

Agenda

Zoning Board of Appeals

City of Kalamazoo



Thursday, October 9, 2025

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 September 11, 2025

C. COMMUNICATIONS AND ANNOUNCEMENTS

D. PUBLIC HEARINGS

1. ZBA #25-10-16: 209 and 219 W. Cedar Street. AVB Inc. is requesting a use variance from Chapter 50-4.4 C(11)(b), to allow a commercial parking lot on a corner lot in the LW-1 District, where a stand-alone parking lot is not permitted on corner lots in the LW-1 District.
2. ZBA #25-10-17: 411 W. Kalamazoo Avenue. CD Arena, LLC is requesting the following for the Parking Deck:
 1. A dimensional variance from Chapter 50, 50-9.5, to allow the total square footage of wall signs to exceed the maximum allowance of signage on an individual wall or building elevation. This variance is for the electronic message display (EMD), which is a wall sign, on the east side of the Parking Deck.
 2. A dimensional variance from Chapter 50, 50-9.5, to allow wall signs that exceed the maximum size allowed per wall sign of 200 square feet. This is for the EMD on the east side of the Parking Deck
 3. A dimensional variance from Chapter 50, 50-9.3G(1)(a), to allow EMD wall signs that exceed the 25% maximum allowance of wall sign area that can be comprised of changeable copy or EMD square footage. This is for the EMD on the east side of the Parking Deck.
 4. A dimensional variance from Chapter 50, 50-9.3G(1)(a) and (b), to allow for full motion video on the EMD located on the east side of the Parking Deck

The applicant is also requesting the following for the Event Center:

1. A dimensional variance from Chapter 50, 50-9.5, to allow the total square footage of wall signs to exceed the maximum allowance of signage on an individual wall or building elevation. This variance is for the wall signs on the

west side of the Event Center.

2. A dimensional variance from Chapter 50, 50-9.5, to allow wall signs that exceed the maximum size allowed per wall sign of 200 square feet. This includes the two electronic message displays (EMD) on the north side of the Event Center along with three large static signs on the Event Center.

3. A dimensional variance from Chapter 50, 50-9.3G(1)(a), to allow EMD wall signs that exceed the 25% maximum allowance of wall sign area that can be comprised of changeable copy or EMD square footage. This is for the EMD's on the north side of the Event Center.

E. DISCUSSION/ACTION ITEMS

F. REPORTS

G. ADJOURNMENT

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
June 12, 2025 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Joe Hohler III, Allison Haan, Remi Harrington, Gary Wark, Alan Sylvester (Alternate), and Jack Urban (Alternative)

Members Absent: Tony McReynolds and Beth van den Hombergh

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

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

Chair Hohler asked if there were any changes to the agenda and Mr. Eldridge said no.

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

APPROVAL OF MINUTES:

Mr. Sylvester moved to approve the meeting minutes from August 14, 2025, as submitted, seconded by Mr. Wark.

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 three minutes. Following that, those in opposition will be invited to speak for three minutes and afterward, those received via phone will be aired for the panelist and audience. The public can call in to 888-382-9556 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 people 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 1900 Belford Street into the record.

ZBA#25-08-14: 1900 Belford Street: An application for a dimensional variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Edison Community Partners The applicant is requesting a dimensional variance from Appendix A, Chapter 4, Section 4.2 Q(b)(6), to permit zero (0%) percent of the exterior materials on two of the buildings in the proposed development to be composed of brick, decorative precast, or a decorative masonry surface, concrete siding or other natural materials, such as wood, where at least 50% is required. For the third residential building, a total of three and four-tenths (3.4%) percent of the building's exterior materials are composed of brick, decorative precast, or a decorative masonry surface, concrete siding or other natural materials such as wood, where at least 50% is required.

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

Matt Hollander, the senior lead developer with Edison Community Partners and a resident of Kalamazoo, spoke on behalf of the Kal-Recovery Project, which is modeled after a project called Andy's Place in Jackson Michigan (his PowerPoint presentation showed Andy's Place), which he stated is the Michigan State Housing Development Authority's pilot recovery housing project, which opened in 2020-2021. He stated he's including the images because he wants people to understand what the project will look like in general because this one is built. He stated this is a national award-winning project they are emulating and are working with many of the same players who built Andy's Place. Mr. Hollander stated recovery housing is safe and decent affordable housing and is long-term housing with MSHDA project based vouchers for supportive services and equips residents who are in recovery from substance use disorders and is a partnership between affordable housing developers and drug treatment courts and in the case of the Kalamazoo project, they are partnering with the 9th Circuit and 8th District drug treatment courts, as well as Integrated Services of Kalamazoo to deliver long-term supportive services. He stated this isn't transitional or low-quality housing, but MSHDA financed, affordable housing that people can live in long-term, that are transitioning out of homelessness, and sober and in recovery from substance use disorders. He said the site is part of 333 East Alcott, which is the former Performance Paper Mill site and the address will be 1900 Belford once the project is constructed and it sits in a transitional area in the Edison Neighborhood, where a single-family neighborhood transitions into a collaborative health campus, and across Portage Creek is Kalamazoo County Health and Community Services, there's also an MDHHS facility next door to the south, the Family Health Center which is a federally qualified health center, and Integrated Services of Kalamazoo is adjacent. Mr. Hollander Stated this site makes a lot of sense because the services that the residents will need are in close proximity and it's also within walking distance of a full-service grocery store, schools, parks, and other daily needs. He said the surrounding neighborhood consists of single-family homes, which are primarily clad in vinyl and aluminum siding, which is the dominant facade material of those homes (he showed pictures of homes that are immediately adjacent of the site) and stated these are very simple, vinyl clad homes and every home in the pictures is either vinyl or aluminum. The next images were of neighboring commercial buildings and Mr. Hollander stated 400 Bryant Street, which is the county health building, is a historic brick building that was redeveloped by Plaza Corp in 2018, Integrated Services which is also brick clad, located at the corner of Alcott and

Portage Street, and down at the bottom was the relatively new MDHHS building, which he believed to be 50,000 square feet, and the Family Health Center was the image on the right. He then pulled up the site plan on the screen and stated that north is to the right, south is to the left, east is the bottom of the image and is the single-family neighborhood, and Portage Creek is to the west and on the other side of that is the community health building. On the other side of Bryant Street to the south are the other commercial structures and Reed Street is the boundary on the north, which has more single-family homes. He said he needed to skip parts of the request because there is a slight difference between what is written in the presentation and what the staff report includes and what is in the staff report is what the request is for.

He then showed a rendering from Abonmarche-Byce, the architecture and engineering firm working on the project, of building A, which is a 36-unit apartment building with elevator service in the foreground and off to the left are buildings B and C, which are both two-story walkup buildings. He stated the primary building is almost entirely one-bedroom units and the smaller buildings are for families and consist of two- and three-bedroom units and there are two two-bedroom units in the big building for on-site staff and when this is constructed, this will be the first, new construction permanent supportive housing project of this scale in Kalamazoo in a long time, Kalamazoo Commons was another recent permanent supportive housing project. He added that there has been hardly any supportive housing built in Kalamazoo in a long time and part of that is due to cost. He then showed another rendering of the building and feels very strongly that they have come up with a nice façade element that will blend into the neighborhood to the extent that buildings B and C will look like two-story family homes from the side and said they have taken great care to create a transition between the single-family homes in the neighborhood and the larger commercial uses surrounding the site. He said this fits into Imagine Kalamazoo's 2025 affordable housing priority and into the County's housing plan and there is significant funds from federal and local investment in the project, and the City of Kalamazoo has already committed to ARPA funds to the project and they are working with the city to secure more funding from Home and Foundation for Excellence and added there has been a lot of support from the City Commission in the form of payment in lieu of taxes and the development of this project has been supported by the city all along because it is critical supportive housing, and is the toughest type of affordable housing to build and sustain long term. Mr. Hollander stated he has been working on this project since July of 2018, to give an idea of how many hours have been put into making this happen, and that this is a nonprofit partnership between a local Kalamazoo based developer, the courts, the county, and also the community health agency and added there have been financial issues with the project: there has been a drop in tax credit equity rates, which cost nearly \$700,000, there has been \$700,000 or more in unforeseen environmental because this is a former contaminated site, and was on the federal Super Fund registry, and has been a targeted clean-up site by the City of Kalamazoo for decades. There is \$26,000,000 in state funding that will be lost if this isn't done and there has been \$4,000,000 lost in federal funding in March 2025 they had to get back and they had to come up with an additional \$4,000,000 in funding to provide supportive services after the recent cuts to Medicaid to ensure they would be able to provide all of the services and support that the residents are going to need, they have also had construction cost inflation of over \$3,000,000 since the start of the project and are still working through a \$3,000,000 plus funding gap to make sure they have at least 10-15 years of supportive services funding when the project is closed and built and these requirements would add nearly \$200,000 if they met the 50% requirement (for natural exterior materials), which is in the zoning code, when factoring the additional soft costs and the hard costs are at this time estimated at around \$140,000 just in façade materials if they did the 50%. He then showed a slide of other affordable housing projects that have recently been built in the city and none of them are in the RM district and are all in zoning designations that are allowed to have less

than 50% masonry façade materials, the projects are River's Edge, which is under construction, 530 Rose, which was recently completed, and Harrison Circle. He added that adding the materials to the façade wouldn't provide any additional community benefit, in his opinion and he showed pictures of a nice looking complex and they have been sensitive to the architectural vernacular of the neighborhood surrounding the project and if they have to spend more money on façade materials, they will be robbing directly from the funding they have for supportive services and the biggest threat to this project and its success, and being a benefit to the neighborhood instead of an eyesore and a problem is that they can manage it effectively and provide supportive services for the people who live there and they would like to move forward with the design that they believe is a cost-effective, high quality, well-designed complex. He added these are 50-year plus buildings and they have the support of the neighborhood, the city, the county, and support of the state.

Chair Hohler asked for staff comments and Mr. Eldridge stated we all know there is a demand for housing, especially for unique housing like this for substance abuse treatment, and we also know the cost of materials and labor continues to go up, and there are a funding cuts, which another example of the changes at the federal level and funds that are no longer there, but he wanted to focus on the standard that Mr. Hollander commented on about the 50% natural materials requirement for the façade of multi-family buildings. There is inconsistency, as mentioned in the staff report, in how this standard is applied to other projects, especially mixed-use projects which don't have to comply with this standard, it is only for residential multi-family, which puts added burden on the developer and planning is looking to amend the ordinance and remove the language, as far as the natural material standard, so when looking at the special circumstances, that should weigh heavily on it, that this is an ordinance language item that is slated to be removed and the developer shouldn't be punished because the language is still in the ordinance and hasn't been amended yet. Another challenge the project is faced with is having three street frontages, which made for quite a few interesting site plan review meetings, but this site will be fully compliant, with all of the other site requirements of the site plan review process from stormwater runoff to landscaping to bike parking, it's all there and has been worked through methodically by the developer. Lastly, the consistency with the structures around the site and there is single-family adjacent to the property, and the type of materials used in the neighborhood are similar to what is being proposed for these buildings along with the accents, like the support posts for the overhangs, there are some natural materials that will be incorporated in. As far as architectural features, which is another requirement for multi-family structures, they have to have at least three and these buildings have many more as far as the undulation of the roof line, the varying façade fronts, overhangs for the entryways, and the area for mural hangings, it is nicely done, so the subject is only the type of materials being used for the building façade. Staff is supportive of the request.

Chair Hohler asked if there was anyone who wanted to speak for the request and there was no one.

Chair Hohler asked if there was anyone who wanted to speak against the request and there was no one.

Chair Hohler asked if there were any phone in comments and there were none, but Chair Hohler wanted to note there was a letter of support from a nearby property owner.

Chair Hohler asked how far away the zoning changes are and Mr. Eldridge stated he isn't sure because there are other amendments they would also like to get done, but they are discussing them right now. Chair Hohler asked if this isn't like a couple years ago when the Board was preemptively approving things because it was certain to happen because this is more in the earlier stages and

Mr. Eldridge said this is in the early stages, but these are standards that were first flagged because of the inconsistency with the type of projects, and looking at what it was doing to construction costs, inflating the costs of some projects and not impacting others was the turning point. He added the vinyl materials have improved, as far as quality of what you can get, and so has aluminum but he can't give a timeframe. Chair Hohler asked if they were to put in a coffee shop this wouldn't be a discussion and Mr. Eldridge stated that was correct. Ms. Harrington asked if that is required and Chair Hohler said it changes the requirement if it's strictly residential this is what they have to do but if you put a business at the bottom, that would make it a mixed-use project. Mr. Eldridge added that this is the same section of regulations that also has the façade length maximum that the Bronco Commons project on West Michigan Avenue ran into. Mr. Sylvester said that limits the usability of a project when you add a commercial space strictly to avoid the need for a variance. Chair Hohler stated he wasn't suggesting they do that but was making an observation that in making that adjustment they can do whatever.

Mr. Urban said he understands there isn't a definite date when the zoning ordinance could be amended, but he still wants to know if it's just the intention to have the ordinance updated in this regard, or is this in the plans and Mr. Eldridge stated the City Planner, Christina Anderson, has looked at this set of additional requirements that only apply to multi-family developments and has said these are all going to be removed because of the burdensome nature and inconsistency of how they apply to development projects, but she is working on it right now and he doesn't know what else is planned related to the residential development regulations, but this isn't the first time this has come up, which is why he mentioned the Bronco Commons project where these ordinance provisions once served the community a decade ago, they aren't performing their duty anymore and there have been projects before the board where they clearly needed variances granted from these same provisions to allow the project to go forward, so this one is pretty clear where it is known what needs to be done but he doesn't know the execution date for making the amendments.

Chair Hohler asked why the city didn't change the zoning of this plot when they gave them the money?

Chair Hohler closed the public meeting.

FINDING OF FACT

Mr. Wark moved the Finding of Fact as follows:

- 1) The Finding of Fact for 1900 Belford Street shall include all information included in the notice of public hearing dated August 27, 2025, in the agenda packet staff provided for this request, as well as the presentation by Mr. Hollander and staff comments.
- 2) 87 notices of public hearing were sent, and one response was received in support from Matt Robbins, owner of 503 and 511 Lay Boulevard.
- 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:

Matt Hollander, the senior partner, explained the project in detail. He first showed a similar project, which was Andy's Place, a housing project in Jackson, which is an award-winning project. He said this is a recovery housing program financed by MSHDA. He explained the site in detail and that the services of DHS, the Family Health Center and food stores in the area would be a big help to the project. There will be three buildings with one, two, and three bedrooms, and the City of Kalamazoo supports the affordable housing project and Mr. Hollander stated he has been working on this project since July of 2018 and since then a lot of the financing has been changed and material costs have risen substantially and they found it difficult to put this project together. He added the savings will go toward managing the project and support services.

Mr. Urban seconded the Finding of Fact.

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

Mr. Wark moved to approve the application for a dimensional variance from Appendix A, Chapter 4, Section 4.2 Q(b)(6), to permit zero (0%) percent of the exterior materials on two of the buildings in the proposed development to be composed of brick, decorative precast, or a decorative masonry surface, concrete siding or other natural materials, such as wood, where at least 50% is required. For the third residential building, a total of three and four-tenths (3.4%) percent of the building's exterior materials are composed of brick, decorative precast, or a decorative masonry surface, concrete siding or other natural materials such as wood, where at least 50% is required, seconded by Mr. Sylvester.

Discussion:

Mr. Sylvester saw this property when he was on the Natural Features Protection board, project has challenges also because of the watershed that flows down Portage Creek and said this project was described to the NFP Review Board and that board is stringent on natural resources management, and the developer did an excellent job of meeting all of those requirements. He stated that other projects like this have challenges because of financing and because of the high cost of this permanent supportive housing, which is much talked about in our country, but if you caught the math on this, it's over \$500,000 per unit to develop this because PSH housing is so expensive and MSHDA's requirements are so high and reserves have to be so full for these kinds of projects, it shows how dire the need for this type of housing, and but for the need for this variance it appears to be an excellent project and he will support this variance.

Chair Hohler stated the overwhelming costs of contamination and if they didn't have that to deal with, they could meet the façade requirements fairly easily was enough of a special circumstance for him to be in favor of granting the variance.

Ms. Harrington stated she loves this project and is happy that the City has been supportive and said this is the type of thing they should "look the other way" on and will vote in favor as well.

Mr. Urban stated he remembers when Mr. Hollander came to the City Commission to present this and said the Commission was highly pleased with it, it was the neighbors needed to be convinced and thanked Mr. Hollander, the people working with him, and his staff for being steadfast in staying with the effort to get the project funded and accepted by the neighborhood is something to be commended and he wants to be on record saying to Mr. Hollander and his staff, thank you and to the community as a whole, this is what happens when persistence pays off.

Motion was approved unanimously by a roll call vote.

Ms. Harrington read the application for 1008 East Crosstown Pkwy., 1008 East Crosstown Pkwy. Rear, 1016 East Crosstown Pkwy., 1007 Fourth Street, and 1011 Fourth Street into the record.

ZBA#25-09-15: 1008 East Crosstown Pkwy., 1008 East Crosstown Pkwy Rear, 1016 East Crosstown Pkwy., 1007 Fourth Street, and 1011 Fourth Street: An application for a use and a dimensional variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Ronald Flowers, of Flowers Automotive Recycling. The applicant is requesting 1) a use variance from Appendix A, 4.1 A, to operate a business that qualifies as a "Scrap and Salvage Operation" within the M-1, Manufacturing-General Zone District, where this use is only permitted in the M-2 Zone District and 2) a dimensional variance from Appendix A, Chapter 4.2 Y (1), for a "Scrap and Salvage Operation" to be located on a combination of parcels totaling 1.2 acres in area, where this type of use is required to have a minimum of two (2) acres of land.

