

Agenda

Zoning Board of Appeals

City of Kalamazoo



Thursday, December 12, 2024

7:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. APPROVAL OF MINUTES

1. Approval of minutes from the Zoning Board of Appeals meeting on September 12, 2024

C. COMMUNICATIONS AND ANNOUNCEMENTS

D. PUBLIC HEARINGS

1. ZBA #24-12-15: 1400 & 1401 Harrison St/240,300, 432, 510, 511 & 600 E. Paterson St./1421, 1500, 1807& 1819 N Pitcher St. Graphic Packaging International is requesting a dimensional variance from Chapter 50-7.2, to authorize an additional 82 off-street parking spaces which will allow a total of 805 off-street parking spaces.
2. ZBA #24-12-16: 1421 N Pitcher St. Graphic Packaging International is requesting:
 - 1) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on Prouty Street of zero, where a 25-foot setback is required in the M-2 District.
 - 2) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on N. Pitcher Street of zero, where a 25-foot setback is required in the M-2 District.

E. DISCUSSION/ACTION ITEMS

- 1.

F. REPORTS

- 1.

G. ADJOURNMENT

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
September 12, 2024 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

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

Members Absent: Allison Haan

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 board members present for the meeting.

Chair Hohler asked if there were any changes to the agenda and Mr. Eldridge said there are none.

APPROVAL OF MINUTES:

Mr. McReynolds moved to approve the meeting minutes from July 11, 2024, 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 269-226-6573 to leave comments for any of the property on the agenda then the public hearing will be closed on that request. The Board would then conduct the finding of facts. The Board must approve the Finding of Fact therefore, the first vote you hear is not a ruling on the request, but the Finding of Fact, then the Board discusses the request in order to determine a ruling. The Board reserves the privilege to ask questions of persons who have already spoken even though the public comment portion is closed. Once

discussion has ended the Board moves onto a roll call vote. A full board consists of six members and four affirmative votes are required to grant a motion for a non-use or use variance.

Ms. Harrington read the application for 4129 Portage Street into the record.

ZBA#24-09-13: 4129 Portage Street: An application for a dimensional variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by RPM Pizza. The applicant is requesting a variance from Chapter 50, 50-4.5D(3)(a), to authorize a pick-up window to be located in the front yard along Dorchester Avenue, where drive throughs and pick-up windows are only permitted in the side and rear yard in the CC2 District along this portion of Portage Street.

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.

Anthony Hargrave, a Director of Operations for RPM Pizza, stated he is there for the Portage Street location for the Domino's Pizza Store. He stated they have pickup windows that create a friendly environment and they find it beneficial to have pick-up windows instead of a drive-thru, where they have point of sales, and they won't have that at this location but feels this is a good substitute for families to come and grab a quick meal in about two to five minutes because it's prepaid. He added that because this isn't a point of sale, no orders would be placed at the window but in the case of confusion, customers would be directed to place an order on their phone and come back around. He said this location has approximately 100 orders per day, not all pick up window orders, but the location is open for about 15 hours per day, and they believe they would have about an average of three pickups per hour but busier during the dinner hours. He stated they have car side but has found that to be confusing because they only have limited spots in front of the store, and it causes frustration for the customers and the store operators because they sometimes have to figure out where the customer has parked. He reiterated that it is more convenient, quick moving, and good for the community.

Chair Hohler asked for staff comments and Mr. Eldridge stated the staff report tried to provide a good representation of the property with photographs and this is a project that was brought up last fall by another RPM representative at one of the city's project review meetings. He said there were concerns the traffic engineer wouldn't be in favor of the configuration because of the tight spacing between the ingress and egress drives for the property however, the traffic engineer was comfortable with the limited use of the window but there is only stacking for three vehicles, the minimum required by the ordinance, and if a fourth vehicle was to enter, it would block the entrance drive off of Dorchester, which was one of the concerns. He added that staff looked closely at other possible conforming alternatives for the site and there are access doors on the back of the building to the four tenant spaces, so there is no space at the rear of the building, and the northside of the building, which is a side yard, already has a drive-thru and there aren't many commercial properties in the city that have more than one drive-thru and the smaller, commercial strip malls aren't conducive to having a lot of drive-thru lanes without being in conflict with the parking. Mr. Eldridge stated it really boiled down to where the ordinance stands on this subject and what has been in place for years, and that is a drive-thru is not permitted in the front yard or the corner front yard, which is now called the secondary frontage, along Dorchester Avenue. Staff is not in favor because of the concern about the limited stacking space and the limited room to create any screen for a drive-thru lane from Dorchester Avenue, which is a local street, and he also wanted to

mention they talked through future users of this space and would it be feasible for the city, the ZBA, to try to place conditions that the city could keep track of over the years, such as this window not being used as an ordering window/pickup window, and that's something that's not enforceable so the full evaluation, and looking at the review criteria more closely as far as special circumstances associated with the property, and there aren't around that staff can point to as to why a drive-thru should be allowed in the front yard.

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

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

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

Chair Hohler closed the public hearing.

Chair Hohler asked if there were any other questions from the board and there were none.

FINDING OF FACT

Mr. McReynolds moved the Finding of Fact as follows:

- 1) The Finding of Fact for 4129 Portage Street shall include all information included in the notice of public hearing dated August 28, 2024, in the agenda packet staff provided for this request.
- 2) notices of public hearing were sent, and two responses were received.
- 3) A public hearing was held before the board and public comments were accepted.
- 4) The Finding of Fact shall include all facts and comments made during the public hearing which are summarized to include without limitation, the following:

There were no call ins, and no one present for or against the request. Staff couldn't point to any special circumstances.

Mr. Wark seconded the Finding of Fact.

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

Discussion:

Chair Hohler referred to the Taco Bob's in the same plaza having a drive-thru, but because the pizza place is on a corner and there was no other street, could they have the drive-thru and Mr. Eldridge stated that is correct and if this was an interior lot instead of a corner lot and had two side

yards, then yes but the point is there isn't an allowance for a drive-thru in the front yard, and not just because of the new ordinance but because it's been that way for many years. Chair Hohler said he understands but for that street, this would be a side yard and not a front yard and Mr. Eldridge said correct. Chair Hohler stated across Dorchester is the strip mall that encloses One Well, what used to be a resale shop, and a beauty parlor, and he's certain there is a drive-thru window from an old business that used to be there and he asked if Mr. Eldridge could speak to that because that one is technically on a front yard, which isn't allowed and Mr. Eldridge said he couldn't picture it but would try to Google it and bring up the street view if time allowed and Chair Hohler said he's curious because if drive-thru windows have been disfavored, how did that one come to be.

Ms. Harrington said she doesn't understand why there is an impediment to doing something now just because it hasn't been done in the past and wants to understand the rationale in that and Mr. Eldridge stated there are now landscaping standards to screen the parking areas that are between the building and the public street, and there are now standards in place, in many districts, for the amount of windows on the front of a building, but drive-thru lanes have always been on the side and rear yards so you're not seeing a row of cars stacked up in front of a building and stated it isn't aesthetically pleasing and in some cases, it blocks the view of the building and pointed out the Chick-fil-A in Portage where the building is visible, but you have to look through a row of cars to see it. Ms. Harrington asked if staff is going to affect his business because something doesn't look good and Chair Hohler said in Mr. Eldridge's defense, she may be assuming facts that are not in evidence in this case and that Mr. Hargrave just said it would make things easier. Ms. Harrington said she is saying the ordinances are to be supportive and she isn't speaking to rigidity, but submitting that this is supposed to be where there is an impediment or something that's prohibitive of this business, then the board is supposed to take into consideration how to accommodate the constituency, and that's the esthetics although those things should be taken into consideration as well but that, for her, doesn't trump the functionality of his business. Ms. van den Hombergh stated she understands where Ms. Harrington is coming from but her concern is the constituents don't want that, nor do they want to live in an area like that and when the property owner purchased the lot, they know what they ran for, so it's great to accommodate people and be pro-business, but at what cost and once the board allows these variances then they have an obligation, and her concern is what type of precedent does that set and once they allow that then they have to do it for everybody and Ms. Harrington stated she's OK with that. Chair Hohler said it comes down to having to draw a line somewhere and Mr. Eldridge stated that it needs to be taken into account that this property already has a drive-thru, has four tenant spaces, the building has been around since the late 1980s and has been quite viable with just the one drive-thru window so if this layout doesn't work for this tenant there are other locations around the city. He added that the city of Kalamazoo has standards for a drive-thru window, but they don't have separate standards for a "pick up" window so if this is approved, it could become problematic with the limited space and stacking spaces.

Mr. Wark wanted to speak to the Chick-fil-A brought up by Mr. Eldridge and said that trying to get into that drive-thru is a constant fight with traffic trying to get in and out, so the safety aspect is concerning to him and Chair Hohler added that the parking lot for this property is small and added that he was thinking back to the Panda Express and why he was against it which is if they allowed them to move the entire building around the lot to accommodate their desires, they didn't have to have their building in a certain orientation in order to function, they just preferred it to be

that way, and even though they allowed it he started thinking “Well if we allow that then why don't we just allow this guy to have a drive-thru or company have a drive-thru?” he went on to say that eventually you set a precedent that you can't back away from and if you do back away from it, Mr. Bear is in court defending something that may not be defensible. He stated that Mr. Eldridge located the property they were referring to earlier, which is currently Birch Salon and Co, which does have a drive-thru window. Mr. Eldridge stated that that window has been taken out of service and if another business wanted to reactivate it, it would not be permitted and the image shows that building across the street has parallel parking spaces down the side of the building, even though you can still see where there was a drive-thru window.

Ms. Harrington stated she is for convenience, and she thinks this is a cool way to reuse our buildings and she doesn't think they're taking into consideration the future and they are being prohibitive of those types of uses, and this feels like the next iteration in what is necessary to sustain business, and he has come up with a way to be able to accommodate having another business Kalamazoo. She added that stating he can just find another building for his business, doesn't work like that and she's for it because she feels it's a very innovative way to go into the next iteration of what the business needs are to accommodate people. she added that there was not one phone call that was an opposition for this happening, so she doesn't understand why they're leaning heavily on precedent being set for someone coming in wanting to find a new way to make their business sustainable, and she struggles with that. She said this is a brilliant board and they always make smart comments and she's grateful to be on this board with them, she would just like for them to see this perspective as well.

Chair Hohler said he wouldn't take lack of comments as support, it just means there's apathy and said that he's not worried about this Domino's long-term success because they have been there for years. He had an additional question for Mr. Eldridge: he led with the current zoning is meant to encourage people to come off the Portage Street, but also to be walkable down the side street, Dorchester. He asked if that's new to the current zoning or has that been the goal of it in past iterations of the zoning laws and Mr. Eldridge replied the terminology is different now where we have the front property line and what is called the corner side property line, but before they would say it's a corner lot and has two front yards, which lead to a lot of ambiguity because it didn't provide any defining for the property or business, so now, based on the primary roadway in this case Portage Street, that is the primary frontage, the secondary or and corner side property line is Dorchester Avenue that speaks to the first part of his question. The second part about the walkability, that has always been there, but he thinks the point being made in the staff report was that Dorchester is a local street and once you go back two commercial properties, it transitions to residential, so people who live on that street have to drive past these commercial developments to get to where it transitions to residential. He added that Dorchester is not an intensive commercial corridor and placing this drive-thru in the front yard is putting it in a very visible spot on this property. Chair Hohler then went on to ask about the traffic engineer and Mr. Eldridge saying they were ok with the drive-thru, he asked if they make any kind of projections on the effects this will have on traffic or just the general pattern of three cars being able to get through there and Mr. Eldridge replied it was more looking at the general pattern and making sure it wasn't going to create vehicle conflicts in the street and they felt that with three stackings, and technically a fourth that could block the driveway, but they didn't feel it would be a problem within the public street. He added that's when the traffic engineer would say no to the design of the traffic flow on private property if they felt that would impact traffic in the public street, and that was looked at very

closely with the Chick-fil-A on Drake and West Main, to ensure the drive-thru lanes wouldn't conflict with that stretch of Drake, and Chair Hohler said so they didn't one way or the other if this would change, no amount of traffic through this property, it's only going to change, if anything, whether they're in a parking spot or sitting next to the building waiting for someone to give them their food. He said he guesses his last question is about the ordinance wanting a certain aesthetic.

Ms. Harrington pointed out that things change and asked if anyone remembered when you could drive through and get alcohol? She said things are changing and they should open it because change is good.

Mr. Eldridge wanted to point out the board should also take the criteria into account, what is the special circumstance that's being leaned on for supporting the variance and Chair Hohler stated that's what it comes down to for him since as he stated earlier, he doesn't care if they wanted to put a window on that end of the building however, as with the Panda Express, he doesn't want to allow something that when the applicant can comply with the ordinance and still get the job done. He added he was trying to find a way to get around the staff report but he can't, so he has to vote against the request for the reason stated in the report.

Ms. Harrington stated she would be voting in favor.

Ms. van den Hombergh stated this isn't something she can support and she also voted no on the Panda Express and added she has a hard time when a business can, and are currently, making something work, their neighbors are making it work but they want to do something different that zoning doesn't support that she believes has a negative impact on the neighborhood with safety, walkability, the aesthetics, and the issues with the stacking of the vehicles and she will bring up, and continue to bring up, the people that purchased their homes in that live one block back, she will be voting no.

Ms. Harrington said she finds it interesting how we think in this community and the fact that we would decriminalize people urinating outside, but will stress Mr. Hargrave out about a window on his business and Chair Hohler interjected that they are different processes and to decriminalize something, it needs to go to the commission and if he wants to go to the commission to change the zoning, he can do that.

Attorney Bear made a few comments stating, for the record, that this board isn't dealing with criminal penalty.

Ms. van den Hombergh moved to approve the application for a dimensional variance from Chapter 50, 50-4.5D(3)(a)[3], to authorize a pick-up window to be located in the front yard along Dorchester Avenue, where drive throughs and pick-up windows are only permitted in the side and rear yard in the CC2 District along this portion of Portage Street, seconded by Mr. McReynolds.

Motion was denied by a four to one vote with Chair Hohler, Mr. Wark, Ms. van den Homberg, and Mr. McReynolds voting against the motion and Ms. Harrington voting for the motion, by a roll call vote.

Ms. Harrington read the application for 325 E. Michigan Avenue.

ZBA#24-09-14: 325 E. Michigan Avenue: An application for a dimensional variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by YWCA of Kalamazoo. The applicant is requesting a variance from Chapter 50, 50-8.5 A(2)(c), to authorize a six-foot fence along the N. Pitcher Street and E. Water Street frontages that exceeds the 75% opacity requirement for fencing placed in the front yard. Fence proposed will be a non-see-through six-foot fence.

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.

Susan Rosas, the CEO of the YWCA in Kalamazoo, stated this is the only provider of emergency shelter for survivors in the city, and has been in this location since 1985, and survivors know this is where to run when they are fleeing violence. Ms. Rosas said they have experienced extraordinary violence on the property, so when survivors run to them, they have left a violent scenario and that time after fleeing is the time when they are most vulnerable to homicide from their perpetrator. She said when they come to their building, they hide and protect them and the building is secure, it would be difficult for an assailant to get into the building and find the person they're pursuing. She stated that when they leave the building, the parking lot isn't secured, and anyone can drive through the lot and see a survivor's car is parked there and know that a survivor and her children are in their facility, and it should be no surprise to know that they are being hunted at the time they come to the facility. Ms. Rosas said they have seen assaults in the parking lot three times this year and it's because of the nature of the service they provide. They are requesting the variance because they need the fence to go all the way around the parking lot because they need enough space to protect all of the survivors in their care and they need the fence to be entirely opaque because they don't want passersby to be able to recognize if a survivor's vehicle is at the building and they do all they can to protect them, but with this fence they know if a survivor is leaving the property, they're leaving, they're entering a car with a locked door and their chances of survival are greater than if they are attacked on their own in the parking lot. She said she is asking the board to consider this the greatest special circumstance there could be for protecting community members.

Greg Bennett, the Director of Facilities, stated the YWCA was established in 1858 and the one in Kalamazoo area was established in 1885 and after a century of serving the Kalamazoo area, it relocated to its present location at 353 East Michigan in 1985 and has continued to grow and serve our community at this location for the past 40 years providing immediate shelter, transitional housing, educational crisis, food, and basic necessities, and 24/7 child care to those in need. He said as the needs have grown, the YWCA has programs that have expanded to include initiatives such as wish and cradle and added that unfortunately with societal changes come increased challenges, including domestic violence, human trafficking, and gun violence. He added the YWCA in Kalamazoo isn't immune to violence and threats of violence and in 2023 and 2024 they have experienced an increase in violence and threats to the property, clients, and employees, as well as vandalism to both clients and staff vehicles and to address these issues the Kalamazoo YWCA has hired outside security consultants. the Kalamazoo YWCA is committed to the safety and well-being of its residents, employees, and children in its care and are moving forward with significant safety and security upgrades to ensure the commitment. He said that part of the commitment is to implement some of the recommendations from the security consultant, including the installation of a privacy fence and given the rise in mass shootings, gun violence and threats

and vandalism to them, they believe it is imperative to include a privacy fence as part of the safety and security measures and therefore the Kalamazoo YWCA is requesting the opaque variance to the downtown fencing ordinance to enhance the privacy and security of its property and to protect those they serve.

Chair Hohler asked for staff comments and Mr. Eldridge said staff understands the gravity of the situation, with confidentiality and the need to improve security, as well as that level of privacy but what we run into is that this is part of the downtown fabric and the ordinance has been massaged over many decades to try to provide an inviting environment downtown, that is welcoming to pedestrian as well as vehicular traffic, and part of that comfort downtown is being able to see what's around you. He stated that introducing fencing like this, that is almost solid and that you can't see through from almost every angle, there is the unknown of what is on the other side of the fence and can't look across the parking lot and rather than having an open, inviting feel, you now have this enclosed corridor and sidewalk that works its way down this six foot solid fence, and wraps around the corner. Mr. Eldridge stated that in terms of the ordinance, it now includes landscape buffers for parking lots, so now in addition to trees and shrubs they have added decorative metal fencing to create a more aesthetically pleasing feel but also to provide somewhat of a barrier to foot traffic cutting through properties with the decorative fencing, which is normally 42 inches but in the downtown area, you can go up to six feet with a see through type fencing.

