

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
NOVEMBER 14, 2017, 7:30 P.M.
COMMISSION CHAMBERS

- A. Chair Jones called the meeting to order at 7:30 p.m.
- B. The Pledge of Allegiance was led by Commissioner Fox.
- C. Roll Call:
Members Present: Bill Benoit, Garrett Fox, Dan Holtrop, Sandra Jones, Ed KapeFrank Vander Hoff,
Members Absent: , Mike Pemberton, Johngerlyn Young (with notification)
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier and the applicants.

NOTE: (Commissioner Bridson was recently elected to the City Commission)

Motion by Kape, supported by VanderHoff, to excuse Pemberton and Young from the meeting.

- Motion Carried (6-0) –
- Young and Pemberton absent –

- D. Approval of the Minutes and Findings of Fact

Motion by Commissioner Holtrop, supported by Commissioner Kape, to approve the Minutes of October 24, 2017 and the Findings of Fact for: Case#28-17 Ferguson – Special Land Use and Site Plan Review for a Contractor’s Yard – Located at 3900 44th Street; Case#29-17 – Kentwood Pizza Ranch – Special Land Use and Site Plan Review for a Drive-Thru (Pick up Window) Located at 3858 28th Street

- Motion Carried (6-0) –
- Pemberton and Young absent -

- E. Approval of the Agenda

Collier noted the address for New Business Case# 32 & 33-17 – Speedway correct address should be 5173 Broadmoor and not 5713 Broadmoor

Motion by Commissioner Holtrop, supported by Commissioner VanderHoff, to approve the agenda for the November 14, 2017 meeting with change noted.

- Motion Carried (6-0) –
- Pemberton and Young absent –

- F. Acknowledge visitors wishing to speak to non-agenda items.

There was no public comment.
G. Old Business

There was no Old Business

H. Public Hearing

There were no Public Hearings

I. Work Session

Case#31-17 - Woodland Mall – Final Site Plan Review - Located at 3195 28th Street

Golder introduced the request. She stated the applicant is requesting Final Site Plan approval for the redevelopment of the Woodland Mall site at 3195 28th Street. She stated the total overall square footage is to be reduced by 16,153 square feet from the previous preliminary rendition. A new anchor store and junior anchor store are being proposed in place of the Sears building. An extension of the main mall building is also planned. She stated the land formerly occupied by Sears and Sears Auto is now owned by PREIT, and a portion of the property will be turned over to the new tenant planned for the facility, Von Maur department store. She stated this will require a land division. The new anchor store, Von Maur will therefore be located on a separate parcel. Golder stated the Zoning Ordinance has setback and lot coverage standards in the C-3 zone. The required front yard setback is 40', rear yard setback is 35'. Side yard setbacks are not required. The proposed Von Maur lot meets the setback requirements. The maximum lot coverage for the C-3 zone is 35%; the Von Maur building does not meet this standard; however, the City granted a waiver from this requirement in April of 2017.

Golder stated the proposed lot configuration appears to propose a lot line through the two new restaurants/retail areas west of the theatre. The lot line should be relocated, or the restaurants relocated or reduced in size to meet the zoning ordinance requirements.

Parking

2. Despite the fact that the mall has decreased in size overall by over 16,000 square feet, the amount of required parking has changed given the mix of retail and restaurant uses. The applicant has provided a calculation of the required parking for the site, and indicates that the parking exceeds city requirements by 252 spaces.

Circulation

3. Circulation around the mall will generally flow in the same manner as the current configuration. At the entrance to the mall at Radcliff, incoming traffic will continue to have the right of way at the intersection of Woodland Drive and Mall Service Drive. However, in order to accommodate the redeveloped area, the approach to this intersection from 28th Street is reduced in length from 540 to 380'. This is the same as was reviewed and approved for the Preliminary Plan by the Planning Commission.

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4. Mall Service Drive is proposed to be located 150' further to the south, closer to 28th Street. This is consistent with the Preliminary Plan approved by the Planning Commission. The applicant has proposed the restriction of left turns out of this driveway. The Michigan Department of Transportation has conceptually approved this proposal. A condition of the original approval of the Preliminary Site Plan is the review of the restriction to ensure that there is no negative impact on other 28th Street driveways serving the mall.
5. One of the changes from the Preliminary Site Plan approval is the orientation of the parking within the parking lots. The Preliminary Plan proposed primarily 90 degree parking for the lots within the redeveloped area of the mall. This has been changed back to the directional parking spaces and one-way drive aisles. However this type of parking configuration is consistent with the rest of the mall property.
6. The previously approved preliminary plan provided loading on the north side of the out lots retail/restaurant building. The new plan does not show loading. If loading is necessary it should be indicated on the final site plan.