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

Mr. Ronald Flowers, of Flowers Automotive Recyclers, is asking for a reclassification. He stated they started buying end-of-life vehicles approximately five years ago, and were located at 1110 Fulford Street, off of Lake Street, in Kalamazoo and in the beginning, it was scrapping vehicles, and they looked at it as taking a few items off of the automobiles and admitted he aspired to be a "baby KMR", Kalamazoo Metal Recyclers, to have a big yard and, maybe, an auto parts yard but due to circumstances in that journey, things changed. Mr. Flowers stated one of the changes was the pricing of the material and the price over the scale when they were taking vehicles to Kalamazoo Metal Recyclers. The price went down significantly, and another thing that happened was that they were faced with either shutting down or finding a way to stay in business and take the business in a different direction and after doing some research online, they found businesses throughout the country, and the world, that were interested in purchasing recycled components off of these vehicles and they started looking at the vehicle not as scrap and junk, but looking at it as automotive recycling and found, through research and development, there is no automotive recycling industry in this country, which they found interesting considering the volume of vehicles and how, at this time, they're not being properly recycled. He stated that through that process they came to understand that they were looking at something new and innovative, and what they found out is they are in a position to eliminate waste from a vehicle and turn it into zero waste. He added that they were able to create a rough system that disassembled the vehicles at the Fulford location, which was outside and is taking all the knowledge they learned from that site and moved it to the location at Crosstown Parkway, a facility at this time that is built and suited for this use. He said he understands why the traditional scrap or salvage yard would need two acres of land, because you would have a plot of land with vehicles stacked on top of each other, but with everything they

have learned over the past few years, they have scaled to a size and don't need much room, the vehicles have a life cycle, come into the facility, are in an "assembly line", go through a process and within seven days the vehicle is gone. He added that the parts and components that are removed from those vehicles are stored on site in a shed that has gaylords and there's no visibility of any components or dismantling that will be seen by the public and they have found so much support from organizations throughout the state of Michigan, namely EGLE. He stated that working with Ann Gilchrist, from EGLE, came in and did a site walk through while they explained what would happen on the property and she thought it was amazing and said she is on board and in partnership when it comes to regulation, compliance, and fluid containment. In addition to working with EGLE, they applied for a Next Cycle grant through them as well and are looking to purchase onsite fluid containment equipment for them and will come in for guidance and support in that area. He stated only the west side of the property will be used for the disassembly and storage of vehicles and they also found out the property is sitting on 16 inches of concrete and said he believes the property used to be Standard Oil and a concrete company. He said as far as size, he understands the importance of it and recognized it so that it doesn't become something out of control and they don't need more space to store more vehicles and added that they are working with the Michigan Manufacturing Technology Center's Mark Gettel, who came to tour the site the day before, who will help them come up with a small, scalable disassembly automotive reverse manufacturing line. He feels that they are pioneers in the automotive recycling industry that the country is sleeping on. They have a partnership with Northern Initiatives, which supports small business growth and job creation and said he wanted to note the impact on the community, as well as the economic impact and Flowers Automotive wants to hire 15-20 employees in that area, which he stated will make an impact not only coming up with something environmentally friendly, sustainable, and has a positive impact on the community. He said along with the support from Northern Initiatives, Next Cycle of Michigan, EGLE, and the Michigan Manufacturing Technology Center, the Kalamazoo County Brownfield Authority has also stepped in and will be making sure the property will stay in compliance and up to environmental code standards for a safe work environment for the employees and stated they are actively reviewing the ground and the site to make sure there is no contamination in the ground within the property. Mr. Flowers stated the most important thing is that they want to make sure they are not doing what is not allowed in an area they shouldn't do it in or that can cause harm to the community in that area, they intend to make sure to care for the environment and the community and he has thought about the pros and cons, how it couldn't work, how it could fail and said he doesn't see any of that. He added that this is a collective team effort, which the City of Kalamazoo is involved with and supports, as well as other government entities, he added that the Kalamazoo Chamber of Commerce is also supporting them in building an employment special event for hiring. He stated he doesn't know how else to present his case but does know this would be good for the city and would like to know if there is a way this can be done.

Chair Hohler asked for staff comments, and they were as follows: Mr. Eldridge stated that from a staffing standpoint and seeing the first generation of Flowers Automotive Recycling that was operating at the Fulford location, he was skeptical, so he, other planning staff, and Shelby Donaldson visited the Crosstown location to see how it could be laid out and how it could be different from what we think of as a typical automotive recycling operation, and the site itself lends to this unique recycling venture that Mr. Flowers is embarking upon. He said with the very large service bays, which he believes is when Consumers Concrete was there and used them to service the trucks that carried the concrete, so the service bays are very deep, but this use variance evolves from the fact that the ordinance is rigid on what falls into the scrap and salvage category which includes scrap and salvage operations, storage of inoperable vehicles, wrecking and towing

services, and automotive recycling facilities. He said to think of a towing impound yard or a scrapping operation like Kalamazoo Metal Recyclers where there is a lot of acreage needed, which is why the ordinance requires these types of uses to have two acres and fencing around the premises where the outdoor storage is so that there's no view of the automotive parts or inoperable vehicles. Mr. Eldridge then wanted to draw attention to the conceptual plan that shows two vehicle storage locations and added that the footprint of where inoperable vehicles would be stored on the property is very minimal, as Mr. Flowers pointed out, so it is like an automotive salvage type of business/recycling on a much smaller scale than what is normally seen in other parts of the city: where cars come to die and stay until they've been picked apart over the course of years or they're ground into scrap and eventually removed from the site. He stated looking at the review criteria and the special circumstances, he wanted to first draw attention to the size of the building, and the extensive service bay doors on the west side, which is where the vehicles will be stored, outside those service bay doors, and then brought in to remove the select components and in the staff report there is a rundown of the types of components that are removed and recycled, some are able to be repurposed, resold, and not just ground up and recycled because of the type of metal they're made out of, but some of the components of these "junk autos" still have valuable life and can be put in another care and have not truly reached their end of life, which is unique and more than he knew before, so the building itself and the location is smaller than two acres, but focusing on the use variance there's the building, the type of business and how it doesn't really fit the wording of the ordinance as far as typical scrap and salvage operations, so it's a light version. Is it consistent with the ordinance, staff feels it is consistent with aligning the land uses with the zone district and the property is still zoned manufacturing limited, so it's M1 and is not in a commercial zone, this is a manufacturing zone, the applicant won't be doing outdoor disassembly, and the only parts of the car that will be outdoors will be the tires, and that's only for a limited period of time and because of the value of the components, they can't be left out in the elements, so they will be stored inside. He added that it is different and is not any more intensive than other uses in that area of the city, like Camp's Pallets, for example, on Mills Street, which is also in the M1 Zone District. He added staff is supportive but wants to place conditions, because they want to give support given the unique nature of the business but at the same time provide protection to the neighborhood, as follows: disassembly or removal of automotive components to occur in the building, which Mr. Flowers has already stated for the board and outdoor storage of vehicles be limited to the two vehicle storage locations shown on the concept plan so that it is clear the site won't evolve into an inoperable vehicle or junk vehicle storage yard at a later date.

Chair Hohler asked if there was anyone who wanted to speak in favor of the applicant and there was no one.

Chair Hohler asked if anyone wanted to speak against the applicant and there was no one.

Chair Hohler asked if there were any call-in comments and there were none but Chair Hohler wanted to note there was an email from a neighboring property.

Chair Hohler closed the public hearing.

Chair Hohler wanted to know if they are allowed, in this district, to do other car services and Mr. Eldridge said that is correct and there was a business called RC Auto that was in this building for a period of time, you can do auto repair, and car sales. Chair Hohler stated that would mean there would be some amount of broken-down car storage for car repair and Mr. Eldridge agreed.

Ms. Harrington asked if M-1 is light industrial manufacturing and Mr. Eldridge said this is looked at as a light manufacturing zone district.

Chair Hohler wanted to know if you were to take out the M-1 district portion and focused on the two acres and looking at the map, they're suggesting that if this is 1.2 acres, they will only use approximately 2/3 of it, with some of it being unused for this purpose and Mr. Eldridge stated yes, the frontage along Crosstown Parkway that is not intended to be part of the main recycling, it is just the main access drive and he also clarified these applications needed to be voted on separately and asked the board if they wanted to talk about the use variance now, vote on it and then go back to the dimensional variance and Chair Hohler stated they can do the Finding of Fact as a whole, then separate them into talking points and added that the applicant is in a unique position because he could win one and lose the other.

Chair Hohler asked if when planning did the site visit, they were convincing enough that they don't need even the full 1.2 acres of land for the operation and Mr. Eldridge stated that's true, Chair Hohler asked what if the conditions are added and they decided to just stick put some cars where it isn't authorized, how would that be enforced and Mr. Eldridge stated the next step for the project is site plan review and there won't just be the concept plan showing the vehicle storage, it will have to be on the approved site plan and followed and if there's a complaint, it would go to the zoning staff as an enforcement matter and not only would tonight's hearing be utilized, but the approved site plan would be as well to say "Look, you know those vehicles need to be removed...", but there is a process and it would be addressed if it happened.

Mr. Urban had a question regarding interpretation and stated the heart of the issue revolves around the fact that this operation has been classified as a scrap and salvage operation, and wanted to know if that designation came from the planning staff and Mr. Eldridge replied yes, they made the interpretation that this is the land use category that it falls in. Mr. Urban then asked if he could explain how they arrived at that designation and Mr. Eldridge said they arrived at that designation because this is a business that a) handles inoperable vehicles that have to be towed or brought on a trailer to the site for the recycling process to take place, and that falls under the scrap and salvage definition and then, of course, those components of the vehicle are being sold off. Mr. Urban asked if it was also possible for it to be qualified as a vehicle recycling and disassembly operation, somehow avoiding the "scrap and salvage" part because to him, it can be designated a number of ways and wouldn't fall into the M-2 district and Chair Hohler said he wanted to follow up on that question before Mr. Eldridge answers. Chair Hohler wanted to clarify if it's called salvage and scrap, they're making it like Kalamazoo Metal Recyclers, which is a vastly different operation and in doing so, they are holding it to a different standard than what it actually is and Mr. Urban said that's what he's getting at, Ms. Harrington said a disassembly factory. Chair Hohler asked if Mr. Eldridge could speak to that and he said the way to mentally frame it is to think of the category of retail sales and service businesses and all of the types of uses that fall into that category whether it be a flower shop, bar, restaurant, or a fitness center, so in this case the header is scrap and salvage operation, that is the all-encompassing category, and within that there are a number of different uses and to answer Mr. Urban's question, the last one listed is automotive recycling facilities and it's impossible, with that specific language, on top of the fact it talks about the handling and disassembly of inoperable vehicles, there's no way to say it doesn't belong in this overarching category which is the crux of why staff said, unfortunately, this is the category you fall in, it's only

permitted in the M-2 zone district, which means in order to get the approval process across the finish line a use variance is necessary

Mr. Wark asked how they are different than Morris Rose and Mr. Flowers stated they don't sell parts to the public, they are strictly business to business, and their purpose is to create a circular economy with the components coming from these vehicles to go back to manufacturers and rebuilders for reuse, repurpose, and remanufacturing a person can't come in off the street and pick parts off of a vehicle because they are rooted in recycling and eliminating waste of vehicles, not being a parts yard, and at the same time creating jobs because there is a lot of waste. He said think of how Kalamazoo Metal Recyclers can drop a whole vehicle inside a shredder, they are dropping a lot of revenue at the same time. He added that the vehicles at Morris Rose have been onsite for years and the vehicle life at Flowers Automotive Recyclers is seven days, then they're gone and that's based on they must leave the site because the idea of the business is circulation. Ms. Harrington called him a genius. Attorney Bear wanted to add regarding the definitions and said the definition of scrap and salvage operations, storage, sale, dismantling, or other processing of used, source separated, or waste material not intended for reuse in their original form. Typical uses include automotive wrecking yards, junkyards, and salvage yards, but not recycling facilities. So they can look at the not intended for reuse in their original form, and recycling facilities, Mr. Flowers has characterized it, and what he's doing doesn't exactly fit in that. Then he looked at recycling facilities which is a licensed facility for the collection and/or processing of recyclable materials, primarily household and communal waste, recycling facility does not include storage containers or processing actively located on the premises of a residential, commercial, or manufacturing use, and that is used solely for the recycling of material generated by that residential property, business, or manufacturer and does not include scrap or salvage establishments and does not include the washing of equipment...Attorney Bear stated that what Mr. Flowers is talking about doesn't fit in either of those and that it's dealing with automotive, staff has characterized it as falling more within the salvage category and this is an issue they run into from time to time and new uses arise, there can be business innovations such as what Mr. Flowers is doing, that don't fit exactly. Chair Hohler stated an argument can be made they don't need to ask for permission, but staff has decided it requires a variance and Attorney Bear is saying they may not need a variance and Attorney Bear said maybe it doesn't maybe it does but, in that situation, the better course of action is to request a variance but the board can take that into consideration and even though it doesn't fit exactly, they can say this use is consistent with the zoning ordinance if the variance is granted.

Mr. Urban said to Mr. Flowers that it sounds like his operation is at an intermediate point between the active use of the vehicles as they were intended, and scrap and most of the valuable components will be removed from the vehicle and give them a short path back to being reused, but he can't imagine every part will go back to a manufacturer or remanufacturer. He can see a bent fender not being useful, however it may have a very valuable catalytic converter or alternator that he would want to remove, but he can see the fender going to the scrapper down the street and he's sending his scrap to the scrap man, like a manufacturer who makes scrap, he's a non-manufacturer who will also make scrap, but he's not the scrapper, he wanted to know if that was accurate and Mr. Flowers said it's accurate in the way they see it, except for the language and how they title and identify with it is the change with what they're seeing, and the understanding that every part, component, and piece of a vehicle needs to find its way to the proper material handler so when it comes to the fenders and the shell of a vehicle, it is steel and iron, and should go to KMR because

they're a metal recycler. He added that with Franklin Iron and Metal in Battle Creek, who's interested in purchasing the plastic from the vehicle: the bumpers, dashboard, and any other plastic components inside the vehicle, that is the proper place for that material to go and he feels that anything to deal with scrapping and anything going to KMR, it's going to look like a mess so to speak but in reality, that bent fender and shell need to go to KMR so it can be properly shredded and become another part in the future. Mr. Urban addressed the board and stated it seemed to him they have a chance, depending on the wording of their decision on this case, to really provide some clarity to the planning staff on how to handle situations that could arise in the future when trying to make distinctions like this and he feels they could help themselves if they had a clearer definition of what recycling can consist of and maybe help the planning staff in the future rather than go through this again.

FINDING OF FACT

Ms. Haan moved the Finding of Fact as follows:

- 1) The Finding of Fact for 1008 E. Crosstown Pkwy., 1008 E. Crosstown Pkwy. Rear, 1016 E. Crosstown Pkwy., 1007 Fourth St., and 1011 Fourth St. shall include all information included in the notice of public hearing dated August 27, 2025, and the agenda packet provided by staff.
- 2) 46 notices of public hearing were sent, and one response was received in opposition of the variance from Ryan Racine of Rushmore Auto Body, located at 514 Mills Street.
- 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:

Mr. Flowers, the owner of the business, stated he started as a scrapyard on Fulford and after he started his business the price of scrap metal declined over time, and he found new ways to manage the recycling process that was new and innovative, and resulted in zero waste of vehicles. The rough, outdoor disassembly process he did at Fulford moved to Crosstown and is unlike a traditional scrapyard, and they've scaled down so much that two acres aren't needed. The parts and components are stored onsite indoors and not visible to the public. They have been working with EGLE and Brownfield Authority and other authorities to ascertain they're remaining in compliance on all fronts and getting guidance and support for their processes and their fluid containment and the disassembly and storage is only on the west side of the property. The impact on the community is anticipated to be continuously positive, currently they're expecting to hire 15-20 employees, and the environmentally sustainable impact is also positive for the community. Staff was, admittedly, skeptical of the plan at first because the ordinance is quite stringent for these types of uses however, after seeing the plan staff is supportive on the conditions they agreed to, very limited outdoor storage and disassembly inside.

Mr. Wark seconded the Finding of Fact.

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

Mr. Sylvester made a motion to approve the application for a use variance from Appendix A, Chapter 4.1, to operate a business that qualifies as a “Scrap and Salvage Operation” within the M-1, Manufacturing-General Zone District, where this use is only permitted in the M-2 Zone District, with the staff recommendations of the conditions of disassembly be contained in the building and they limit the storage to two locations, seconded by Mr. Wark.

Discussion:

Chair Hohler stated he has been back and forth on that particular portion because he was trying to find a way around it, that it could be this or that, then Mr. Eldridge made reference to the zoning being specific to this kind of business but because the M-1 Districts allow some automotive services and this one is kind of a weird in between, he is inclined to support the request with the staff recommendations with the hope they keep it as is and not let it slide over into KMR territory.

Ms. Harrington asked for clarity regarding the recommendations and Mr. Eldridge said they are really the two conditions that Mr. Sylvester stated pointed out: first that the disassembly occurs inside the building and second is that they limit the storage of inoperable vehicles to the two places identified on the plan. She then asked if, like Ryan asked in his letter, to put a fence up and Mr. Eldridge said yes, that will be part of the site plan review because it does fall under this category of scrap and salvage, a screening fence is required around the area of the property where vehicles are stored and where automotive parts are stored or placed so it will be addressed so it's more complete if there are residences nearby it has to be screened so it's not visible from the street or an adjacent property. She asked what value is it to city staff that their process is only seven days from the point that the vehicle comes on site versus a salvage yard which could be there since 1967, and Mr. Eldridge said the significance of that is because there are only two areas where inoperable vehicles can be stored on the property, that will force the removal of the vehicles that the recyclable components have been removed from so they can bring in new inoperable vehicles to begin the process again. Ms. Harrington asked that given that is their process, they were still inclined to designate this as a scrapyards or a salvage yard and Mr. Eldridge said only because the type of work being done falls under that broad category, which is why he used retail sales and service as an example because the ordinance has broad, land use categories that similar uses fall under but that's how that interpretation came to be. Chair Hohler said he imagines staff has to be more restrictive on what they can call things and leave the variances to the board because if you're broad with this one but not that one, it can end up in court. He added not that he was saying there would be cars piling up because the shell of that car is money and they wouldn't want it sitting longer than it needs to. Ms. Harrington said she feels that this is ushering in a new phase in the world and this is part of regenerative development and is reutilization of materials, and to Mr. Urban's point, that can be offered as part of a bigger conversation for the planning staff. Chair Hohler stated that the zoning speaks to a situation that existed up to the moment they voted on the zoning and while you want to be forward thinking, it can't speak futuristically because it doesn't know.

Motion approved, with the two staff conditions, unanimously by voice vote.

Mr. Wark made a motion to approve the application for a dimensional variance from Appendix A, Chapter 4.2 Y (1), for a “Scrap and Salvage Operation” to be located on a combination of parcels totaling 1.2 acres in area, where this type of use is required to have a minimum of two (2) acres of land, seconded by Mr. Urban.

