

Agenda

Zoning Board of Appeals



City of Kalamazoo

Thursday, April 9, 2026

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 February 12, 2026

C. COMMUNICATIONS AND ANNOUNCEMENTS

D. PUBLIC HEARINGS

1. ZBA #26-04-08: 211 E. Water Street. PlazaCorp is requesting a dimensional variance from Chapter 50-4.5(3)(a)[1], to authorize a drive-through in the front yard, where a drive-through in the D-3 District is only permitted in the rear yard.
2. ZBA #26-04-09: 401 E. Michigan Avenue. Abonmarche-Byce on behalf of the Larry J. Bell Library Foundation, is requesting a dimensional variance from Chapter 50-5.6 C (4) 24, to authorize three entrance doors on the street-facing facade along N. Pitcher Street, where five entrance doors are required.

E. DISCUSSION/ACTION ITEMS

F. REPORTS

G. ADJOURNMENT

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
February 12, 2026 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Allison Haan, Joe Hohler II, Beth van den Hombergh, Gary Wark, and Jack Urban (Alternate)

Members Absent: Remi Harrington and Tony McReynolds

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

Chair Hohler called the meeting to order at 7:05 p.m.

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

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

APPROVAL OF MINUTES:

Mr. Urban moved to approve the meeting minutes from January 8, 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 make live comments for any 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.

Chair Hohler added that because there are five identical requests, they will all be attacked as one thing but voted on individually, but they will all be presented as one, Attorney Bear advised him this would be acceptable.

Ms. Haan read the applications for 112 and 114 W. Cork Street into the record.

ZBA#26-02-03 and 26-02-04: 112 and 114 W. Cork Street: An application for a variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Statewide Rentals LLC. The applicant is requesting variances from the Natural Features Protection Ordinance, Chapter 50, Section 50-6.2 H (1), to 1) authorize the proposed development of a duplex which will have a 12-foot wide driveway encroaching into the protected slope from the street level to the ridge of the slope, where protected slopes with a grade greater than 20% are not to be encroached upon, and 2) from the Natural Features Protection Ordinance, Chapter 50, Section 50-6.2 H (3), to authorize the proposed development of a duplex which will have a parking area and driveway in front of the duplex that will encroach 100% into the 12.5 foot protected slope setback, where the protected slope setback is not to be encroached upon.

Mr. Eldridge advised the applications are similar but have slight differences and suggested reading the next applications independently of the former applications.

Ms. Haan read the applications for 120, 126, and 132 W. Cork Street into the record.

ZBA#26-02-05, 26-02-06 and 26-02-07: 120, 126, and 132 W. Cork Street: An application for a variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Statewide Rentals LLC. The applicant is requesting variances from the Natural Features Protection Ordinance, Chapter 50, Section 50-6.2 H (1), to 1) authorize the proposed development of a duplex which will have a 12-foot wide driveway encroaching into the protected slope from the street level to the ridge of the slope, where protected slopes with a grade greater than 20% are not to be encroached upon, and 2) from the Natural Features Protection Ordinance, Chapter 50, Section 50-6.2 H (3), to authorize the proposed development of a duplex which will have a driveway in front of the duplex that will encroach 25% into the 10-foot protected slope setback, where the protected slope setback is not to be encroached upon.

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

Jeremy Cole, the owner of the LLC that owns the five parcels, spoke on behalf of the application. He said he is there to request limited relief from the NFP slope standards for the five parcels, which all share the same existing condition: steep slopes that exceed the NFP threshold and occupy a significant portion of the buildable depth of each lot. He stated the slopes are natural, longstanding conditions not created by the applicant and without limited slope relief it would not be possible to

construct residential buildings or provide safe driveway access to West Cork Street and in practical terms, the ordinance as applied would eliminate all reasonable use of these platted residential lots. He added that the relief requested is narrow in scope and limited only to the minimum area necessary to construct the duplex footprints, building access, driveway access, and the utility corridor and isn't proposing widespread grading or disturbance and no slope disturbances are proposed outside of the clearly defined improvements shown on the plans. He said protective measures have been incorporated including fencing at limits of disturbances and preservation of remaining slopes in woodland areas, which is calculated by area and tree removal is limited to no more than 75% per parcel, which is consistent with the ordinance standards. Mr. Cole said this aligns with the intent of the ordinance by balancing environmental protection with reasonable use of property and the goal of the NFP standard is preservation, not the effective prohibition of development on legally platted, residential lots and it is the belief that the proposal respects both environmental goals of the ordinance and the property rights of the landowner, and for those reasons it is respectfully requested approval given for the limit scope of relief as shown. He added that he sent an additional file to Mr. Eldridge and after the NFP meeting Mr. Eldridge basically said a little more detail was needed and if Mr. Cole could do this, he thought it would help, so there was a topographic survey created and overlaid the buildings, the driveway, and the utility corridor. He stated the utility corridor and the driveway are going to be the same: power, gas, water, and sewer are all under the road that fits within that 12-foot corridor and the city minimums for one residential driveway are 12-foot, which is why they are only requesting the minimum that is allowed and for water there has to be a 10-foot easement, so they went with the 12-foot because that is the minimum they could go with, but with water there can't be trees five feet on either side of it. He said they aren't there for the trees because they're saving more than 25% of them, so this is strictly on the slope and that each of the lots has no access to the buildable area without a driveway relief, and the slopes are on the entirety of the south side of the properties, as shown on the map. He added that from West Cork Street there is no access to where the buildings would be built without the driveway corridor so again, they are requesting the minimum allowable driveway and width that the city would approve. He said the original plans had a larger development, lots 112 and 114 could have up to four units on each lot and two are being proposed, lots 120 and 126 could each have six units and they are proposing two, and lot 132 could have up to eight units and they are only proposing two, he said one of the reasons the NFP didn't like the plan is that one member said he didn't like that they weren't using the properties to their full zoning use, which allows for 35 units and they are requesting to build 10. He said one of the reasons they did that is because of the neighbors, they originally had driveways on opposite streets, they had different accesses, fire apparatuses needed larger turnarounds, so they would have eaten up quite a bit more slope if they tried to combine those two and added that Mr. Eldridge said at one of the meetings that if they were to sell 112 or one of the other addresses, that access agreement may cause a bit of confusion or challenges, so they decided to give each parcel their own driveway so if someone decides to buy 112, they're buying the building, the land and they have the one driveway access, there's no shared utilities, each lot was platted and was on the original plat map and intended to be developed. He then held up a rendering that showed the building's footprint if the board wanted to look at it and added it's similar to what the board can already see except they will see the actual structures and 120 thru 132 are setback because they can essentially avoid the entirety of the slope and the majority of the slope setback but it was impossible to do that with 112 and 114 because those are only 150 feet deep and nothing can be built on those two without relief. He said one of the things someone brought up is why not save the parcels. He presented that to Jared Chambers, a city representative in Community Planning and Development, and Mr. Cole offered to trade these parcels, along with three other parcels, with the city for a Brownfield contaminated lot on East Michigan that has been sitting vacant, blighted, and undeveloped for 23 years and the city can do

what they want with it and advised Jared to take it to the Commissioners and over a two or two and a half month period, Jared came back and said after reviewing it, the city wasn't interested and recommended he not reach out to the City Commissioners regarding a trade. He said Jared said the East Michigan parcel is valued at \$400,000 and his were only valued at \$175,000 and told Mr. Cole even if he were to come up with a cash difference, the city doesn't think the board would be interested and suggested the NFP application for a variance. He restated they brought the development way down to just two units per parcel, although 33 are allowed they are down to 10 total.

Chair Hohler asked for staff comments, and they are as follows: Mr. Eldridge stated he doesn't think the land swap is germane to tonight's discussion and they are talking about individual, residential lots in the RM-15 zone district and as Mr. Cole pointed out, he is looking to reduce the density so where some lots might allow four units, six units, and 132 would allow up to 13 units. He said the pros are reducing density and limiting encroachments, as proposed, with the 12-foot-wide driveway there are still questions about the alignment of the utilities that can be asked of the applicant and that weren't understood in the drawing exactly where the leads were located. Looking at the review criteria, number one is clear regarding the use of the property, it's clear that some sort of relief is necessary to grant access to each of the sites to allow for development, but then number two, asks is the extent of the relief the minimum necessary to permit reasonable use of the site, and staff disagreed with the applicant and there are questions that need to be answered regarding the positioning of the utilities and the retaining walls, asked by the NFP Board, among other things that were brought up. Mr. Eldridge stated that what they need to understand in better detail is that all other options have been explored to minimize the impact on the slope, like possibly sharing driveways, which is why staff indicated they were not in support of number two. The third criteria is the demonstration of relief that can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the NFP Overlay District, which staff also disagreed with the applicant and said it's not clear that this will not impair the intent and purpose of the NFP Ordinance, so two of the four review criteria staff feels the applicant can't meet, therefore staff is not in support and suggests that other alternatives be explored and explained and the matter be considered for future Natural Features Protection Review Board meeting once the rest of the information is made available. He further added that at the Natural Features Protection Review Board meeting in January, the board wasn't comfortable with the level of specificity and detail they were looking at, so there was a vote to not make a recommendation for approval of the NFP variances for any of the five properties. After the meeting the board liaison reached out to the board members to find out, in more detail, what was missing from the application, Nolan Bergstrom then put the information together and sent it to the applicant so he could better understand what the board felt was lacking from the application, and that level of detail has been relayed and Mr. Cole has provided an updated topographic map with the footprint of the buildings, driveways, and parking areas for the board tonight, but Mr. Eldridge doesn't feel it answers all the questions raised at the NFP Board and the NFP Board is the expert on this subject material and that's why staff is leaning toward this project returning to that board one more time.

Chair Hohler asked if staff would rather this board delay doing anything with this until they can take the details back to the NFP, see what they have to say, and if they approve it, come back to this board and Mr. Eldridge said that would be ideal because if the variances are denied tonight, the same request can't be brought back for a year, which could create a setback for the developer. Chair Hohler asked to what extent he can do that or can the board vote to adjourn these or wait on them? Mr. Wark stated he had questions before that happens.

Attorney Bear said the procedure is board doesn't have to act today and can choose to adjourn to the next meeting or allow this to go back to the Natural Features Protection Board and it is within the authority of this board to ask for more information, and is consistent with the normal procedures in dealing with the Natural Features Protection Ordinance.

Mr. Urban asked if they should ask the applicant if he would like to wait and withdraw his request so there are no time limits pressing him or anyone and leave it up to Mr. Cole to make the decision to continue on with the vote this evening or in light of what staff said, withdraw his request if he chooses and Chair Hohler said he was thinking along the same lines and asked Mr. Eldridge how long will it be until Mr. Cole can go back to the NFP? Mr. Eldridge answered the next available meeting date is March 24th, and the application deadline is March 3rd. Chair Hohler said it may not come back to this board until May and Mr. Eldridge said it could come back in April. Chair Hohler said maybe the applicant wants to go back to the NFP first instead of this board saying take it back to them and come back here in two or three months.

Mr. Wark stated since the NFP Board didn't approve it and the city is not supportive of it the way it is, and he heard a couple of times it would be up to this board to offer some kind of relief if it wasn't approved, but he doesn't see how this board could give him any relief not knowing what he wants to do with things in the future, he added there has to be more planning that takes place. He then asked who platted this property and how long ago it was and Mr. Eldridge said he didn't have that information. Mr. Wark said when he went to the site, he saw a sign that said short-term rentals and wanted to know what that was about. Mr. Cole stated one of the development companies they have is KZOOBNB and stated he and Mr. Eldridge discussed this thoroughly, short-term rentals are not allowed at this location, mid-term and long-term rentals are and added they don't only do short-term rentals and added short-term is anything less than 30 days, mid-term is 30 days or more, and long-term is typically signing a year lease. Mr. Wark stated on the sign it said short-term rentals and Mr. Cole said the sign only says KZOOBNB, and Mr. Urban agreed, Mr. Cole said the sign says vacation rentals, not short-term, but this site allows for mid-term rentals and added that what they do is instead of someone coming in momentarily and taking long-term housing off the market, they house them in mid-term rentals and have them sign a three or six month lease.