He said there are alternatives for security and a taller fence could be constructed that's a six-foot metal type and they can still have gated entrances into the parking lot to control the traffic flow in and out of the parking lot. He stated regarding the confidentiality of people getting into the facility without being seen, it's a little more complicated but he thinks there are some avenues there too, such as fencing off part of the parking lot or building carports that can house a certain number of cars where they can drive in and not be visible from the two public streets that the property fronts on, or rather, what the parking lot fronts on, Pitcher and Water Streets. He added that there are alternatives but the tall, privacy fence is the wrong direction for the center of the downtown, and it doesn't send the open, inviting message that we're trying to convey to the public about wanting people to feel comfortable downtown day or night. Lastly, he wanted to mention there are now standards for clear view on corners as well as clear view for driveways and the question was raised about what this does for vehicles pulling out of the parking lot, that are driving past the solid fence and across the sidewalk, will they be able to see pedestrian sidewalk traffic, which this type of fencing could lead to vehicle/pedestrian conflicts.

Chair Hohler asked for comments in favor of the applicant and there were two, Marne Siwicki, survivor and volunteer, and Allison Gumper-Hoffman Vice President of Operations and a survivor of domestic violence.

Ms. Siwicki stated she is a domestic violence survivor and has a permanent restraining order against her ex-husband, who has a felony. She stated she understands the aesthetic parts of it because she is also the former mayor of Cape Coral Florida, and they had a lot of aesthetic ordinances to try to make the city pleasing. She said she is also a volunteer as a victim advocate at this YWCA, and that they have been a fabric of this community for years and just because it's not pretty, that doesn't negate the fact that there is a safety issue and as a volunteer she has been afraid at times to walk in there at night when she is called in to support a victim. She added it is her hope that the board would overlook the aesthetic part and recognize that there is a lot more going on downtown that they could be concerned with and asks that the board consider it.

Ms. Gumper-Hoffman, Director of Operations, stated that being a survivor of domestic violence is what brought her to the YWCA, and she wanted to speak on the special circumstances. She said in the five years that she's worked at the YWCA they have had not only an increase of violence and assaults due to their activities, but also the unhoused in the area, and others, walking through their parking lot, trying to open doors. She stated that one night there were two cars watching to see her and another woman walking out but once they got to their cars then one of the gentlemen took off. She said she also oversees IT and views camera footage and we're meeting with police the week prior, to talk about what they could do in case there was a mass attack and one of the questions they asked about the security upgrades is are they looking at putting a fence in for protection, and the opaqueness is important for privacy and said they could do something about the view at the opening when they're driving out, but looking at Pitcher and Water Streets, there are customers from Beer Exchange that are able to use the lot, and people coming up asking for money and food. She asked that the board look at not only what they do there, but how do they continue to protect their program participants, the children, the families they serve, and the staff.

Chair Hohler asked for comments against the applicant and expressed that there were two letters of opposition.

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

Chair Hohler closed the public hearing.

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

Chair Hohler read the two letters of opposition, the first one being from Nelson Nave, who is against the request for visibility reasons and because it doesn't comply with the ordinance and isn't inviting. The other is from Rodger Parzyck who says he agrees with Mr. Nave, it looks bad and is subject to graffiti, and sends the wrong message to the community.

Mr. Wark pointed out these are both letters from business owners across the street, the Heritage Company.

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

- 1) The Finding of Fact for 325 East Michigan Avenue shall include all information included in the notice of public hearing dated August 28, 2024, and the agenda packet provided by staff.
- 2) 24 notices of public hearing were sent, and two responses were received in opposition from Nelson Nave and Rodger Parzyck., with concerns of the zoning codes regarding opacity, line of vision, and landscaping.
- 3) A public hearing was held before the board and public comments were accepted in favor of the variance from Marne Siwicki and Allison Gumper-Hoffman.

- 4) The Finding of Fact shall include those documents just described and all facts and comments made during the public hearing, which are summarized to include without limitation, the following:

Susan Rosas, the CEO of the YWCA spoke regarding the need for additional security for the survivors and their children from their assailants. There has been an increase with perpetrators on the property knocking on the doors and being aware of where their victims are and being able to identify their vehicles. Mr. Greg Bennett, the facilities manager, spoke about the history of the YWCA and supported what Ms. Rosas said. Staff mentioned understanding of the gravity of the situation and the need to keep the identities of the clients of the YWCA confidential, but realizes it's difficult with the fabric of downtown and wanting to have an inviting environment for the pedestrians and vehicular traffic, but also cited the zoning issues, most importantly regarding the line of vision and keeping people in their cars safe and they also suggested that there were alternatives to keeping the clients and their families safe, such as a more decorative, metal fence or something that is at least 75% or no more than 75% opacity, and carports. Marne Siwicki spoke in favor of the variance, being a domestic abuse survivor, and reiterated safety being critical versus aesthetics. She also stated there is continued concern about the escalation of violence in general.

Allison Gumper-Hoffman, also a domestic violence survivor and employee of the YWCA, added that there isn't just an increase in violence from the perpetrators against their partners and children, but the nature of downtown. She said they can see people from the bars downtown and the homeless shelters wandering into the parking lot going through cars.

There were no call ins, and no one spoke in opposition, but there were two letters in opposition.

Mr. McReynolds seconded the Finding of Fact.

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

Mr. McReynolds made a motion to approve the application for a dimensional variance from Chapter 50, 50-8.5 A(2)(c), to authorize fencing along the N. Pitcher Street and E. Water Street frontages that exceeds the 75% opacity requirement for fencing placed in the front yard. Fence proposed will be a non-see-through six-foot fence, seconded by Ms. van den Hombergh.

Discussion:

Chair Hohler wanted to make clear that no one on the board is in favor or against increased security at this facility, or for domestic violence survivors during this discussion, and he also doesn't want anyone to believe that the board doesn't want that, they just need to figure out how to make that happen. He added that anyone who listens regularly knows that sometimes it's talked about how the board doesn't want to set a bad precedent that they wind up having to grant to other businesses, and that is always something that's in his head going forward. He then asked Mr. Eldridge about

the options he spoke of and asked if they can have this fence in the same spot, same height, same everything, but it just needs to have a bit of see-through and Mr. Eldridge agreed and said they can go up to six feet in the front yard areas, both the Pitcher and Water Street frontage as long as the opacity standard is met. Chair Hohler then asked if there was a way, within the ordinance without having a variance, that they can have this type of fence somewhere on the property, like creating this island of fencing, set back from the roadways Mr. Eldridge said yes, if it's outside of the front yard area, solid fencing can be used, and that footprint is the area closest to the building. Mr. Wark asked if they need a variance for that or can they install it, and Mr. Eldridge said no variance would be needed but they want to be sure it's clearly out of the front yard. The Chair held up a photo of the property, then walked over to Mr. Eldridge and asked questions about placement of the fence on the property. He then sat down and stated he wants to vote yes to something, so he doesn't play himself into a bad corner, but he also wants to comply with the zoning. Chair Hohler then looked again at the picture and stated that there are 30 parking spaces, but some of them will disappear if it was done this way because a gate would take some of the spaces and some of them you really can't back out of, he then stated he was throwing that out there as a more viable alternative. Mr. Eldridge admitted that he and Mr. Bennett talked briefly about that, but there were questions about providing concealed parking for not only those they serve, but also for their employees, which got into the fact that a large number of parking spaces would need to be concealed behind a fence or a wall. Chair Hohler wanted to remind everyone that the Boys and Girls Club was allowed variances for security reasons, but it wasn't about fencing, it was about reducing the number of doors, but the concern with the fencing is possibly road safety more than safety of the building, which is what he is trying to get his head around.

Ms. van den Hombergh asked Mr. Eldridge if there was some discussion with him and the applicant about a vinyl fence and Mr. Eldridge stated that the opacity standard would still apply whether it's wood, metal, or vinyl, and what is being suggested here is a powder coated aluminum louvered fence, so it would have some airflow through the fence.

Mr. Wark asked how tall the fence at the Federal Building is because they obviously have security concerns there and Ms. Harrington pointed out they also have armed guards there and Chair Hohler said it must be more than six feet, but it also has a higher amount of opacity to it. Mr. Eldridge answered that it is a wrought iron fence that he believes is taller than six feet and has been there a long time and Mr. Wark added that it's see through and Chair Hohler said he understands Mr. Wark's point: that maybe a see through fence provides security that's needed, and he understands why the applicant would say "no, the secrecy is the important thing" and motivated abusers are going to be motivated to do whatever.

Ms. Harrington stated they have an opportunity to support women and children and we are in a day and age where the Ugandan Olympian track runner was set on fire by her significant other, where the Ms. Switzerland contender was put in a blender by her husband and said this isn't a game and that these people have told you what they need, they do this every day and to contend with that she's voting yes.

Chair Hohler asked Attorney Bear if the board voted no tonight, could the city commission grant them an exemption from all of the ordinances or say if they are the tenants of that particular property, they do not have to comply with x, y, or z and Attorney Bear stated they can change the ordinance but a special exemption wouldn't be an appeal to the city commission, it would be to

the circuit court. Chair Hohler asked so they can't do it for a special circumstance and Ms. Harrington said this board is for the special circumstances, which is what she was trying to say in the last case, and this is why this board does what it does, creates opportunities for people that have extenuating circumstances and Attorney Bear said special circumstance is based on the conditions of the property, not necessarily who the individual is or what they do and there are special circumstances that are appropriate for a variance. Ms. Harrington said she didn't understand and is Attorney Bear saying this is property specific and not mission specific and Attorney Bear stated it is property specific and Ms. Harrington said OK. Chair Hohler said he believes it's to treat everyone equally and not according to emotions and Ms. Harrington asked why can't everyone be treated equally, but with empathy and compassion, and think through how they want to let the ordinances reflect values and how they choose to use their philosophical bent to interpret the ordinances and the laws that are put in place because we're people first. Chair Hohler said this is where the precedent comes in, but if they are allowed to get around the fence standards, then other properties downtown can get them as well and now they're backed into a corner, no matter how needed and understood it is.

Ms. van den Hombergh asked if it would be possible to have something written up that if this was approved, it's only for the YWCA as long as they're on the property and if they move but somebody else wants it they have to take it down before they move? Mr. Eldridge said that's complicated because the way ordinance this is our structured, variances go with the land regardless of ownership so if this variance is granted and the YWCA moves out next year, any tenants or property owners now have privacy fencing all the way around that parking lot. Chair Hohler added meanwhile the YWCA comes back and asks for a privacy fence at another property possibly and Ms. Harrington said because they need it, the board would grant it because of the work that they do to serve the community. Attorney Bear said that the legal phrase is that it runs with the land, he also added that in evaluating the standards to determine whether to grant or deny a variance, there also has to be consideration of there being conforming alternatives and that is something the board has to decide. Chair Hohler stated he's not saying they can't have a second fence, like the one at the federal court building, bounding the whole of the property, but finding some conforming alternative to bounding in the whole property with essentially a wall.

Ms. Harrington asked what they thought about them saying they do this every day and the facilities person probably trying to fend off somebody crazy outside and saying what he needs to do his job effectively? Chair Hohler offered to look at the standards. Mr. McReynolds said he was listening to what is being said and wanting to protect these people, but he feels there are other ways to do it without having that kind of fence, such as 24-hour security walking people to their cars but outside of that once they're off the property things can happen. He added that the traffic in Kalamazoo is already bad but putting up that kind of barrier will cause even more accidents. Mr. Wark added that DHS had a lot of security on their Stockbridge property, which kind of deterred some of that and Chair Hohler added they also have a very opaque fence.

Ms. van den Hombergh had a question of the applicant and wanted to know why the fence can't be in the center of the parking lot because she sees Mr. McReynold's point and she agrees, but the predator can also drive by and see where the car is, so how would it work if they didn't have the fencing around the building? Mr. Bennett asked if she was talking about having a section in the center and Ms. van den Hombergh said yes, and Mr. Bennett stated that poses a couple of problems, one being they already don't have enough parking places for all the employees and their clients,

he added that they just lost about 10 parking spaces alongside that road where the new bike path went in so that kind of eliminated those. He stated that putting in bricks and all of that would take up about 20 more parking places and unfortunately, their organization is growing because of the work that they do and they're adding staff to it, so again the need for parking is growing exponentially. He added that the new fence would go where the current one is, so brush and shrubbery that is there can remain so that it won't be such an eyesore, and this is just an option of an enclosed fence, and they can put in a more decorative one. Ms. Rosas said they will paint it or do whatever they need to do, and Mr. Bennett pointed out that they also don't want graffiti on the fence, and they wanted a nice-looking fence so they went with aluminum powder coat that would look nice for downtown and can be easily maintained, so if it's tagged, they can easily paint over it. Mr. Bennett added that they also went over every scenario and, to Mr. McReynolds' point regarding security, they are in the process of hiring security, a security manager, and beefing up security drills and this is just one aspect of a big program and security measures that they have taken on as an organization to protect their employees and clients. Ms. Rosas said she thinks it's important for it to be known what prompted the urgency of the request and stated they have been around since 1985 and have had many folks harmed in their parking lot, but have never requested a variance before, but they had an active shooter risk not too long ago and it was apparent, after the delay in law enforcement response, they were on their own for a while, and that wasn't ok for them, the kids, or the survivors in the building that they serve. She added that when talking about the safety, aesthetic, and purpose of our community we obviously want everything to look great and we want people to feel welcome, but she's saying on record that it's not a matter of whether, it's a matter of when someone loses their life in their parking lot, and she needed to make sure people understand the significance of this request. Mr. Bennett wanted to add one more point regarding the security, the perpetrator that had the active threat came on the property while the police were there waiting for him, and actively vandalized, so even if security is there on site, when a perpetrator wants to do something, they will.

Chair Hohler stated he wanted to bring the discussion back to the standards that Attorney Bear reminds them of, they speak to things that are there, something with the particular piece of property that prevents their usage of it in the way that others would be able to use it and if you go through all of the standards it's not about a particular business or organization, but the piece of property itself. He added that lots of times we hear about nonconforming lots that they have to deal with, and this isn't that, but more of a problem, and he hates to put it that way, but it comes with this particular organization and is not a result of the land, which he believes is doing a great thing and he encourages and fully supports it, but ultimately he has to vote no.

Ms. Harrington said she believes they worry about the wrong stuff and they apply the rigidity that was referred to earlier by Mr. McReynolds to things that are superfluous, then are hardcore and rigid on things they need to be more lenient and liberal about, and she's sad about that because of the implications that it has for our community, for people that do the work that they're doing, and the critical thought that they have put in to be the best at what they're doing and providing a service to our community. She reiterated that she is voting yes.

Attorney Bear wanted to clarify some things. He stated he doesn't want misconstrued what he's trying to do here: having a refuge from domestic violence and a secure refuge is not only important, but a necessity in our society, and he is not personally opposed to that, but as he has said many times this is a quasi-judicial body, with limited authority and there are specific standards that this

board has to meet for a variance, and not be overruled some time down the road. He added that as Chair Hohler has been saying, you have to be careful that you don't set a precedent that is effectively going to change the ordinance because that is the role of the Commission, so he wants to remind everyone the scope of their review and what standards they meet because part of his job is to see that their decisions, when they're made, are made properly and can be upheld.

Ms. van den Hombergh admitted that this was a tough one for her in many aspects, and in others it seems like an easy yes, but she tries to keep everything as fair as she can and she understands the precedent thing but every now and then she just does what she thinks is right regardless, and added that she has a real problem with what is happening downtown and although there are some good things that are happening downtown and she's proud to live in Kalamazoo, but the civil issues with people going to the bathroom outside and pan handlers, in addition to the violence, she doesn't think it's fair that families seeking the YWCA's services, people can look in the parking lot and see their cars and she doesn't see any alternative so she will vote yes.

Chair Hohler wanted to bring up the issue of people urinating downtown, and the unhoused, is a problem for every property downtown and basing a vote on that is truly setting a precedent, assuming it gets approved, for everyone to have this type of fencing citing this case, and he wants to say on record that isn't what is happening.

Mr. Eldridge asked if there was any more questions for staff and there was none.

Motion was denied by a 3-to-2 roll call vote with Mr. Wark, Chair Hohler, and Mr. McReynolds voting no and Ms. Harrington and Ms. van den Hombergh voting yes.

DISCUSSION/ACTION ITEMS:

REPORTS:

ADJOURNMENT:

The meeting was adjourned at 8:41 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: **12/12/2024**

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: December 12, 2024

SUBJECT: ZBA #24-12-15: 1400 & 1401 Harrison St/240,300, 432, 510, 511 & 600 E. Paterson St./1421, 1500, 1807& 1819 N Pitcher St. Graphic Packaging International is requesting a dimensional variance from Chapter 50-7.2, to authorize an additional 82 off-street parking spaces which will allow a total of 805 off-street parking spaces.

BACKGROUND:

Graphic Packaging International (GPI) continues to make improvements to the Kalamazoo campus. GPI's campus is currently over 100 acres with multiple buildings, parking lots and trailer storage lots. A \$600 million investment in new recycled fiber processing equipment was completed in the last couple of years which also resulted in a larger workforce. A variance was granted on December 9, 2021, to authorize additional parking to support the overlapping employee arrivals and departures with the multiple shift changes that occur in a work day. The off-street parking permitted under the Zoning Ordinance for all the facilities in 2021 was 525 spaces plus the approved variance of 198 spaces for a total of 723 off-street parking spaces.