Discussion:

Chair Hohler stated that with the conditions involved and hearing from staff, he’s satisfied that the two-acre rule need not apply because if the work can be done in a smaller area, he’s inclined to vote to approve to allow it and Mr. Sylvester agreed.

Motion was approved unanimously by a roll call vote.

DISCUSSION/ACTION ITEMS:

Mr. Eldridge wanted to add that one element of the bylaws needs to go to City Commission, and that is the number of regular board members and that ordinance must be amended and he will keep the board posted on that but in the interim, Mr. Sylvester will remain Alternate #1 and Mr. Urban will be Alternate #2. He will need to send reappointment memos to reposition board members moving from one seat to another.

REPORTS:

ADJOURNMENT:

The meeting was adjourned at 8:36 p.m.

Submitted By _____ **Date** _____
Recording Secretary

Reviewed By _____ **Date** _____
City Staff

Approved By _____ **Date** _____
Chair



Zoning Board of Appeals Staff Report

City of Kalamazoo

Date: **10/9/2025**

Item: **D.1.**

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: October 9, 2025

SUBJECT: ZBA #25-10-16: 209 and 219 W. Cedar Street. AVB Inc. is requesting a use variance from Chapter 50-4.4 C(11)(b), to allow a commercial parking lot on a corner lot in the LW-1 District, where a stand-alone parking lot is not permitted on corner lots in the LW-1 District.

BACKGROUND:

The subject properties are located at the corner of W. Cedar Street and Walnut Court. The property directly on the corner is 219 W. Cedar Street, and the adjacent lot is 209 W. Cedar Street. AVB Inc. is the property owner and utilized the lots for construction staging during the construction of the mixed-use development known as 400 Rose Apartments, phase 2, on the north side of W Cedar Street.

The two properties combined are .34 acres and are in the LW-1 District. The properties are currently vacant. AVB Inc. is proposing to combine these lots to build a surface parking lot at this location. The plan is to then move the existing car parking lot near the southwest corner of S. Rose Street and W. Cedar Street to this new parking lot. The applicant has stated that this will result in moving the surface parking away from S. Rose Street, which is labeled as an Urban Center Street, and has a much higher traffic count than Walnut Court. The proposed parking lot will meet all site development requirements, including landscaping and stormwater. By relocating the surface parking, it is hoped that this will spur on development of the S. Rose Street corner.

Staff noted that there was a past use variance granted for a similar circumstance in 2022. This was on the corner of Eleanor Street and N. Westnedge Avenue. At this location, the developer was planning to build a stand-alone parking lot on this corner lot, in the D-2 District, to support the new apartment proposed along Arcadia Creek. A variance to allow parking on a corner lot was approved with the following two conditions: 1) A five-year sunset provision from the date of this Board's approval, and 2) the required removal of the parking lot improvements at the end of the five (5) year period. Ultimately, this project did not move forward because the property was absorbed into the Event Center project site.

Stand-alone parking lots on street corners are not permitted in the LW-1, LW-2, CC2, D-2, and D-3 Districts. These parking lots are not supported by the Zoning Ordinance or Master Plan 2025, which notes that numerous surface parking lots throughout the downtown disrupt development patterns and make the downtown less walkable.

STRATEGIC VISION ALIGNMENT:

Strategic Goal and 2025 Master Plan Impact:

The Future Land Use map identifies this area as Urban Edge, which supports residential and compact commercial development to create an active and vibrant edge of downtown. A stand-alone parking lot on a street corner in the LW-1 District does not align with the Downtown Life Chapter of the 2025 Master Plan, which is why staff is suggesting that approval have a time-limit condition.

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 on September 24, 2025. A notice was sent to the Vine Neighborhood Association and the applicant has been advised on outreach to the adjacent property owners.

Engagement/Communication Tools

Newspaper public notice, mailings of the public hearing notice to properties within 300 feet of the property, and applicant outreach.

FINDINGS:

Staff has made the following findings regarding this request:

1. That the literal interpretation and enforcement of the terms and provisions of this Ordinance would deprive the applicant for all practical purposes from using the property for a permitted use identified in the Zoning Ordinance, which is a right commonly enjoyed by other land in the same zone district.

The applicant is not being deprived of the right to utilize these properties for parking. However, there must be a building associated with the parking on the site due to the corner lot status. At present, the developer is looking to enhance the current gravel-covered properties and build only a parking lot. Buildings on this site are desired, but would not occur for years.

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

The special circumstance is that the properties being considered are vacant and completely cleared from their prior use as a construction staging site. The applicant is proposing to improve the site with a new surface parking lot meeting all the development standards and move their tenant parking to this site, which could shift the surface lot parking closer to the corner of Rose Street and Cedar to mid-block. This would have a positive impact on the blocks.

3. That the special circumstances are not the result of the actions of the applicant.

The applicant is not required by the Zoning Ordinance to use this parcel as a parking lot. It is their desire to use it as parking while the ultimate use of the parcel is being determined.

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.

The use variance requested with the five (5) year sunset provision is the minimum action that could be taken to allow the developer short-term activity on this property. However, granting it without this time-limit condition would not be the minimum action, as it would result in the permanent use of this downtown street corner for a stand-alone parking lot.

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

The granting of the use variance for a temporary parking lot will not adversely impact adjacent land. The proposed parking lot will meet all the development standards, including stormwater management and landscaping. However, allowing a parking lot on this corner permanently would have an adverse impact on the development density anticipated for this downtown block.

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

The granting of the use variance with the five (5) year sunset provision provides off-street parking in the short run while supporting appropriate downtown development consistent with the Ordinance in the future.

RECOMMENDATION:

Staff supports the granting of the requested use variance as it meets the review criteria with the following two conditions: 1) A five-year sunset provision from the date of this Board's approval, and 2) the required removal of the parking lot improvements at the end of the five (5) year period.



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

September 24, 2025

**RE: ZBA #25-10-16
209 and 219 W. Cedar Street
Parcel #06-22-114-003 and 06-22-114-007**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by AVB Inc. for 209 and 219 W. Cedar Street in the Live Work – 1 District (LW-1).

The applicant is requesting a use variance from Chapter 50-4.4 C(11)(b), to allow a commercial parking lot on a corner lot in the LW-1 District, where a stand-alone parking lot is not permitted on corner lots in the LW-1 District.

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

The meeting will be held on Thursday, October 9, 2025, 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	10 September 2025, 3:23PM
Receipt number	55
Related form version	14

Introduction

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

Name	Curt Aardema
Organization (if applicable)	AVB
Email Address	caardema@avbinc.com
Phone Number	269-329-3656
Address	4200 W Centre Ave, Portage, MI 49024, USA Map (42.1984775, -85.6412658)
Preferred Contact Method	Email
Are you the property owner?	Yes

Property and Application Details

Property Address	219 W Cedar St, Kalamazoo, MI 49007, USA Map (42.2872868, -85.585584)
Parcel Identification Number	06-22-114-007
Zone District	LW-1
Type of Request	Dimensional Variance
Application Fee	\$300.00
Project Description & Reason for Request	We are working on a project that will relocate surface parking from the primary corners of Rose and Cedar streets in downtown Kalamazoo. The proposed project involves the construction of a new parking lot in the middle of a block with professional landscaping, maintenance and

management. The proposed project is requesting a variance due a unique condition of being adjacent to a small alleyway that technically creates a corner condition. We believe the project benefits the block, however, by moving the parking to the interior of the block and permitting future buildings to be constructed on the primary corners of the block fronting S. Rose Street.

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?	The lot includes two parcels, with one fronting on an alleyway. The alleyway is not a primary street and receives very little public traffic. The zoning ordinance does not permit parking lots on a "corner," but the corner in this situation is not a typical public street corner.
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?	The lot is not adjacent to an active public street corner like most traditional corners in the zone district. Moreover, the unique "corner" condition is created by an old narrow alleyway servicing a small group of residential homes.
Are the special circumstances created by actions of the applicant?	No
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 proposed project supports the growth of the area by moving parking that has historically been located on primary corners to the center of the block. Without the variance, the project cannot be proceed and cannot be used to support the addition of more housing in the immediate area. The area has grown in recent years with the addition of new housing, but future opportunities are limited without the granting of this variance and the proposed new project.
Will the granting of the variance negatively affect adjacent land?	No. The adjacent land on both sides of the proposed project site are existing surface parking lots and mirror the proposed use. The applicant also owns the land across the street and supports this project.
Will the granting of the variance be generally consistent with the purpose and intent of this Ordinance?	Yes. The Ordinance states that "Live-Work 1 promotes a wide mix of commercial and residential uses in a scale and with a building form compatible with Kalamazoo neighborhoods and corridors." Moreover, the proposed use supports the existing and proposed new residential uses in the immediate area, and the form of the proposed project also aligns with the Ordinance by moving parking to the interior of the block.
Does existing landscaping, screening or wetlands planned to be preserved meet the intent of the Ordinance?	Yes
Does the landscaping proposed by the applicant meet the intent of this section?	Yes
Are there steep changes in topography that would limit the benefits of landscaping?	No
Are the proposed building and parking lot locations setback beyond the required setback?	The proposed setbacks would meet Ordinance requirements.
Are there abutting lands developed or could be developed in the near future with a use other than residential?	The applicant does not own the adjacent land, but has already developed the land across the street with new mixed-use buildings. The land to the west fronting Cedar Street is owned and operated by Douglas & Sons Inc. as a retail store.
Do similar landscaping conditions exist which would result in	The applicant intends to meet or exceed the landscaping requirements of

no added benefit if additional landscaping or screening was provided?

the Ordinance. The site is currently a vacant gravel lot with no landscaping.

Supporting Documents

Supporting Documents

[Layout Sketch.pdf](#)
[Site Aerial.pdf](#)
[Neighboring Site Photos.pdf](#)
[Existing Site Photos.pdf](#)

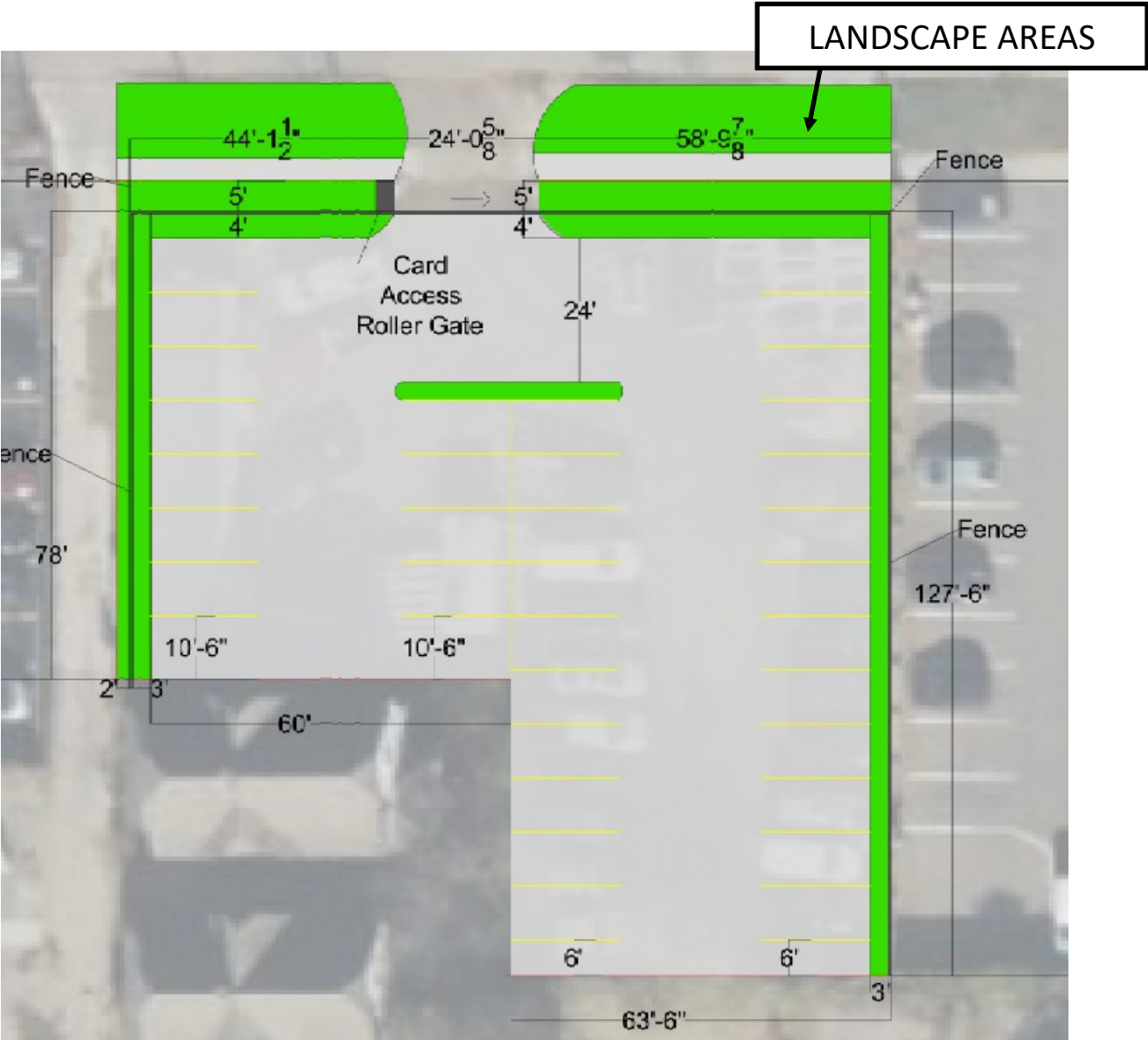
Submit

Your Signature

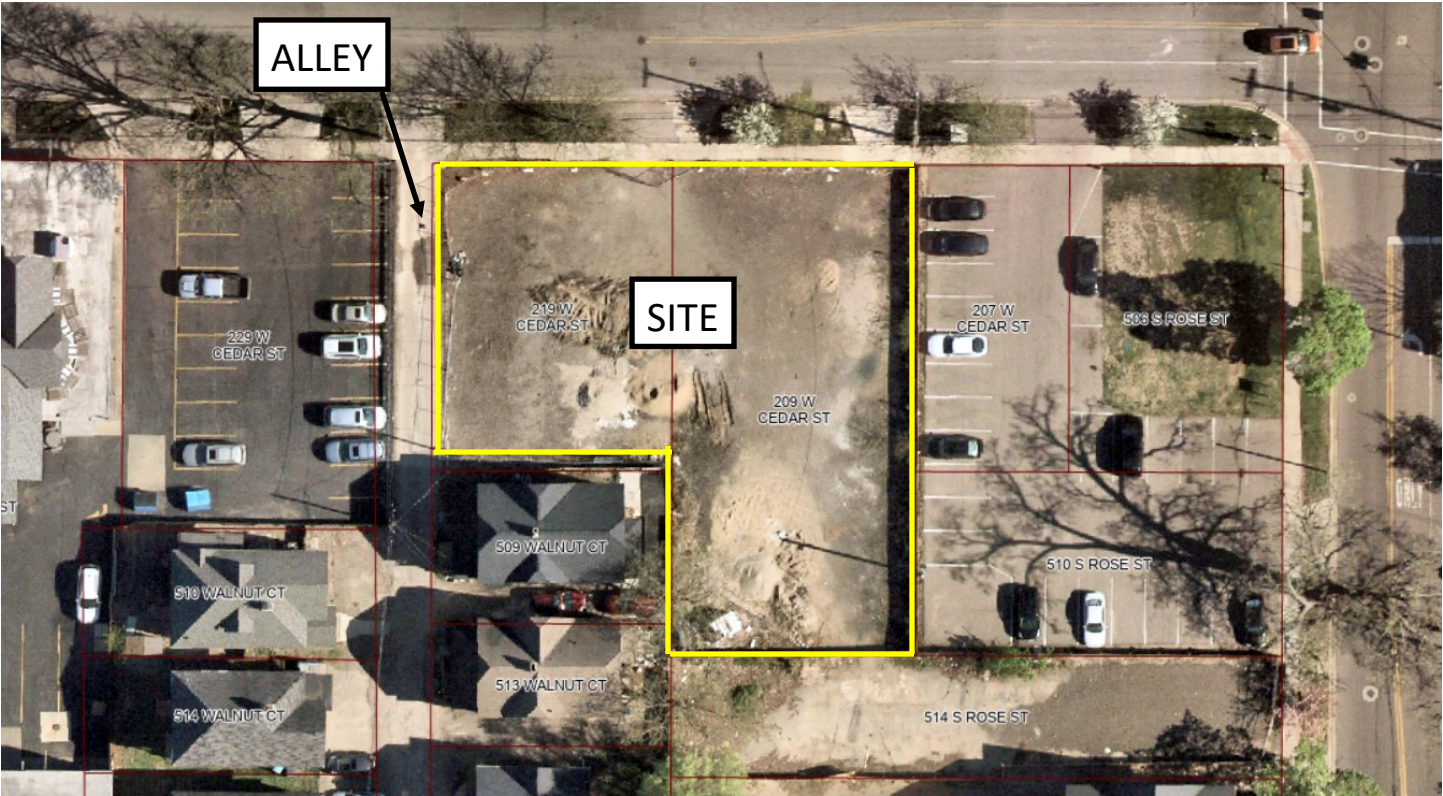


[Link to signature](#)