Chair Hohler stated he feels he is of the same mind as Mr. Urban where they feel the applicant should agree to return to the NFP with the information and come back but if Mr. Cole isn't going to, he doesn't know if he can move forward or if he can say this needs to be adjourned until the main meeting and give them time to run through that process and come back to this board with an approval from the NFP.

Mr. Urban stated the NFP still may not approve it, it depends on how the applicant phrases his request: he wants to have driveways on all five properties and from a marketing standpoint, it makes sense because he's a businessman and wants to maximize his chances to rent the property however, by putting in all five driveways, that's more than the minimum needed, in his opinion, to gain reasonable use of the property. He added he would like to see a proposal that involves some sharing of driveways, there needs to be more than one and any sharing of driveways has to have another access and can't be blocked. He added if you're renting for three or four months, it doesn't seem like a great hardship to share a driveway and Mr. Wark agreed but Mr. Urban added he is only speaking for himself and this is not an official position anyone on this board can take because they haven't heard all that can be heard this evening, but he wanted to give Mr. Cole the benefit of responding and Mr. Cole said that he proposed before to Mr. Eldridge and other staff and said

why don't they just have one driveway, but originally the plan was to have the driveways come off of Imperial but hearing from some of the neighbors, they didn't want the additional traffic coming down the street so they decided to put the driveway on Cork Street and one driveway shared and he said Mr. Eldridge and staff stated if a shared driveway goes over a certain amount of square footage there would be the need for detention ponds, which Mr. Cole stated would eat up even more of the slope so while he appreciates the one driveway argument, he already presented that and it was shot down, but it goes in line with the unit reduction from 33 units to 16 units, now down to 10 units. Mr. Cole said city staff suggested an "S" driveway in and exit on Imperial Street but the only way to do that would be to increase traffic for the neighbors, which they're trying not to do, but if that's what the city and the board are choosing and that's the best way to move forward they will do it, but it will be to the detriment of the neighbors and he will let them speak to how they feel about that, but he would rather this board say let's postpone it, have him get an approval from the NFP first, and if they say that, they will go back to the NFP and give plans for the "S" driveway and will re-present it. He added that Mr. Urban's suggestion was his initial plan to have the one driveway 24 feet in at a 10% grade but they would be eating up quite a bit of slope because a fire apparatus has to be able to turn around on a shared driveway but on residential driveways like their proposing, they don't have to have that slope for the fire apparatus to make it up the hill. He said they're willing to go back if this board says to pause on this and go get an approval from NFP.

Mr. Urban made a motion to adjourn this hearing until the May meeting to allow the applicant to resubmit his proposal to the NFP Board.

Mr. Wark asked Mr. Eldridge if three months would be ample time and Mr. Eldridge said he spoke with Nolan Bergstrom, the NFP Board liaison, and asked when the next date is this could go to NFP and was told March 23rd. Mr. Wark asked Mr. Cole if that is enough time and he said if that is the decision of this board he will get back with Mr. Bergstrom and Mr. Eldridge.

The motion to adjourn until May was seconded by Mr. Wark.

The motion was approved unanimously by voice vote.

Mr. Eldridge wanted to clarify that the motion and vote was for all five parcels.

Mr. Tim Hiscock, one of the neighbors on Imperial, who bought his home in the early 1990s said the platting for the whole division was done decades ago, long before the Natural Features Protection ordinance and that poses a problem for these properties and without some kind of relief, they're undevelopable. He stated he recently reached out to Mr. Cole to try to have a less adversarial relationship and to even try to help figure out something that would be more acceptable for them and said as a neighborhood they are happier these won't be short-term rentals or micro-homes however it isn't usable the way it is and would be challenging for anyone, he added he thinks the previous owner had plans to build a house there but he doesn't know if he had plans to build something more. He said he has seen these properties go through several hands over the decades and doesn't want to see the property just flipping from one person to another but the challenge comes down to if there's a shared driveway because there are rules that kick in regarding the grade of the driveway and the fire equipment needs to be able to turn around or have a different exit. He said he's very cautious in suggesting this but if the main entrance was off of Cork but they had an auxiliary onto Imperial, that would be more acceptable from his perspective and may

facilitate more options that preserve as much of the natural features as possible. He added doing anything where the entrance and exit would both be off Cork would be challenging and because of the slope and if they have been on Imperial, it's not highly developed, there are no cement curbs or cul-de-sac on it, they deal with people turning around in their driveway all the time because there is no cul-de sac, he watches people get stuck in the wintertime, so anything that can be done to bridge between the concerns that natural features is aiming to protect and the needs of a developer to come up with good use for this property while still respecting the few residents on Imperial would be ideal.

Mr. Eldridge said the shared drive could be access for two of the properties so there can be groupings like three driveways that access all five properties like a shared drive for 112 and 114 because that's the steepest, and 132 is the widest parcel on the west, so it doesn't have to be one drive, it was just the exploration of trying to share drive to reduce the number of overall driveways

DISCUSSION/ACTION ITEMS:

Election of board members and officers

This is considered the annual meeting to elect board officers who will serve from March of this year until February of next year. This is for Chair, Vice-Chair, and the Secretary. Mr. Eldridge advised there has been talk behind the scenes about where the current officers stand were they to be put forth as candidates for the coming year, but there can be new officer candidates as well.

Mr. Wark asked if the secretary is allowed to also do finding of fact and Mr. Eldridge said it's not prohibited. Mr. Wark wanted to discuss the secretary's position and stated it seems that Ms. Harrington has had a difficult time over the last few months getting to the meetings and wanted to nominate Ms. van den Hombergh for the secretary position and Mr. Eldridge stated Ms. Harrington advised she is willing to serve as secretary again, then asked for other nominees and there were none. Attorney Bear advised that because there are two nominees for secretary there needs to be votes for each individual. Mr. Eldridge stated they would do roll call votes for each officer individually.

Ms. van den Hombergh was voted in to serve as the secretary of the Zoning Board of Appeals by a three to one vote with Mr. Wark, Chair Hohler, and Ms. Haan voting yes and Mr. Urban voting no, by roll call vote.

Ms. Harrington did not receive enough votes to remain the secretary of the Zoning Board of Appeals by a three to one vote with Mr. Wark, Chair Hohler, and Ms. Haan voting no, Mr. Urban voting yes, and Ms. van den Hombergh abstained, by roll call vote.

Mr. Hohler nominated Mr. Wark to continue in his role as Vice-Chair and Mr. Wark accepted. Mr. Eldridge asked if there were other nominees for Vice-Chair and there were none.

Mr. Wark was voted in to remain the Vice-Chair of the Zoning Board of Appeals by a unanimous voice vote.

Mr. Wark nominated Mr. Hohler to continue in his role as Chair and Mr. Hohler accepted. Mr. Eldridge asked if there were other nominees for Chair and there were none.

Mr. Hohler was voted in to remain the Chair of the Zoning Board of Appeals by a unanimous voice vote.

The new slate of offices for the upcoming year for the Zoning Board of Appeals is Joe Hohler as Chair, Gary Wark as Vice-Chair, and Beth van den Hombergh as secretary.

REPORTS:

Zoning Board of Appeals 2025 annual report

The annual report summarizes who served on the board, initiatives undertaken, and actions by the board and any summation of the requests and developing patterns the planning staff needs to pay more attention to.

New Initiatives

Updated the rules of procedure to change that name to bylaws.

Put in wording to expand the board to seven members from six members, the last step to that process is an ordinance amendment to the Zoning Ordinance, which will go before the Planning Commission in March, then move to the City Commission, then it will be a seven-member board with two alternates.

There was a joint meeting/training of the Zoning Board of Appeals, the Natural Features Protection Board, and the Planning Commission on November 12, 2025, to better understand what each board does, the governing rules behind each board, and the overarching land use regulations the city works under from the state level.

Two NFP Variances

1609 Whites Road, for the Kalamazoo Country Club.

433 Reed Avenue, for the City of Kalamazoo stormwater management project.

Other Activity

Activity surrounding the food trucks and food trailers, three of which came before this board requesting additional time to locate in various commercial parking lots around the city. Staff is working with these operators to explain how the site plan review process works because that process allows for the permanent placement of food trucks and trailers on commercial property if they can complete that process.

The number of requests was a little higher than in past years with 38 total variances and part of the reason for the jump could be related to the event center coming to downtown and the variances needed for that project.

Mr. Eldridge asked if there were any questions and Mr. Wark commented that he liked the training and would like to see more of that in the future, Mr. Eldridge said they felt the success of it warranted replicating it this year.

ADJOURNMENT:

The meeting was adjourned at 7:59 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: **4/9/2026**
Item: **D.1.**

TO: Zoning Board of Appeals

FROM: Reviewed by: Bobby Durkee, Assistant City Planner
Prepared by: Pete Eldridge, Zoning Administrator

DATE: April 9, 2026

SUBJECT: ZBA #26-04-08: 211 E. Water Street. PlazaCorp is requesting a dimensional variance from Chapter 50-4.5(3)(a)[1], to authorize a drive-through in the front yard, where a drive-through in the D-3 District is only permitted in the rear yard.

BACKGROUND:

The property at 211 E. Water Street is occupied by a four-story building (Beer Exchange and Mercantile Bank are primary tenants) and a large parking lot. The property has frontage on three streets: E. Water Street, N. Pitcher Street and E. Kalamazoo Avenue. The parking lot for this property includes a 12-foot-wide one-way lane which exits onto Kalamazoo Avenue. This lane runs alongside the building on the adjacent parcel (242 E. Kalamazoo Avenue). In June 2005, a site plan was approved for 211 E. Water Street, which created this lane as a future drive-through lane. The tenant that then occupied the side of the building facing the lane did not need a drive-through. PlazaCorp maintained this lane for future re-use of the building. At the time this occurred, the property was zoned CCBD and a drive-through lane was allowed in this location.

In 2026, the applicant approached the city with a prospective tenant for the building that desired to utilize the drive-through lane. The drive-through lane was constructed but never put into active use as a drive-through prior to the Zoning Ordinance amendments in 2023. The zoning amendments enacted in October 2023 changed the zoning of the property from CCBD to D-3 and restricted drive-through lanes to the rear yard only. The drive-through lane is technically located in the front yard of 211 E. Water Street. Since a drive-through is only permitted in the rear yard, this is not a conforming location.

The applicant is seeking a variance to utilize the 12-foot-wide lane along the east side of the building as a drive-through lane for a perspective tenant.

STRATEGIC VISION ALIGNMENT:

Community Planning and Economic Development Department | 245 N. Rose Street, Ste 100, Kalamazoo, MI 49007
Voice: (269) 337-8744 | Fax: (269) 337-8513 | www.kalamazoocity.org

Strategic Goal Impact:

This project does not touch directly on any strategic goals. This project does align with the Future Land Use Map as the property is classified as Downtown, where eating and drinking establishments are permitted with a drive-through.

COMMUNITY ENGAGEMENT:

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

Appropriate Depth of Engagement:

A notice was published in the Kalamazoo Gazette on March 25, 2026. Notice of the public hearing was also mailed out to all property owners within 300 feet of the subject property. There is no established neighborhood association for the downtown.