Pedestrian Access

7. The previously approved plan provided a more extensive sidewalk system to serve the parking areas of the mall. For example, the previously approved plan shows sidewalk extending along the west side of retail/restaurant 4 from 28th Street to the private driveway, with two connections leading to the main mall building. The new final plan does not show the connection from 28th Street and removes one of the sidewalk connections from the private road to the mall building. Additional sidewalk may be placed along the landscape island between the retail/restaurant 3 and the Von Maur building.

The City Engineer recommends that the sidewalks adjacent to parking should be 7 feet wide to protect pedestrian zones from bumper encroachment.

Landscaping and lighting

8. Chapter 20 of the zoning ordinance details the lighting requirements for shopping center parking lots. The proposed poles range between 20' to 25'. Existing 33 foot poles will also be used. Chapter 20 allows poles to be as high as 35 feet with Zoning Administrator approval in the C-3 Regional Commercial zone.
9. Several of the light poles proposed in the lighting plan are proposed within drive aisles and parking spaces. This should be corrected on the site plan. In addition the city engineer recommends that the poles, when possible, should be located within a curbed landscape island to minimize damage to the poles.
10. The proposed light intensity and uniformity standards will be reviewed as part of the building permit for the site. The plan is close to meeting the uniformity requirements of Chapter 20.
11. With the initial review of the landscaping plan, staff recommends the replacement of landscaping at the unsignalized driveway at 28th Street and Mall Drive, which will be lost

with the reorientation of the driveway. The landscaping provided otherwise exceeds city requirements.

Façade Composition

12. Section 8.03 2 sets standards for the composition building facades within commercial districts. The new facades must comply with the materials requirements, or seek a waiver as indicated in Section 8.03 F of the zoning ordinance.

Signage

13. The applicant has submitted information on the signage proposed for the site. It does not appear that the signs proposed for the mall meet the standards of the Zoning Ordinance outlined in Section 8.03D. A variance to the sign regulations would need to be obtained from the Zoning Board of Appeals.

Attributes:

- Redevelopment of Sears property positive development for mall
- Parking is adequate
- Increase of traffic does not appear to negatively impact Level of Service for public streets
- Recommendation for no lefts out of unsignalized intersection
- Generally consistent with approved Preliminary Plan

Issues:

- Work with MDOT to ensure that the restriction of left turns out of the unsignalized driveway will not have a negative impact on Level of Service elsewhere on the site
- Additional sidewalk recommended
- Lot line issues with restaurants
- Façade composition to be determined
- Variance for signage proposed

Dan Pascale with PREIT was present.

Kape questioned the walkways and how the applicants feel about putting them back in. Pascale stated they had them in the preliminary plan and they were inadvertently left out. They intend to add back the connectivity between the out parcel buildings through the parking field for the main mall entrance.

The commissioners were fine with the requests and had no issues.

Case#30-17 – Zoning Ordinance Amendment pertaining to Art Display Venues

Schweitzer stated During the October 24, 2017 work session there was a great deal of thoughtful discussion concerning the value of art in the community and the desirability of establishing a

straightforward vetting process for outdoor venues. Schweitzer stated we have reached out to other communities that had more experience with this. Schweitzer stated we will go through two phases, one to look at the immediate issue as far as putting a mural on a private building that is viewable from the roadway. He stated we also take the opportunity to draw upon the experience from other communities by not just making an allowance for art in the community, but rather encouraging it. Schweitzer stated initially we need to focus on private buildings.

•Review Standards for Art Display Venues

For proposals to apply art on or along exterior walls of privately-owned building viewable from public rights-of-way, the AAC and any consulted City Staff shall consider the following in making a recommendation to the (City Commission or Planning Commission):

1. The suitability of the proposed public art display based on the following:
 - a. Compatibility with the character and architectural style of the building and building façade. For example art display shall not be permitted on:
 - i. Building facades with a substantial number of windows.
 - ii. Ornate building facades
 - iii. Facades made of shingles or shakes or other materials that create a non-flat surface. Art display on brick facades may be permitted.
 - b. Compatibility with the character of the surrounding area, including without limitation consideration of whether art display has historically existed in the area.
 - c. Effect on traffic safety. The art shall not: create optical illusions or visual distortions; obstruct clear vision for motorists, pedestrians and/or non-motorized users; or distract passing motorists.
 - d. Does not include images or language that describe or depict, in a manner patently offensive as measured by contemporary community standards, sexually or excretory activities or organs (which include the female breast).
 - e. The art complies with any permitted conditions imposed as part of site approval by the Staff Review Team.
2. As a condition of the permit, the artist, building owner, or other interested person agrees to coat the art with protective anti-graffiti coating, and to reapply such coating at least every 5 years.
3. Details about maintenance, repainting or replacing the art as weather conditions and aging affect its appearance

•Right of Appeal (Optional)

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Any person aggrieved by the decision by the Planning Commission can appeal to the City Commission.