LAYOUT SKETCH



SITE AERIAL

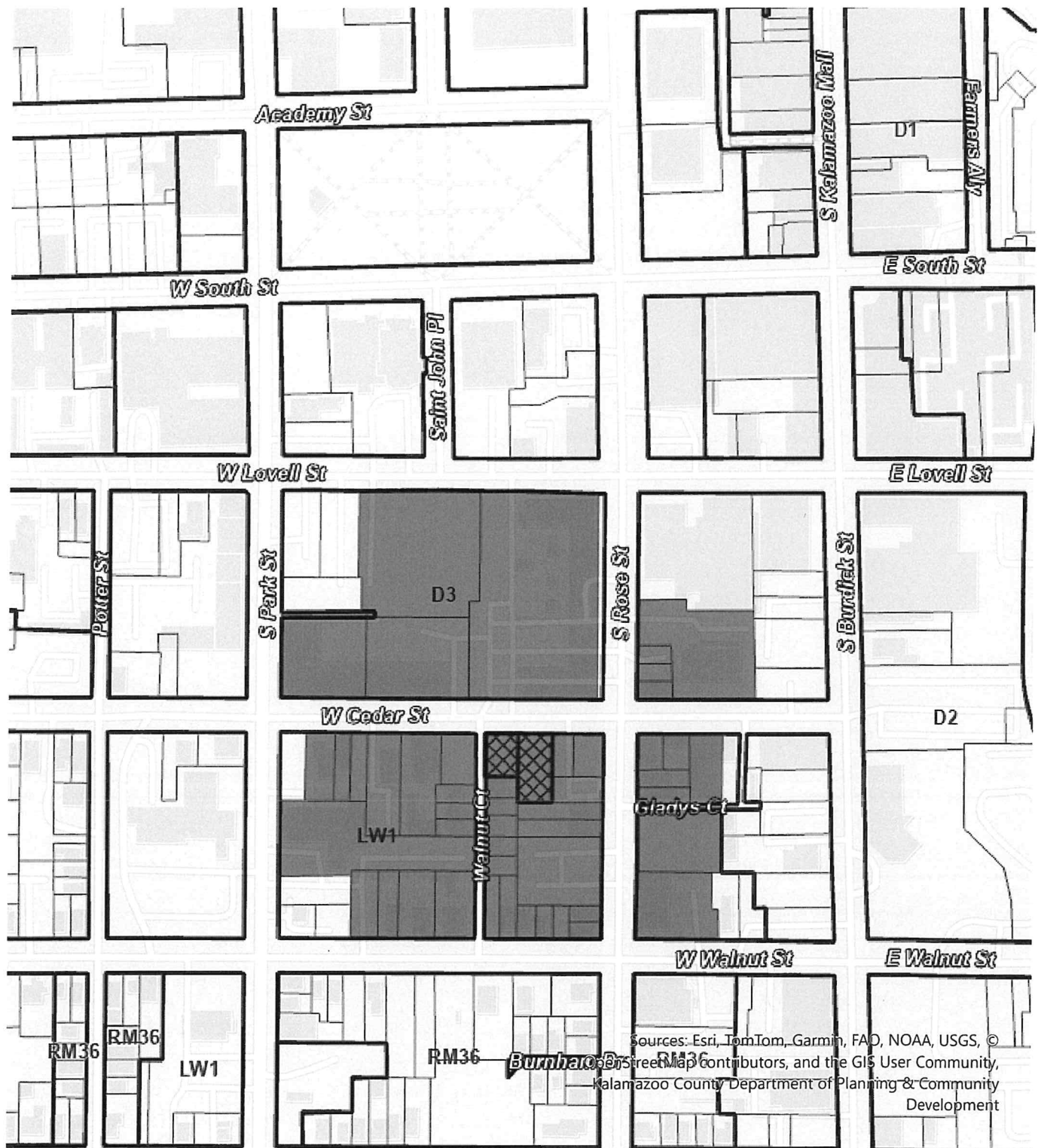


EXISTING SITE PHOTOS



NEIGHBORING SITE PHOTOS





Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, ©
 StreetMap contributors, and the GIS User Community,
 Kalamazoo County Department of Planning & Community
 Development

Parcels within 300' Mailing Radius 209 AND 219 W Cedar St

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



0 110 220 440 ft



Zoning Board of Appeals Staff Report

Date: **10/9/2025**

Item: **D.2.**

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: October 9, 2025

SUBJECT: ZBA #25-10-17: 411 W. Kalamazoo Avenue. CD Arena, LLC is requesting the following for the Parking Deck:

1. A dimensional variance from Chapter 50, 50-9.5, to allow the total square footage of wall signs to exceed the maximum allowance of signage on an individual wall or building elevation. This variance is for the electronic message display (EMD), which is a wall sign, on the east side of the Parking Deck.
2. A dimensional variance from Chapter 50, 50-9.5, to allow wall signs that exceed the maximum size allowed per wall sign of 200 square feet. This is for the EMD on the east side of the Parking Deck
3. A dimensional variance from Chapter 50, 50-9.3G(1)(a), to allow EMD wall signs that exceed the 25% maximum allowance of wall sign area that can be comprised of changeable copy or EMD square footage. This is for the EMD on the east side of the Parking Deck.
4. A dimensional variance from Chapter 50, 50-9.3G(1)(a) and (b), to allow for full motion video on the EMD located on the east side of the Parking Deck

The applicant is also requesting the following for the Event Center:

1. A dimensional variance from Chapter 50, 50-9.5, to allow the total square footage of wall signs to exceed the maximum allowance of signage on an individual wall or building elevation. This variance is for the wall signs on the west side of the Event Center.
2. A dimensional variance from Chapter 50, 50-9.5, to allow wall signs that exceed the maximum size allowed per wall sign of 200 square feet. This includes the two electronic message displays (EMD) on the north side of the Event Center along with three large static signs on the Event Center.
3. A dimensional variance from Chapter 50, 50-9.3G(1)(a), to allow EMD wall signs that exceed the 25% maximum allowance of wall sign area that can be comprised of changeable copy or EMD square footage. This is for the EMD's on the north side of the Event Center.

BACKGROUND:

A 426,000-square-foot Event Center is located in the northwest quadrant of Downtown Kalamazoo. It is proposed to provide space for multiple sporting events, arts and culture events, and a convention hall. Sports is the primary focus; the building will serve as the new home for the Kalamazoo Wings hockey team and several WMU teams, including hockey and both women's and men's basketball. Practice basketball courts and a hockey rink, locker rooms, and support spaces for all teams and their staff are proposed. Space for students to train and study is also included. The proposed Event Center features a concert space accommodating over 7,000 people and a flat floor area suitable for small conventions or large-format meetings. Outside the primary structure, there is a large public plaza planned, water features to play up the shared location with Arcadia Creek, and office space for additional tenants. An eight-story parking garage is planned in the southwest corner of the site with 1,100 spaces. The Zoning Board of Appeals granted a number of dimensional variances for the event center and parking deck structures on May 9, 2024. None of the variance requests from May 2024 were related to signs. A copy of the decision letter listing all these variances has been included in the attachments for this case. Site Plan Approval for this project occurred on April 1, 2025.

The size and scale of this development project are unique and unlike any other in the Downtown or the City of Kalamazoo. This is a multi-sport facility that will have identification signage for these organizations and advertising and promotion via the electronic message displays (EMDs). The development will not utilize the allowance of the four freestanding signs (one permitted on each street frontage). Instead, all signage will be wall-mounted on the Event Center and Parking Deck.

The sign variances related to the **Parking Deck** are all for the large electronic message display that is approximately 1,921 square feet on the east side of the parking deck facing N Park Street. It should be noted that there is also an EMD on the north side of the Parking Deck, but this faces the Event Center and is not directly visible from the public street.

1. A dimensional variance to allow the overall wall sign square footage to exceed the maximum allowed for the east side of the building. The east façade allows for 492 square feet of total wall sign area, where 1,921 square feet is proposed. This is being requested due to the size of the Event Center site with two large structures, the function of this multi-sports and event space, and varied uses of the EMD for static advertisements, videos, and outdoor community events in the plaza.
2. A dimensional variance to allow the wall signs to exceed the maximum allowed size for any individual wall sign of 200 square feet. This variance is being requested due to the size of the Event Center and appropriate scaling of the signage for this large parking garage structure, but also to make the EMD an appropriate size for its intended use.
3. A dimensional variance to allow the EMD portion of the wall sign to exceed the maximum allowance of 25% of the sign area. This standard is very limiting for this particular sign application as the sign is one large EMD with no fixed signage. The relief is requested due to the size of the parking deck and the overall function of the site as a multi-sports complex and event space.
4. A dimensional variance to allow for full motion video, where images on EMD's are to remain static and not change more than once every 10 seconds. This relief request is directly related to the use of video and full motion on the EMD before and after events. This technology

would also be used for community events in the plaza. The Event Center development team has developed guidelines limiting the use. The EMD will be utilized during normal operational hours (6 AM to 11 pm) for static images except for one hour prior to an event and 30 minutes after the conclusion of an event when video or motion may be displayed on the screen. Other limitations are also listed. The planning staff would like these EMD use guidelines to be included as a condition of approval for this variance.

The sign variances related to the **Event Center** structure include signs on the east, north, and west sides.

1. A dimensional variance to allow the overall sign area to exceed the maximum allowed for the west side of the building. The west façade allows for 844 square feet of overall wall sign area. This large wall surface will contain the ‘Bronco -WMU Spirit’ logo (920 square feet) and the ‘Western Michigan University’ channel letters (117square feet). The total square footage for these two signs is 1,037 square feet, where the maximum square footage permitted for the west elevation is 844 square feet. This request for additional signage on this elevation is due to the size and function of the facility.
2. A dimensional variance to allow the wall sign to exceed the maximum allowed size for any individual wall sign of 200 square feet. This variance is being requested due to the size of the Event Center and the appropriate scale. The west side will have one sign that exceeds 200 square feet, the north side will have three signs that exceed 200 square feet, and the south side will have one sign that exceeds 200 square feet.
3. A dimensional variance to allow the EMD portion of the wall sign to exceed the maximum allowance of 25% of the sign area. The relief is requested due to the size of the Event Center and function of the Event Center. The application of this standard is very limiting for this particular situation as the signs are intended to advertise and promote events, and there is no static signage included next to the location for these two EMDs on the north elevation facing W. Kalamazoo Avenue.

STRATEGIC VISION ALIGNMENT:

Inviting Public Places - Vibrant streets, exceptional parks, and welcoming activities.

Economic Vitality - A supportive infrastructure for growing businesses and stabilizing the local economy for the benefit of all.

Strategic Goal and Master Plan 2025 Impact:

Projects like this can align with creating inviting public places and economic vitality.

Looking at the Master Plan, the project aligns with the future land use map which identifies this four-block area as part of the Downtown, which is intended for a wide range of office, retail, and entertainment uses.

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 on September 24, 2025. The applicant has been advised on outreach to the adjacent property owners.

Engagement/Communication Tools

Newspaper public notice, mailings of the public hearing notice to properties within 300 feet of the property, and applicant outreach.

FINDINGS:

Parking Deck. Staff has made the following findings regarding this request for total square footage of wall signage allowed:

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.

The unique layout, size, and function of the facility are the special circumstances related to this request. To elaborate on the function, this EMD on the Parking Deck will advertise sporting events, concerts, and other on-site events. It will also be designed to be utilized for community events taking place outdoors in the plaza, which requires the screen to be large enough to function for all capacities.

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

The special circumstances are a result of the many functions of this facility, a combination of uses, and at a scale that the zoning code could not have anticipated. Relaying information and schedules for teams, concert information, conventions, or community events held on-site is vital to the success of the facility.

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.

The enforcement of the provisions of the ordinance would limit the size of this EMD to under 500 square feet, which would be out of scale for the site and the intended purpose envisioned for this EMD facing the plaza.

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.

The granting of this variance is the minimum action to allow an EMD large enough to serve the purposes outlined by the applicant for private and community use. As an example, the Wings Event Center Freestanding Sign along I-94 is 1,000 square feet for a smaller facility.

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

The granting of this variance to allow larger wall signs on the Parking Deck will not adversely impact adjacent property, which are all in the D-2 or D-3 Zone Districts.

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

The granting of the variance will be generally consistent as the size of the wall sign is in keeping with the scale of the unique facility and the functional use planned for the EMD sign.

Parking Deck. Staff has made the following findings regarding this request for wall signs that exceed the maximum allowance of 200 square feet:

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.

The unique layout, size, and function of the facility are special circumstances for the EMD sign exceeding the maximum wall sign size of 200 square feet.

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

The special circumstances are a result of the many functions of this facility, a combination of uses, and at a scale that the zoning code could not have anticipated. The size of the proposed parking deck causes the maximum wall sign size for the D-2 District to be out of scale with the mass of the structure.

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.

The enforcement of the provisions of the ordinance would limit the size of this EMD to under 500 square feet, which would be out of scale for the large structures on the site.

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.

The granting of this variance is the minimum action that will allow for an EMD that exceeds the 200 square foot maximum size. This will allow for a sign size of a more appropriate scale for an eight-story structure and for the intended function of the sign.

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

The granting of this variance to allow larger wall signs on the Parking Deck will not adversely impact adjacent property, which are all in the D-2 or D-3 Zone Districts.

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

The granting of the variance will be consistent with the intent of the ordinance to balance sign size allowed with the scale of the building.

Parking Deck. Staff has made the following findings regarding this request for an EMD over 25% of the wall sign area:

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.

The unique layout, size, and function of the facility are special circumstances. Limiting the EMD allowance to 25% of the wall sign area does not fit with the advertisement and promotional programming typical of a facility such as this.

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

The special circumstances are a result of the many functions of this facility, a combination of uses, and at a scale that the zoning code could not have anticipated. The use is permitted by right in the D-2 Zone. However, due to this

being a multi-sports and event facility and the scale of the facility, additional signage is necessary, which is not the fault of 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.

The enforcement of the provisions of the ordinance would limit the size of this EMD to a size that would be out of scale with the building, and also would limit the amount of information that could be displayed.

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.

The granting of this variance is the minimum action that will allow for an EMD that exceeds 25% of the wall sign area.

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

The granting of this variance to allow a larger EMD sign on the Parking Deck will not adversely impact adjacent properties, which are all in the D-2 or D-3 Zone Districts.

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

The granting of the variance will be consistent with the intent of the ordinance to balance sign size allowed with the scale of the building.

Parking Deck. Staff has made the following findings regarding this request for full motion and video use on the sign:

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.

The unique function of the facility and outdoor programming are planned for the plaza in the southeast corner of the site.

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

The circumstances are the result of the multi-use complex. The developer has enhanced the opportunities for use of the EMD with the creation of a plaza adjacent to the screen for outdoor programs and community events.

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.

The enforcement of the provisions of the ordinance would limit the use of the EMD to static images, which would not change more than once every 10 seconds. What is being requested is limited use of the full motion and video capabilities of the screen.

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.

The granting of this variance is the minimum action that will allow for an EMD in a limited capacity for full motion and video display.

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

The granting of this variance to allow a larger EMD sign on the Parking Deck will not adversely impact adjacent property, which are all in the D-2 or D-3 Zone Districts.

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

The granting of the variance will be consistent with the Ordinance to grant relief from the Ordinance only where warranted. Further, staff has suggested that the guidelines proposed by the development team be placed as a condition on approval of this variance, which will limit when full motion or video can be utilized on the screen.

Event Center. Staff has made the following findings regarding this request for total square footage of wall signage allowed:

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.

The unique layout, size and function of the facility are special circumstances. To elaborate on the function, this multi-use building will be home to a number of

organizations, which will have signage on the exterior of the building. Only the west elevation will have wall sign square footage that exceeds the total allowance for a single building elevation. The proposed Bronco logo and WMU channels do fit the scale of the building and will break up the blank wall space.

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

The special circumstances are related to the function and size of the facility.

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.

The enforcement of the provisions of the Ordinance would limit the allowed signage on the west side of the building, reducing the sign area allowed for the WMU, which is one of the primary users in the new facility. All wall signage on the other building elevations will comply with this Ordinance requirement.

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.

The granting of the variance is the minimum action that will allow for this modest increase of 193 square feet beyond the permitted amount of 844 square feet.

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

The granting of this variance to allow additional sign area for the east elevation only on the Event Center, which is surrounded by other D-2 and D-3 zoned properties.

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

The granting of the variance is consistent with the intent and purpose of the Ordinance, to balance the sign area with the scale of the buildings. If this structure had been one story taller, it would have qualified for additional wall sign square footage and this variance would not have been necessary. But because of the nature of the uses, the building height was kept at four stories and the building was elongated.

Event Center. Staff has made the following findings regarding this request for wall signs that exceed the maximum allowance of 200 square feet:

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.

The unique layout, size and function of the facility are special circumstances. The 200 square foot maximum size is out of scale for wall signs on a 426,000 square foot facility.

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

The actions are not the result of the action of applicant. The size of the proposed event center causes the maximum wall sign size for the D-2 District to be out of scale with the mass of the structure.

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.

The enforcement of the provisions of the ordinance would limit the size of each wall sign on all sides of the building to no larger than 200 square feet, which would be out of scale for the site when looking at the Event Center.

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.

[The granting of the variance is the minimum action that will allow for wall signs over 200 square feet that are an appropriate fit for each large building elevation.

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

The granting of this variance to allow additional sign area on three of the four building elevations will not impact adjacent properties which are also in the D-2 and D-3 Zone Districts.

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

The granting of the variance is consistent with the intent and purpose of the Ordinance, to balance the sign area with a buildings scale and function.

Event Center. Staff has made the following findings regarding this request **for an EMD over**

25% of the wall sign area:

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.

The unique layout, size, and function of the facility are special circumstances. Limiting the EMD allowance to 25% of the wall sign area does not fit with the advertisement and promotional programming typical of a facility such as this.

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

The special circumstances are a result of the many functions of this facility, a combination of uses, unique layout, and a scale that the zoning code could not have anticipated.

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.

The enforcement of the provisions of the ordinance would limit the size of this EMD to a size that would be out of scale with the building.

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.

The granting of this variance is the minimum action that will allow for EMD signs along Kalamazoo Avenue that exceed 25% of the wall sign area. The north building's facade is 576 feet in length and the building is four stories in height, making the two EMDs of 315 and 400 square feet blend with the facade of this building.

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

The granting of this variance to allow larger EMD signs on the north side of the Event Center will not adversely impact adjacent properties, which are all in the D-2 and D-3 Zone Districts.

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

The granting of the variance is consistent with the intent and purpose of the Ordinance, to balance the sign area with a buildings scale and function.

RECOMMENDATION:

Staff recommends approval of the above-mentioned variances. The variance related to allowing video and moving images for the EMD on the Parking Deck should include a condition that all provisions of the guidelines for use of EMD's are complied with.



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

September 24, 2025

RE: ZBA #25-10-17
411 W. Kalamazoo Avenue
Parcel #06-15-311-003

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by CD Arena, LLC for 411 W. Kalamazoo Avenue in the Downtown - 2 District (D-2).