Engagement/Communication Tools:

Newspaper, mailings to property owners, and outreach by the applicant.

FINDINGS:

Staff has made the following findings regarding this request:

1. That there are special circumstances or conditions (like exceptional topographic conditions, narrowness, shallowness, or the shape of property) that are peculiar to the land or structure for which the variance is sought, that is not applicable to other land or structures in the same zone district.

There are special circumstances related to the property. The property has frontage on three public streets and no defined rear yard. There are also special circumstances related to the improvements on the site. 242 E. Kalamazoo Avenue and 211 E. Water Street are under common ownership. When the site plan was approved in 2005, 211 E Water Street placed this lane adjacent to the building. The ownership entity then continued to improve the rear entrance of the building, with decorative lighting, patio area and parking area, which further complicates the relocation of the drive-through to the rear yard.

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 with the multiple lot frontages and Ordinance amendments in 2023 are not the result of 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 deny the use of an existing 12-foot-wide lane as a drive-through lane next to the building. There are not many examples of drive-throughs downtown. Checkers at 575 E. Michigan Avenue does have drive-through lanes in the front yard. The former MacDonald on Kalamazoo Avenue had a drive-through lane in the side yard.

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 would allow for use of the existing lane as a drive-through lane for a food service business in the building at 242 E. Kalamazoo Avenue. Further, the lane meets the required vehicle stacking minimum of three for a legal drive-through and the developer will add the required screening on the east side of the lane.

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

The granting of the variance will not adversely affect adjacent property as this city block is all under common ownership. Additionally, the drive-through lane is located approximately 125 feet from the corner of E. Kalamazoo Avenue and N. Pitcher Street. It is located in the front yard, but not near the street corner.

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 indent to limit the placement of a drive-through lane in highly visible locations. The lane is tucked up next to the building and will not be visible for future eastbound traffic on Kalamazoo Avenue. The required landscaping screening will obscure the view of the drive-through lane for westbound traffic.

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

This criterion is not applicable to the requested variance.

RECOMMENDATION:

Staff supports the requested variance as it meets the above criteria with the condition that the required landscape screening be added along the east side of the drive-through lane.



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

March 25, 2026

**RE: ZBA #26-04-08
211 E. Water Street
Parcel #06-15-339-262**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by PlazaCorp for 211 E. Water Street located in the Downtown 3 District (D-3).

The applicant is requesting a variance from Chapter 50-4.5(3)(a)[1], to authorize a drive through in the front yard, where drive throughs in the D-3 District are only permitted in the rear yard.

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, April 9, 2026, 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

APPLICANT INFORMATION		
Name: Matt Bastos		Mailing Address: 200 West Michigan Suite 201
City: Kalamazoo	State: MI	ZIP Code: 49007
Phone: 2693522988	Email: mbastos@plazacorp.net	Preferred Contact: <input checked="" type="checkbox"/> Email <input type="checkbox"/> 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: Globe Building		Mailing Address: 211 East Water Street
City: Kalamazoo	State: Mi	ZIP Code: 49007
Phone: 2693522988	Email: mbastos@plazacorp.net	Preferred Contact: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Phone
PROPERTY INFORMATION		
Property Address(s): 211 E Water Street		
Parcel Identification Number(s): 06-15-339-262	Zone District (kalamazoo.org/maps): D3	
TYPE OF REQUEST		
<input checked="" type="checkbox"/> Dimensional Variance from Chapter(s) 50, Section(s) 4.5D(3)	<input type="checkbox"/> Appeal of an Administrative Decision	
<input type="checkbox"/> Use Variance to allow _____	<input type="checkbox"/> Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____	
<input checked="" type="checkbox"/> Natural Features Protection Variance	<input type="checkbox"/> Temporary Use Approval	
Reason for Request: Use of existing drive through for new coffee shop location		
ATTACHMENTS		
<input checked="" type="checkbox"/> \$ 312 Fee	<input checked="" type="checkbox"/> Type Plan detailing variance request, plat, site plan, sketch plan can all be used.	
<input checked="" type="checkbox"/> 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: 3-10-16
Signature of Owner (if different than applicant):		Date:



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

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

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?

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?

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



Community Planning & Economic Development

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(269) 337-8026 • www.kalamazoo.org

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?

Will the granting of the variance negatively affect adjacent land?

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

Additional Criteria for Variance Requests for Required Landscaping

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

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



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

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

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

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

Variance request narrative 211 E Water Street

Attachments

- V-1 - Approved Site plan for 211 E Water Street “Globe Building” Sheet “S-1” Dated 10-10-97 – shows approved site plan
- V-2 - Alta Survey for 211 E Water Street “Globe Building” Sheet 1 – Dated 5-28-2001 - Shows property after 211 E Water development
- V-3 - Approved site plan for 242 E Kalamazoo “United Building” sheet “1&2 of 9” dated 3-18-05 shows approved site plan with Drive through
- V-4 -Alta Survey for 211 E Water Street sheet “1” dated 7-8-2014
- V-5 - Alta Survey for 211 E Water Street sheet “1” dated 7-8-2014

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details

19 Props, LLC, the owner of both 211 E. Water Street and 242 E. Kalamazoo, has entered into a Letter of Intent (LOI) with a commercial tenant with limited food service for the vacant suite in the northwest corner of the first floor at 242 E. Kalamazoo. PlazaCorp is acting on behalf of 19 Props, LLC, for this matter and other property-related matters. Surveys for both properties are attached showing current layouts and property lines.

The lease is contingent on using the existing drive-through lane, which serves 242 E. Kalamazoo but is physically located on 211 E. Water. During the city’s rezoning in the early 2020s, both 211 E Water and 242 E. Kalamazoo were rezoned D3, which prohibits drive-throughs in the front or side of buildings. At that time, the suite was vacant and the drive-through was not in use. Therefore, approval of a dimensional variance and full site plan review is required to activate the existing drive-through in its current location.

This variance allows reasonable use of the property while preserving the intent of the ordinance and supporting downtown economic revitalization by filling a long-vacant suite.

Review Criteria for Dimensional Variance

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?

Yes. The proximity of property lines prevents constructing a drive-through at the rear of 242 E. Kalamazoo. The existing south entry and landscaping also limit feasible locations. The block is

completely surrounded by streets, leaving neither 242 E. Kalamazoo nor 211 E. Water with a traditional rear yard. Furthermore, the perceived intent of the rear yard requirement for drive throughs would be to “shield this from the public way”, which is not possible on a property bordered on all four (4) sides by public streets. These factors make the site uniquely constrained compared to other D3 parcels.

It should also be noted that these two parcels and buildings share parking as well as driveway access, which help ease the burden on City streets (traffic entering and exiting roadways) as well as reduction in impervious surface (pavement) by sharing resources.

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?

Yes. At the time, the property was owned by a prior entity, and through PlazaCorp as its agent, 211 E. Water was redeveloped in 1997, including the parking field to the north and west. In 2006, 242 E. Kalamazoo was redeveloped under the same agent, PlazaCorp, and the drive-through lane was constructed at that time specifically to serve the northeast suite. This required relocating a dumpster pad and adjusting newly constructed parking. The existence of this pre-constructed, unused drive-through constitutes a hardship unique to this property, as no other D3 parcels have similar pre-existing infrastructure.

Are the special circumstances created by actions of the applicant?

No, the property has been developed for many decades and although (2) distinct buildings and (2) distinct parcels, they have functioned as (1) development. The circumstances are a direct result of recent City initiated re-zoning, and as noted in the response above, this development is unique within the City as being bordered on all (4) sides by public streets.

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?

Yes. Given the building’s location, block-wide ownership by 19 Props, LLC, irregular property lines, existing building configuration, and the pre-existing drive-through, approval of this variance represents the least intrusive action necessary to allow productive use of the property while maintaining compliance with the spirit of the ordinance.

Will the granting of the variance negatively affect adjacent land?

No. 19 Props, LLC owns the adjacent property, and the existing drive-through is designed with appropriate stacking consistent with zoning requirements and adjacent land is located on opposite side of public streets, which essentially negates direct impact as there is no “adjacent” land.

Furthermore, PlazaCorp, as agent of 19 Props, LLC, agrees to the following, which will occur upon approval of the variance and, where applicable, once a lease is executed in accordance with its terms:

- Install a vegetative screen wall along the east side of the drive-through as requested by city staff.
- Provide a blanket easement for parking and the drive-through between 211 E. Water and 242 E. Kalamazoo.

These commitments are intended to apply to any future tenant utilizing the drive-through, should the current Letter of Intent not result in a signed lease.

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

Yes. The unique configuration of the buildings, combined with streets surrounding the block on all four sides, makes it impossible to define a conventional rear yard. The variance allows for reasonable use of the land while preserving the intent of the zoning ordinance.

Additional Criteria for Required Landscaping

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

Yes. During site plan review, city staff requested a review of existing landscaping to ensure compliance with ordinance standards.

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

Yes. The only proposed addition is the vegetative screen wall along the east side of the drive-through. One additional tree may be required, which will be addressed during site plan approval.

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?

No. There are no proposed changes to building or parking lot locations.

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

Not at this time.

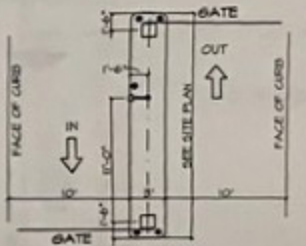
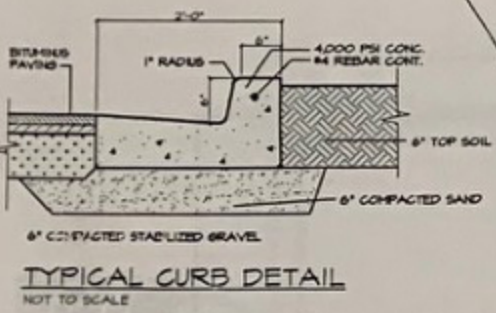
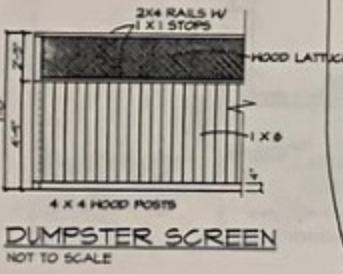
Do similar landscaping conditions exist which would result in no added benefit if additional landscaping or screening was provided?

No. The proposed screening is necessary to meet ordinance intent and provides adequate separation from adjacent areas.

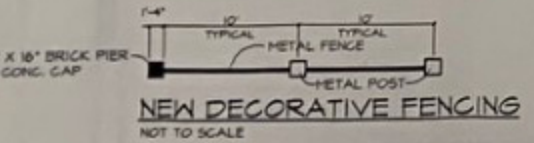
Additional Considerations

- Grandfathering: Because the drive-through lane predates the D3 rezoning and was constructed as part of an approved site plan, it may qualify as a non-conforming use under the zoning code.
- The need for this variance request is based on actions taken by the City and not direct actions of the applicant
- Downtown Revitalization: Filling this long-vacant suite promotes economic vitality, pedestrian activity, and downtown vibrancy. Denial of the variance would prevent reasonable use of the property while similar pre-existing infrastructure is leveraged elsewhere.