In 2025, GPI will be constructing an automated warehouse building at the southwest corner of Prouty Street and N. Pitcher Street. This new warehouse will be utilized to store large rolls of recycled paper produced at the plant. This warehouse will take the place of a 202-space surface parking lot that currently exists on this corner. GPI has decided to revamp their campus wide parking plan due to the upcoming removal of this parking lot and the increasing number of outside contractors working on-site. The changes proposed for the campus parking include consolidation of much of the parking in a central location on 1500 N. Pitcher Street, which will shift parking further away from the adjacent neighborhood to the west. This is significant as the facility runs 24 hours a day, so employees are always coming and going. Additionally, a parking lot will be designated for outside contractors. GPI believes this will improve traffic safety by providing off-street parking and avoiding additional vehicles parked in the right-of-way or on adjacent streets in the neighborhood.

As part of the campus wide parking modifications, a variance has been requested for 82 additional off-street parking spaces to expand the contractor parking. GPI has scheduled routine

maintenance outages and shutdowns when machines are offline, which are considered peak events that result in up to 150 contractors on site. Additionally, there are up to 75 contractors working at the facility daily. This variance will bring the overall total to 805 off-street parking spaces for the campus. There is staff support for this off-street parking variance, which will be a 12.4% increase from the total off-street parking currently allowed for the campus of 705 spaces.

STRATEGIC VISION ALIGNMENT:

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

Strategic Goal Impact, Master Plan 2025 and Northside Plan Alignment:

The proposed application aligns with the Strategic Plan in regard to the Economic Vitality goal as GPI will continue to be a viable production facility for years to come with the investment in technology and campus improvements planned to start in 2025.

The Future Land Use Map identifies the parcels within the campus as industrial, which supports the new warehouse planned. The 2018 Northside Neighborhood Plan makes references connecting residents with jobs. The continued investment in the Kalamazoo campus by GPI demonstrates the commitment to being a longer-term employer within the city.

COMMUNITY ENGAGEMENT:

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

Appropriate Depth of Engagement:

Public hearing notices were mailed out to surrounding property owners within 300 feet of the campus parcels on November 27, 2024. The Northside Association for Community Development was also sent a copy of the public hearing notice.

Engagement/Communication Tools:

Letters were mailed, and a notice was placed in the Kalamazoo Gazette.

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 relate to the large scale of this 24-hour-a-day manufacturing facility, at over 100 acres with approximately 350 employees plus up to 75 contractors on-site daily. The unique issue is the overlap between employees arriving for and departing from their shifts and the large number of contractors needed to service their equipment on a daily basis.

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

This type of manufacturing operation involves machinery running 24 hours a day with multiple shifts of workers. This results in overlapping shifts during shift changes. Further, the campus is adjacent to a neighborhood. Employees and contractors utilizing on-street parking would be parking in the neighborhood, which is not desirable.

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.

Other manufacturing operations are able to meet their off-street parking needs within the Ordinance requirements, but due to overlapping shifts and contractor workers, GPI has greater demands than what the Ordinance provides.

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.

This variance is viewed as the minimum action that will address the off-street parking demands at the GPI campus. Further, it will keep employees, visitors, trainees and contractors within the campus and out of the neighborhood.

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

This variance will not adversely impact adjacent property. It should have a positive impact on the residential properties to the west by removing a large surface parking lot along the west side of the campus close to the neighborhood and placing these parking spaces in the center of the campus.

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

The Ordinance is intended to ensure that adequate parking needs are met. This variance of 82 off-street spaces will provide the necessary additional parking and do so in a way that minimizes the conflicts that can when a major employer is located adjacent to a neighborhood.

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 this request.

RECOMMENDATION:

Staff supports the requested variance as it meets the above criteria.



Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

November 27, 2024

RE: ZBA #24-12-15

1400 & 1401 Harrison St/240,300, 432, 510, 511 & 600 E. Paterson St./

1421, 1500, 1807 & 1819 N Pitcher St.

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Graphic Packaging International for 1400 & 1401 Harrison St/240, 300, 432, 510, 511 & 600 E. Paterson St./1421, 1500, 1807 & 1819 N Pitcher St, which are situated in the Live Work-1 (LW-1), Manufacturing – Limited (M-1), and Manufacturing – General (M-2).

Graphic Packaging International is requesting:

- 1) A dimensional variance from Chapter 50-7.2, to authorize an additional 82 off-street parking spaces which will allow a total of 805 off-street parking spaces. This is an increase from the dimensional variance granted on December 9, 2021, which increased the total off-street parking to 723 spaces. This requested increase of 82 spaces is for additional contractor parking for the company's Kalamazoo campus.
- 2) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on Prouty Street of zero, where a 25-foot setback is required in the M-2 District.
- 3) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on N. Pitcher Street of zero, where a 25-foot setback is required in the M-2 District. The building setback variances are for a new paper storage warehouse.

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

The meeting will be held on Thursday, December 12, 2024, at 7 p.m. in the City Commission Chambers at City Hall, 241 W. South Street. This meeting will also be streamed live on the [City's Facebook page](#) and [YouTube Channel](#).

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

Sincerely,

Peter C. Eldridge, AICP
Zoning Administrator



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: Graphic Packaging International		Mailing Address: 1500 N Pitcher St
City: Kalamazoo	State: MI	ZIP Code: 49007
Phone: 269-383-5000	Email: tim.carroll@graphicpkg.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. SAME AS APPLICANT</i>		
Name:		Mailing Address:
City:	State:	ZIP Code:
Phone:	Email:	Preferred Contact: ☐ Email ☐ Phone
PROPERTY INFORMATION		
Property Address(s): 1421 N Pitcher St & 1500 N Pitcher St, Kalamazoo, MI 49007		
Parcel Identification Number(s): 06-10-455-002 & 06-10-452-002		Zone District (kalamazoo-city.org/maps): M-2
TYPE OF REQUEST		
☒ Dimensional Variance from Setbacks: Ch 5, Sec 2 Parking: Ch 50, Sec 7.2 ☐ Use Variance to allow _____ ☐ Natural Features Protection Variance		
☐ Appeal of an Administrative Decision ☐ Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____ ☐ Temporary Use Approval		
Reason for Request: - Setback reduction to construct automated warehouse building at most efficient location on the parcel for efficient operation, safety, and to maximize distance from residential. - Allowable campus maximum parking increase to meet contractor parking needs.		
ATTACHMENTS		
☒ \$ 300 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.
Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support		
SIGNATURE		
Signature of Applicant: 		Date: 10-17-24
Signature of Owner (if different than applicant):		Date:



October 17, 2024

To: Peter C. Eldridge, AICP
Zoning Administrator
City of Kalamazoo CPED Department – Planning Division
245 N. Rose Street, Ste. 100
Kalamazoo, MI 49007

From: Eric Barkovich, P.E.
Hurley & Stewart
2800 South 11th Street
Kalamazoo, MI 49009

Re: Graphic Packaging International Variance Applications

Peter,

Please find the attached letter supplementing Graphic Packaging International's (GPI) application for two variances. The arguments directly pertaining to the setback reduction and parking increase requests are detailed in the review sheets. This letter is intended as a separate document to describe the various benefits the upcoming projects will have not only for GPI, but for the community as well.

Project Description

GPI is planning a new automated warehouse building southwest of the Prouty St and Pitcher St intersection. Its purpose will be to store large paper rolls produced at the plant. Paper rolls will be transported to and from the warehouse via overhead conveyors. This warehouse will replace the existing asphalt parking lot on the north end of the 1421 N Pitcher St parcel. A new centralized parking lot will be constructed at the northeast corner of Pitcher and Paterson Street. The proposed parking lot would replace the existing parking in the warehouse lot and the 300 E Paterson lot, while retaining some of the existing spaces at the current location. The 300 E Paterson parking lot would remain, but only for contractor parking during peak events like outages and shutdowns.

Project Benefits

- Reduced Truck Traffic: Currently, GPI stores their produced paper rolls at several third-party warehouses across Kalamazoo. The automated warehouse will allow them to store **41,500** tons on site. This will reduce truck traffic around town significantly:
 - o Trailer reduction off roads throughout City: **98-112 trailers/day**
 - o Annual traffic reduction: **35,000-40,000 trucks**
 - o Truck distance traveled reduction: **115,000 miles**



- Reduced Emissions: Given the reduced truck traffic mentioned above, GPI estimates 14,000 gallon ESG savings of Diesel. This will result in a significant decrease in emissions from GPI truck traffic.
- Elimination of Roll Train Crossing: There's currently a crossing about 900' north of the Pitcher/Paterson street intersection used to transfer product between the mill east of Pitcher St. and Plant 9 west of Pitcher St. There is a traffic light at the crossing, which currently stops traffic for crossings at least 20 times a day. The warehouse will eliminate this crossing.
- Noise/Light Reduction: Employees currently use the existing parking lot at the north end of 1421 N Pitcher during all hours, on multiple work shifts. Taking this parking lot away will reduce noise and lights from vehicles adjacent to the residential neighborhood. The proposed warehouse building will be 140' tall, and the automated machinery will operate quietly. The building will effectively act as both a visual and sound barrier to the industrial activities of the existing campus.
- Centralized Employee Parking: The proposed parking lot at the northeast corner of Pitcher Street and Paterson Street creates a centralized location for employee parking. This simplifies traffic and creates safe employee walking routes to building entrances.
- Reduced Off Campus Parking Spillover During Peak Events: Relocating the existing employee parking at 300 E Paterson to the new lot is beneficial for the reasons mentioned above. The intention is for the 300 E Paterson lot to remain, but specifically for contractor parking. This will provide the added parking needed for contractors during peak events, such as the twice-monthly machine outages and annual shut down. Extra parking will reduce the likelihood of contractors parking in the residential neighborhood to the west.

To help achieve the impactful benefits described above, we are requesting three variances:

- Pitcher Street setback reduction to 0'
- Prouty Street setback reduction to 0'
- Maximum parking count increase of 82 spaces

Should you have any questions or need any additional information, please feel free to reach out to me directly. Thank you for your time and consideration with this matter.

Sincerely,

Eric Barkovich, P.E.

ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

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

Graphic Packaging International (GPI) is planning a new automated warehouse building southwest of the Prouty St and Pitcher St intersection. Its purpose will be to store large paper rolls produced at the plant. Paper rolls will be transported via overhead conveyors. This warehouse will replace the existing asphalt parking lot on the north end of the 1421 N Pitcher St parcel. This warehouse will have various benefits to the community, including reduced local truck traffic and emissions, and less noise and light pollution compared to the existing parking lot. A proposed employee parking lot will be constructed at the northeast corner of Pitcher and Paterson Street, at a more central and safe location on the campus for pedestrian traffic. The parking lot would contain 384 parking spaces, which will bring the campus total to 805. Of the 805, 142 spaces at the 300 E Paterson St lot would be dedicated specifically to contractor parking 3-5 days per month for the peak events described below. The gate to the lot will otherwise remain locked.

In summary, GPI is requesting 805 total employee parking spaces on campus, which is an 82 parking space increase from the 723 count approved by the ZBA in 2021.

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?

Yes. Graphic Packaging (GPI) is a large industrial campus that relies on many contractors that aren't directly employed. There are over 75 contractors on site that are part of the daily operation. Additionally, there are 2 machine outages per month that bring in another 100 contractors per day. Once a year, GPI has an annual outage that lasts anywhere from 1 week to almost 1 month. During these outages, over 300 extra contractors can be on site in a single shift.

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?

Yes. The Graphic Packaging (GPI) campus is adjacent to a residential neighborhood. GPI's goal is to avoid contractor parking spillover off campus, especially to the neighborhood.

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

Yes. Other property owners are able to meet their parking needs within ordinance requirements because they don't have outside contractor parking needs.



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?

Yes. Additional parking spaces will prevent contractor's parking their vehicles in unsafe, non-designated areas on the Graphic Packaging campus, potentially blocking emergency routes. It will also prevent contractor's from parking in nearby off campus areas, such as the residential neighborhood to the west.

Will the granting of the variance negatively affect adjacent land?

No. It will have a positive impact on adjacent land because contractor's will no longer need to consider parking outside the Graphic Packaging campus.

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

Yes. The Ordinance intent for off street parking is to ensure parking needs are met on site to prevent traffic flow and safety issues elsewhere. Granting this variance for additional parking will have a positive impact on local traffic in and around the GPI campus.

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



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

N/A

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

Yes

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

N/A

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

N/A

GPI Campus Parking Summary

Largest Shift = 130 (plant 9) + 146 (Mill) + 40 (daily contractors) + 25 (visitors/trainees) = 341

Allowable Industrial Parking = 1 Space per employee on largest shift = 341 spaces

Allowable Commercial Parking = 90,000 SF of office space/300 = 300 spaces

Allowable Parking = 341 + 300 = 641 spaces

Plus 10% Allowance = 64 spaces

TOTAL ALLOWED OFF STREET PARKING = 641 + 64 = 705 spaces

TOTAL EXISTING OFF STREET PARKING = 723 SPACES – Variance request approved December 2021

Requested Parking = 805 spaces

OVERAGE ABOVE ALLOWABLE PARKING PER ORDINANCE = 805-705 = 100 spaces (14%)

OVERAGE ABOVE ALLOWABLE PARKING PER 12/21 VARIANCE = 805-723 = 82 spaces (11%)

Requested Parking Spaces		
LOT NAME	SPOT COUNT	updated
Ranch	26	26
K2 Admin	160	160
Plant 9 North	202	
Plant 8 (Security)	25	25
Tin Warehouse Lot	40	
K3 exist	30	
Plant 5 Lot	30	
Plant 9 South	142	142
SP Exist?	50	50
Harrison St	18	18
New South Parking Lot		384
	723	805

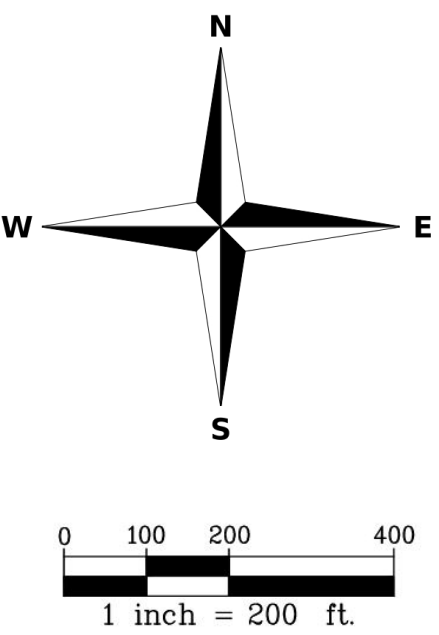
Employee Count Normal Operations		
	oncoming	offgoing
Plant 9 days 7A-7P hourly	130	120
Plant 9 Salaried days 7A - 5 P	60	5
Kzoo Mill 7A-7P or 7A-3P hourly	146	87
Kzoo Mill Salaried 7A-5P	95	5
Contractors 7A-3P	40	
Visitors 7A-3P	5	
Trainees 7A-3P	20	10
	496	227
		723 total onsite at once

Employee Count During Monthly Outages		
Extra Contractors Onsite (twice a month)		
	oncoming	offgoing
Plant 9 days 7A-7P hourly	130	120
Plant 9 Salaried days 7A - 5 P	60	5
Kzoo Mill 7A-7P or 7A-3P hourly	146	87
Kzoo Mill Salaried 7A-5P	95	5
Contractors 7A-3P	150	
Visitors 7A-3P	5	
Trainees 7A-3P	20	10
	606	227
		833 total onsite at once

Employee Count During Annual Outages		
Extra Contractors Onsite (Once a year for 5-30 days)		
	oncoming	offgoing
Plant 9 days 7A-7P hourly	130	120
Plant 9 Salaried days 7A - 5 P	60	5
Kzoo Mill 7A-7P or 7A-3P hourly	146	87
Kzoo Mill Salaried 7A-5P	80	20
Contractors 7A-7P	150	150
Visitors 7A-3P	5	
Trainees 7A-3P	20	10
	591	392
		983 total onsite at once

	Hourly swing	Salary	Hourly 12s	Hourly Straight Days				
	Mon	Mon	Mon	Mon	Hourly	Salary	Total	
12:00	73	5	14		87	5	92	12:00
1:00	73	5	14		87	5	92	1:00
2:00	73	5	14		87	5	92	2:00
3:00	73	5	14		87	5	92	3:00
4:00	73	5	14		87	5	92	4:00
5:00	73	95	14		87	95	182	5:00
6:00	73	95	14		87	95	182	6:00
7:00	73	95	14	59	146	95	241	7:00
8:00	73	95	14	59	146	95	241	8:00
9:00	73	95	14	59	146	95	241	9:00
10:00	73	95	14	59	146	95	241	10:00
11:00	73	95	14	59	146	95	241	11:00
12:00	73	95	14	59	146	95	241	12:00
1:00	73	95	14	59	146	95	241	1:00
2:00	73	95	14	59	146	95	241	2:00
3:00	73	95	14	59	146	95	241	3:00
4:00	73	95	14		87	95	182	4:00
5:00	73	95	14		87	95	182	5:00
6:00	73	95	14		87	95	182	6:00
7:00	73	5	14		87	5	92	7:00
8:00	73	5	14		87	5	92	8:00
9:00	73	5	14		87	5	92	9:00
10:00	73	5	14		87	5	92	10:00
11:00	73	5	14		87	5	92	11:00