The applicant is requesting the following for the Parking Deck:

1. A dimensional variance from Chapter 50, 50-9.5, to allow the total square footage of wall signs to exceed the maximum allowance of signage on an individual wall or building elevation. This variance is for the electronic message display (EMD), which is a wall sign, on the east side of the Parking Deck.
2. A dimensional variance from Chapter 50, 50-9.5, to allow wall signs that exceed the maximum size allowed per wall sign of 200 square feet. This is for the EMD on the east side of the Parking Deck
3. A dimensional variance from Chapter 50, 50-9.3G(1)(a), to allow EMD wall signs that exceed the 25% maximum allowance of wall sign area that can be comprised of changeable copy or EMD square footage. This is for the EMD on the east side of the Parking Deck.
4. A dimensional variance from Chapter 50, 50-9.3G(1)(a) and (b), to allow for full motion video on the EMD located on the east side of the Parking Deck

The applicant is requesting the following for the Event Center:

1. A dimensional variance from Chapter 50, 50-9.5, to allow the total square footage of wall signs to exceed the maximum allowance of signage on an individual wall or building elevation. This variance is for the wall signs on the west side of the Event Center.
2. A dimensional variance from Chapter 50, 50-9.5, to allow wall signs that exceed the maximum size allowed per wall sign of 200 square feet. This includes the two electronic message displays (EMD) on the north side of the Event Center along with three large static signs on the Event Center.
3. A dimensional variance from Chapter 50, 50-9.3G(1)(a), to allow EMD wall signs that exceed the 25% maximum allowance of wall sign area that can be comprised of changeable copy or EMD square footage. This is for the EMD's on the north side of the Event Center.

Please note that these requests 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, October 9, 2025, 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



Community Planning & Economic Development

245 N. Rose Street, Suite 100 • Kalamazoo, MI 49007
(269) 337-8026 • www.kalamazoo-city.org

ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION			
Name: Tower Pinkster		Mailing Address: 242 E. Kalamazoo Ave.	
City: Kalamazoo	State: MI	ZIP Code: 49007	
Phone: 269.343.6133	Email: sloney@towerpinkster.com	Preferred Contact: ☒ Email ☐ Phone	
PROPERTY OWNER INFORMATION			
<i>If the applicant is not the property owner, owner must sign application or provide a letter stating that owner gives consent for the application to be filed.</i>			
Name: CD Arena LLC		Mailing Address: 100 W. Michigan Ave., Suite 300	
City:	State: MI	ZIP Code: 49007	
Phone: 269.388.9800	Email: melliston@greenleafcompanies.com	Preferred Contact: ☒ Email ☐ Phone	
PROPERTY INFORMATION			
Property Address(s): Event Center - Kalamazoo Ave			
Parcel Identification Number(s):		Zone District (kalamazoo-city.org/maps):	
TYPE OF REQUEST			
☒ Dimensional Variance from Chapter(s) <u>50</u> , Section(s) _____		☐ Appeal of an Administrative Decision	
☐ Use Variance to allow _____		☐ Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____	
☐ Natural Features Protection Variance		☐ Temporary Use Approval	
Reason for Request:			
ATTACHMENTS			
☐ \$ _____ Fee		☒ Type Plan detailing variance request, plat, site plan, sketch plan can all be used.	
☒ Review Sheet for Request Type		Optional: Photos of property, architecture plans, etc.	
<i>Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support</i>			
SIGNATURE			
Signature of Applicant:		Date:	
Signature of Owner (if different than applicant): 		Date:	



ADDITIONAL NOTES

1. EVENT CENTER SIGNS (2) & (3) WILL NOT DISPLAY FULL MOTION VIDEO AT ANY TIME. THESE SIGNS SHALL FOLLOW ALL GENERAL PROVISIONS LISTED ABOVE FOR PARKING GARAGE SIGN (1)
2. SCROLLING TEXT / CHANGEABLE COPY (MARQUEE SIGNS) (11), (12), & (13) WILL FOLLOW ALL KALAMAZOO (EMD) ELECTRONIC MESSAGE DISPLAY GUIDELINES.

ZONING STANDARDS - SITE INFORMATION

ZONING DISTRICT - D2 DOWNTOWN 2

SIGN TYPES ALLOWED - FREESTANDING, WALL, CANOPY AND AWNING, PROJECTING, LEDGE, MARQUEE

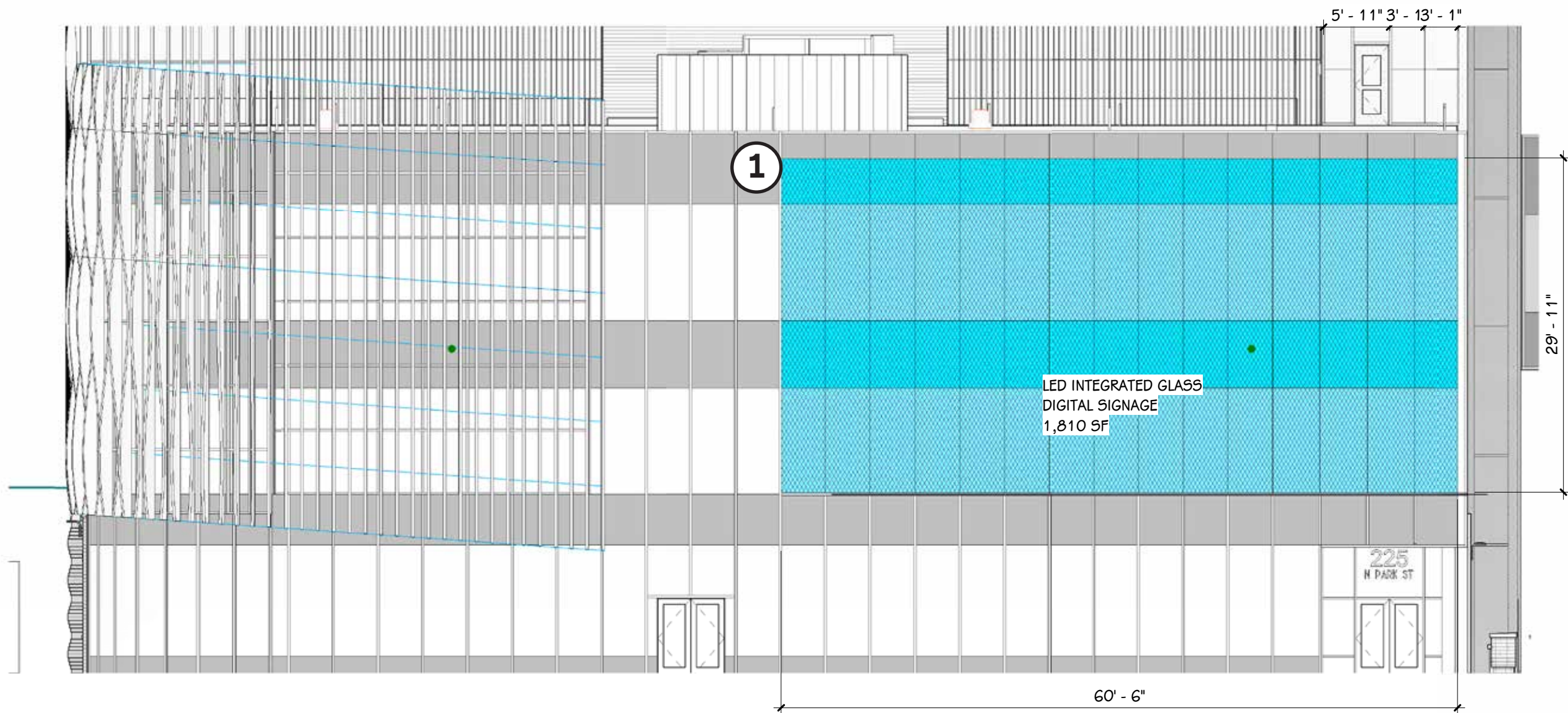
ZONING STANDARDS - SIGNS (50-9) - PARKING DECK

50-9.5 ON-PREMISES SIGNS TYPE: WALL SIGN WITH INTEGRATED EMD LOCATION: EAST FACADE (INTEGRATED INTO GLASS) TOTAL ALLOWABLE SF = 246 SF		
DESCRIPTION	SIZE ALLOWED	SIZE PROVIDED
(1) LED WINDOW "SCREEN"	200 SF	1921 SF

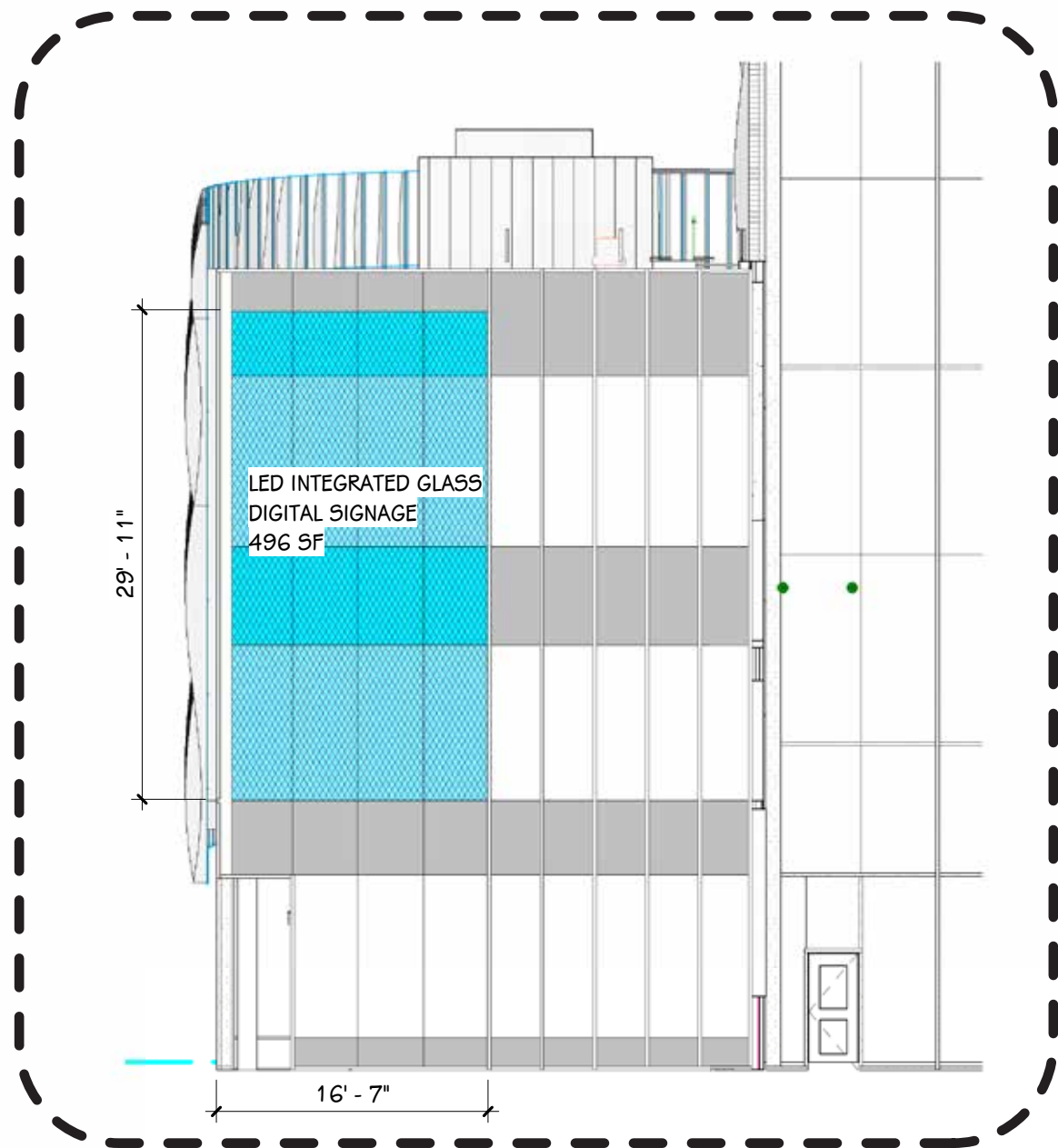
SIGNAGE VARIANCES

- VARIANCE 1: TOTAL SIGN AREA ALLOWABLE EXCEEDED
1. PARKING GARAGE:
- A. EAST FACADE
- VARIANCE 2: WALL SIGNS EXCEEDING 200 SF
1. PARKING GARAGE:
- A. (1) LED "WINDOW" SCREEN
- VARIANCE 3: CHANGEABLE COPY SIGN NOT INTEGRATED INTO WALL SIGN, PERCENT AREA OF CHANGEABLE COPY EXCEEDED
1. PARKING GARAGE:
- A. (1) LED "WINDOW" SCREEN
- VARIANCE 4: USE OF EMD SIGN FOR VIDEO
1. PARKING GARAGE - LED "WINDOW" SCREEN
- A. GENERAL PROVISIONS:
- a. DURING NORMAL OPERATING HOURS, ALL IMAGERY WILL BE STATIC. DISPLAY OF EACH STATIC IMAGE SHALL NOT BE LESS THAN 10 SECONDS AND TRANSITION TIMES BETWEEN MESSAGES SHALL NOT BE GREATER THAN 2 SECONDS.
- b. OPERATING HOURS OF ELECTRONIC MESSAGE DISPLAY SHALL BE BETWEEN THE HOURS OF 6AM-11PM OR NO LONGER THAN 30 MINUTES AFTER THE END OF AN EVENT HELD AT THE KALAMAZOO EVENT CENTER, WHICHEVER IS LATER.
- c. THE LUMINANCE OF THE DIGITAL DISPLAY SHALL NOT EXCEED MAXIMUM PERMITTED LUMINANCE FOR ANY PORTION OF THE DAY, DISPLAY BRIGHTNESS WILL BE CONTROLLED BY DIGITAL TIMERS.
- d. DIGITAL DISPLAYS SHALL NOT BE EQUIPPED TO TRANSMIT SOUND OR OTHER FORMS OF BROADCAST SIGNALS
- B. FULL MOTION VIDEO PROVISIONS
- a. FULL MOTION VIDEO WILL ONLY BE DISPLAYED DURING THE HOUR PRECEDING AND A HALF HOUR (30 MINUTES) PRECEDING AN EVENT HELD AT THE KALAMAZOO EVENT CENTER
- b. ANIMATED OR FULL MOTION VIDEOS SHALL BE A MINIMUM OF 10 SECONDS IN LENGTH.
- c. FULL MOTION VIDEOS SHALL BE NO MORE THAN 25% OF CONTENT FOR THE PERMITTED TIME FRAME.
- d. A MINIMUM OF 1 STATIC IMAGE, FOLLOWING THE GENERAL PROVISIONS LISTED ABOVE, SHALL BE DISPLAYED BETWEEN EACH FULL MOTION VIDEO.
- C. CONTINUOUS VIDEO & AUDIO PROVISIONS
- a. AT PRE-PLANNED COMMUNITY EVENTS, WHERE FULL LENGTH VIDEOS ARE PLANNED.
- * TEMPORARY SUPPLEMENTAL AUDIO WILL BE PROVIDED TO COORDINATE WITH VIDEO(S) BEING PLAYED.