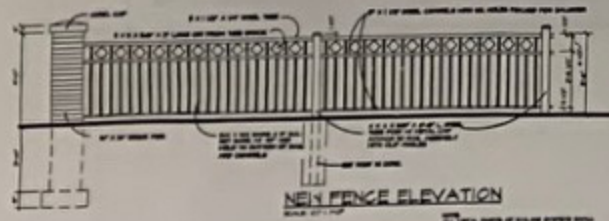




NOTE: REFER TO GATE SUPPLIER'S SHOP DRAWINGS PRIOR TO LAYOUT & CONSTRUCTION OF CURB



FENCE SHALL MATCH EXISTING FENCE ON WEST SIDE OF EDWARDS STREET FOR MATERIAL, HEIGHT, & DESIGN



NOTE:
ALL EXIST. ASPHALT PAVING WITHIN NEW CONC. CURBS TO REMAIN
ALL EXIST. ASPHALT PAVING OUTSIDE NEW CONC. CURBS TO BE REMOVED & TOP SOIL INSTALLED

NOTE:
ALL EXIST. ASPHALT PAVING WITHIN NEW CONC. CURBS TO REMAIN
ALL EXIST. ASPHALT PAVING OUTSIDE NEW CONC. CURBS TO BE REMOVED & TOP SOIL INSTALLED

EDWARDS STREET

WATER STREET

PITCHER STREET

EXISTING BUILDING

EXISTING 4 STORY BRICK BUILDING

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

- LEGEND**
- 4005 NEW SPOT ELEVATIONS
 - 4005 NEW SPOT ELEVATIONS
 - B.G. BOTTOM OF CURB
 - T.C. TOP OF CURB
 - DIRECTION OF STORM DRAINAGE
 - M.H. MANHOLE
 - SAN. SANITARY SEWER
 - W. WATER
 - E. ELECTRIC
 - G. GAS
 - T. TELEPHONE
 - ⊠ NEW POLE LIGHT TO MATCH EXISTING
 - ⊙ NEW DECORATIVE POLE LIGHT

REVISIONS

9/15/97
10/10/97

DATE: 7/15/97
PROJECT: 9658

RENOVATIONS TO:
GLOBE BUILDING
211 EAST WATER STREET
KALAMAZOO, MICHIGAN

CONTINENTAL DESIGNS, INC.
8120 MOOREBRIDGE ROAD - KALAMAZOO, MICHIGAN 49002
TEL: (616) 323-3500 FAX: (616) 323-3768



PARCEL DESCRIPTION (AS FURNISHED)
Land in the City of Kalamazoo, Kalamazoo County, Michigan, described as follows:

PARCEL 1:
Part of Lots 260, 262, 264, 278, and 279, Original Plat of the Town of Kalamazoo, according to the plat thereof as recorded in Liber 3 of Plats, Page 8, Kalamazoo County Records being more particularly described as follows:

Beginning at the Southeast corner of Lot 264 "Original Plat of Kalamazoo" as recorded in Liber 3 of Plats, page 8, Kalamazoo County Records; thence North 30 degrees 11 minutes 15 seconds West, 25.75 feet (measured at 25.92 feet) along the East line of said Lot to an angle point in said line; thence North 00 degrees 24 minutes 36 seconds East, 44.00 feet along said East line; thence North 86 degrees 31 minutes 30 seconds West, 126.9 feet (measured at 125.63 feet) to the West line of said Lot 264 at a point 133.8 feet (measured at 133.76 feet) from the Southwest corner of said Lot; thence South 76 degrees 52 minutes 22 seconds West, 85.93 feet to the Northerly extension of the West line of Lot 262 of said Plat at a point 159.28 feet from the Southwest corner of said Lot 262; thence South 30 degrees 11 minutes 07 seconds East, 4.40 feet along said extension to the Northeast corner of Lot 260 of said Plat; thence South 62 degrees 47 minutes 55 seconds West, 2.35 feet along the North line of Lot 260 of said Plat; thence South 30 degrees 24 minutes 30 seconds East, 155.00 feet perpendicular with the South line of said Lot 260 to said South line at a point 179.00 feet from the Southwest corner of Lot 258 of said Plat; thence North 59 degrees 35 minutes 30 seconds East, 167.50 feet (measured at 166.05 feet) to the place of beginning.

Also: Beginning at the Northeast corner of Lot 278 "Original Plat of Kalamazoo", as recorded in Liber 3 of Plats, Page 8, Kalamazoo County Records; thence South 89 degrees 54 minutes 53 seconds West, 142.50 feet along the North line of Lots 278 and 279 of said Plat; thence South 00 degrees 24 minutes 36 seconds West, 82.50 feet parallel with the East line of said Lot 278 to the Westerly extension of the South line of said Lot 278; thence North 89 degrees 54 minutes 53 seconds East, 142.50 feet along said South line and its extension to the Southeast corner of said Lot 278; thence continuing North 89 degrees 54 minutes 53 seconds East 3.00 feet along the Easterly extension of said South line; thence North 00 degrees 24 minutes 36 seconds East, 82.50 feet parallel with said East line of Lot 278 to the Easterly extension of said North line of Lot 278; thence South 89 degrees 54 minutes 53 seconds West, 3.00 feet along said extension to the place of beginning.

Together with access right as contained in that certain instrument recorded December 20, 1971 in Liber 882, page 986.

Parcel 2:
A parcel of land situated in the Southwest quarter of Section 15, Town 2 South, Range 11 West, City and County of Kalamazoo, Michigan, being more particularly described as follows:

Commencing at the Southeast corner of Lot 264 "Original Plat of Kalamazoo" as recorded in Liber 3 of Plats, Page 8, Kalamazoo County Records; thence North 30 degrees 11 minutes 15 seconds West, 25.75 feet (measured at 25.92 feet) along the East line of said Lot to an angle point in said line; thence North 00 degrees 24 minutes 36 seconds East, 44.00 feet along said East line to the Place of Beginning; thence continuing North 00 degrees 24 minutes 36 seconds East, 23.75 feet along said East line to the South line of Lot 278 of said Plat; thence South 89 degrees 54 minutes 53 seconds West, 142.50 feet along said South line and its extension West; thence South 77 degrees 56 minutes 41 seconds West 108.48 feet to the East line of the West 16.50 feet of Lot 280 of said Plat at a point 105.00 feet South of the North line of said lot; thence South 00 degrees 24 minutes 36 seconds West 38.08 feet along said East line to the North line of Lot 260 of said Plat; thence North 62 degrees 47 minutes 55 seconds East 47.02 feet along said West line to the West line of Lot 262 of said Plat; thence North 30 degrees 11 minutes 07 seconds West, 4.40 feet along said West line and its extension Northerly to a point 159.28 feet from the Southwest corner of said Lot 262; thence North 76 degrees 52 minutes 22 seconds East 85.93 feet to the West line of Lot 264 of said Plat at a point 133.8 feet (measured at 133.76 feet) from the Southwest corner of said Lot 264; thence South 86 degrees 31 minutes 30 seconds East, 126.9 feet (measured at 125.63 feet) to the place of beginning.

Together with all rights under a Lease Agreement disclosed by Memorandum of Lease, dated November 28, 1997, recorded December 22, 1997, in Liber 1984, page 362, between The Downtown Development Authority of the City of Kalamazoo, Lessor, and The Globe Building, L.L.C., a Michigan Limited Liability Company, Lessee, over the following described parcel located in the City of Kalamazoo, County of Kalamazoo, State of Michigan, and more fully described as:

Parcel 3:
Beginning at the Southwest corner of Lot 258 "Original Plat of Kalamazoo" as recorded in Liber 3 of Plats, page 8, Kalamazoo County Records; thence North 59 degrees 35 minutes 30 seconds East, 179.00 feet along the South line of Lot 258 and Lot 260 of said Plat; thence North 30 degrees 24 minutes 30 seconds West, 155.00 feet perpendicular with said South line to the North line of said Lot 260; thence South 62 degrees 47 minutes 55 seconds West, 178.64 feet along the North line of said Lots 260 and 258 to the Northwest corner of said Lot 258; thence South 30 degrees 11 minutes 07 seconds East, 165.00 feet to the place of beginning.

SURVEYOR'S CERTIFICATE:
I, the undersigned, hereby certify to The Globe Building, L.L.C., a Michigan Limited Liability Company, Metropolitan Title Company, and Republic Bank, a Michigan Banking corporation, that this print of survey is based on a survey made under the supervision of Allen H. McMachen, Professional Surveyor No. 16935, on May 19, 2001 and that this print of survey correctly shows the location of all buildings, structures and other visible improvements situated on the premises herein described and that except as shown hereon, there are no visible easements or rights-of-way across said premises, or easements or rights-of-way of which the undersigned has been advised, or party walls or visible encroachments upon adjoining premises, streets or alleys by any of said buildings, structures or other improvements, or cemeteries or family burying grounds upon the premises herein described. I further certify that the property abuts an accessible street.

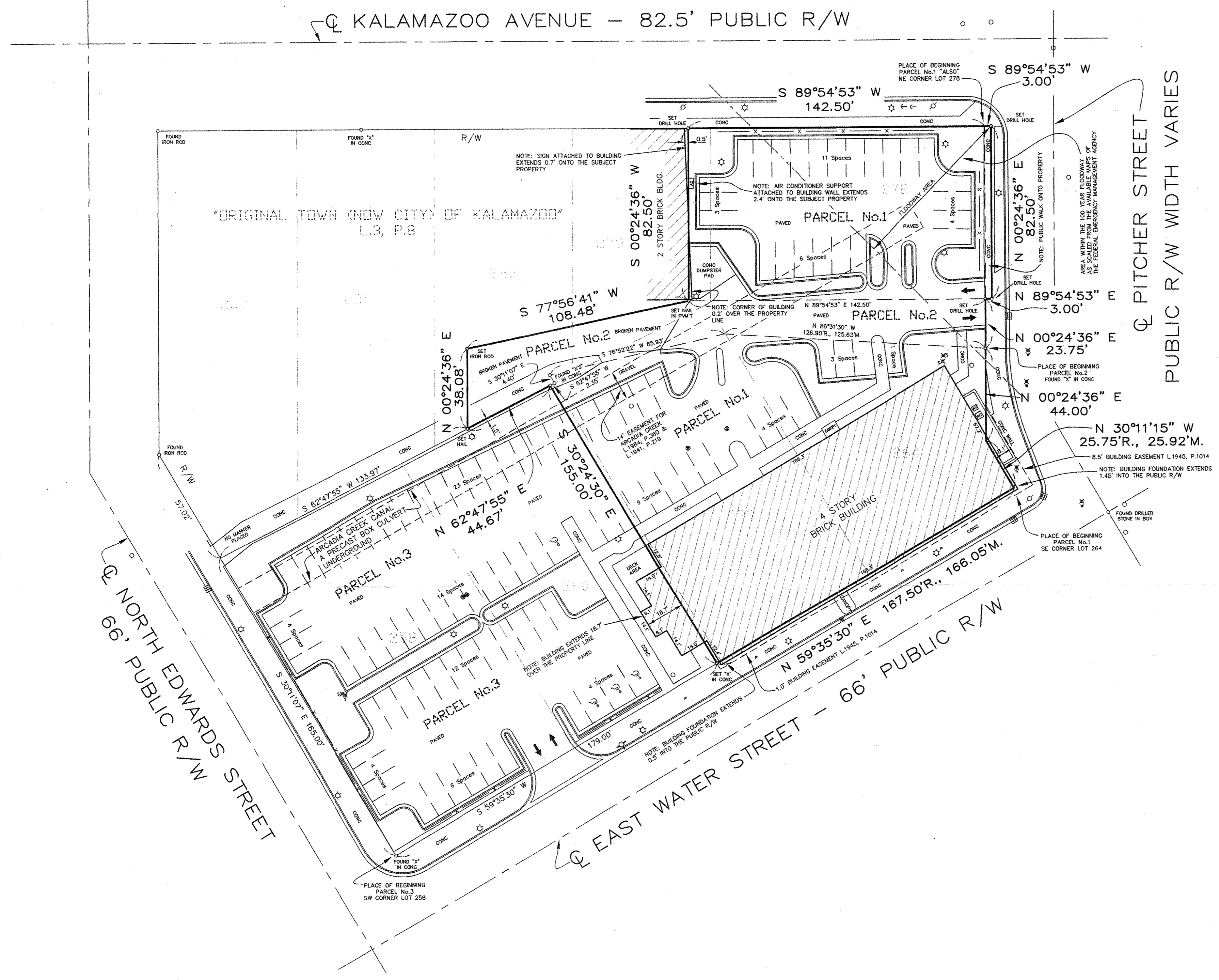
Dated: May 28, 2001

Allen H. McMachen
Allen H. McMachen
Professional Surveyor No. 16935



DATE	REVISION	DATE
		5/28/2001
		JOB No. 33359
		SHEET No. 1

ALTA / ACSM LAND TITLE SURVEY
REPUBLIC BANK
211 EAST WATER STREET KALAMAZOO, MICHIGAN
Ingersoll, Watson & McMachen, Inc.
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS
1133 East Milham Road • Kalamazoo Michigan 49002 • Area 616-344-6165 • Fax 616-344-0555