Hourly swing	Salary	Hourly 12s	Hourly Straight Days				
Sat/Sun	Sat/Sun	Sat/Sun	Sat/Sun	Hourly	Salary	Total	
73	5	14	21	108	5	113	12:00
73	5	14	21	108	5	113	1:00
73	5	14	21	108	5	113	2:00
73	5	14	21	108	5	113	3:00
73	5	14	21	108	5	113	4:00
73	15	14	21	108	15	123	5:00
73	15	14	21	108	15	123	6:00
73	15	14	21	108	15	123	7:00
73	15	14	21	108	15	123	8:00
73	15	14	21	108	15	123	9:00
73	15	14	21	108	15	123	10:00
73	15	14	21	108	15	123	11:00
73	15	14	21	108	15	123	12:00
73	15	14	21	108	15	123	1:00
73	15	14	21	108	15	123	2:00
73	15	14		87	15	102	3:00
73	15	14		87	15	102	4:00
73	15	14		87	15	102	5:00
73	5	14		87	5	92	6:00
73	5	14		87	5	92	7:00
73	5	14		87	5	92	8:00
73	5	14		87	5	92	9:00
73	5	14		87	5	92	10:00
73	5	14		87	5	92	11:00



LEGEND

EMPLOYEE PARKING LOT

TRAILER PARKING LOT

CONTRACTOR PARKING LOT

PROPOSED BUILDING

GRAPHIC PACKAGING CAMPUS LIMITS

PARKING TO REMAIN

1 RANCH/ENGINEER LOT - 1819 N. PITCHER ST.
26 SPACES

2 K2 EMPLOYEE PARKING LOT - 1500 N PITCHER ST.
160 SPACES

3 K1 SECURITY PARKING - 1500 N. PITCHER ST.
25 SPACES

4 PLANT 8 AND STOCK PREP- 1401 HARRISON ST.
50 SPACES

5 TRUCKER PARKING - 1525 HARRISON ST.
18 SPACES

6 CONTRACTOR PARKING - 300 E PATERSON ST.
142 PARKING SPACES

PROPOSED PROJECTS

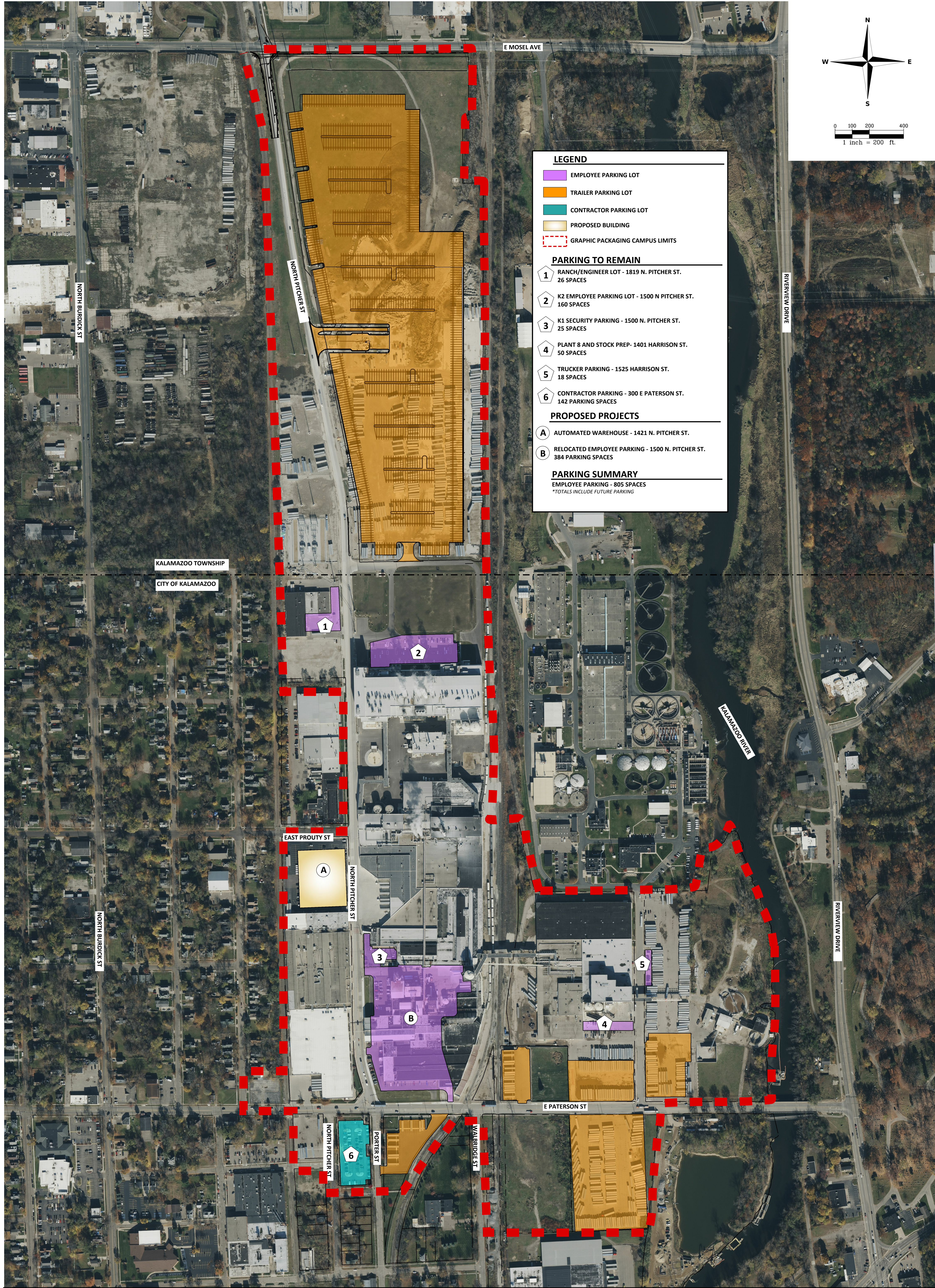
A AUTOMATED WAREHOUSE - 1421 N. PITCHER ST.

B RELOCATED EMPLOYEE PARKING - 1500 N. PITCHER ST.
384 PARKING SPACES

PARKING SUMMARY

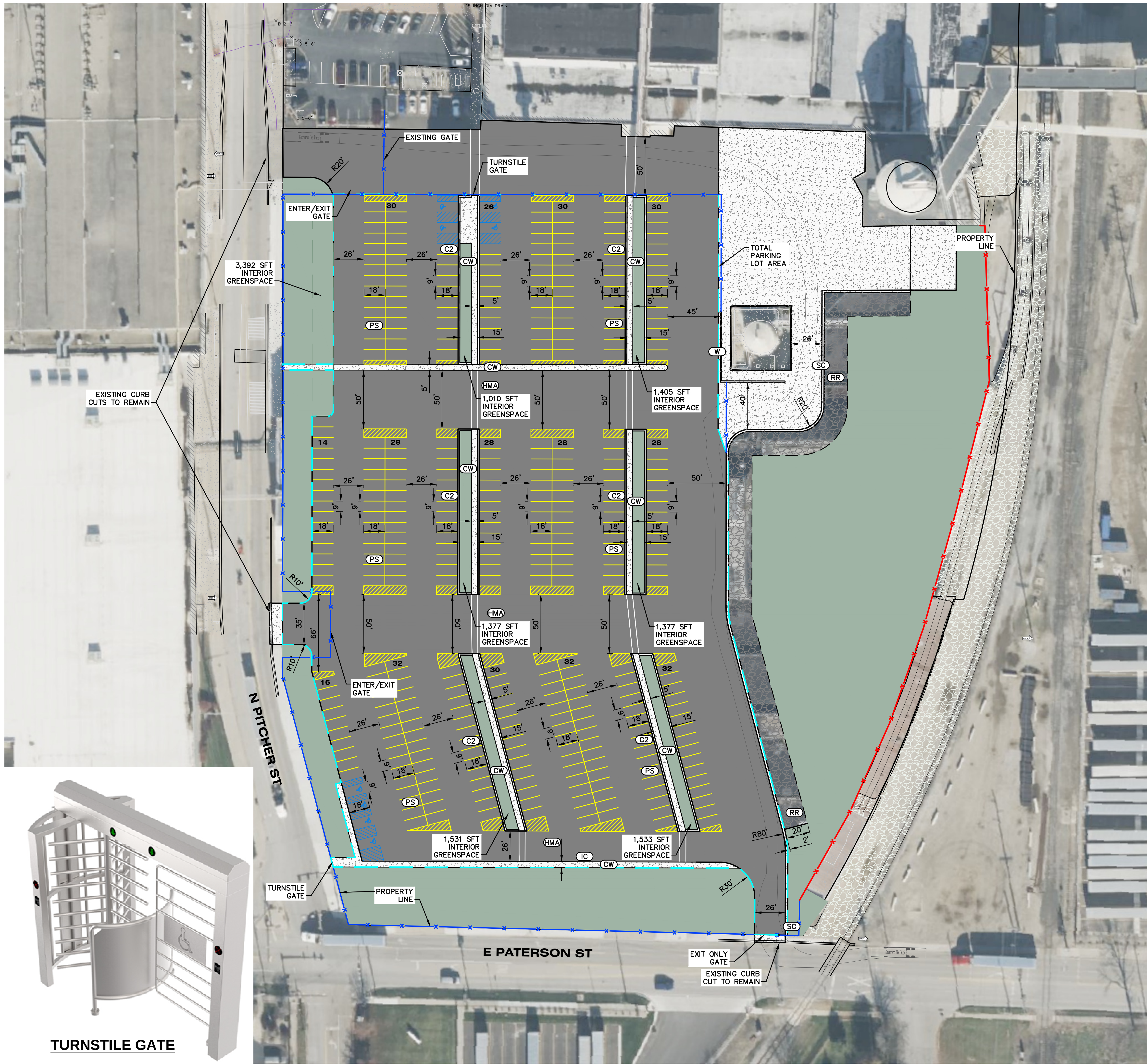
EMPLOYEE PARKING - 805 SPACES

*TOTALS INCLUDE FUTURE PARKING



GRAPHIC PACKAGING CAMPUS EMPLOYEE PARKING

DRAWING LOCATION: H:\24-107D (Graphic Packaging) Parking Lot Sheet 2\1. REFERENCES: 24-107D.dwg LAST SAVED BY: DWANORMAN ON 10/22/2024



TURNSTILE GATE

SITE LEGEND

- HMA HMA PAVEMENT
- C2 C2 CURB AND GUTTER
- IC INTEGRAL CURB WALK
- CW CONCRETE WALK
- SC SNOW CURB
- PS PARKING STRIPING (9'x18')
- W SCREENING WALL
- RR RIVER ROCK

LEGEND

- HEAVY-DUTY BITUMINOUS PAVEMENT
- HEAVY-DUTY CONCRETE PAVEMENT
- PROPOSED GREEN SPACE
- PROPOSED CHAIN LINK FENCE
- PROPOSED DECORATIVE FENCE

ZONING REQUIREMENTS

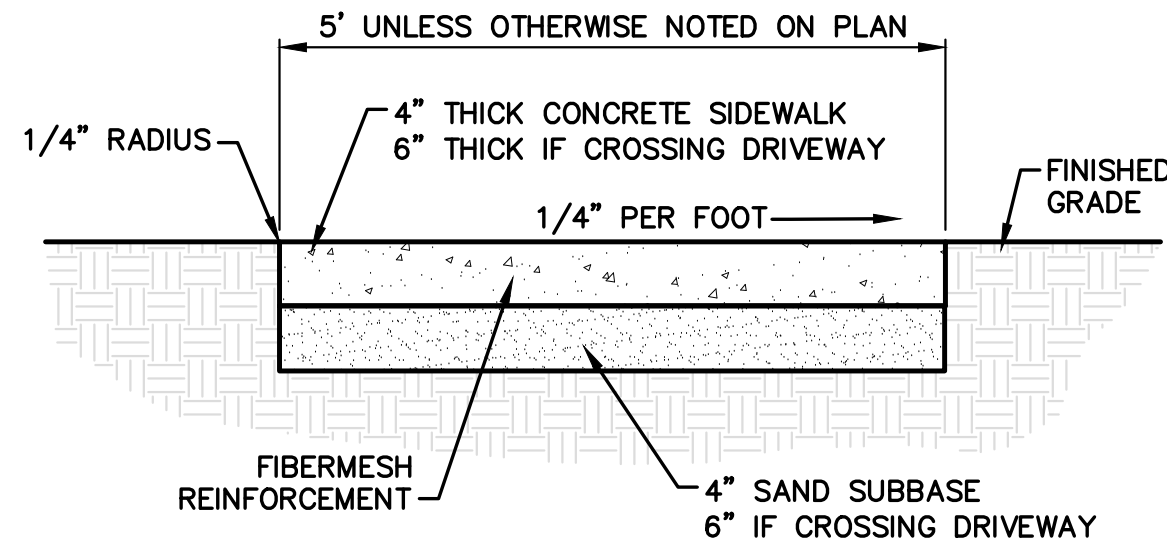
PARKING

TOTAL PARKING PROVIDED = 384 SPACES
BARRIER FREE SPACES REQUIRED = 8
BARRIER FREE SPACES = 8 PROVIDED
ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 9'x18'

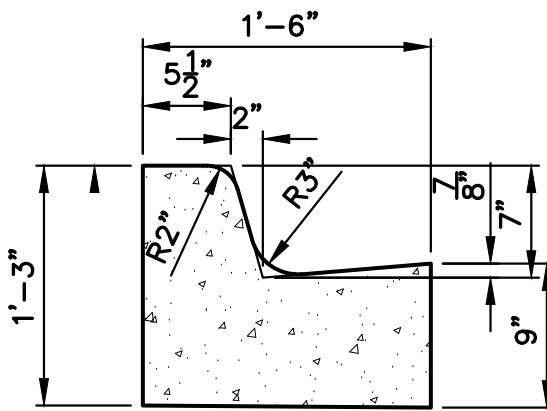
INTERIOR LANDSCAPING CALCULATIONS

TOTAL PARKING LOT AREA = 202,930 SFT
5% OF ENTIRE PARKING LOT SHALL BE PROVIDED AS
LANDSCAPING AREA. 202,930 SFT * .05 = 10,147 SFT
INTERIOR LANDSCAPING AREA PROVIDED = 11,625 SFT