NOTE: THIS FACADE IS NOT VISIBLE FROM ANY STREET FRONTAGE



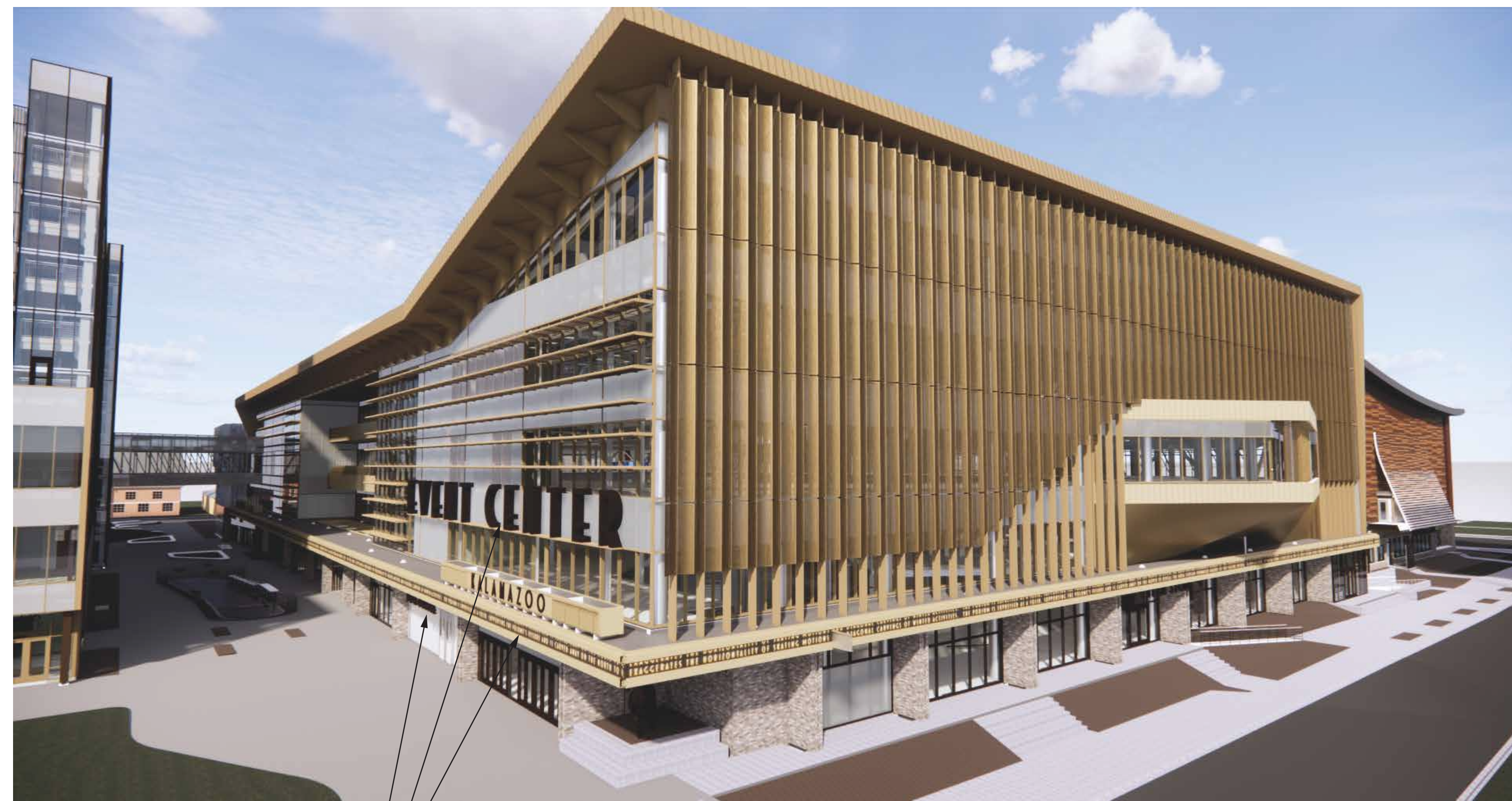
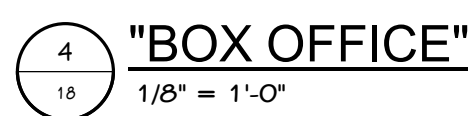
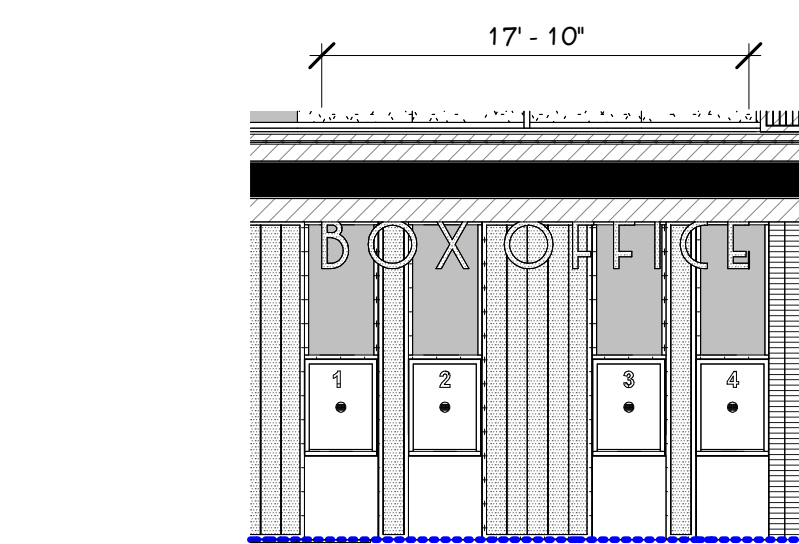
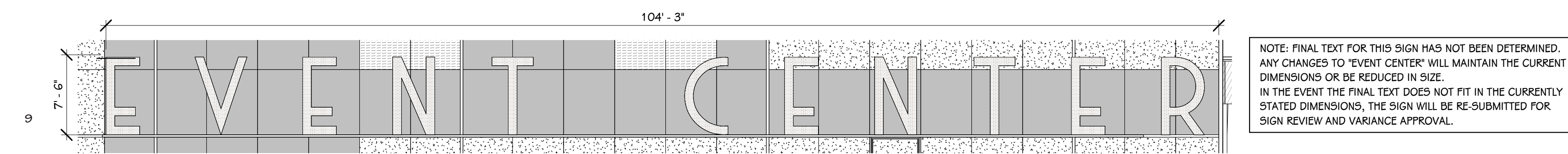
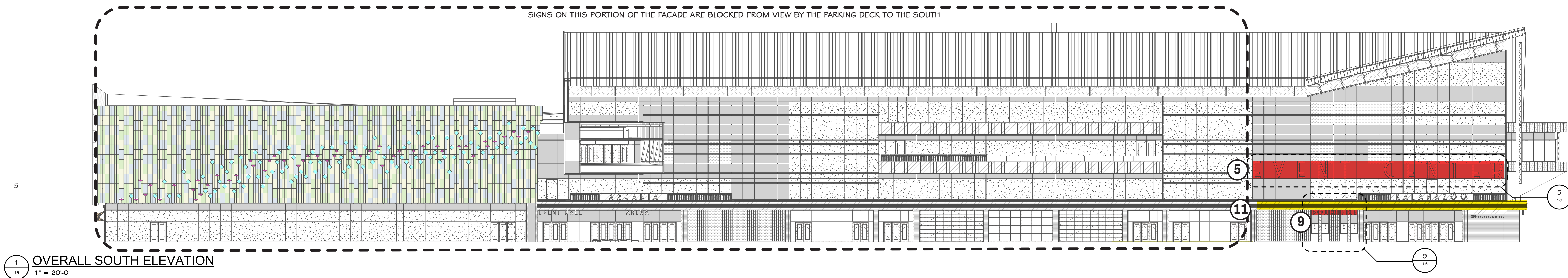
1 EAST ELEVATION
3/32" = 1'-0"



2 NORTH DIGITAL SIGN
3/32" = 1'-0"



ZONING STANDARDS - SITE INFORMATION				
<u>ZONING DISTRICT</u> - D2 DOWNTOWN 2 <u>SIGN TYPES ALLOWED</u> - FREESTANDING, WALL, CANOPY AND AWNING, PROJECTING, LEDGE, MARQUEE				
ZONING STANDARDS - SIGNS (50-9) - EVENT CENTER				
50-9.5 ON-PREMISES SIGNS (SOUTH FACADE ALLOWABLE SIGN AREA = 210 SF)				
	TYPE: WALL SIGN - EXTERNALLY & INTERNALLY ILLUMINATED LOCATION: SOUTH (ABOVE SOUTHEAST ENTRY)			
	DESCRIPTION	SIZE ALLOWED	SIZE PROVIDED	NOTES
	(5) "EVENT CENTER" (9) "BOX OFFICE"	200 SF 200 SF	782 SF 36 SF	EXT. ILLUM. EXT. ILLUM.
	TYPE: MARQUEE WITH EMD (ELECTRONIC MESSAGE DISPLAY) & VERTICAL CHANNEL LETTERING LOCATION: SOUTH			
	DESCRIPTION	SIZE ALLOWED	SIZE PROVIDED	
	(11) CHANGEABLE SIGN (SOUTH)	75% OF MARQUEE SIGN FACE	43%, 103' - 8" x 11' - 7"	
NOTE: MARQUEE TOTAL HEIGHT 3'-8", MAX MARQUEE PROJECTION 3' - 3" FROM FACE OF BUILDING.				
SIGNAGE VARIANCES				
VARIANCE 2: WALL SIGNS EXCEEDING 200 SF 1. EVENT CENTER: A. (5) "EVENT CENTER"				



- MARQUEE - ELECTRONIC MESSAGE BOARD
- "EVENT CENTER"
- "BOX OFFICE"

ZONING STANDARDS - SITE INFORMATION				
ZONING DISTRICT - D2 DOWNTOWN 2				
SIGN TYPES ALLOWED - FREESTANDING, WALL, CANOPY AND AWNING, PROJECTING, LEDGE, MARQUEE				
ZONING STANDARDS - SIGNS (50-9) - EVENT CENTER				
50-9.5 ON-PREMISES SIGNS (EAST FACADE ALLOWABLE SIGN AREA = 84G 6F)				
	TYPE: WALL SIGN - EXTERNALLY & INTERNALLY ILLUMINATED			
	LOCATION: EAST			
	DESCRIPTION	SIZE ALLOWED	SIZE PROVIDED	NOTES
	(8) "KAJAMAZOO WINGS"	200 SF	62 SF	EXT. ILLUM.
	(10) "TEAM STORE"	200 SF	38 SF	EXT. ILLUM.
	TYPE: MARQUEE WITH EMD (ELECTRONIC MESSAGE DISPLAY) & VERTICAL CHANNEL LETTERING			
	LOCATION: EAST ELEVATION AT ENTRY			
	DESCRIPTION	SIZE ALLOWED	SIZE PROVIDED	
	(12) CHANGEABLE SIGN (EAST)	75% OF MARQUEE SIGN FACE	43%, 308' - 7" x 1' - 7"	
NOTE: MARQUEE TOTAL HEIGHT 3'-8", MAX MARQUEE PROJECTION 3' - 3" FROM FACE OF BUILDING.				

ISSUED FOR	DATE
DESIGN CONSULTANT:	

**ROSSETTI**

PROJECT TITLE
KALAMAZOO EVENT CENTER & PARK
WATER ST DECK

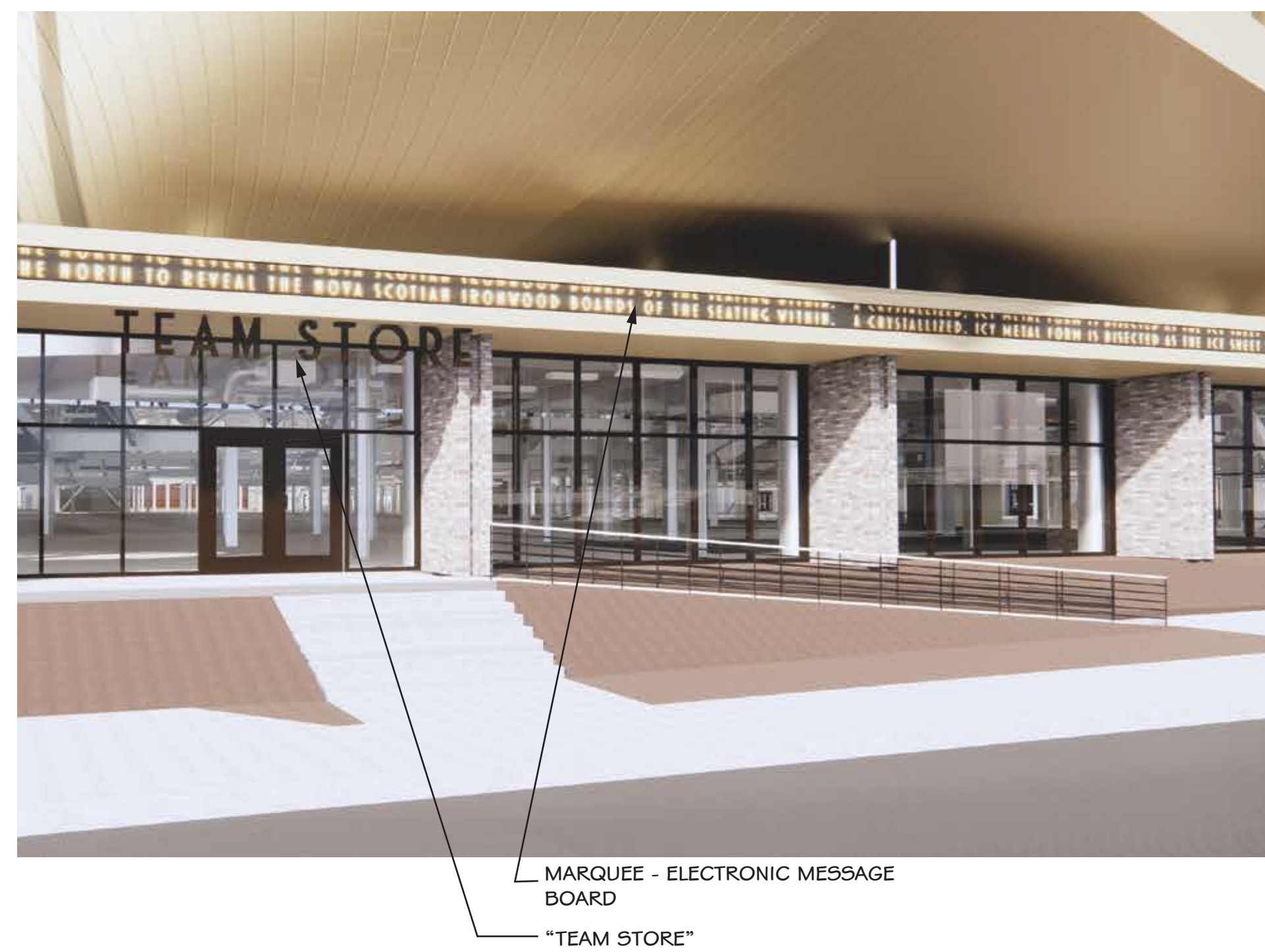
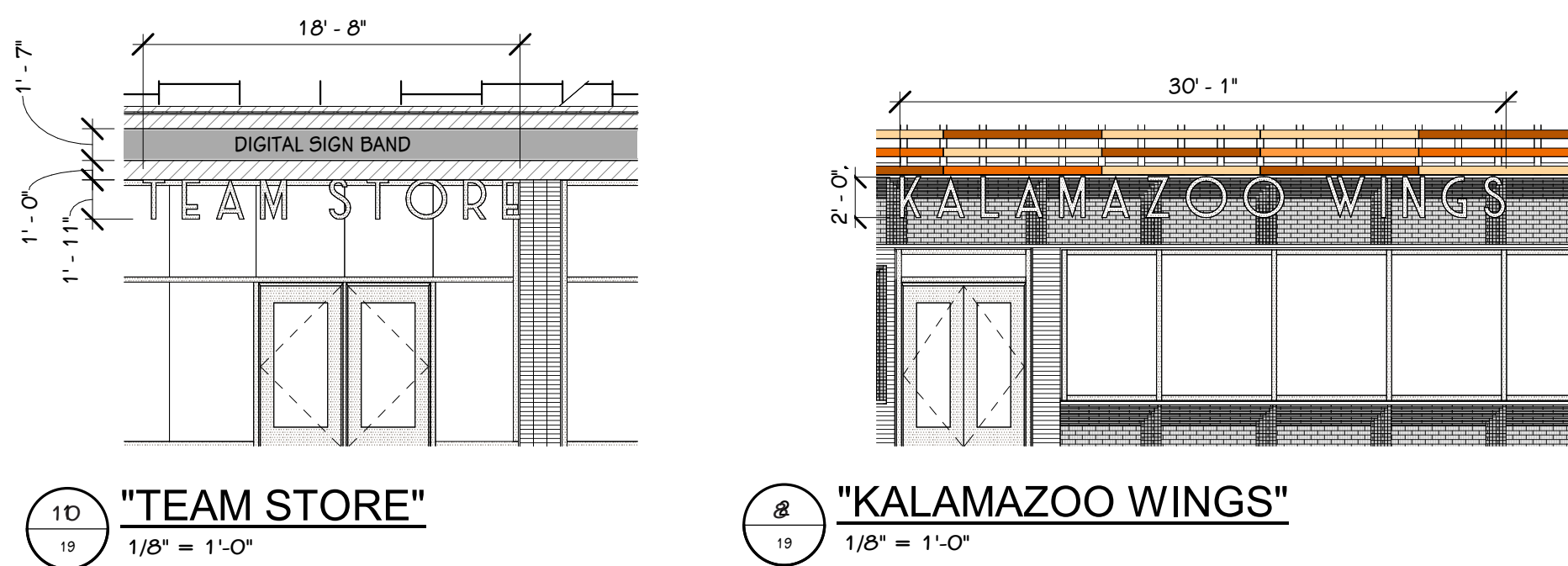
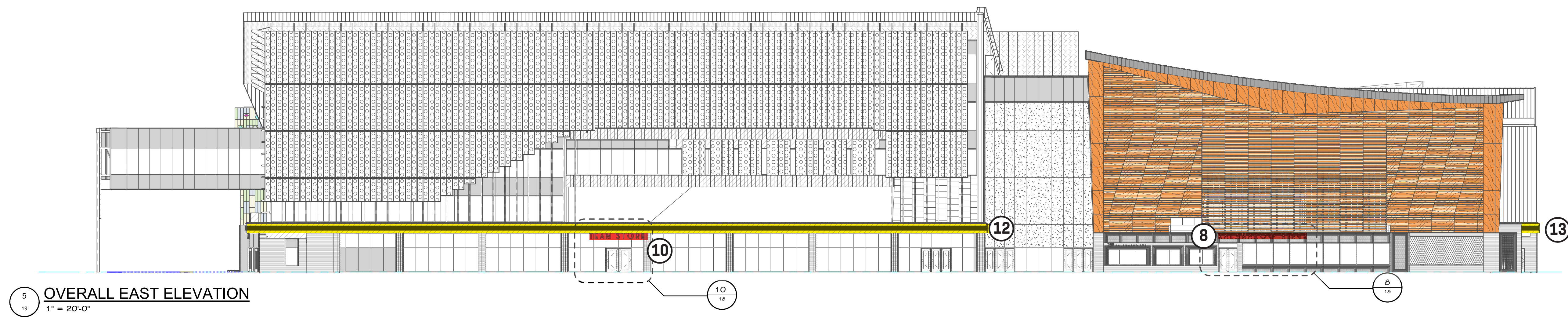
OWNER
CD ARENA LLC
Kalamazoo, Michigan

SHEET TITLE SIGNAGE - EVENT CENTER EAST	DATE JANUARY 24, 2025
SHEET NUMBER 19	

SHEET TITLE
SIGNAGE

SHEET NUMBER
19

22157 300





ZONING STANDARDS - SITE INFORMATION

ZONING DISTRICT - D2 DOWNTOWN 2

SIGN TYPES ALLOWED - FREESTANDING, WALL, CANOPY AND AWNING, PROJECTING, LEDGE, MARQUEE

ZONING STANDARDS - SIGNS (50-9) - EVENT CENTER

50-9.5 ON-PREMISES SIGNS (NORTH FACADE ALLOWABLE SIGN AREA = 1,134 SF)

TYPE: WALL SIGN WITH INTEGRATED EMD
LOCATION: NORTH (EAST AND WEST FACES OF "AR" ROOM)

DESCRIPTION	SIZE ALLOWED	SIZE PROVIDED
(2) LED SCREEN - WEST	200 SF	400 SF
	25% CHANGEABLE COPY	100%
(3) LED SCREEN - EAST	200 SF	315 SF
	25% CHANGEABLE	100%

TYPE: WALL SIGN - EXTERNALLY & INTERNALLY ILLUMINATED
LOCATION: NORTH

DESCRIPTION

TYPE: MARQUEE WITH EMD (ELECTRONIC MESSAGE DISPLAY) & VERTICAL CHANNEL LETTERING
LOCATION: NORTH ELEVATION AT ENTRY

DESCRIPTION_____

NOTE: MARQUEE TOTAL HEIGHT 3'-8", MAX MARQUEE PROJECTION 3' - 3" FROM FACE OF BUILDING.