- LEGEND**
- MANHOLE
 - ⊕ CATCH BASIN
 - ⊕ FIRE HYDRANT
 - ☆ LIGHT POLE
 - ⊕ UTILITY POLE
 - ← GUY ANCHOR
 - P PARKING METER
 - ⊕ WATER VALVE
 - ⊕ SPRINKLER VALVE
 - AC AIR CONDITIONER
 - - - - - 4' METAL FENCE
 - ===== CONCRETE CURB & GUTTER
 - R RECORD DIMENSION
 - M MEASURED DISTANCE

NOTE:
Parcels 1 and 2 contain 0.90 acres of land, Parcel 3 contains 0.66 acres of land.

A portion of the subject property (as shown on the drawing) is within a 100 year flood hazard area as scaled from the available maps of the Federal Emergency Management Agency.

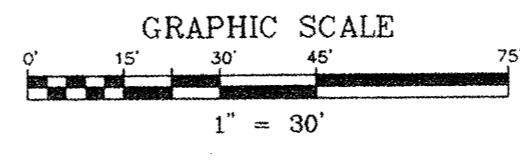
Per the City of Kalamazoo Zoning Administrator there are no height nor setback restrictions associated with this property.

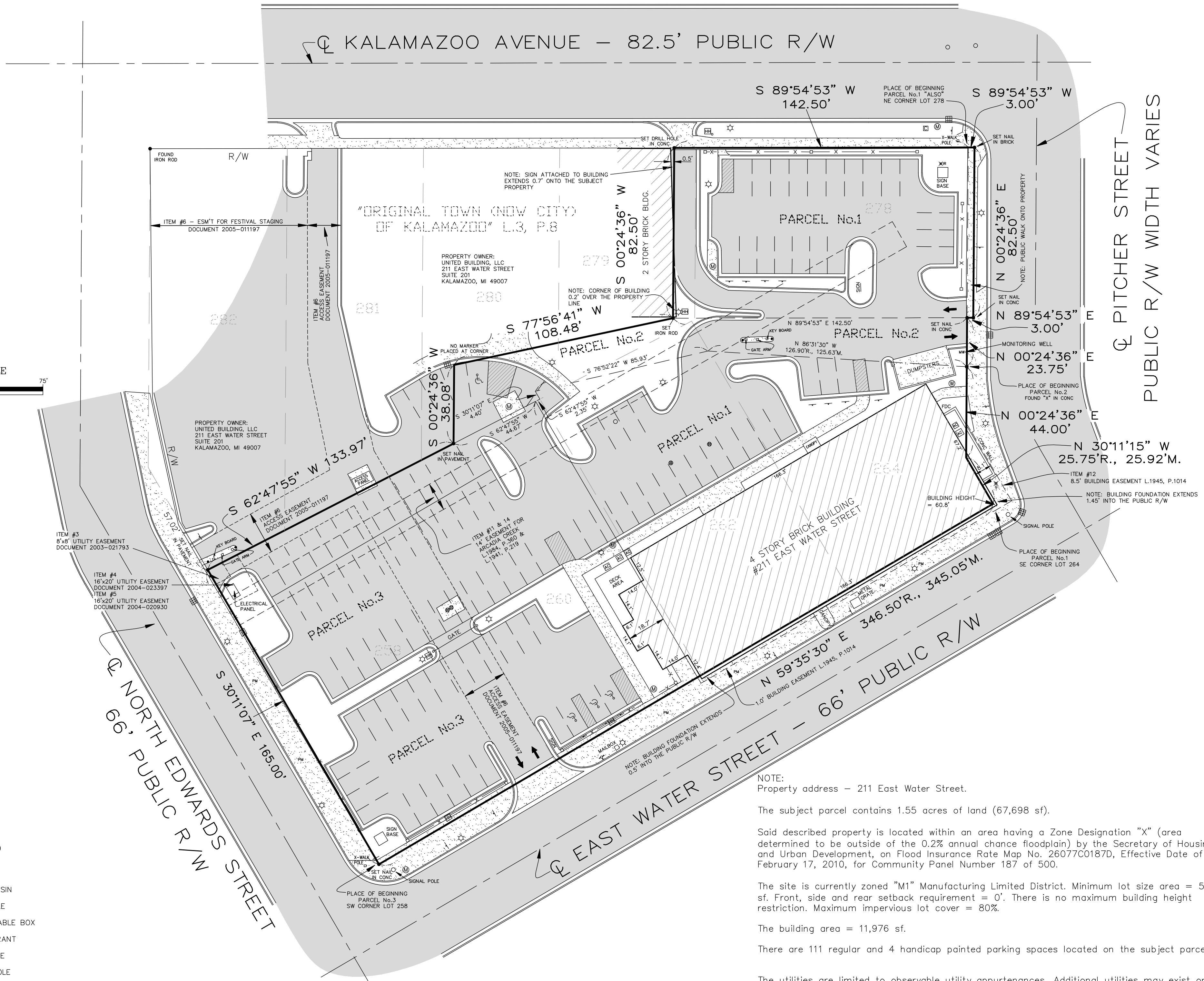
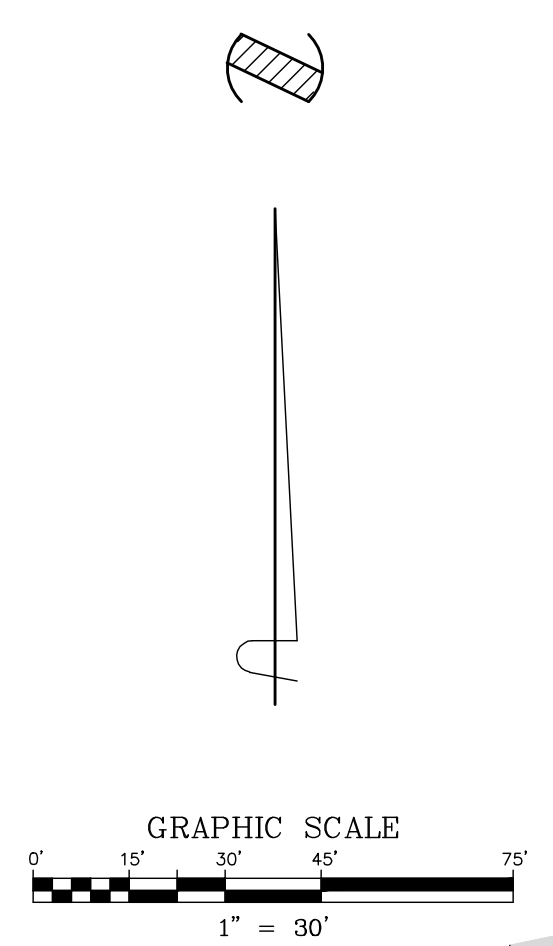
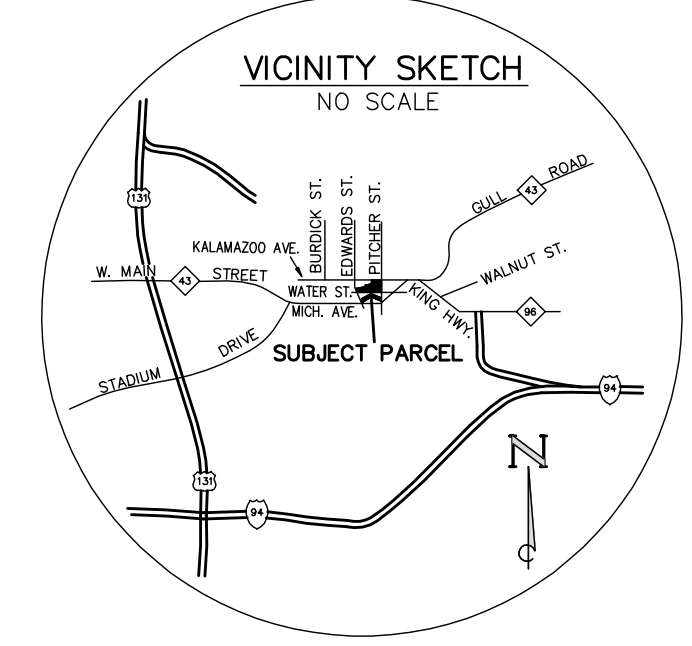
The property is subject to a Right-of-Way recorded in Liber 882, Page 986 along the northerly line of Lots 262 and 264 and the southerly line of Lots 278 and 279. No specific route given.

There are 108 painted parking spaces. 104 regular spaces and 4 handicap spaces on Parcels 1, 2 and 3.

The easements shown hereon are as reported on Metropolitan Title Company Commitment No. KA-223403 dated April 23, 2001.

The utilities are limited to observable utility appurtenances. Additional utilities may exist on site which are not shown hereon.





PARCEL DESCRIPTION

Land situated in the County of Kalamazoo, City of Kalamazoo, State of Michigan, is described as follows:
PARCEL 1:
 Parts of Lots 260, 262, 264, 278 and 279, original plat of the Town of Kalamazoo, according to the plat thereof as recorded in Liber 3 of Plats, Page 8, Kalamazoo County Records, being more particularly described as follows:
 Beginning at the Southeast corner of Lot 264 "ORIGINAL PLAT OF KALAMAZOO" as recorded in Liber 3 of Plats, Page 8, Kalamazoo County Records; thence North 30 degrees 11 minutes 15 seconds West 25.75 feet (measured at 25.92 feet) along the East line of said Lot to an angle point in said line; thence North 00 degrees 24 minutes 36 seconds East, 44.00 feet along said East line; thence North 86 degrees 31 minutes 30 seconds West, 126.9 feet (measured at 125.63 feet) to the West line of said Lot 264 at a point 133.8 feet (measured at 133.76 feet) from the Southwest corner of said Lot; thence South 76 degrees 52 minutes 22 seconds West, 85.93 feet to the Northerly extension of the West line of Lot 262 of said Plat at a point 159.28 feet from the Southwest corner of said Lot 262; thence South 30 degrees 11 minutes 07 seconds East, 4.40 feet along said extension to the Northeast corner of Lot 260 of said Plat; thence South 62 degrees 47 minutes 55 seconds West, 2.35 feet along the North line of Lot 260 of said Plat; thence South 30 degrees 24 minutes 36 seconds East, 155.00 feet perpendicular with the South line of said Lot 260 to said South line at a point 179.00 feet from the Southwest corner of Lot 258 of said Plat; thence North 59 degrees 35 minutes 30 seconds East, 167.50 feet (measured at 166.05 feet) to the place of beginning.