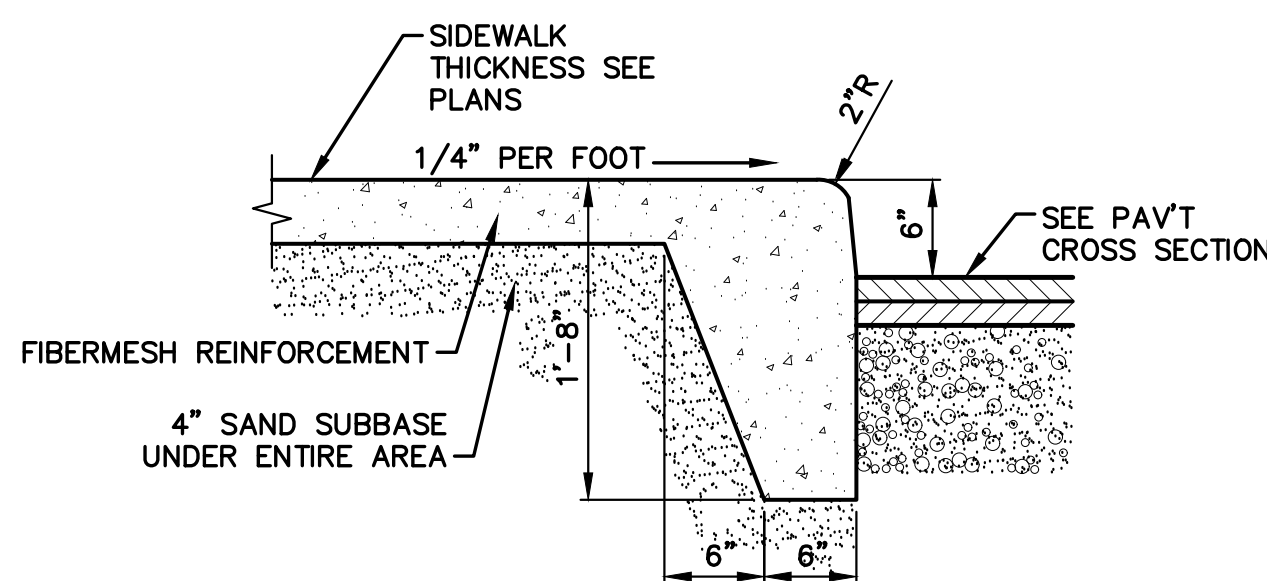
SIDEWALK DETAIL

NOT TO SCALE



"C2" CURB DETAIL

NOT TO SCALE

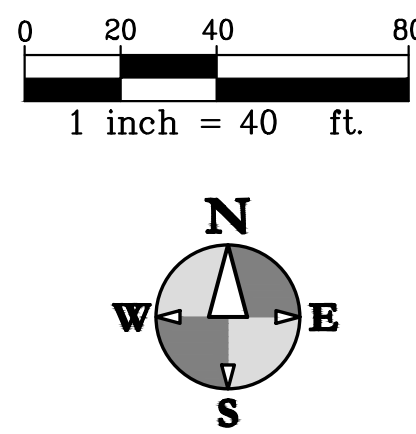


INTEGRAL SIDEWALK/CURB

NOT TO SCALE



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



hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

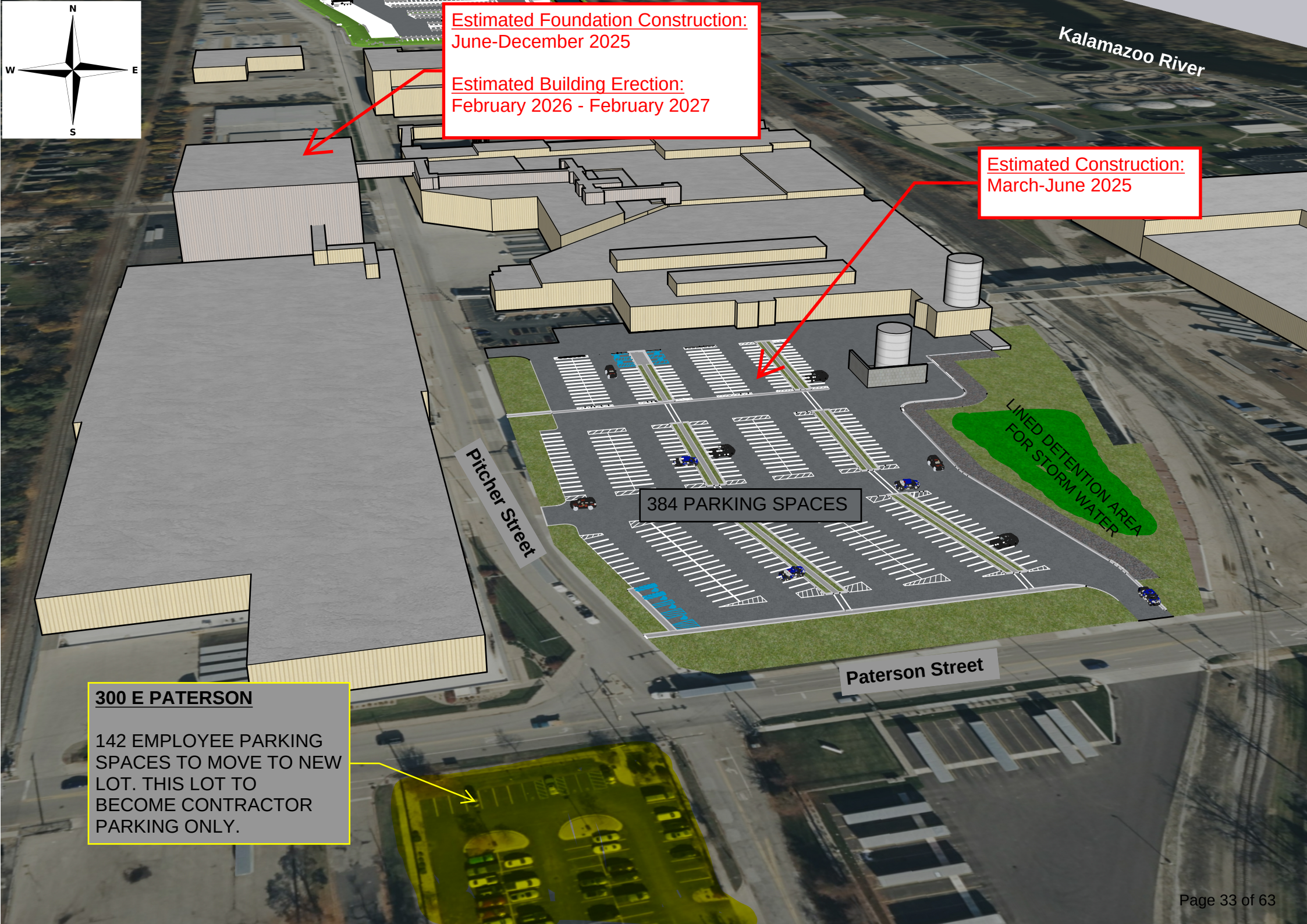


Job No. 24-107D P.M.-EMB. DWT: DSV QA/QC: 10/22/24
ISSUED FOR REVISIONS:
1
2
3
4
COPYRIGHT © of Hurley & Stewart, LLC

PHASE 2 LAYOUT
GRAPHIC PACKAGING DEMO
GRAPHIC PACKAGING

Sheet Title:
Project:
Client:

10/22/24
Sheet



Estimated Foundation Construction:
June-December 2025

Estimated Building Erection:
February 2026 - February 2027

Estimated Construction:
March-June 2025

384 PARKING SPACES

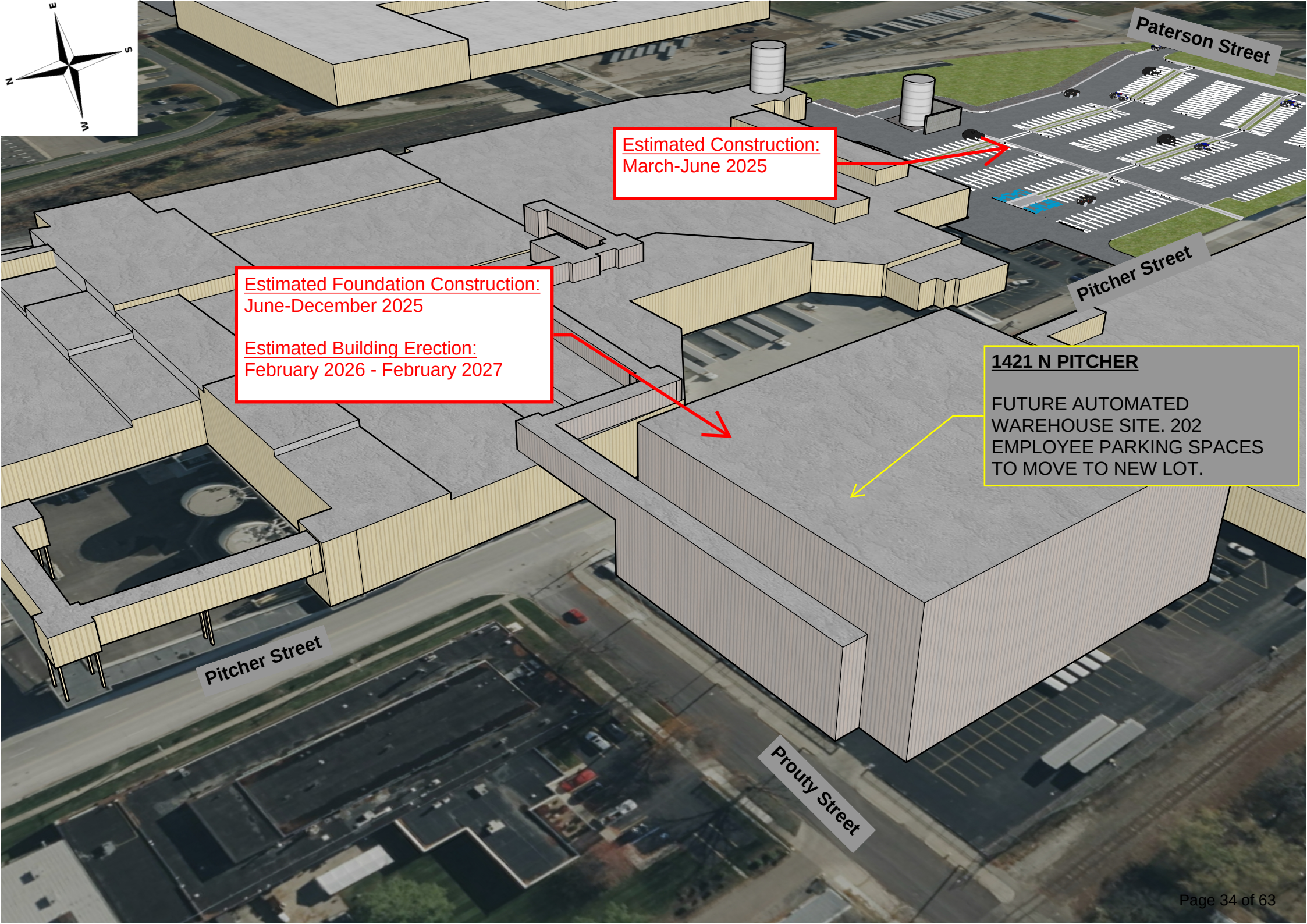
LINED DETENTION AREA
FOR STORM WATER

Pitcher Street

Paterson Street

300 E PATERSON

142 EMPLOYEE PARKING
SPACES TO MOVE TO NEW
LOT. THIS LOT TO
BECOME CONTRACTOR
PARKING ONLY.



Estimated Construction:
March-June 2025

Estimated Foundation Construction:
June-December 2025

Estimated Building Erection:
February 2026 - February 2027

1421 N PITCHER

FUTURE AUTOMATED
WAREHOUSE SITE. 202
EMPLOYEE PARKING SPACES
TO MOVE TO NEW LOT.

Paterson Street

Pitcher Street

Pitcher Street

Prouty Street



Zoning Board of Appeals Staff Report

City of Kalamazoo

Date: **12/12/2024**

Item: **D.2.**

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: December 12, 2024

SUBJECT: ZBA #24-12-16: 1421 N Pitcher St. Graphic Packaging International is requesting:
1) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on Prouty Street of zero, where a 25-foot setback is required in the M-2 District.
2) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on N. Pitcher Street of zero, where a 25-foot setback is required in the M-2 District.

BACKGROUND:

Graphic Packaging International (GPI) continues to make improvements to the Kalamazoo campus. GPI's campus is currently over 100 acres with multiple buildings, parking lots and storage lots. GPI is planning to build a new automated warehouse on the southwest corner of E. Prouty Street and N. Pitcher Street (1421 N. Pitcher St.). The purpose of this new building is to store large paper rolls produced at the plant. The paper rolls will be moved from the production location to the warehouse by an above-ground conveyor system. By using an overhead conveyor system, truck traffic, emissions, noise, and light pollution would be reduced, as it will take the place of the ground level roll train that stops traffic on N. Pitcher Street 20 times a day to move paper rolls across the street. The proposed automated warehouse will be 140 feet in height (no maximum height noted in the M-2 District) with a building footprint of 68,500 square feet.

GPI is requesting a variance of 25 feet from the required 25-foot front building setback in M-2 District along E. Prouty Street. The relief requested is not for the warehouse structure, which will be set back 30 feet from the property line on E. Prouty. The relief is for the overhead conveyor system and its support structure, which protrudes into the 25-foot setback. This placement also provides adequate truck maneuvering between the new warehouse and the existing building to the south. The maneuvering area will be utilized to get maintenance vehicles around the warehouse as well as access the loading docks on the north side of the existing building.

GPI is also requesting a variance of 25 feet from the required 25-foot front building setback

along N. Pitcher Street. The warehouse building is proposed to be pushed as far to the east as possible to maximize the building distance from the residential neighborhood to the west. This placement creates a 72-foot setback from the west property line. This placement also aligns the new building with the existing building to the south, which also has a zero setback, and minimizes the distance of the overhead conveyor connecting the new warehouse building to the plant across Pitcher Street. The ZBA on July 10, 2008, granted this existing building a variance to place the building within 5 feet of the property line along N. Pitcher Street.

STRATEGIC VISION ALIGNMENT:

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

Environmental Responsibility - A green and healthy City.

Strategic Goal Impact:

The proposed application aligns with the Strategic Plan in regard to the Economic Vitality goal as GPI's continued investment means it will be a viable production facility for years to come. Additionally, the Environmental Responsibility goal is important to mention, as the automated warehouse and conveyor system will reduce truck traffic substantially around the city along with emissions, light and noise pollution.

The Future Land Use Map identifies the parcels within the campus as industrial, which supports the facility expansion underway. The 2018 Northside Neighborhood Plan makes references connecting residents with jobs and this expansion will allow GPI to continue to be the largest manufacturing operation in the city.

COMMUNITY ENGAGEMENT:

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

Appropriate Depth of Engagement:

Public hearing notices were mailed out to surrounding property owners within 300 feet of the campus parcels on November 27, 2024. The Northside Association for Community Development was also sent a copy of the public hearing notice.

Engagement/Communication Tools:

Letters were mailed, and a notice was placed in the Kalamazoo Gazette.

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.

Pitcher St & Prouty St- The special circumstances in this case are related to the built environment of the GPI campus along N. Pitcher Street. GPI has made significant strides over the past four years to improve the functionality of the campus. However, it spans multiple parcels which are separated by city streets. The special circumstances relate to the positioning of the new warehouse in relationship to the existing buildings to not limit necessary access to the adjacent existing buildings by trucks; to limit the distance of the overhead conveyance over Pitcher; and to minimize impacts on the neighborhood to the west.

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

Pitcher St - The development of the campus has been ongoing for over half a century. GPI is working to modernize and improve the campus and its industrial processes, but some elements of the operation are fixed within the campus footprint.

Prouty St - The functionality of the existing building constructed in 1970 will be impacted if this warehouse is pushed to the south to meet the setback requirement.

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.

Pitcher St and Prouty St - The development of this campus over half a century ago, has resulted in many of the buildings being placed at or near the property lines due to these parcels all being under the same ownership and the scale of the manufacturing operation. It would not be in character with the surrounding properties within the company's campus along N. Pitcher Street to apply the 25-foot building setback.

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.

Pitcher St and Prouty St - This is the minimum action that will allow for the development of the warehouse, provide the least impact on the neighborhood to the west, and shorten the conveyor distance between the plant and the warehouse.

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

Pitcher St and Prouty St - The granting of the variance will result in the least amount of impact on the residential neighborhood to the west and will not impact the industrial use to the north (Wright Coatings).

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

Pitcher St and Prouty St - The granting of the variance will be consistent with prior variances granted to the GPI and will provide a greater separation of distance between the warehouse and the neighborhood to the west.

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 this request.

RECOMMENDATION:

Staff supports the requested variances as each meets the above criteria.



Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

November 27, 2024

RE: ZBA #24-12-15

1400 & 1401 Harrison St/240,300, 432, 510, 511 & 600 E. Paterson St./

1421, 1500, 1807 & 1819 N Pitcher St.

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Graphic Packaging International for 1400 & 1401 Harrison St/240, 300, 432, 510, 511 & 600 E. Paterson St./1421, 1500, 1807 & 1819 N Pitcher St, which are situated in the Live Work-1 (LW-1), Manufacturing – Limited (M-1), and Manufacturing – General (M-2).

Graphic Packaging International is requesting:

- 1) A dimensional variance from Chapter 50-7.2, to authorize an additional 82 off-street parking spaces which will allow a total of 805 off-street parking spaces. This is an increase from the dimensional variance granted on December 9, 2021, which increased the total off-street parking to 723 spaces. This requested increase of 82 spaces is for additional contractor parking for the company's Kalamazoo campus.
- 2) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on Prouty Street of zero, where a 25-foot setback is required in the M-2 District.
- 3) A dimensional variance for 1421 N. Pitcher Street from Appendix A, Chapter 5, Table 5.2-1, to authorize a front building setback on N. Pitcher Street of zero, where a 25-foot setback is required in the M-2 District. The building setback variances are for a new paper storage warehouse.

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

The meeting will be held on Thursday, December 12, 2024, at 7 p.m. in the City Commission Chambers at City Hall, 241 W. South Street. This meeting will also be streamed live on the [City's Facebook page](#) and [YouTube Channel](#).

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

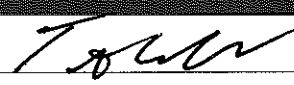
Sincerely,

Peter C. Eldridge, AICP
Zoning Administrator



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: Graphic Packaging International		Mailing Address: 1500 N Pitcher St
City: Kalamazoo	State: MI	ZIP Code: 49007
Phone: 269-383-5000	Email: tim.carroll@graphicpkg.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. SAME AS APPLICANT</i>		
Name:		Mailing Address:
City:	State:	ZIP Code:
Phone:	Email:	Preferred Contact: ☐ Email ☐ Phone
PROPERTY INFORMATION		
Property Address(s): 1421 N Pitcher St & 1500 N Pitcher St, Kalamazoo, MI 49007		
Parcel Identification Number(s): 06-10-455-002 & 06-10-452-002		Zone District (kalamazoo-city.org/maps): M-2
TYPE OF REQUEST		
☒ Dimensional Variance from Setbacks: Ch 5, Sec 2 Parking: Ch 50, Sec 7.2 ☐ Use Variance to allow _____ ☐ Natural Features Protection Variance		
☐ Appeal of an Administrative Decision ☐ Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____ ☐ Temporary Use Approval		
Reason for Request: - Setback reduction to construct automated warehouse building at most efficient location on the parcel for efficient operation, safety, and to maximize distance from residential. - Allowable campus maximum parking increase to meet contractor parking needs.		
ATTACHMENTS		
☒ \$ 300 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.
Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support		
SIGNATURE		
Signature of Applicant: 		Date: 10-17-24
Signature of Owner (if different than applicant):		Date:



October 17, 2024

To: Peter C. Eldridge, AICP
Zoning Administrator
City of Kalamazoo CPED Department – Planning Division
245 N. Rose Street, Ste. 100
Kalamazoo, MI 49007

From: Eric Barkovich, P.E.
Hurley & Stewart
2800 South 11th Street
Kalamazoo, MI 49009

Re: Graphic Packaging International Variance Applications

Peter,

Please find the attached letter supplementing Graphic Packaging International's (GPI) application for two variances. The arguments directly pertaining to the setback reduction and parking increase requests are detailed in the review sheets. This letter is intended as a separate document to describe the various benefits the upcoming projects will have not only for GPI, but for the community as well.

Project Description

GPI is planning a new automated warehouse building southwest of the Prouty St and Pitcher St intersection. Its purpose will be to store large paper rolls produced at the plant. Paper rolls will be transported to and from the warehouse via overhead conveyors. This warehouse will replace the existing asphalt parking lot on the north end of the 1421 N Pitcher St parcel. A new centralized parking lot will be constructed at the northeast corner of Pitcher and Paterson Street. The proposed parking lot would replace the existing parking in the warehouse lot and the 300 E Paterson lot, while retaining some of the existing spaces at the current location. The 300 E Paterson parking lot would remain, but only for contractor parking during peak events like outages and shutdowns.