SIGNAGE VARIANCES

VARIANCE 2: WALL SIGNS EXCEEDING 200 SF

A. (2) LED SC

- C. (6) "WESTERN MICHIGAN UNIVERSITY"

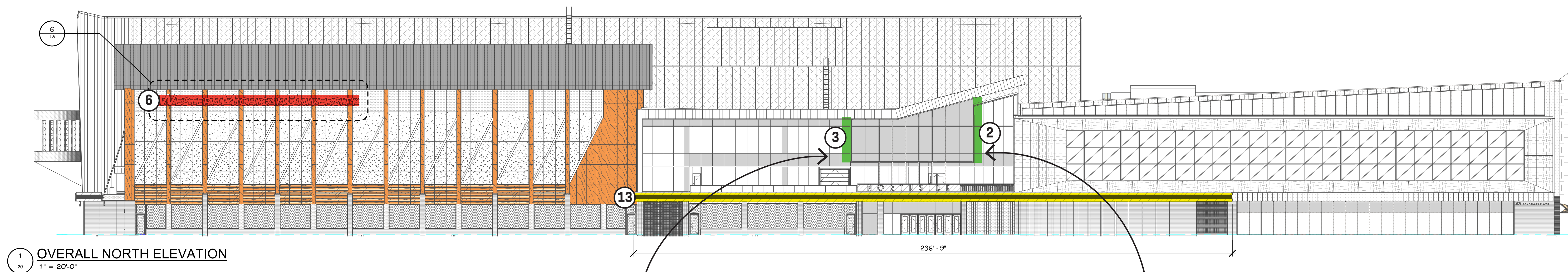
VARIANCE 3: CHANGEABLE COPY SIGN NOT INTEGRATED INTO WALL SIGN, PERCENT AREA OF CHANGEABLE COPY EXCEEDED

A. (2) LED SCREENS

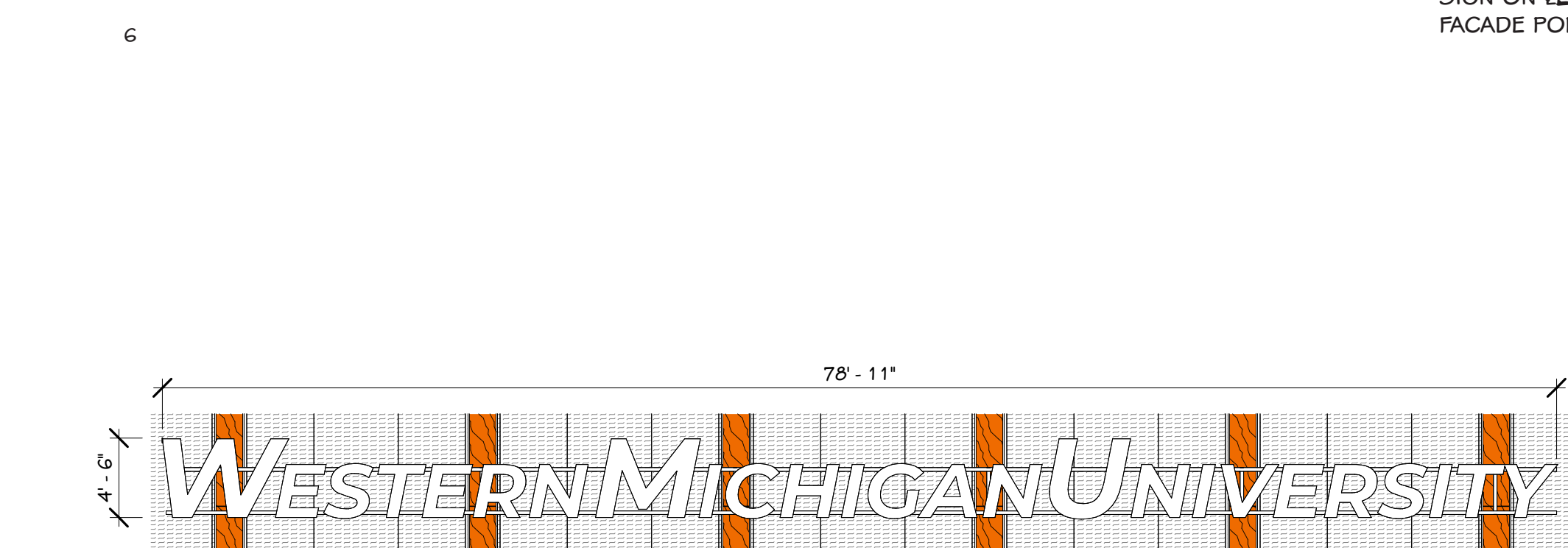
6. (5) LED SCREEN - B01

ADDITIONAL NOTES

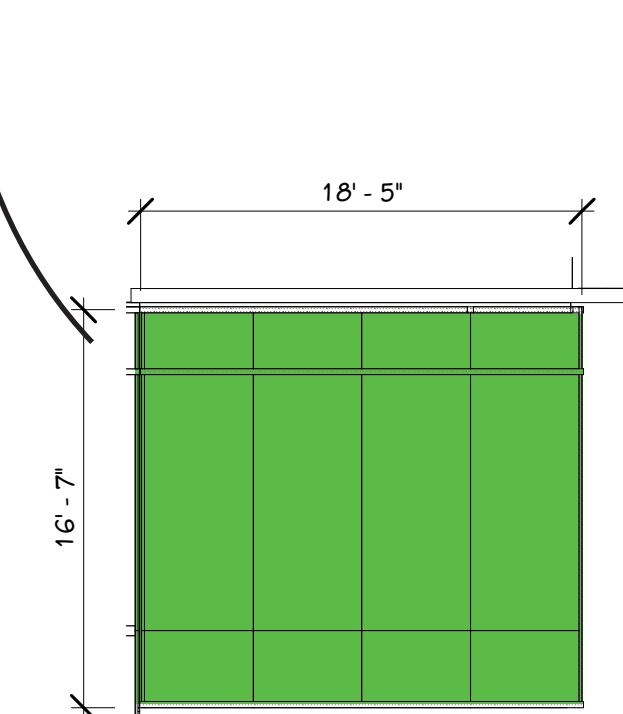
1. EVENT CENTER SIGNS (2) & (3) WILL NOT DISPLAY FULL MOTION VIDEO AT ANY TIME. THESE SIGNS SHALL FOLLOW ALL GENERAL PROVISIONS LISTED ABOVE FOR PARKING GARAGE SIGN (1)
2. SCROLLING TEXT / CHANGEABLE COPY (MARQUEE SIGNS) (11), (12), & (13) WILL FOLLOW ALL KALAMAZOO (EMD) ELECTRONIC MESSAGE DISPLAY GUIDELINES



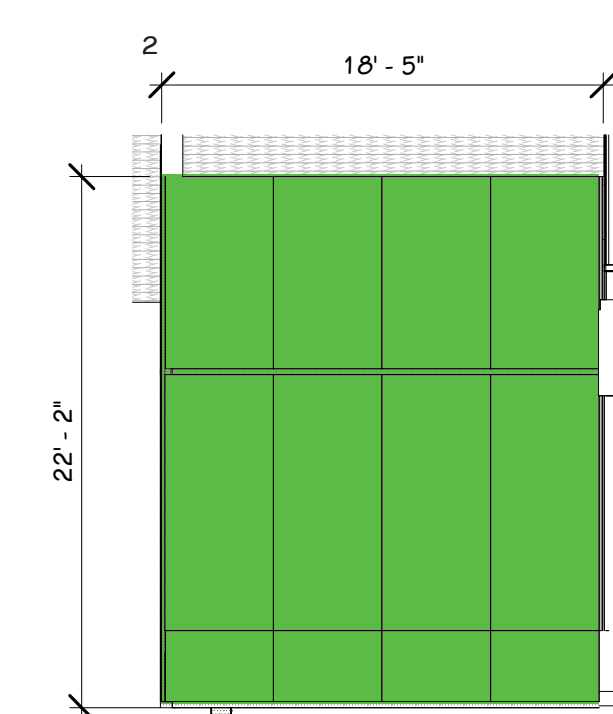
1 OVERALL NORTH ELEVATION
20 1" = 20'-0"



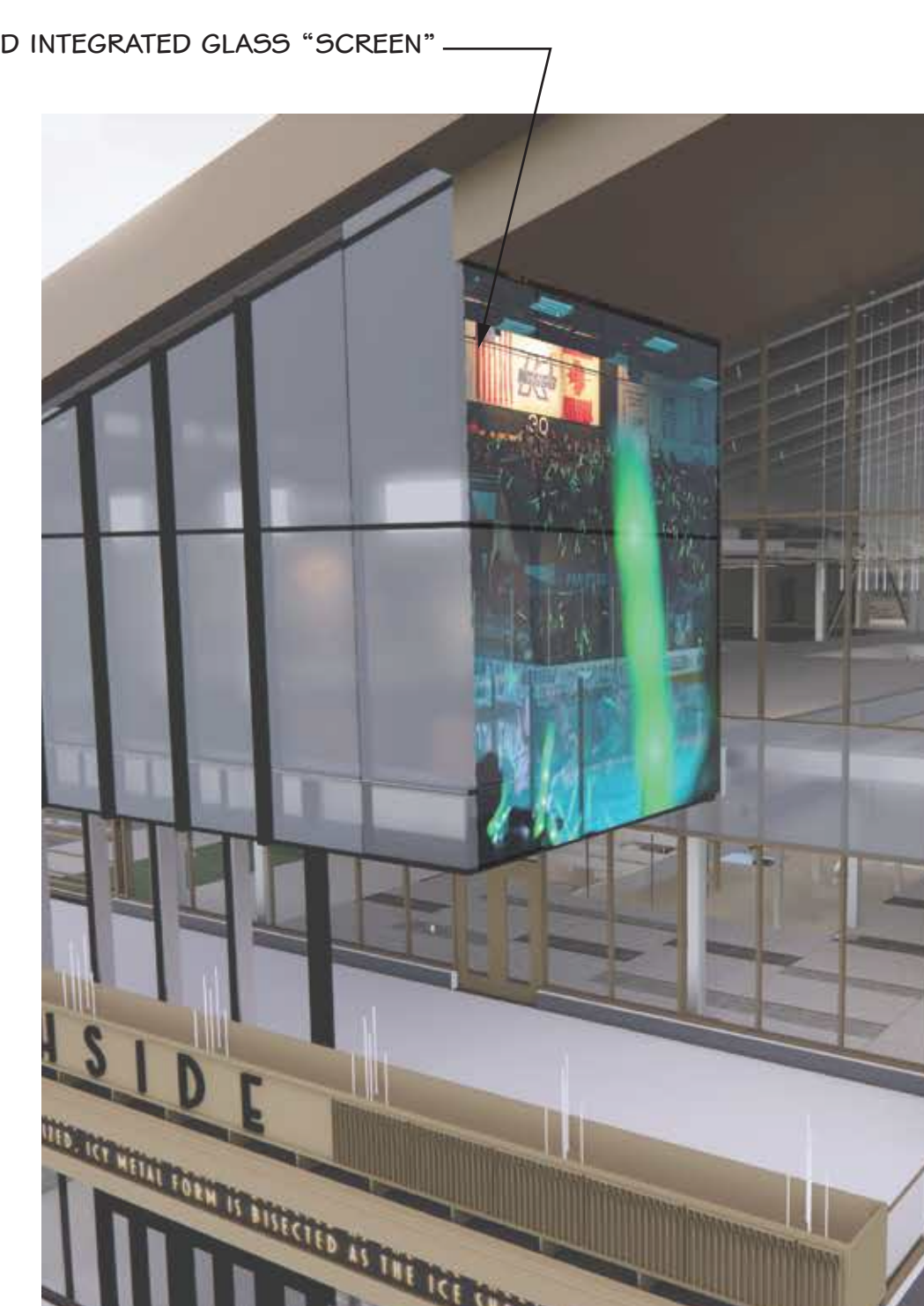
2 "WESTERN MICHIGAN UNIVERSITY"
20 1/8" = 1'-0"

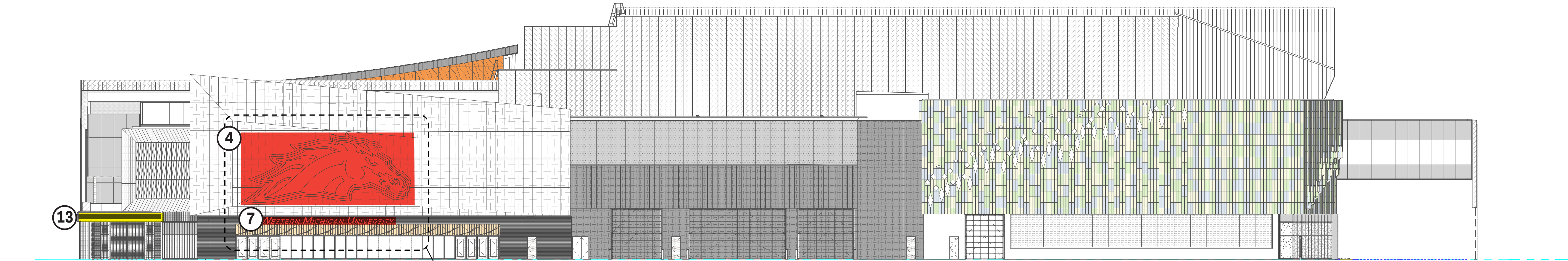


3 LED SCREEN / EMD - EAST FACE
20 1/8" = 1'-0"

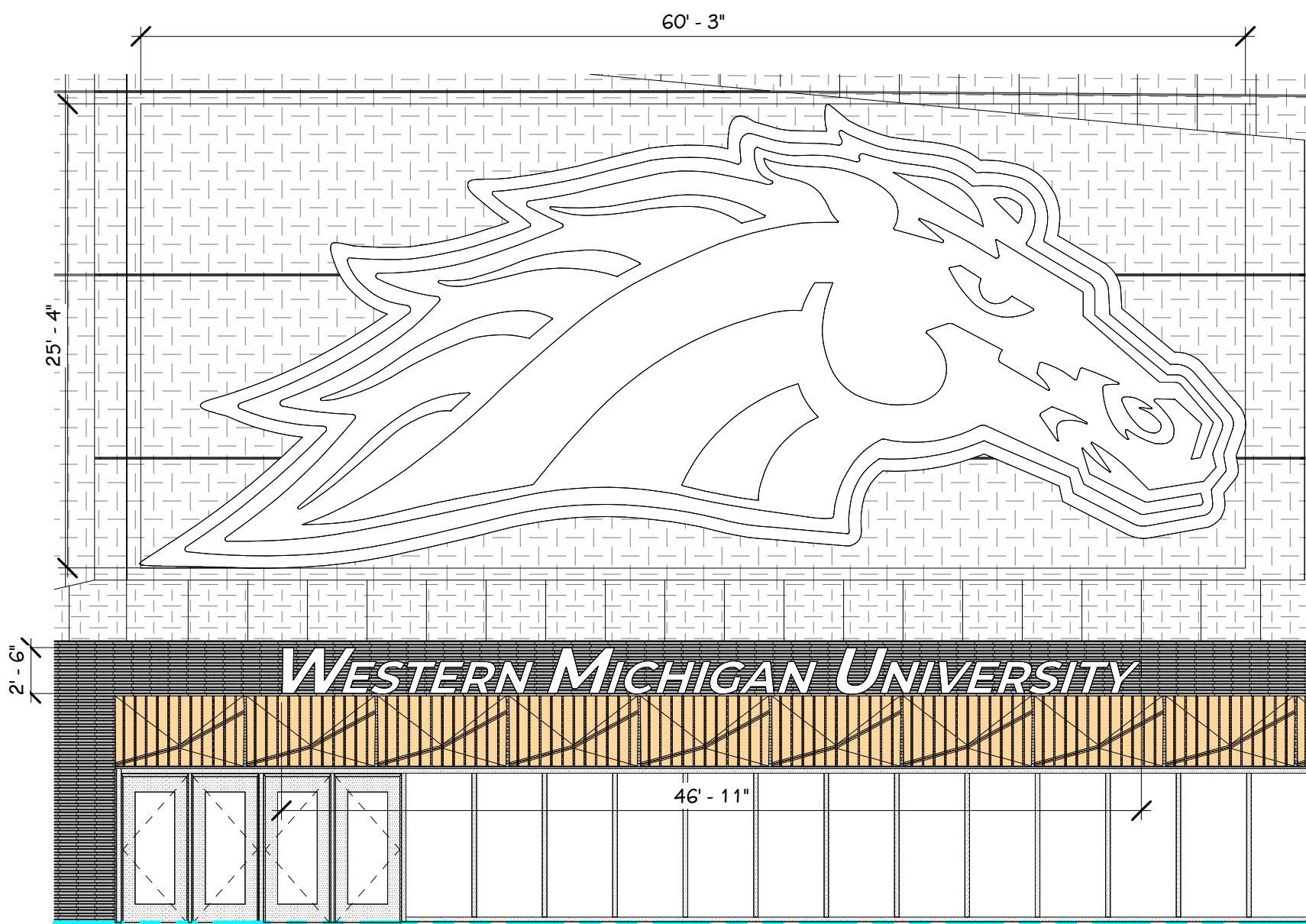


LED SCREEN / EMD - WEST FACE





1
21
OVERALL WEST ELEVATION
1" = 20'-0"



4 & 7
21
BRONCO SPIRIT & "WESTERN MICHIGAN UNIVERSITY"
1/8" = 1'-0"



BRONCO SPIRIT - EDGE ILLUMINATION

"WESTERN MICHIGAN UNIVERSITY"
EDGE ILLUMINATED CHANNEL LETTERS

ZONING STANDARDS - SITE INFORMATION			
ZONING DISTRICT - D2 DOWNTOWN 2			
SIGN TYPES ALLOWED - FREESTANDING, WALL, CANOPY AND AWNING, PROJECTING, LEDGE, MARQUEE			
ZONING STANDARDS - SIGNS (50-9) - EVENT CENTER			
50-9.5 ON-PREMISES SIGNS (WEST FACADE ALLOWABLE SIGN AREA = 644 SF)			
	TYPE: WALL SIGN - EXTERNALLY & INTERNALLY ILLUMINATED		
	LOCATION: WEST		
DESCRIPTION		SIZE ALLOWED	SIZE PROVIDED
(4) BRONCO - WMU SPIRIT		200 SF	920 SF
(7) "WESTERN MICHIGAN UNIVERSITY"		200 SF	1175F
			INT. ILLUM.
			INT. ILLUM.
SIGNAGE VARIANCES			
VARIANCE 1: TOTAL SIGN AREA ALLOWABLE EXCEEDED			
2. EVENT CENTER			
A. WEST FACADE			
VARIANCE 2: WALL SIGNS EXCEEDING 200 SF			
1. EVENT CENTER			
A. (3) BRONCO - WMU SPIRIT			

ISSUED FOR
DESIGN CONSULTANT:



ROSSETTI

PROJECT TITLE
KALAMAZOO EVENT CENTER & PARK
WATER ST DECK

OWNER
CD ARENA LLC
Kalamazoo, Michigan

SHEET TITLE
SIGNAGE - EVENT CENTER WEST

SHEET NUMBER
21
22157.300

DATE
JANUARY 24, 2025



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Project includes an 1100 spot parking garage that serves to support the new Event Center project, as well as, a three story mixed use development. The parking garage and mixed use building are fronted on Park Street and will incorporate an open plaza.