ALSO: Beginning at the Northeast corner of Lot 278 "ORIGINAL PLAT OF KALAMAZOO", as recorded in Liber 3 of Plats, Page 8, Kalamazoo County Records; thence South 89 degrees 54 minutes 53 seconds West, 142.50 feet along the North line of Lots 278 and 279 of said Plat; thence South 00 degrees 24 minutes 36 seconds West, 82.50 feet parallel with the East line of said Lot 278 to the Westerly extension of the South line of said Lot 278; thence North 89 degrees 54 minutes 53 seconds East, 142.50 feet along said South line and its extension to the Southeast corner of said Lot 278; thence continuing North 89 degrees 54 minutes 53 seconds East 3.00 feet along the Easterly extension of said South line; thence North 00 degrees 24 minutes 36 seconds East, 82.50 feet parallel with said East line of Lot 278 to the Easterly extension of said North line of Lot 278; thence South 89 degrees 54 minutes 53 seconds West, 3.00 feet along said extension to the place of beginning.

Together with access rights as contained in that certain instrument recorded December 20, 1971 in Liber 882, page 986.

PARCEL 2:
 A parcel of land situated in the Southwest quarter of Section 15, Town 2 South, Range 11 West, City and County of Kalamazoo, Michigan, being more particularly described as follows:
 Commencing at the Southeast corner of Lot 264 of "ORIGINAL PLAT OF KALAMAZOO" as recorded in Liber 3 of Plats, Page 8, Kalamazoo County Records; thence North 30 degrees 11 minutes 15 seconds West 25.75 feet (measured at 25.92 feet) along the East line of said Lot to an angle point in said line; thence North 00 degrees 24 minutes 36 seconds East, 44.00 feet along said East line to the place of beginning; thence continuing North 00 degrees 24 minutes 36 seconds East, 23.75 feet along said East line to the South line of Lot 278 of said Plat; thence South 89 degrees 54 minutes 53 seconds West, 142.50 feet along said South line and its extension Westerly; thence South 77 degrees 56 minutes 41 seconds West 108.48 feet to the East line of the West 16.50 feet of Lot 280 of said Plat at a point 105.00 feet South of the North line of said Lot; thence South 00 degrees 24 minutes 36 seconds West 38.08 feet along said East line to the North line of Lot 260 of said Plat; thence North 62 degrees 47 minutes 55 seconds East 47.02 feet along said North line to the West line of Lot 262 of said Plat; thence North 30 degrees 11 minutes 07 seconds West, 4.40 feet along said West line and its extension Northerly to a point 159.28 feet from the Southwest corner of said Lot 262; thence North 76 degrees 52 minutes 22 seconds East 85.93 feet to the West line of Lot 264 of said Plat at a point 133.8 feet (measured at 133.76 feet) from the Southwest corner of said Lot 264; thence South 86 degrees 31 minutes 30 seconds East, 126.9 feet (measured at 125.63 feet) to the place of beginning.
 (Tax Item No. 39-06-15-339-262 Parcels 1 and 2)

PARCEL 3:
 Beginning at the Southwest corner of Lot 258 ORIGINAL PLAT OF TOWN OF KALAMAZOO as recorded in Liber 3 of Plats, on page 8, Kalamazoo County Records; thence North 59 degrees 35 minutes 30 seconds East, 179.00 feet along the South line of Lot 258 and Lot 260 of said Plat; thence North 30 degrees 24 minutes 36 seconds West, 155.00 feet perpendicular with said South line to the North line of said Lot 260; thence South 62 degrees 47 minutes 55 seconds West, 178.64 feet along the North line of said Lots 260 and 258 to the Northwest corner of said Lot 258; thence South 30 degrees 11 minutes 07 seconds East, 165.00 feet to the place of beginning.
 (Tax Item No. 39-06-15-343-258)

LEGEND

- ⊙ MANHOLE
- ⊕ CATCH BASIN
- ⊠ HAND HOLE
- ⊡ BURIED CABLE BOX
- ⊕ FIRE HYDRANT
- ⊕ LIGHT POLE
- ⊕ UTILITY POLE
- ⊕ GUY ANCHOR
- ⊕ PARKING METER
- ⊕ SIGN
- ⊕ VALVE - WATER, GAS, IRRIGATION
- ⊕ WATER METER PIT
- ⊕ FIRE DEPT. CONNECTION
- ⊕ AIR CONDITIONER
- x — x — 4" METAL FENCE
- — — CONCRETE CURB & GUTTER
- R RECORD DIMENSION
- M MEASURED DISTANCE
- ▨ PAVED AREAS
- ▨ CONCRETE AREAS

COMMITMENT FILE No.: FA-MI-408873 Dated May 7, 2014 - SCHEDULE B - SECTION II
 Item #3 - Easement for electrical box in favor of The Downtown Development Authority of the City of Kalamazoo recorded in Document 2003-021793. Shown on survey.
 Item #4 - Easement for electrical box in favor of the City of Kalamazoo recorded in Document 2004-023397. Shown on survey.
 Item #5 - Easement for electrical box in favor of the City of Kalamazoo recorded in Document 2004-020930. Shown on survey.
 Item #7 - Parcel subject to a Right-of-Way recorded in Liber 882, Page 986 along the northerly line of Lots 262 and 264 and the southerly line of Lots 278 and 279. No specific route given. Not shown on survey.
 Item #8 - Parcel subject to terms and conditions contained in Agreement recorded in Liber 1563, Page 243. No specific route disclosed. Not shown on survey.
 Item #11 - Parcel No.2 is subject to a 14.0' wide easement for maintenance and reconstruction recorded in Liber 1941, Page 219. Shown on survey.
 Item #12 - An encroachment easement in favor of the Globe Building, LLC recorded in Liber 1945, Page 1014. Shown on survey.
 Item #14 - Parcel No.2 is subject to a 14.0' wide easement for maintenance and reconstruction of Arcadia Creek recorded in Liber 1984, Page 360. Shown on survey.

NOTE:
 Property address - 211 East Water Street.

The subject parcel contains 1.55 acres of land (67,698 sf).

Said described property is located within an area having a Zone Designation "X" (area determined to be outside of the 0.2% annual chance floodplain) by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 26077C0187D, Effective Date of February 17, 2010, for Community Panel Number 187 of 500.

The site is currently zoned "M1" Manufacturing Limited District. Minimum lot size area = 5,000 sf. Front, side and rear setback requirement = 0'. There is no maximum building height restriction. Maximum impervious lot cover = 80%.

The building area = 11,976 sf.

There are 111 regular and 4 handicap painted parking spaces located on the subject parcel.

The utilities are limited to observable utility appurtenances. Additional utilities may exist on site which are not shown hereon.

The property has direct access to East Water Street and Pitcher Street, a dedicated public street.

There is no observed evidence of recent earth moving, building construction or building additions.

There are no known proposed changes to the street right-of-way lines.

There is no observed evidence of the site being used as a solid waste dump, sump or sanitary landfill.

The property is not within a wetland area as defined on the available maps of the National Wetland Inventory. The owner provided no wetland maps or studies and there were no wetlands flagged or marked at the time of the field survey of this site.

Surveyor is currently covered by a \$1,000,000 Professional Liability Insurance Policy.

This survey represents a retracement of a previous survey prepared by this office dated 5/28/2001.

The property shown on the survey is the same property insured under the title commitment.

The description of the property forms a mathematically closed figure.

All observed improvements that extend over the boundary lines are noted or shown on the map.



SURVEYOR'S CERTIFICATE TO: Barclays Bank PLC and its successors and assigns, 19 Props, LLC, a Delaware limited liability company, and TitleVest as Agent for First American Title Insurance Company.

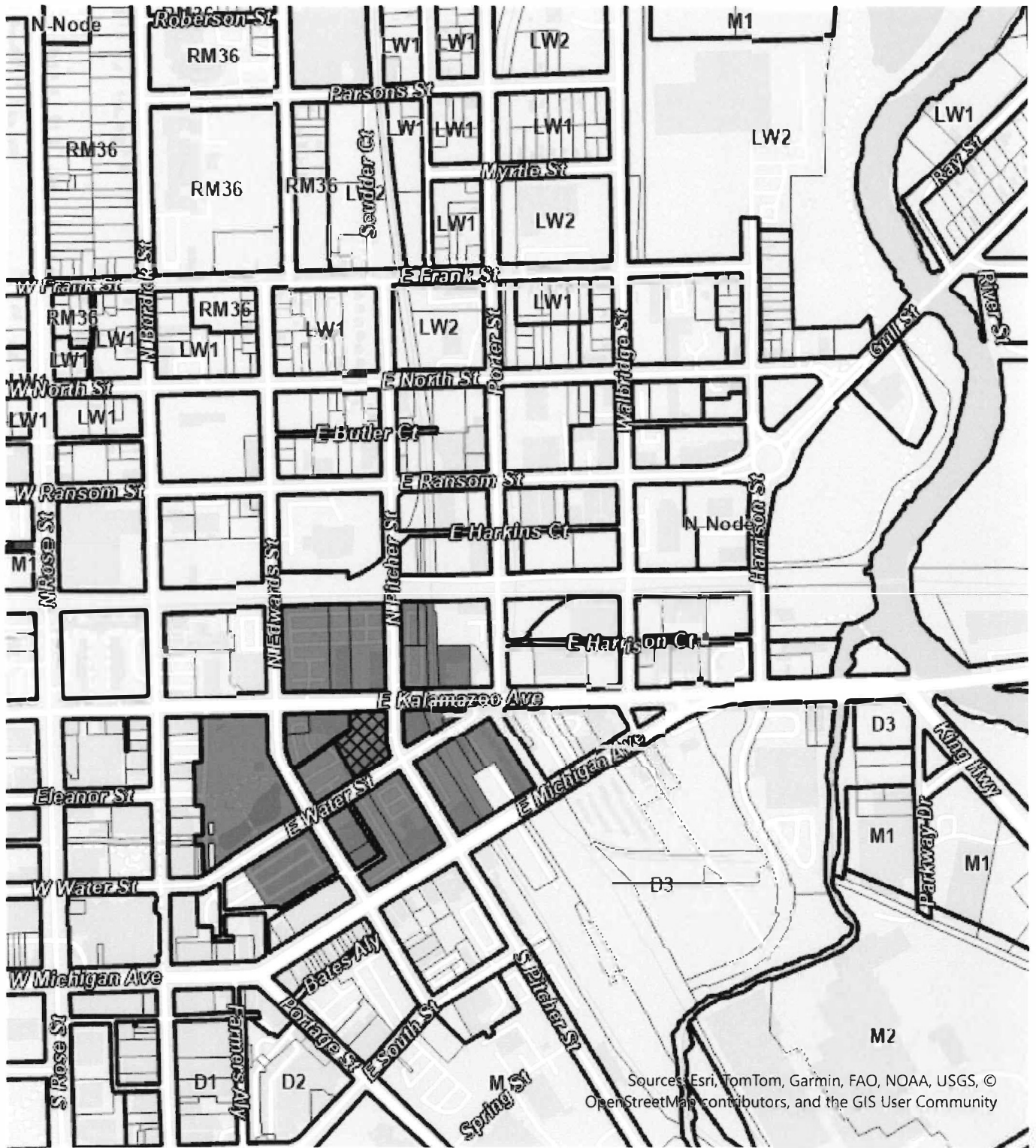
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a) [if applicable], 11(a), 13, 16-18, 19 [if applicable] and 21 of Table A thereof. The field work was completed on July 5, 2014.