Project Benefits

- Reduced Truck Traffic: Currently, GPI stores their produced paper rolls at several third-party warehouses across Kalamazoo. The automated warehouse will allow them to store **41,500** tons on site. This will reduce truck traffic around town significantly:
 - o Trailer reduction off roads throughout City: **98-112 trailers/day**
 - o Annual traffic reduction: **35,000-40,000 trucks**
 - o Truck distance traveled reduction: **115,000 miles**



- Reduced Emissions: Given the reduced truck traffic mentioned above, GPI estimates 14,000 gallon ESG savings of Diesel. This will result in a significant decrease in emissions from GPI truck traffic.
- Elimination of Roll Train Crossing: There's currently a crossing about 900' north of the Pitcher/Paterson street intersection used to transfer product between the mill east of Pitcher St. and Plant 9 west of Pitcher St. There is a traffic light at the crossing, which currently stops traffic for crossings at least 20 times a day. The warehouse will eliminate this crossing.
- Noise/Light Reduction: Employees currently use the existing parking lot at the north end of 1421 N Pitcher during all hours, on multiple work shifts. Taking this parking lot away will reduce noise and lights from vehicles adjacent to the residential neighborhood. The proposed warehouse building will be 140' tall, and the automated machinery will operate quietly. The building will effectively act as both a visual and sound barrier to the industrial activities of the existing campus.
- Centralized Employee Parking: The proposed parking lot at the northeast corner of Pitcher Street and Paterson Street creates a centralized location for employee parking. This simplifies traffic and creates safe employee walking routes to building entrances.
- Reduced Off Campus Parking Spillover During Peak Events: Relocating the existing employee parking at 300 E Paterson to the new lot is beneficial for the reasons mentioned above. The intention is for the 300 E Paterson lot to remain, but specifically for contractor parking. This will provide the added parking needed for contractors during peak events, such as the twice-monthly machine outages and annual shut down. Extra parking will reduce the likelihood of contractors parking in the residential neighborhood to the west.

To help achieve the impactful benefits described above, we are requesting three variances:

- Pitcher Street setback reduction to 0'
- Prouty Street setback reduction to 0'
- Maximum parking count increase of 82 spaces

Should you have any questions or need any additional information, please feel free to reach out to me directly. Thank you for your time and consideration with this matter.

Sincerely,

Eric Barkovich, P.E.

ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

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

Graphic Packaging International (GPI) is planning a new automated warehouse building southwest of the Prouty St and Pitcher St intersection. It's purpose will be to store large paper rolls produced at the plant. Paper rolls will be transported via overhead conveyors. The warehouse will replace the existing asphalt parking lot on the north end of the 1421 N Pitcher St parcel. The existing parking lot will be relocated to the northeast corner of Pitcher and Paterson St. There is an existing building on the 1421 N Pitcher St parcel immediately south of the existing parking lot. The existing building was granted multiple setback variances in 2008. The required front setback for M-2 General Manufacturing zoned properties is 25 feet. Consistent with the existing building, we are requesting ZBA Approval of two setback variances:

- 0 feet along Pitcher St to place the East edge of the building on the property line.

- 0 feet along Prouty St to place overhead conveyors and associated ground supports on the property line. The North edge of the building itself will be 25' off the property line.

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?

PITCHER STREET - Yes. The building will be 140 feet tall, so the goal is to place it as far east as possible, away from the residential properties across the railroad tracks to the west. It will also be fully automated and connected to the plant across Pitcher St to the east via overhead conveyors to transfer paper rolls. The proposed building placement will minimize the length of the conveyors over Pitcher St.

PROUTY STREET - Yes. The building will be 140 feet tall, so the goal is to place it as far north as possible, away from the existing building to the south.

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?

PITCHER AND PROUTY STREET - Yes. The site's proximity to residential homes in the Northside neighborhood is a special circumstance. We feel that this building will help provide both a visual and sound barrier to the GPI campus. It will also lead to reduced truck traffic and emissions in the surrounding area. It will eliminate the existing tunnel crossing on Pitcher St and the associated traffic light. The warehouse will also replace a parking lot that is used by employees on all three shifts, which is a source of noise and lights from vehicles at all hours. To realize these project benefits, we are requesting approval of both setback variances to allow the site to function efficiently.

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

PITCHER AND PROUTY STREET - Yes. There are other properties in the City with buildings placed on the property line within the M-2 zoning district. The Wright Coatings building north of Prouty St is within the setback. Furthermore, GPI has other existing buildings on campus either within the setback or on the property line. The existing building to the south is on the Pitcher St property line, so the goal is to align the proposed warehouse building.

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?

PITCHER STREET - Yes. The 0' setback allows for placement of the warehouse building that maximizes distance from the residential properties across the railroad tracks to the west.

PROUTY STREET - Yes. The 0' setback allows for a wide drive aisle south of the proposed warehouse building for emergency vehicles to easily maneuver. The wide drive entrance also makes it easier for trucks turning into the lot off Pitcher St. Moreover, the wider drive aisle to the south will allow for maintenance on the new stacker crane to be done between the buildings, out of public sight. Maintenance would otherwise need to occur on the north end fronting Prouty St.

Will the granting of the variance negatively affect adjacent land?

PITCHER STREET - No. It will have a positive impact because it will allow the warehouse to be placed as far east as possible to maximize distance from the residential properties across the railroad tracks to the west. It allows for maximization of greenspace width and landscape screening on the west side of the parcel. The warehouse will also replace a parking lot that is used by employees on all three shifts, which is a source of noise and lights from vehicles at all hours.

PROUTY STREET - No. There will be no impact to the road ROW or adjacent property owner to the North. The wide drive aisle south of the building will allow for the option to place underground stormwater storage in that area. The addition of underground stormwater storage will have a positive impact compared to the existing condition, as it will collect runoff that currently sheets to the road and help slow down the flow of stormwater to the existing City sewer. The wider drive aisle to the south will also allow for maintenance on the new stacker crane to be done between the buildings, out of public sight. Maintenance would otherwise need to occur on the north end fronting Prouty Street. The warehouse will also replace a parking lot that is used by employees on all three shifts, which is a source of noise and lights from vehicles at all hours.

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

Yes. Some of the main purposes for the Ordinance setback requirements include safety, emergency access, and space for utilities. The proposed layout addresses each of these items.

PITCHER STREET - The building being as far east as possible allows for a convenient loop to enter/exit the site for emergency vehicles. As there's limited space for a detention basin, underground stormwater storage will be needed. Maximizing the area west of the building will ensure adequate space for the underground system if connection to Prouty St storm sewer is needed.

PROUTY STREET - The building is as far north as possible to maximize the distance from the existing building. This helps mitigate the possibility of fire spreading between buildings. It also allows for a wide drive aisle for semi trucks, making the turn into the site easier and safer. The building being as far north as possible allows for a convenient loop to enter/exit the site for emergency vehicles. As there's limited space for a detention basin, underground stormwater storage will be needed. Maximizing the area south of the building will ensure adequate space for the underground system if connection to Pitcher St sewer is needed.

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



Community Planning & Economic Development

245 N. Rose Street, Suite 100 • Kalamazoo, MI 49007

(269) 337-8026 • www.kalamazoocity.org

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

N/A

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

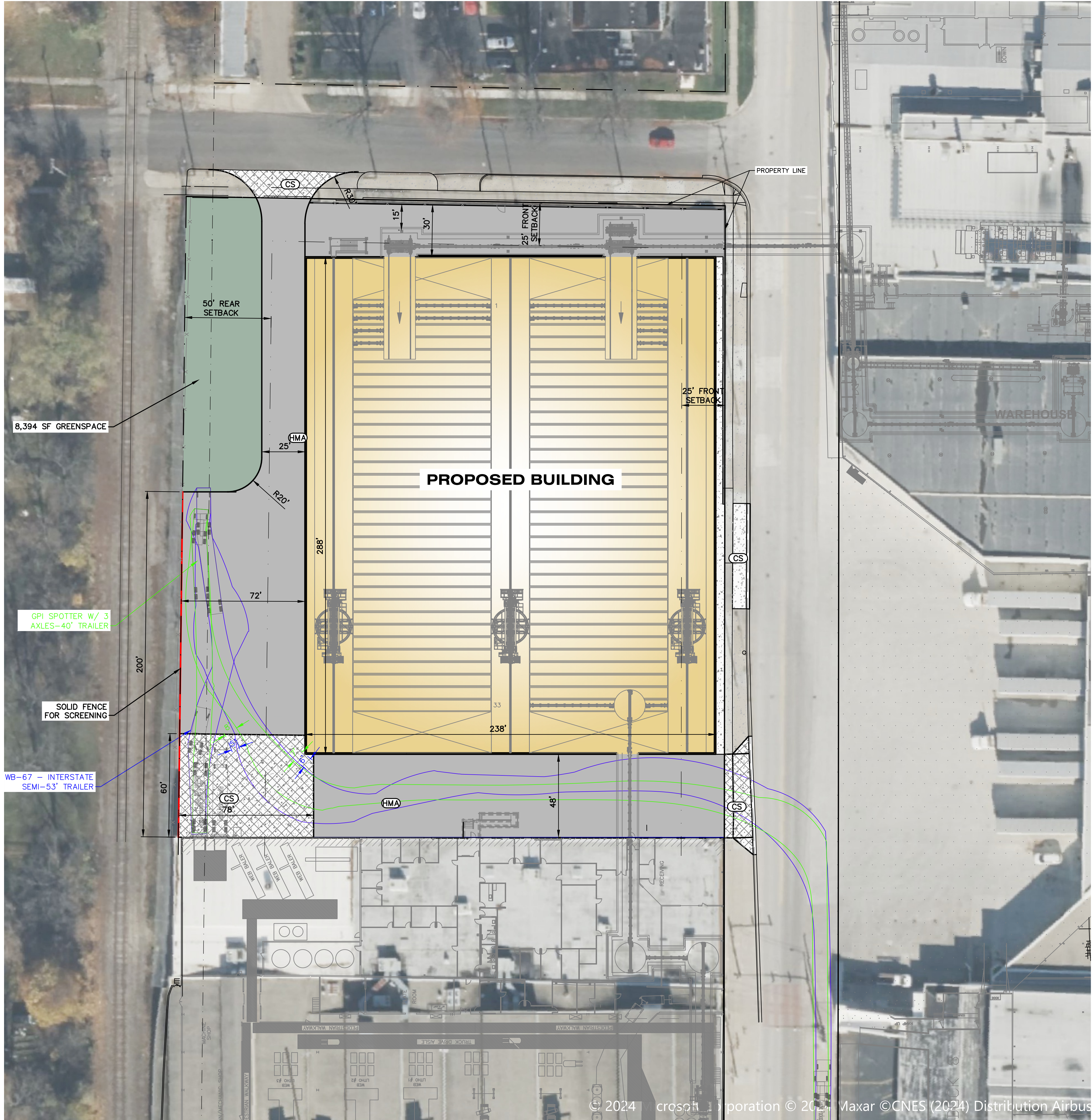
Yes

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

N/A

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

N/A



SITE LEGEND

- HMA HMA PAVEMENT
- CS CONCRETE SURFACE

LEGEND

- HEAVY-DUTY BITUMINOUS PAVEMENT
- CONCRETE PAVEMENT AND SIDEWALK
- HEAVY-DUTY CONCRETE PAVEMENT
- PROPOSED BUILDING
- CURB AND GUTTER

BENCHMARKS

ELEVATIONS OF THIS SURVEY ARE BASED ON NAVD 88 AS DERIVED FROM GPS

BM 1 EL = 767.74'
SOUTH BOLT OF HYDRANT ON THE SOUTH SIDE OF E. PROUTY ST 326'± WEST OF N. PITCHER ST CENTERLINE.

BM 2 EL = 766.47'
SPIKE IN WEST SIDE OF UTILITY POLE ON WEST SIDE ON N. PITCHER ST 310'± SOUTH OF E. PROUTY ST CENTERLINE.



ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

FIELD WORK PERFORMED BY:
HURLEY & STEWART, LLC

SITE LAYOUT PLAN AUTOMATED WAREHOUSE GRAPHIC PACKAGING

Sheet Title:
Project:
Client:

10/24/24

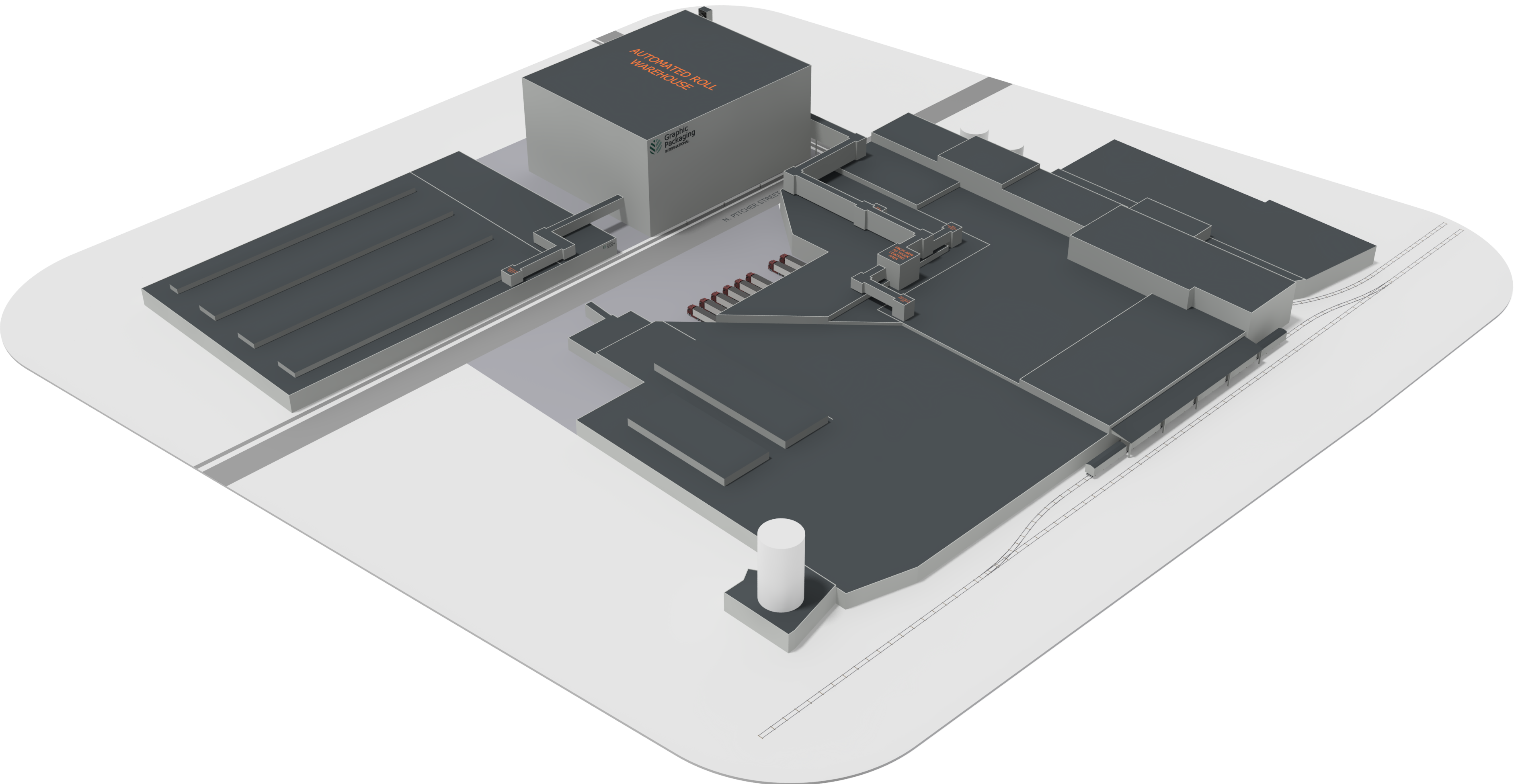
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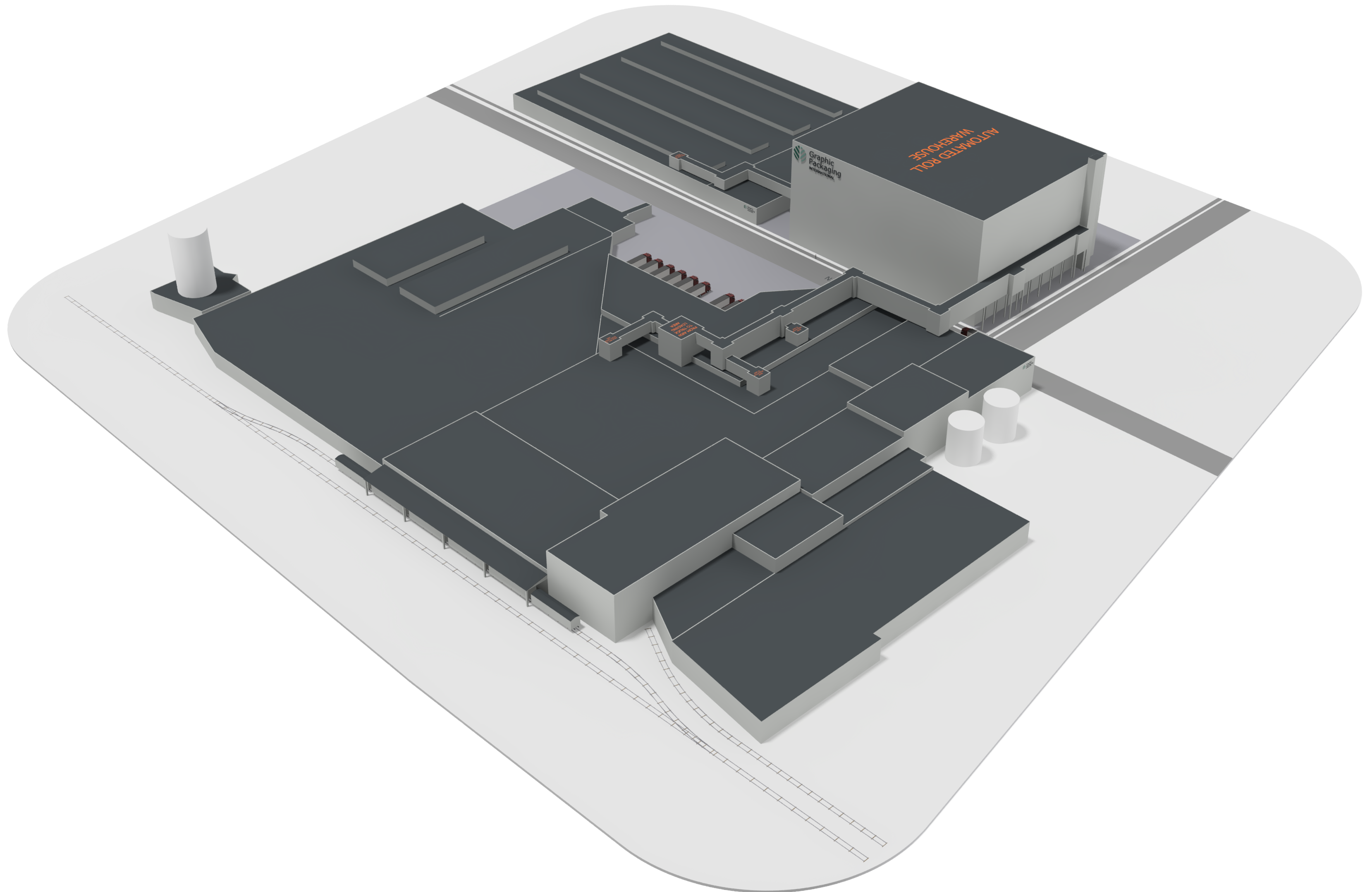
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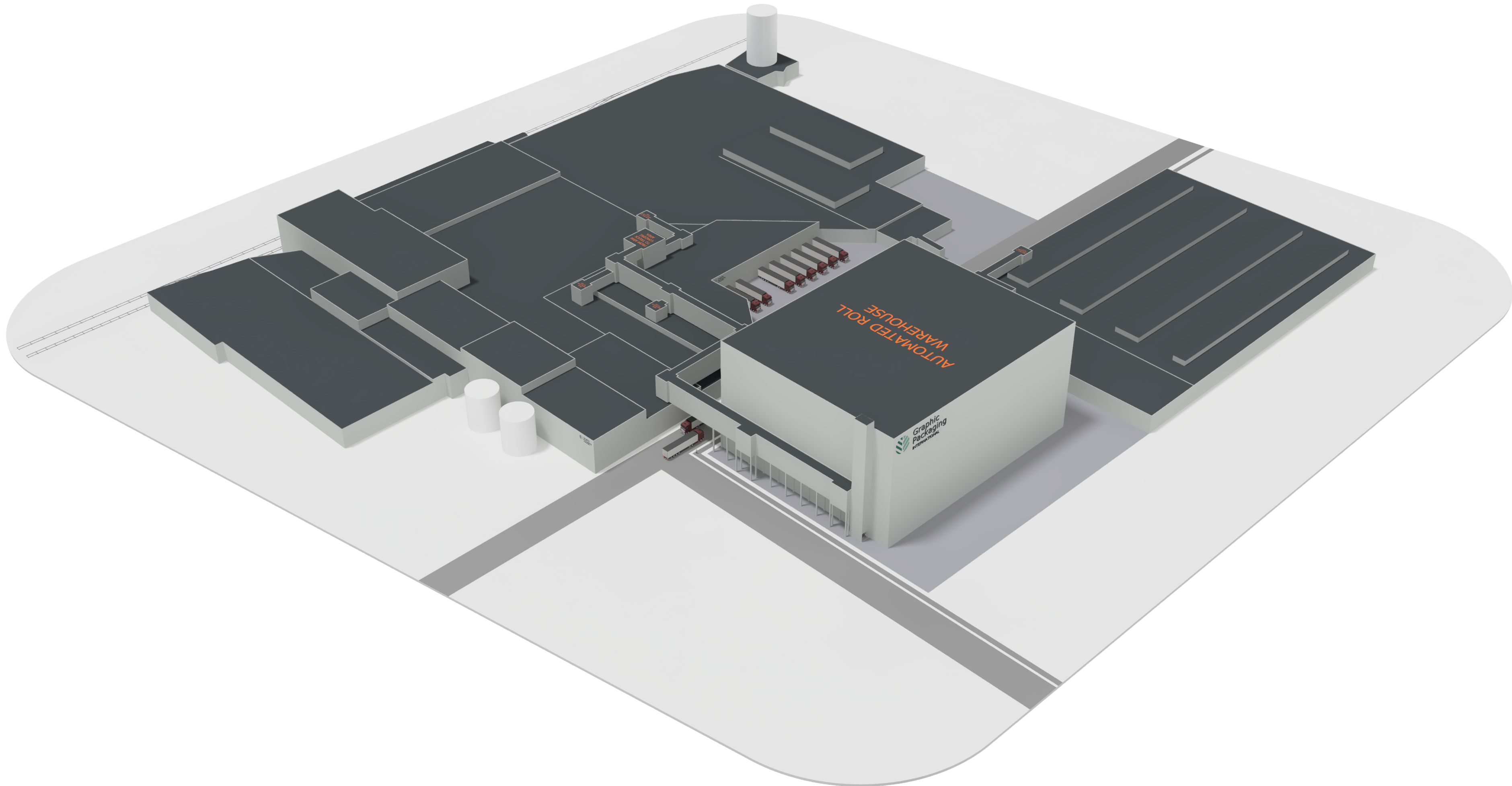
hurley & stewart, llc
2800 s. 11th street
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www.hurleystewart.com