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

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?

The sign size allowable variance request (Zoning Code sections 9.5) is based on the unique layout and function of the facility itself. The size of the sign on the facility has been dictated by the size of the facility, the adjacent Event Center to the north, and the adjacent open plaza to the east. If all allowable sign square footage is aggregated between the 3 facades we are below the total maximum allowed signage for the facility.

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

The building is located downtown so there are limited vantage points to see signs indicating building function. We tried to maximize the opportunities to provide visual identity to the building and the function/activities it provides. Additionally the open plaza provides a unique opportunity to engage with the Kalamazoo community, this sign will provide a unique community activation opportunity. This sign is set-back approximately 100' from Park Street.

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?

No rights of the applicant are deprived by the Ordinance.

Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

There are several variances being sought. The sign size allowable variance request is based on the unique function and performance of the adjacent building and open plaza. The sign is set-back approximately 100' from the street frontage to limit distractions to drivers on the parallel street. Additional landscaping at the south of the open plaza will further obscure the sign to cars, limiting driver distractions as much as possible.

Will the granting of the variance negatively affect adjacent land?

We do not feel the granting of the variance will negatively affect the adjacent land. To the contrary, this facility is intended to have a positive impact on the adjacent land and to the community as a whole.

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

We believe the granting of the percentage of changeable copy (EMD) variance is consistent with the intent of the Ordinance. As noted in the presentation, we have sought to meet intent of the Ordinance as much as possible and still satisfy the operation of the facility.

Additional Criteria for Variance Requests for Required Landscaping

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

not applicable

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

not applicable



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

not applicable

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

not applicable

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

not applicable

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

not applicable



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Project includes an 1100 spot parking garage that serves to support the new Event Center project, as well as, a three story mixed use development. The parking garage and mixed use building are fronted on Park Street and will incorporate an open plaza.

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

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?

The percentage of changeable copy (EMD) variance request (Zoning Code sections 9.3 G) is based on the unique layout and function of the facility itself. The proposed sign is intended to engage the community present in the open plaza space adjacent to the facility, as well as provide a public notification display to the community at large as it passes by the building.

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

The building is located downtown so there are limited vantage points to see signs indicating building function. We tried to maximize the opportunities to provide visual identity to the building, and maximize the limited opportunities to communicate facility events and notifications to the community. Additionally the open plaza provides a unique opportunity to engage with the Kalamazoo community.

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?

No rights of the applicant are deprived by the Ordinance.

Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

There are several variances being sought. The percentage of changeable copy (EMD) variance request is based on the unique function and performance of the adjacent building and open plaza. The sign is set-back from the street frontage to limit distractions to drivers on the parallel street. Additional landscaping at the south of the open plaza will further obscure the sign to cars, limiting the visibility to those passing on foot, or pedestrians already within the main area of the plaza.

Will the granting of the variance negatively affect adjacent land?

We do not feel the granting of the variance will negatively affect the adjacent land. To the contrary, this facility is intended to have a positive impact on the adjacent land and to the community as a whole.

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

We believe the granting of the percentage of changeable copy (EMD) variance is consistent with the intent of the Ordinance. As noted in the presentation, we have sought to meet intent of the Ordinance as much as possible and still satisfy the operation of the facility.

Additional Criteria for Variance Requests for Required Landscaping

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

not applicable

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

not applicable



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

not applicable

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

not applicable

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

not applicable

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

not applicable



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Project includes an 1100 spot parking garage that serves to support the new Event Center project, as well as, a three story mixed use development. The parking garage and mixed use building are fronted on Park Street and will incorporate an open plaza.

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

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?

The use of EMD for full motion video variance request (Zoning Code sections 9.3 G(2)) is based on the unique layout and function of the facility itself. The proposed sign is intended to engage the community present in the open plaza space adjacent to the facility, as well as provide a public notification display to the community at large as it passes by the building.

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

The building is located downtown so there are limited vantage points to see signs indicating building function. We tried to maximize the opportunities to provide visual identity to the building, and maximize the limited opportunities to communicate facility events and notifications to the community. Additionally, the open plaza provides a unique opportunity to engage with the Kalamazoo community and the sign is set-back approximately 100' from Park street with the plaza as a buffer.

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?

No rights of the applicant are deprived by the Ordinance.

Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

There are several variances being sought. The use of EMD for full motion video variance request is based on the unique function and performance of the adjacent building and open plaza. The sign is set-back approximately 100' from the park street frontage to limit distractions to drivers on the parallel street. Additional landscaping at the south of the open plaza will further obscure the sign to cars, limiting the visibility to those passing on foot, or pedestrians already within the main area of the plaza. See attached sheet for proposed video regulations.

Will the granting of the variance negatively affect adjacent land?

We do not feel the granting of the variance will negatively affect the adjacent land. To the contrary, this facility is intended to have a positive impact on the adjacent land and to the community as a whole.

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

We believe the granting of the use of EMD for full motion video variance request is consistent with the purpose and intent of the ordinance. We have sought to create guidelines to prevent this sign from becoming a distraction or nuisance, and still satisfy the operation of the facility.

Additional Criteria for Variance Requests for Required Landscaping

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

not applicable

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

not applicable



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

not applicable

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

not applicable

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

not applicable

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

not applicable

General Provisions:

1. During normal operating hours, all imagery will be static. Display of each static image shall not be less than 10 seconds and transition time between messages shall not be greater than 2 seconds.
2. Operating Hours of digital display shall be between the hours of 6am-11pm or no longer than 30 minutes after the end of an event held at the Kalamazoo Event Center, Whichever is later.
3. The luminance of digital displays shall not exceed maximum permitted luminance for any portion of the day.
4. Digital Displays shall not be equipped to transmit sound or other forms of broadcast signals

Full motion Video Provisions for Screen on Park Street:

1. Signs shall operate only between the 1 hour preceding and 30 minutes after the end of an event held at the Kalamazoo Event Center.
2. Animated or full motion video shall not use flashing or strobing effects.
3. Full motion videos shall be a minimum of 10 seconds in length.
4. Full motion videos shall be no more than 25% of content for the permitted time frame. A minimum of 1 static image, following general provisions listed above, shall be displayed directly preceding and directly after a full motion video.

Movie / Continuous Video Provisions:

1. During occasional event dates throughout the year there may be a desire to promote community events on the lawn area east of the Parking structure, and show movies or other continuous video on the large screen facing east, or a temporary screen erected facing the community lawn. During these times, supplemental audio may be used to coordinate with the video. Management of the event may seek to close or slow traffic along Park Street for these special events for safety reasons for both patrons and vehicles

(2) Screens on Kalamazoo Ave:

1. Will meet all General provisions above.
2. There is no desire for full motion video for the two screens located on the North side of the Kalamazoo Event Center.

Scrolling text on Marquee signs(Park Street and Kalamazoo Ave):

1. Transitions between messages will follow all Kalamazoo (EMD) Electronic Message Display guidelines.
2. Sign copy/imagery will not change more often than every 10 seconds.
3. Sign copy/imagery will not flash, strobe, or otherwise be a hazard to those traveling in the public rights-of-way.

General Provisions:

1. During normal operating hours, all imagery will be static. Display of each static image shall not be less than 10 seconds and transition time between messages shall not be greater than 2 seconds.
2. Operating Hours of digital display shall be between the hours of 6am-11pm or no longer than 30 minutes after the end of an event held at the Kalamazoo Event Center, Whichever is later.
3. The luminance of digital displays shall not exceed maximum permitted luminance for any portion of the day.
4. Digital Displays shall not be equipped to transmit sound or other forms of broadcast signals

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1. Signs shall operate only between the 1 hour preceding and 30 minutes after the end of an event held at the Kalamazoo Event Center.
2. Animated or full motion video shall not use flashing or strobing effects.
3. Full motion videos shall be a minimum of 10 seconds in length.
4. Full motion videos shall be no more than 25% of content for the permitted time frame. A minimum of 1 static image, following general provisions listed above, shall be displayed directly preceding and directly after a full motion video.

Movie / ContinuousVideo Provisions:

1. During occasional event dates throughout the year there may be a desire to promote community events on the lawn area east of the Parking structure, and show movies or other continuous video on the large screen facing east, or a temporary screen erected facing the community lawn. During these times, supplemental audio may be used to coordinate with the video. Management of the event may seek to close or slow traffic along Park Street for these special events for safety reasons for both patrons and vehicles

(2) Screens on Kalamazoo Ave:

1. Will meet all General provisions above.
2. There is no desire for full motion video for the two screens located on the North side of the Kalamazoo Event Center.

Scrolling text on Marquee signs(Park Street and Kalamazoo Ave):

1. Transitions between messages will follow all Kalamazoo (EMD) Electronic Message Display guidelines.
2. Sign copy/imagery will not change more often than every 10 seconds.
3. Sign copy/imagery will not flash, strobe, or otherwise be a hazard to those traveling in the public rights-of-way.



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Project includes an approximate 426 thousand square foot event center that includes a new arena for Western Michigan's mens and womens basketball teams and hockey team, as well as, the Kalamazoo Wings hockey team. Along with the arena, the facility will include practice basketball courts and hockey rink, locker rooms and support spaces for all teams, as well as, a multi-purpose event space.

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

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?

The sign square footage allowable variance request (Zoning Code sections 9.5 table 9.5-1) is based on the unique layout, size and function of the facility itself. The number and location of the signs on the facility have been dictated by the functional requirements of the facility. If all allowable sign square footage is aggregated between the 4 facades we are below maximum square footage allowable. For functional reasons the signs being grouped and larger in size helps identify key entry points of the building.

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

The building is located downtown so there are limited vantage points to see signs indicating building function. We tried to maximize the opportunities to provide visual identity to the building, and indicate key entries to visitors of the building.

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?

No rights of the applicant are deprived by the Ordinance.

Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

There are several variances being sought. The square footage allowable variance request is based on the unique function and performance requirements of the facility. We are staying below the allowable maximum square footage for signs on the facility, but due to the locations of entrances and unique function of the facility some facades exceed the allowable square footage.

Will the granting of the variance negatively affect adjacent land?

We do not feel the granting of the variance will negatively affect the adjacent land. To the contrary this facility is intended to have a positive impact on the adjacent land and to the community as a whole.

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

We believe the granting the sign square footage allowable variance request is consistent with the intent of the ordinance. As noted in the presentation, we have sought to meet the intent of the ordinance as much as possible and still satisfy the operation of the facility.

Additional Criteria for Variance Requests for Required Landscaping

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

not applicable

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

not applicable



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

not applicable

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

not applicable

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

not applicable

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

not applicable



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Project includes an approximate 426 thousand square foot event center that includes a new arena for Western Michigan's mens and womens basketball teams and hockey team, as well as, the Kalamazoo Wings hockey team. Along with the arena, the facility will include practice basketball courts and hockey rink, locker rooms and support spaces for all teams, as well as, a multi-purpose event space.

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

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?

The maximum sign size variance request (Zoning Code sections 9.5 table 9.5-1) is based on the unique layout, size and function of the facility itself. The number and location of the signs on the facility have been dictated by the functional requirements of the facility. If all allowable sign square footage is aggregated between the 4 facades we are below maximum square footage allowable. For functional reasons the signs being grouped and larger in size helps identify key entry points of the building.

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

The building is located downtown so there are limited vantage points to see signs indicating building function. We tried to maximize the opportunities to provide visual identity to the building, and indicate key entries to visitors of the building.

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?

No rights of the applicant are deprived by the Ordinance.



Community Planning & Economic Development

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Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

There are several variances being sought. The sign size allowable variance request is based on the unique function and performance requirements of the facility. We are staying below the allowable maximum square footage for signs on the facility, but due to the locations of entrances and unique function of the facility some facades exceed the allowable square footage.

Will the granting of the variance negatively affect adjacent land?

We do not feel the granting of the variance will negatively affect the adjacent land. To the contrary this facility is intended to have a positive impact on the adjacent land and to the community as a whole.

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

We believe the granting the sign size allowable variance request is consistent with the intent of the ordinance. As noted in the presentation, we have sought to meet the intent of the ordinance as much as possible and still satisfy the operation of the facility.

Additional Criteria for Variance Requests for Required Landscaping

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

not applicable

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

not applicable



Community Planning & Economic Development

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

not applicable

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

not applicable

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

not applicable

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

not applicable



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Project includes an approximate 426 thousand square foot event center that includes a new arena for Western Michigan's mens and womens basketball teams and hockey team, as well as, the Kalamazoo Wings hockey team. Along with the arena, the facility will include practice basketball courts and hockey rink, locker rooms and support spaces for all teams, as well as, a multi-purpose event space.

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

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?

The percentage of changeable copy (EMD) variance request (Zoning Code sections 9.3 G) is based on the unique layout, function, and size of the facility itself. The proposed signs are intended provide a public notification display to the community about activities occurring at the Event Center.

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

The building is located downtown so there are limited vantage points to see signs indicating building function. We tried to maximize the opportunities to provide visual identity to the building, and maximize the limited opportunities to communicate facility events and notifications to the community.

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?

No rights of the applicant are deprived by the Ordinance.



Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

There are several variances being sought. The percentage of changeable copy (EMD) variance request is based on the unique function of the building. The sign is set-back from the street frontage to limit distractions to drivers on the parallel street.

Will the granting of the variance negatively affect adjacent land?

We do not feel the granting of the variance will negatively affect the adjacent land. To the contrary, this facility is intended to have a positive impact on the adjacent land and to the community as a whole.

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

We believe the granting of the percentage of changeable copy (EMD) variance is consistent with the intent of the Ordinance. As noted in the presentation, we have sought to meet intent of the Ordinance as much as possible and still satisfy the operation of the facility.

Additional Criteria for Variance Requests for Required Landscaping

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

not applicable

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

not applicable



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

not applicable

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

not applicable

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

not applicable

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

not applicable



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Tower Pinkster
Attn.: Steve Loney, Project Manager
242 E. Kalamazoo Avenue
Kalamazoo, MI 49007

May 13, 2024

RE: ZBA #24-05-09
411 W. Kalamazoo Avenue / North 17 Feet of W. Water Street
Parcel #:06-15-311-003

Dear Mr. Loney:

At the meeting of the Zoning Board of Appeals on Thursday, May 9, 2024, the Board approved the following variances for the **Event Center** building:

Building Siting:

1. A dimensional variance from Chapter 50-5.6 C (1) (a) 2, to allow front lot line coverage relief of 43% from the requirement of 70% for the placement of the Event Center along Kalamazoo Ave.
2. A dimensional variance from Chapter 50-5.6 C (1) (a) 3, to allow relief from the requirement that the building occupy the corner at Kalamazoo Ave. and Park St.
3. A dimensional variance from Chapter 50-5.6 C (1) (a) 4, to allow a build to zone of 4 ft. 8 in. to 36 ft. 4 in. where a build to zone of 0 to 10 ft. is required along Kalamazoo Ave.

Height:

4. A dimensional variance from Chapter 50-5.6 C (2) 17, to allow upper floors of the building to be 16 ft. in height where 14 ft. is the maximum height for upper floors.

Street Facing Façades:

5. A dimensional variance from Chapter 50-5.6 C (4) (a) 20, to allow the ground floor transparency levels of 66% for Kalamazoo Ave., 57% for Westnedge Ave. and 47% for Park St. where 70% transparency is required.
6. A dimensional variance from Chapter 50-5.6 C (4) (a) 21, to allow 0% upper floor transparency along Westnedge Ave. where 20% transparency is required.
7. A dimensional variance from Chapter 50-5.6 C (4) (a), 22, to allow blank wall areas exceeding the 30% requirement on both Westnedge Avenue and Park St.
8. A dimensional variance from Chapter 50-5.6 C (4) (b) 25, to allow only 14 entrances where the requirement is one per 60 feet, totaling 22 entrances.

Parking and Loading Regulations:

1. A dimensional variance from Chapter 50-7.3-1, to allow 60 bike parking spaces were 144 are required based on the maximum occupancy.

2. A dimensional variance from Chapter 50-7.5 A (1) (b), to allow a driveway for the loading area on Westnedge Ave. to be 91 ft. where 24 ft. is the maximum driveway width.

The Board also approved the following variances for the **Parking Deck**:

Building Siting:

1. A dimensional variance from Chapter 50-5.6 C (1) (a) 2, to allow zero front lot line coverage of where the requirement is 70% along Park St.
2. A dimensional variance from Chapter 50-5.6 C (1) (a) 3, for relief from the requirement that the building occupy the corner at Park St. and Water St.
3. A dimensional variance from Chapter 50-5.6 C (1) (a) 4, to allow a build to zone of 0 ft. to 112 ft 4 in. where a build to zone of 0 to 10 ft. is required.

Use:

4. A use variance from Chapter 50-5.6 C (3) 19, to allow relief from the requirement that there be occupied space on both the first and second floors of the parking deck along Westnedge Ave. and Water St.

Street Facing Façade:

5. A dimensional variance from Chapter 50-5.6 C (4) (a) 20, to allow ground floor transparency levels of 33% for Westnedge Ave. and 19% for Water St. where 70% transparency is required.
6. A dimensional variance from Chapter 50-5.6 C (4) (a) 22, to allow blank wall areas exceeding the 30% requirement on both Westnedge Ave. and Water St.
7. A dimensional variance from Chapter 50-5.6 C (4) (b) 25, to allow parking deck to have one entrances on the Westnedge Ave. facade, where two entrances are required.

Please note, all variances become null and void if not exercised within one year of the date of granting. The next step in the development review process for this project is Site Plan Review.

If you have any questions, please contact me in the Community Planning and Economic Development Department at (269) 337-8806 or eldridgep@kalamazoocity.org.

Sincerely,

DocuSigned by:

Peter C. Eldridge

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Peter C. Eldridge, AICP
Zoning Administrator

CC: CD Arena LLC, 100 W. Michigan Ave. Ste. 300, Kalamazoo MI 49007



Parcels within 300' Mailing Radius 411 W Kalamazoo Ave

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



0 220 440 880 ft