Date of Plat or Map July 8, 2014:

Ingersoll, Watson & McMachen, Inc.
Randy B. Lighman
 Randy B. Lighman P.S. No. 28413







DATE	REVISION	ALTA/ACSM LAND TITLE SURVEY	DATE
7/09/14	NOTES	PlazaCorp Realty Advisors, Inc.	7/08/2014
		211 EAST WATER STREET, KALAMAZOO, MICHIGAN	JOB No. 36321
		Ingersoll, Watson & McMachen, Inc.	SHEET No. 1
		CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS	
		1133 East Milham Road • Portage Michigan 49002 • Area 269-344-6165 • Fax 269-344-0555	

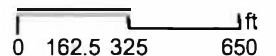


Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Parcels within 300' Mailing Radius

211 E Water Street

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





Zoning Board of Appeals Staff Report

City of Kalamazoo

Date: **4/9/2026**
Item: **D.2.**

TO: Zoning Board of Appeals

FROM: Reviewed by: Bobby Durkee, Assistant City Planner
Prepared by: Pete Eldridge, Zoning Administrator

DATE: April 9, 2026

SUBJECT: ZBA #26-04-09: 401 E. Michigan Avenue. Abonmarche-Byce on behalf of the Larry J. Bell Library Foundation, is requesting a dimensional variance from Chapter 50-5.6 C (4) 24, to authorize three entrance doors on the street-facing facade along N. Pitcher Street, where five entrance doors are required.

BACKGROUND:

The property is .75 acres in area and located in the D-3 District. The property fronts three public streets, with E. Michigan Avenue being the primary frontage and N. Pitcher and E. Water Street being secondary frontages. It is currently improved with a 26,000 square foot commercial building (which was the former home of the Food Dance Café) and a parking lot. The proposed project will include renovations to the existing building interior to create a private gallery space and gift shop. The kitchen will be resized to handle catered food. The most significant portion of the project is the removal of the asphalt parking lot and the construction of a multi-story building with a connecting hallway to the existing building. The building addition will occupy most of the existing parking lot. This building addition will include a private research library and a concert hall with approximately 200 seats. A courtyard for outdoor gatherings will be constructed between the two sections of the building. There will be off-street parking spaces and a loading zone located on the east side of the building which will be accessed off E. Water Street. The main entrance for the research library and concert hall will be off of N. Pitcher Street, where two entrances are located close to one another for building security.

After the Site Plan Checklist Meeting, the form-based standards for the 'Flex' lot type have been reviewed against the proposed development project. The three facing street types are as follows: E Michigan is Urban Center Street and N Pitcher & Water Streets are both Downtown Main Street, street types. The Urban Center Street is a higher priority street in the street hierarchy of the City of Kalamazoo Street Design manual, which aligns with form standard requirements in the Zoning Ordinance. The site meets all the other form-based standards, except for the required number of street-facing entrances on N. Pitcher Street. As background, the 'Flex' lot type requires one entrance per each 60 feet of street-facing facade and the priority street of E Michigan is the priority frontage for this property. While the secondary street has reduced form-based standards after the first 20 feet from the primary frontage, the entrance count is one door

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per sixty feet of frontage, regardless of frontage type.

The combination of the existing building and building addition meets the entrance requirements for E. Michigan Avenue and E. Water Street. However, along N. Pitcher Street five street-facing entrances are required in total. The existing building has one street-facing entrance and one entrance that faces north toward the new courtyard. The building addition will have two street-facing entrances and a third entrance that is oriented to the south facing the courtyard. Both entrances facing the courtyard are five to ten feet from the front property line and building wall, but neither are oriented towards N. Pitcher Street and therefore don't meet the definition of an entrance. The entrances facing the courtyard are recessed in the parcel to accommodate an accessibility ramp due to the first floor elevation, relative to the sidewalk elevation.

The applicant is seeking a variance from the entrance provisions to authorize three street-facing entrances along N. Pitcher Street where five are required.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

The project does not directly touch on any of the strategic goals. However, the project does align with the Future Land Use Map as it is classified as downtown and the private gallery, concert hall and archival library are all appropriate uses in the downtown commercial district.

COMMUNITY ENGAGEMENT:

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

Appropriate Depth of Engagement:

A notice was published in the Kalamazoo Gazette on March 25, 2026. Notice of the public hearing was also mailed out to all property owners within 300 feet of the subject property. There is no neighborhood association downtown.

Engagement/Communication Tools:

Newspaper, mailings to property owners, and outreach by the applicant

FINDINGS:

Staff has made the following findings regarding this request:

1. That there are special circumstances or conditions (like exceptional topographic conditions, narrowness, shallowness, or the shape of property) that are peculiar to the land or structure for

which the variance is sought, that is not applicable to other land or structures in the same zone district.

The special circumstances are identified as follows: 1) the property has frontage on three public streets and is therefore required to meet the street-facing entrance standard on three of four sides of the building; 2) the unique use of the building, where neither the research library nor concert hall are regularly open to the public; 3) there are five entrance doors total near or on the facade along N. Pitcher Street, but only three entrances are street-facing.

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 the result of frontage on three public streets, unique use of the building and grade elevation of the courtyard, which has resulted in the orientation of one new door toward the courtyard. The actions of the applicant do impact on how the building is utilized, but not on the other two circumstances mentioned. Since the building is to the north of the Michigan Avenue frontage, the longer side of the property which is on a secondary street (N Pitcher), this requires a door each sixty feet. While the use is a choice of applicant, the use proposed is a higher occupancy than typical retail, yet the use does not require multiple entrances like what currently exists along the façade on E Michigan Avenue.

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 provision of the terms of the Ordinance would require that two additional street-facing entrances be added to the facade along N. Pitcher Street. The Kalamazoo Valley Museum is a similar institutional / public structure with multiple frontages. The design of that structure has a primary frontage (along Rose Street) with other public frontages maintaining the design, but fewer public entrances.

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 which will allow the five entrance doors proposed, with only three being street-facing, to serve the N. Pitcher Street side of the building. This structure will exceed the number of entrances on the primary E Michigan frontage, with the proposed reduction of two along N Pitcher Street. There are two other entrances not facing the road but are oriented towards the flow of the site and address elevation and door swings on the private property

instead of potentially requiring work in the right of way to secure access to the structure's proposed addition.

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

The granting of the variance will not adversely impact adjacent property. The YWCA directly across N. Pitcher Street does not have a street-facing door as this is an older structure. The N Pitcher Street adjacent properties and the other side of the railroad tracks feature parking and secondary entrances from the Michigan Avenue or Water Street frontages. This building would provide infill over similar rear parking and enhance infill and use downtown on land that is vacant or surface parking.

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 with the intent of the Ordinance to provide sufficient entrances along a building's front facades to meet current uses and be adaptable for future use of the building. This request is unique as it is an existing building that already does face the primary road (E Michigan is an Urban Center Street per the Street Design Manual) with a large addition facing secondary roads in the street design hierarchy. The structure aligns with the non-conforming standards and form standards applicable to this development. With the narrow lot, multiple frontages and existing improvements on site, this may be considered the minimum necessary to comply with the intent of this Ordinance.

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

This criterion is not applicable to the requested variance.

RECOMMENDATION:

Staff is in support of the variance requested as it meets the above criteria and that consideration must be given to the fact that one of the two entrance doors not facing N. Pitcher Street is pre-existing.



Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

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www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

March 25, 2026

**RE: ZBA #26-04-09
401 E. Michigan Avenue
Parcel #06-15-415-200**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Abonmarche-Byce on behalf of the Larry J. Bell Library Foundation for 401 E. Michigan Avenue located in the Downtown 3 District (D-3).

The applicant is requesting a dimensional variance from Chapter 50-5.6 C (4) 24, to authorize three entrance doors on the street facing façade along N. Pitcher Street, where five entrance doors are required.

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

The meeting will be held on Thursday, April 9, 2026, 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

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ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION		
Name: Abonmarche Byce		Mailing Address: 306 S. Kalamazoo Mall
City: Kalamazoo	State: MI	ZIP Code: 49007
Phone: 269-381-6170	Email: kzadmin@abonmarche.com	Preferred Contact: <input checked="" type="radio"/> Email <input type="radio"/> 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: Larry Bell (Bell Foundation)		Mailing Address: 1556 Long Road
City: Kalamazoo	State: MI	ZIP Code: 49008
Phone: 269-217-5127	Email: larbear832@gmail.com	Preferred Contact: <input type="radio"/> Email <input checked="" type="radio"/> Phone
PROPERTY INFORMATION		
Property Address(s): 401 East Michigan Ave		
Parcel Identification Number(s): 06-15-415-200		Zone District (kalamazoo.org/maps): Downtown D3, Flex
TYPE OF REQUEST		
<input checked="" type="checkbox"/> Dimensional Variance from Chapter(s) <u>50</u> , Section(s) <u>5.6.4b</u>		
<input type="checkbox"/> Use Variance to allow _____		
<input type="checkbox"/> Natural Features Protection Variance		
<input type="checkbox"/> Appeal of an Administrative Decision		
<input type="checkbox"/> Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____		
<input type="checkbox"/> Temporary Use Approval		
Reason for Request:		
We propose (2) doors with the 180' linear feet of street frontage rather than the (3) required. Request is for a 1 door reduction.		
ATTACHMENTS		
<input checked="" type="checkbox"/> \$ <u>306</u> Fee		
<input checked="" type="checkbox"/> Type Plan detailing variance request, plat, site plan, sketch plan can all be used.		
<input checked="" type="checkbox"/> Review Sheet for Request Type		Optional: Photos of property, architecture plans, etc.
Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support		
SIGNATURE		
Signature of Applicant: <i>Richard Flynn</i>		Date: 3/12/26
Signature of Owner (if different than applicant):		Date:



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

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

Renovations and improvements for existing multi-building, mixed use restaurant and office facility, and re-purposing to accommodate functional requirements of a private collection gallery. Existing facility is comprised of (3) different buildings of 2, 3, and 4 stories over a basement level. Existing parking lot north of existing buildings will be demolished and a new multi-functional facility of a performance hall and library is proposed. Site improvements will include updates to existing multi-building facility and proposed performance hall and research library, courtyard updates, utility upgrades, landscaping and streetscaping in accordance with City of Kalamazoo standards.

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?

Please see attachment, point A.

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?

Due to the nature and configuration of the site, there are limitations to how the building can be located. This limits the owner to balancing their needs with complying to zoning requirements by requiring the owner to install additional entrance doors that feed into different areas of the building, which are intended to be secure. Additionally, requiring the owner to provide more entrance/egress doors to amenity spaces poses issues to facility security and functionality.

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

The intent of the new development is private in nature - an appointment only research library and scheduled performances in the performance hall. The ordinance would inhibit the controlled access points for it's intended audience.



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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?

Please see attachment, point B.

Will the granting of the variance negatively affect adjacent land?

No, to the contrary, granting of the variance will greatly enhance adjacent and surrounding properties and further foster the development in the heart of the city.

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

yes - for the intended use of the building and the need to have secured access to the research library and performance hall, the locations of the entrance doors still provide opportunity for future developers to install demising walls to "break up" the space. Please also refer to attached graphic indicating where potential future doors may be located.