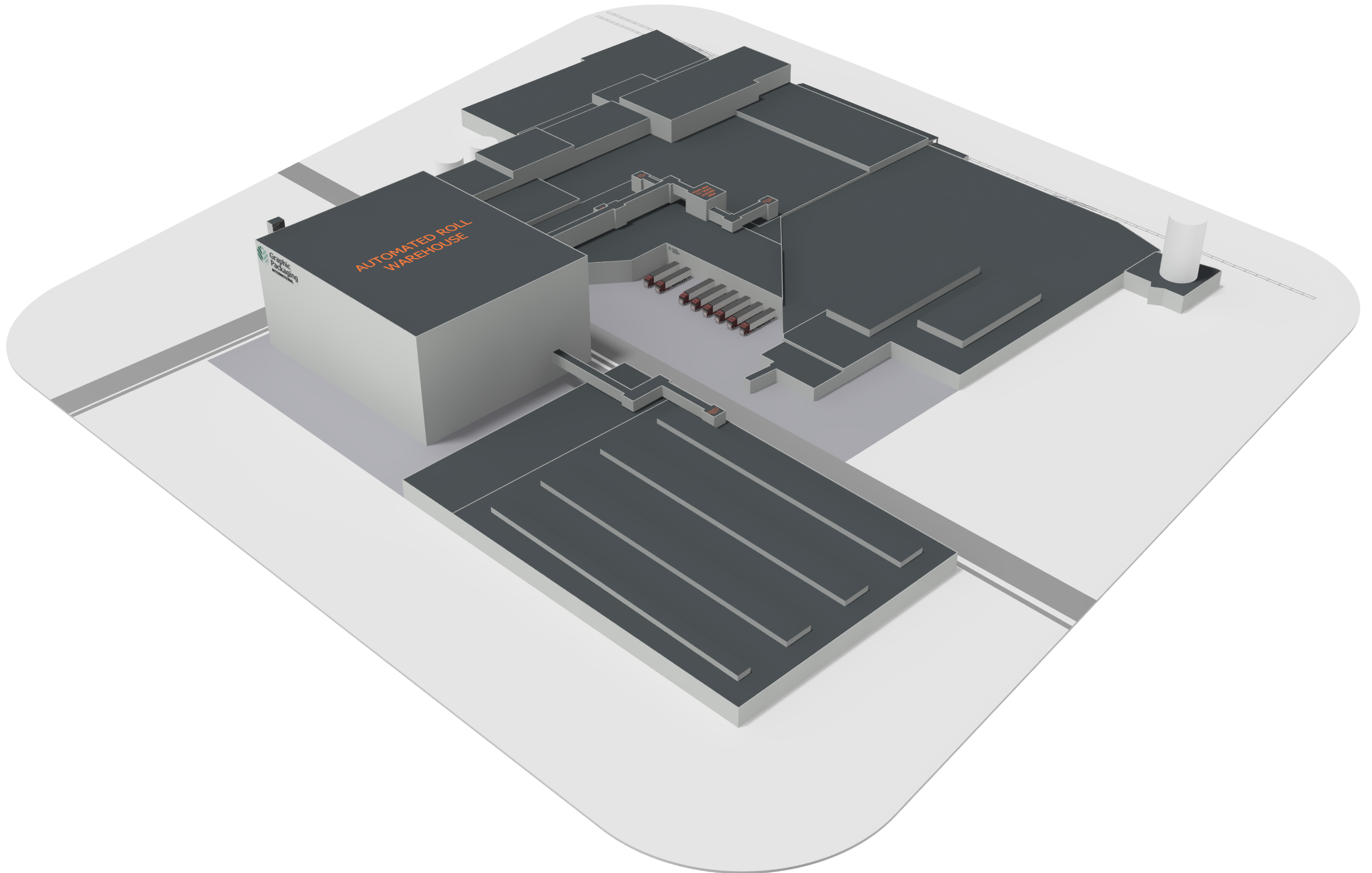


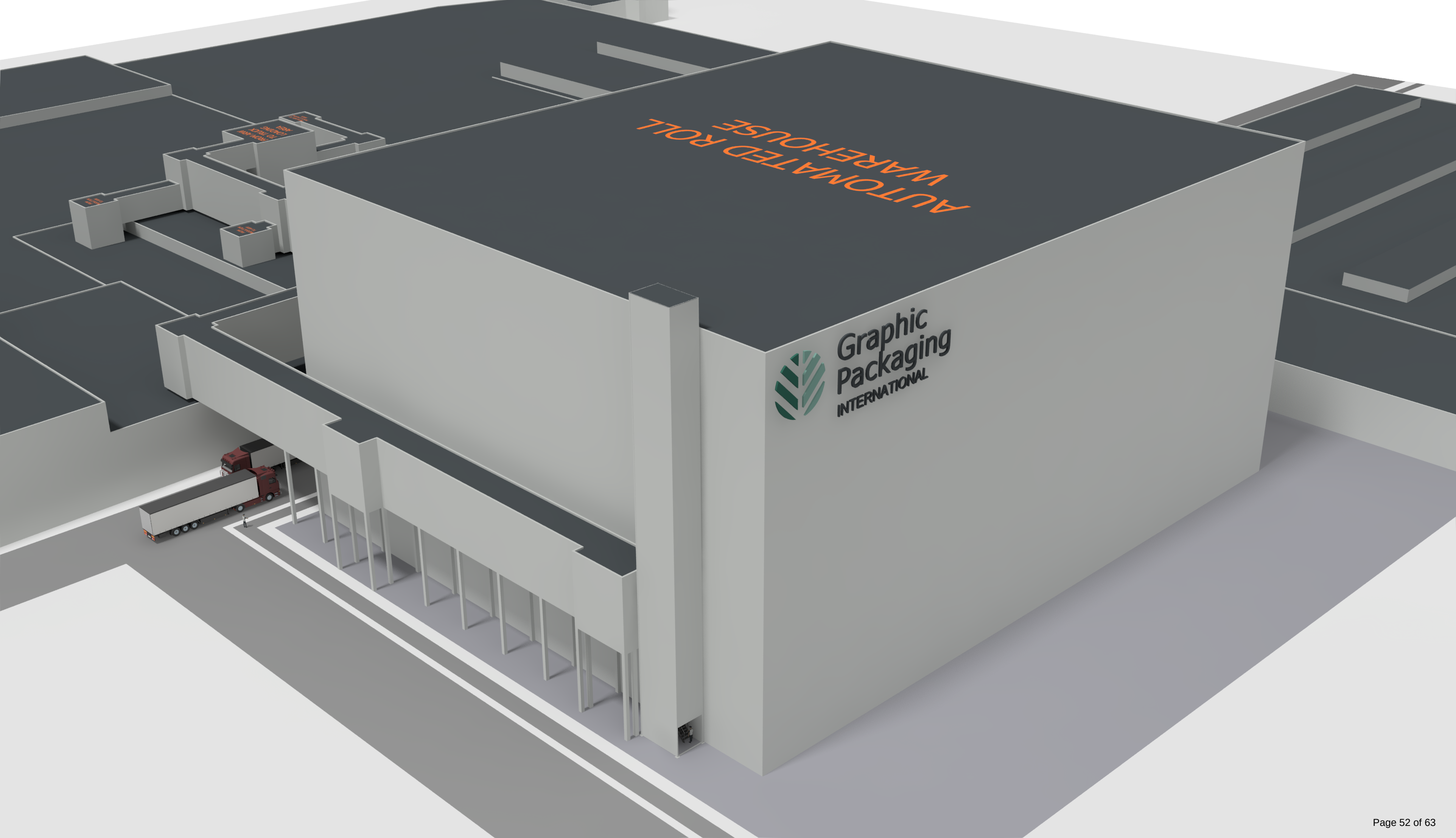
Job No. 24-0000 P.M.-EMB. Drl: DSV QA/QC: 10/24/24
ISSUED FOR REVISIONS:
1 OWNER REVIEW 10/24/24
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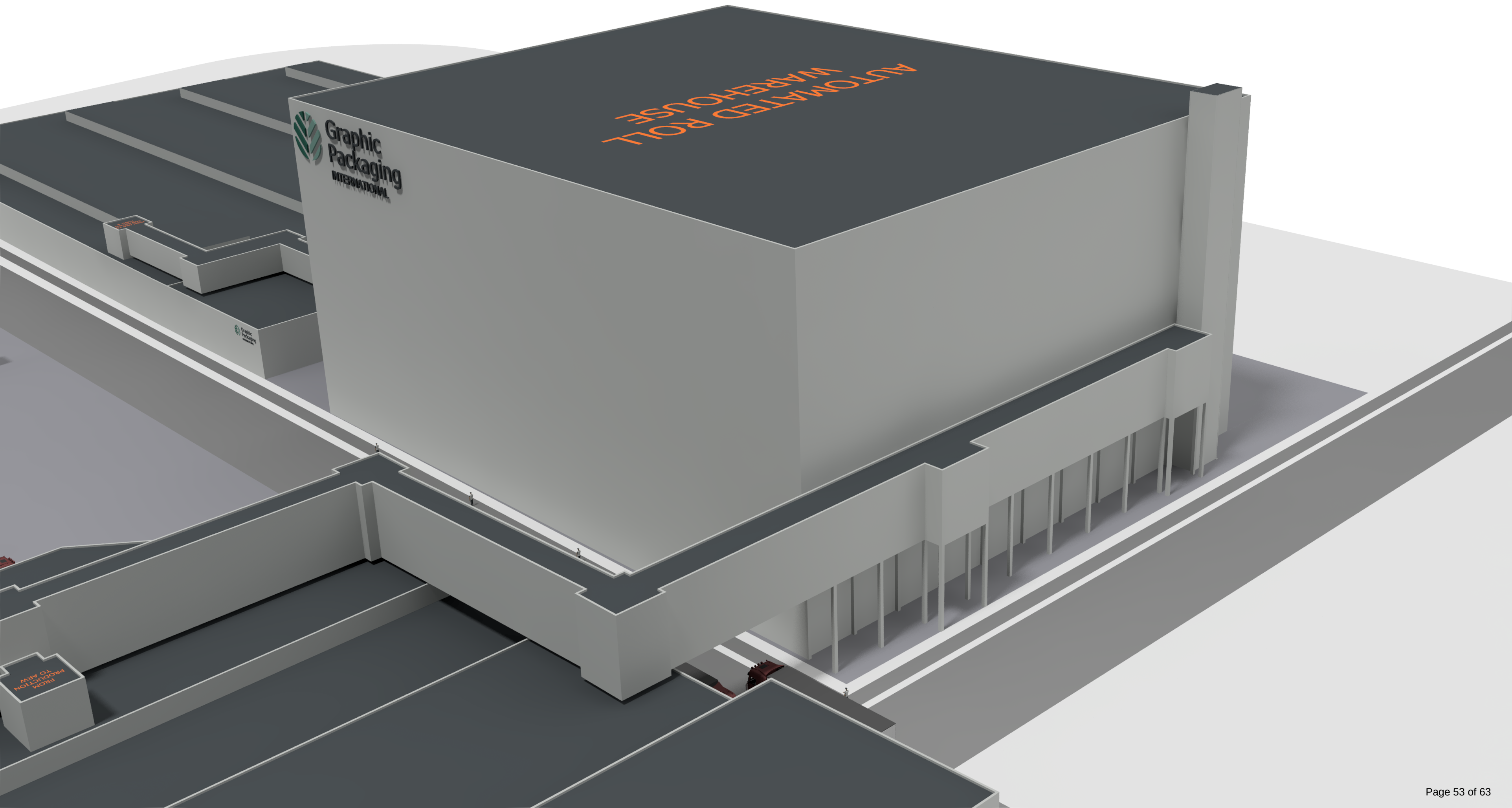


