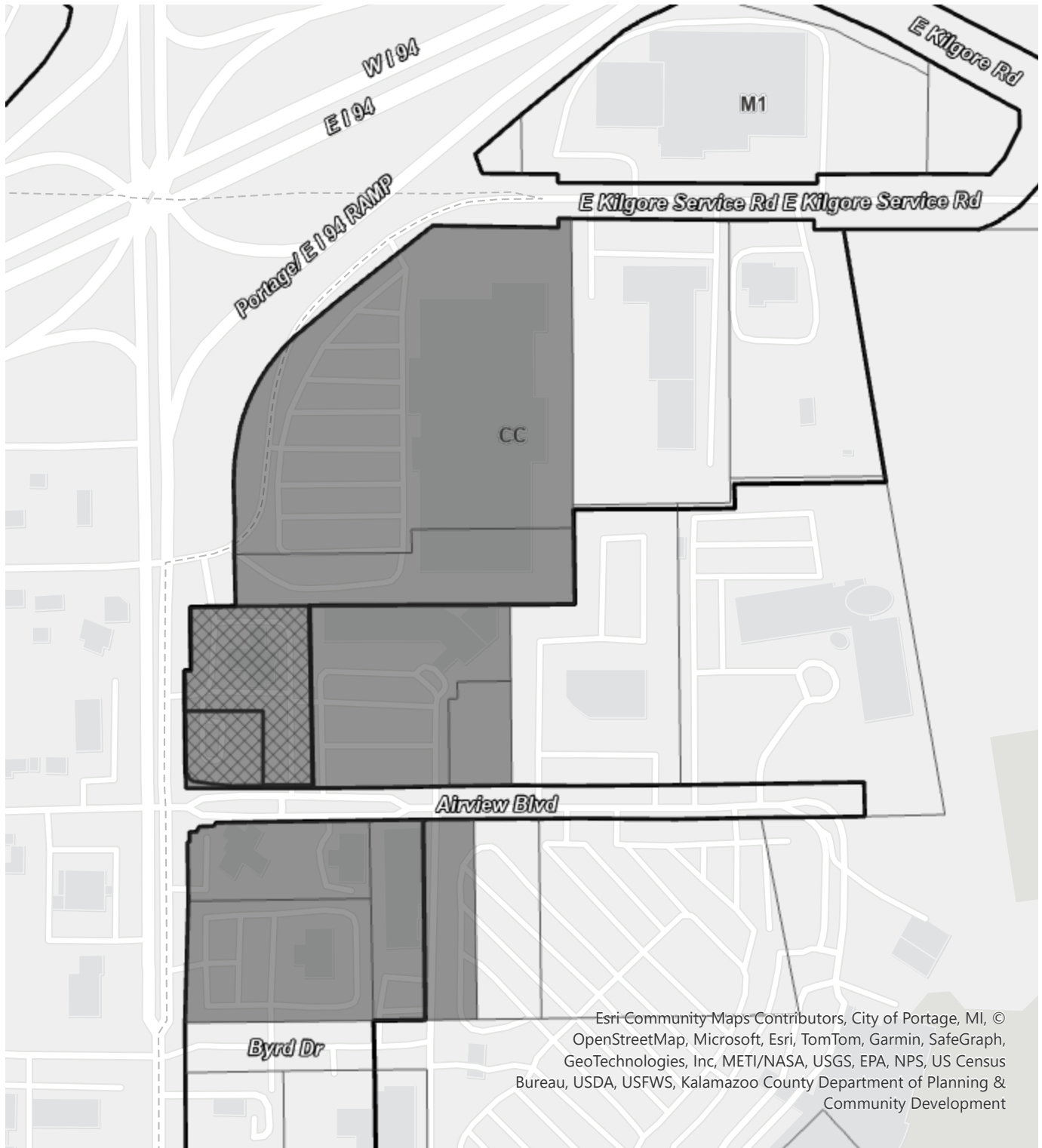
RESIDENCE INN AIRVIEW BLVD

H&G

Sheet Title:
Project:
Client:

2/28/24
Sheet

C-2



Parcels within 300' Mailing Radius 5135 and 5147 Portage Street

-  Subject Property
-  Property within 300' Mailing Radius
-  Other Property
-  Zoning District Boundary



0 110 220 440 ft