Additional Criteria for Variance Requests for Required Landscaping

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

N/A

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

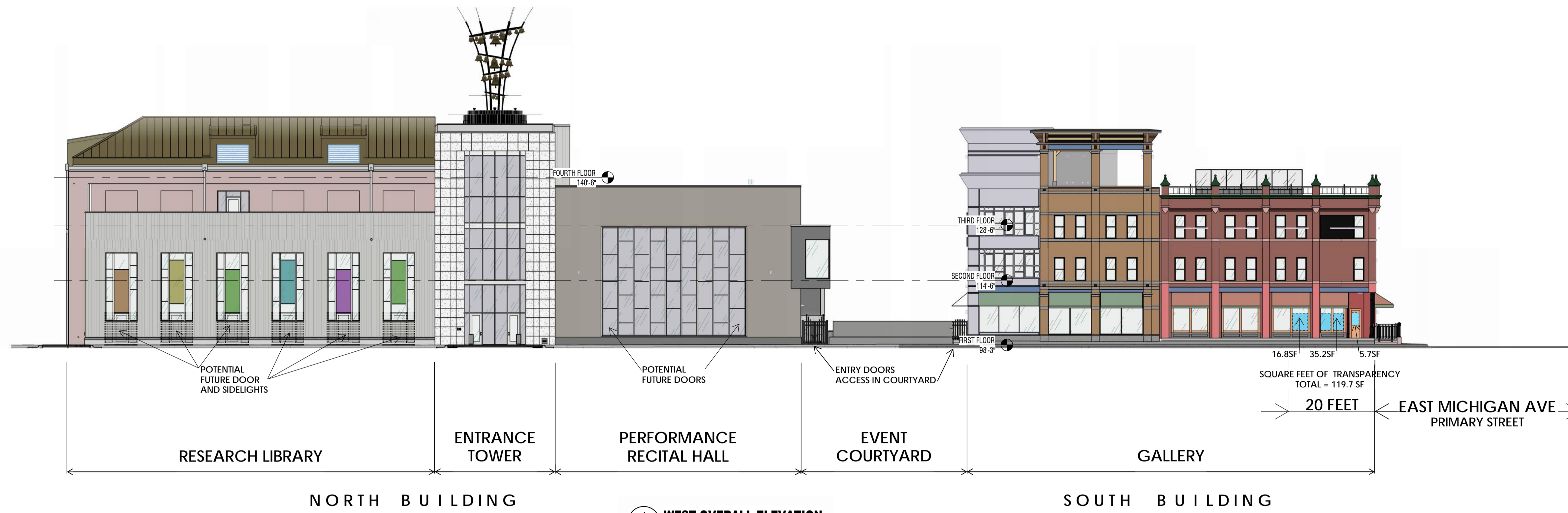
N/A

- A- Our request for variance from the zoning ordinance 50-5.6.4b, particular to number of entrances is based upon the inherent functional conditions and requirements of the proposed buildings. By their very nature a Research & Archival Library (accessed by appointment only) and a Performance Recital Hall both require and share a common, controlled, secured access point.

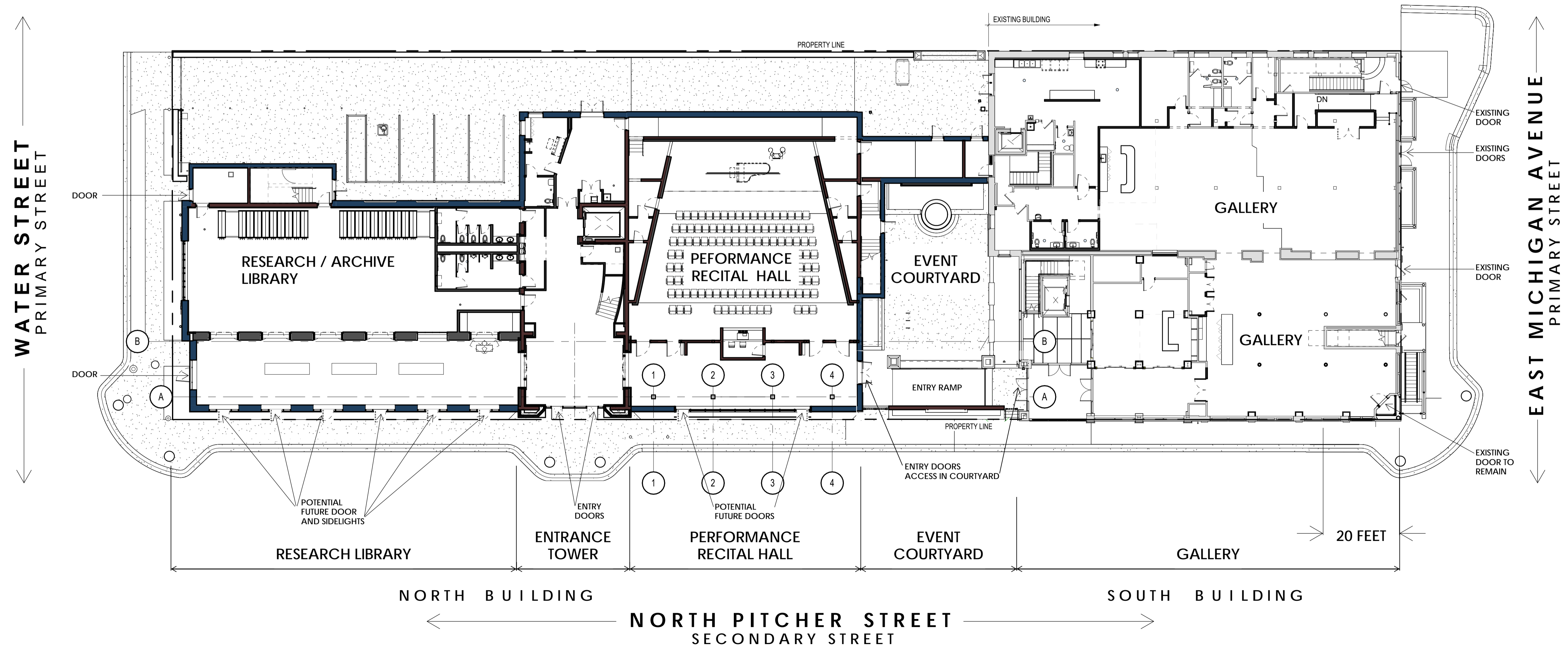
For the research library, the main entrance will function as a controlled, secured point of entrance and sign-in to access the controlled, secured reading room. For the Performance Hall the main entrance will function as a controlled, secured point of entrance and ticketing.

The existing 401 East Michigan structure will house the Gallery exhibits. The Gallery existing building will be connected to the new Performance & Research Library by a "back of house" services connector. The Gallery and the Performance Hall/Library will also be connected by a common, secured access courtyard and will serve as an outdoor event space as well as the requisite grade transitions to make each building accessible by way of this common entry point. Each "wing" (the Gallery/existing building and the new construction Performance Hall/Library) will have entry/exit doors interior to the courtyard, just off of the main façade of Pitcher Street.

- B- Yes, we contend that this is the minimum action required to meet the spirit of the ordinance and that does not negatively impact the public. Also please note that there are accommodations in the design and planning of the Research/Archive Library and Performance Hall that will allow the potential, future minor modifications to the structure that could be implemented if the structure were to ever change functions and requires, or would benefit from, additional strategically placed entrances. Please see attached supportive graphic.



1 WEST OVERALL ELEVATION
 A700 1/16" = 1'-0"
 NORTH PITCHER STREET
 SECONDARY STREET



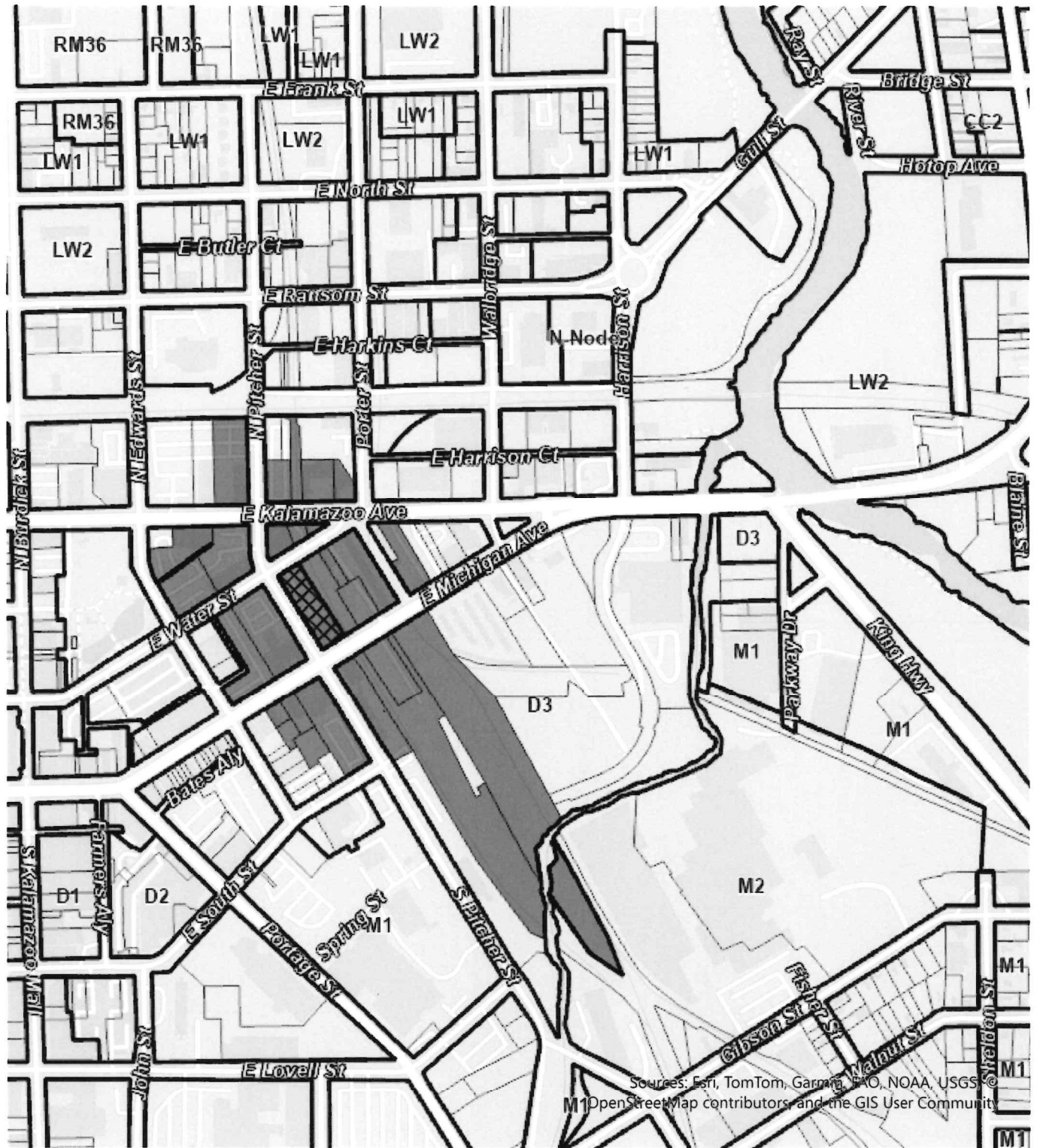
FIRST FLOOR OVERALL PLAN
 1/16" = 1'-0"

PRELIMINARY
 NOT FOR CONSTRUCTION

ISSUE DATE:
 PM: QA/QC:

ISSUANCE / REVISION DATE
 ORIGINAL SHEET IS 24X36"
 DO NOT SCALE DRAWINGS
 PROJECT NO: 24-0802









Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © M1 OpenStreetMap contributors, and the GIS User Community

Parcels within 300' Mailing Radius

401 E Michigan

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



0 0.0276.055 0.11 mi