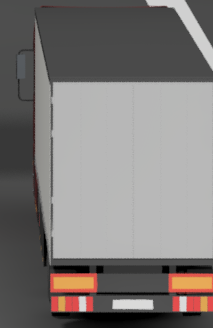








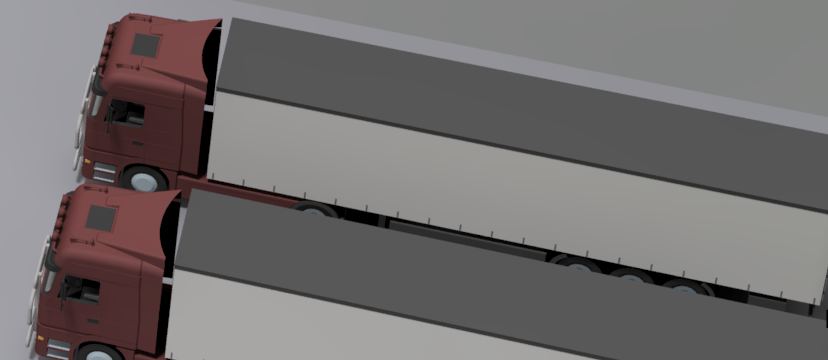


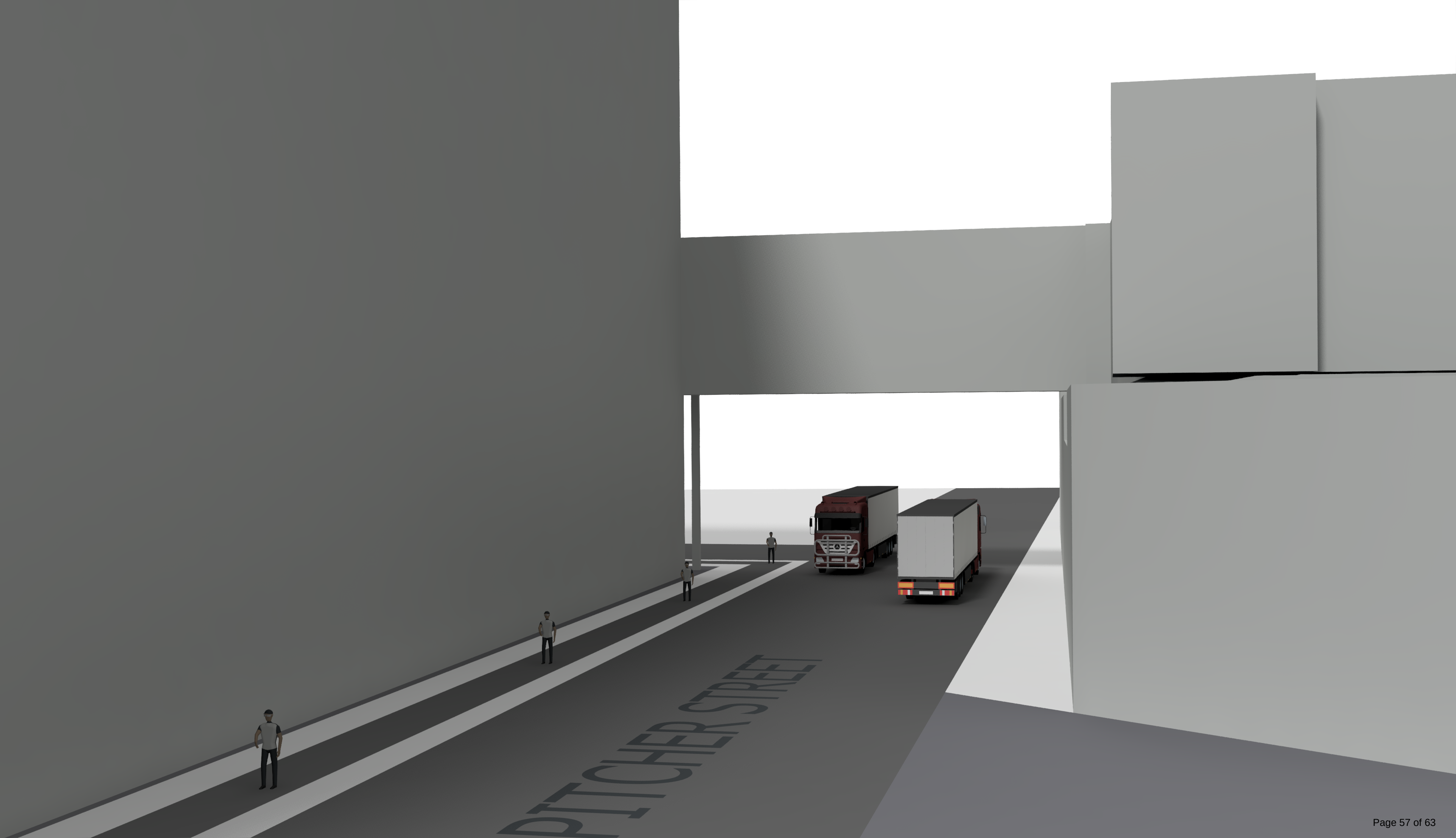


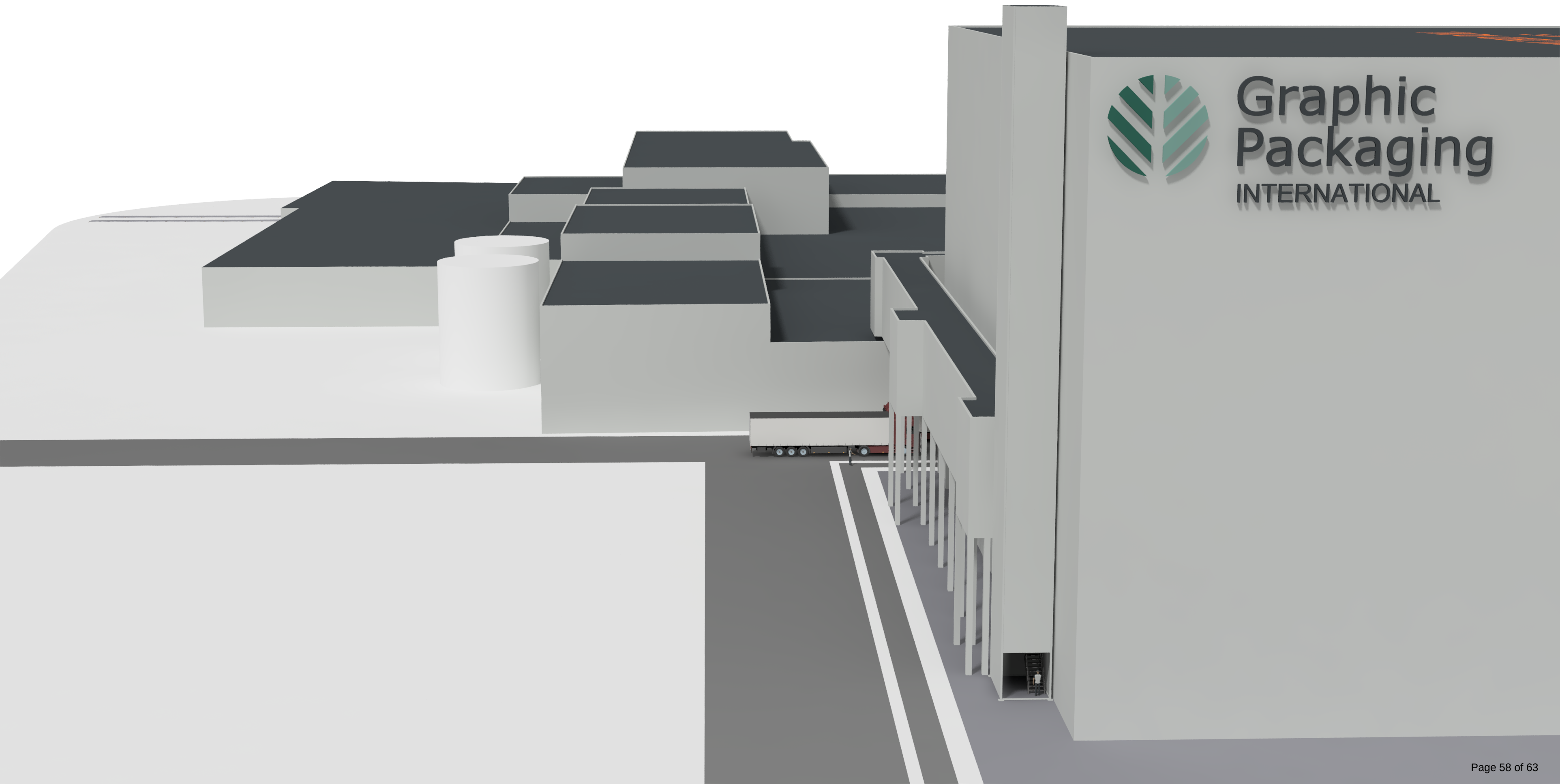


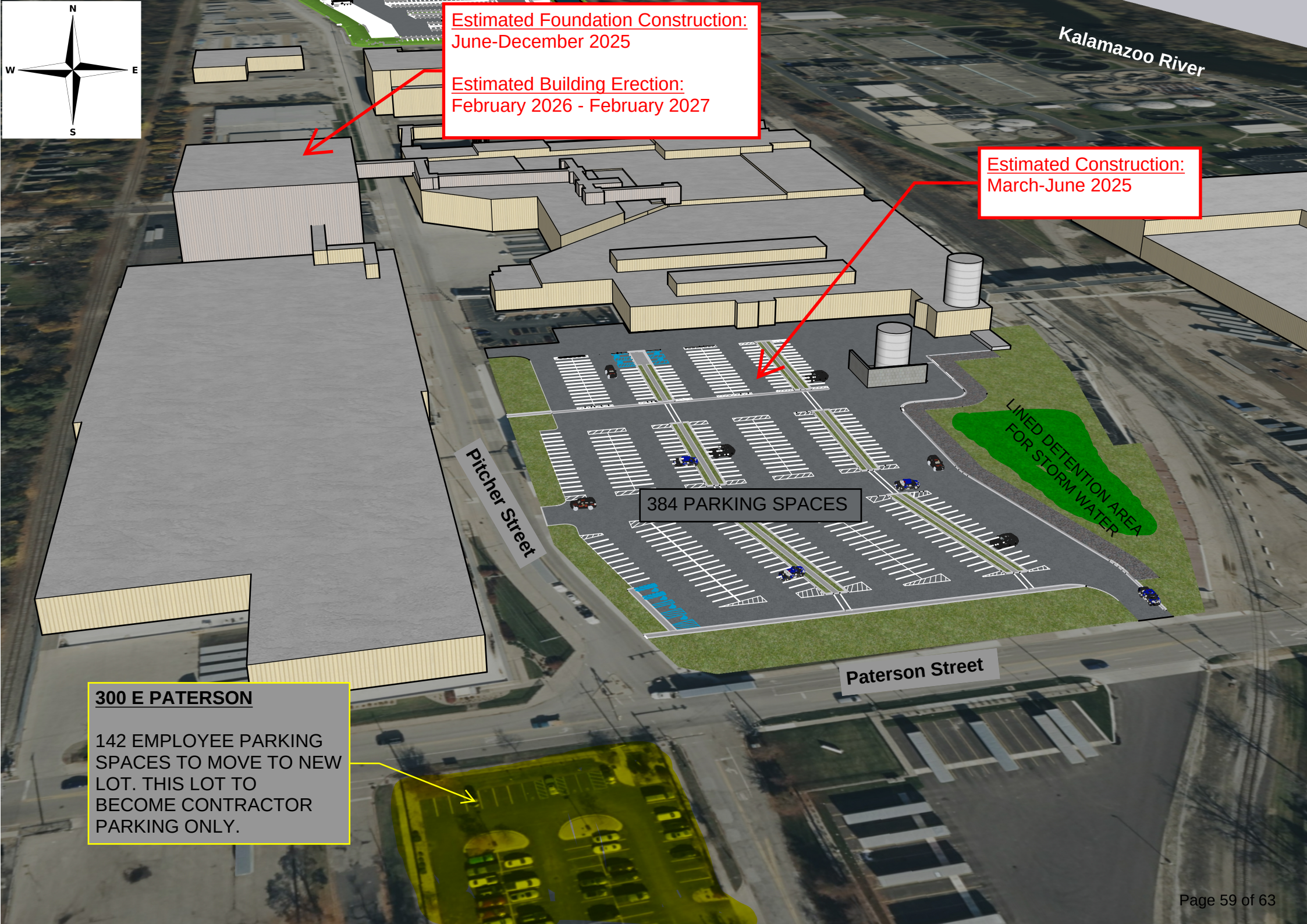


N. PITCHER STREET









Estimated Foundation Construction:
June-December 2025

Estimated Building Erection:
February 2026 - February 2027

Estimated Construction:
March-June 2025

384 PARKING SPACES

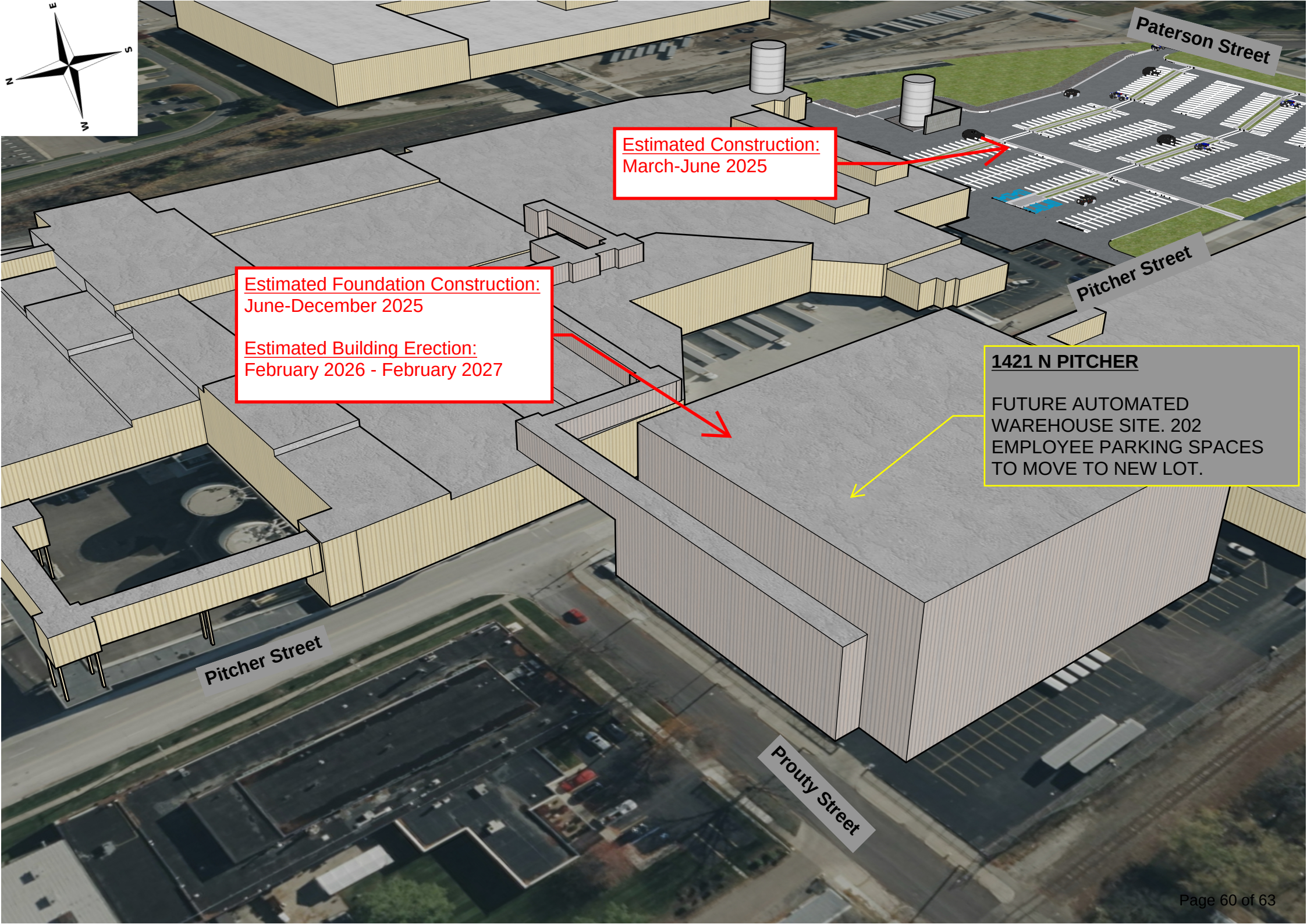
LINED DETENTION AREA
FOR STORM WATER

Pitcher Street

Paterson Street

300 E PATERSON

142 EMPLOYEE PARKING
SPACES TO MOVE TO NEW
LOT. THIS LOT TO
BECOME CONTRACTOR
PARKING ONLY.



Estimated Construction:
March-June 2025

Estimated Foundation Construction:
June-December 2025

Estimated Building Erection:
February 2026 - February 2027

1421 N PITCHER

FUTURE AUTOMATED
WAREHOUSE SITE. 202
EMPLOYEE PARKING SPACES
TO MOVE TO NEW LOT.

Paterson Street

Pitcher Street

Pitcher Street

Prouty Street



Zoning Board of Appeals Staff Report

City of Kalamazoo

Date: **12/12/2024**

Item: **E.1.**

TO: Zoning Board of Appeals

FROM: Reviewed by: Christina Anderson, AICP, City Planner
Prepared by: Pete Eldridge, AICP, Assistant City Planner

DATE: December 12, 2024

SUBJECT: Meeting on the Go - Master Plan 2035

BACKGROUND:

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

[Insert Strategic Goal text snippet]

COMMUNITY ENGAGEMENT:

Appropriate Depth of Engagement

[Insert Community Engagement text snippet here]

Discussion:

Engagement/Communication Tools

FINDINGS:

Staff has made the following findings regarding this request:

RECOMMENDATION:

Zoning Board of Appeals 2025 Meeting Schedule

<u>Application Deadline:</u>	<u>Meeting Date:</u>
December 12, 2024	January 9, 2025
January 16, 2025	February 13, 2025
February 13, 2025	March 13, 2025
March 13, 2025	April 10, 2025
April 10, 2025	May 8, 2025
May 15, 2025	June 12, 2025
June 12, 2025	July 10, 2025
July 17, 2025	August 14, 2025
August 14, 2025	September 11, 2025
September 11, 2025	October 9, 2025
October 16, 2025	November 13, 2025
November 13, 2025	December 11, 2025
December 11, 2025	January 8, 2026

Note: The meeting dates shown above are for regularly scheduled monthly Zoning Board of Appeals meetings. However, special meetings may also be requested. Board members will be contacted in advance of such special meetings via telephone or email.