Jones stated she likes what staff has put together and thinks it is what we needed. The commissioners think what Schweitzer has put together is a good start to get to where we need to go. Jones questioned the condition (As a condition of the permit, the artist, building owner, or other interested person agrees to coat the art with protective anti-graffiti coating, and to reapply such coating at least every 5 years). She questioned if the property got sold or the owners passes away what do we do. Schweitzer stated we could have them post a bond or surety. Benoit stated that will be a lot of work and we should leave it up to the building owner. The commissioners felt having an art committee is a good idea and that there won't be any public hearings required. Fox stated he likes for it to go to City Commission and the commissioners agreed.

J. New Business

Motion by Holtrop, supported by to set public hearing date of December 12, 2017, for: **Case#32-17** - Speedway – Major Change to the 52nd and Broadmoor CPUD - Located at 5173 Broadmoor Ave SE; **Case #33-17** - Speedway – Expansion of a Special Land Use Vehicle Fuel Station and Site Plan Review - Located at 51733 Broadmoor Ave SE; **Case#34-17** – Gander Mountain Parking Lot – Expansion of a Special Land Use Open Air Vehicle Sales Business onto 2890 Acquest Ave and Site Plan Review; **Case #35-17** – Midway RV Center – Special Land Use Open Air Business and Site Plan Review – Located at 5590 Division Ave SE

- Motion Carried (6-0) –
- Pemberton and Young absent -

K. Other Business

1. 5300 Broadmoor Industrial Development – Building Materials Appeal

Mark McDowell, with Innovative Design and Chad Medler with AJ Vaneklaseen were present. He stated they are constructing a building at 5352 Broadmoor. The revised building plans were submitted for a new building at 5352 Broadmoor . The proposed material breakdown for the front precast concrete 86.5%, metal doors .4% and Glass 13.1%. They would like a deviation from that.

Commissioners did not have a problem with the request.

Motion by Benoit to approve the appeal from 5352 Broadmoor Avenue for the percentage of the façade.

- Motion Carried (6-0) –
- Pemberton and Young absent -

2. Commissioners' Comments

Fox congratulated Bridson on being elected as a city commissioner.

Benoit stated he went to Pizza Ranch and the chicken was really good. He stated the chicken tasted better than the pizza. ☺

Holtrop stated there was a LUZ committee meeting prior to the planning commission meeting that dealt with a fast food chicken request on Division Avenue. He stated the committee began the conversation reviewing the time and effort put in by the commissioners and staff over the past several years coming up with a strict desired plan of how we want to zone, build and develop Division. It was also noted that the applicants are seeking a relief on our current plan even though they were informed over a year ago that the Form Based Code was coming. The committee discussion initially focused upon whether they should stand their ground or seek to accommodate a new business coming into Kentwood. It was also noted that the drive through restaurant concept would probably fit most other sites zoned C-2 in Kentwood including the area in the immediate vicinity of 52nd Street and Eastern. In the end the issue with the cross access easement was determined to be major. They reasoned if the neighboring property to the north were to agree to reduce the existing cross access easement width from 81 down to at least 50 feet they would be willing to consider changing the corridor general context zone to corridor edge for both properties which will allow for them to build their building at the outer edge of the 20 foot utility easement that runs along the Division Avenue frontage. Even if the context zone were to change the subcommittee also discussed the number of other requirements that would also have to be resolved in order to make the concept reality.

Fox stated Popeye's on Division Avenue in Grand Rapids gets so busy at its peak time for two hours they are obstructing traffic and waiting for cars to get in. Jones stated at that location there is no room for stacking but at the proposed location there will be room for stacking.

Staff was going to reply back to the applicants stating if you can get your neighbors to loosen up on their easement, we would be willing to consider to rezone both properties to corridor edge.

Jones stated she will be celebrating her 50th Birthday on the 28th. Benoit stated his is on the 26th.

3. Staff's Comments

Staff offered no additional comments.

4. Master Plan Discussion

Golder discussed the redevelopment of 28th and 29th Street corridor

Schweitzer discussed the green infrastructure – open space and greenway network

L. Adjournment

**Motion by Commissioner
to adjourn the meeting.**

supported by Commissioner

- Motion Carried (6-0) –
- Pemberton and Young absent -

Meeting adjourned at 9:30p.m.

Respectfully submitted,

Ed Kape, Secretary