

APPROVED MINUTES OF THE REGULAR MEETING  
OF THE KENTWOOD PLANNING COMMISSION  
NOVEMBER 13, 2018, 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 Sparks.
- C. Roll Call:  
Members Present: Bill Benoit, Garrett Fox, Dan Holtrop, Sandra Jones, Ed Kape, Timothy Little, Mike Pemberton, Monica Sparks  
Members Absent: None  
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier, Planning Intern James Kilborn, the applicant and one resident.
- D. Approval of the Minutes and Findings of Fact

**Motion by Commissioner Pemberton, supported by Commissioner Sparks, to approve the Minutes of October 23, 2018 and the Findings of Fact for: Case# 30-18 - Zoning Ordinance Text Amendments - Accessory Buildings**

- Motion Carried (8-0) –

- E. Approval of the Agenda

**Motion by Commissioner Kape, supported by Commissioner Fox, to approve the agenda for the November 13, 2014 meeting.**

- Motion Carried (8-0) –

- F. Acknowledge visitors wishing to speak to non-agenda items.
- G. Old Business  
  
There was no Old Business
- H. Public Hearing  
  
There were no public hearings.
- I. Work Session

**Case#31-18** – Aloft Hotel by Marriott – Special Land Use and Site Plan review for a Hotel Located at 4316 Sparks Drive

Golder introduced the request. She stated the property is zoned commercial and was once part of a former outdoor waterpark called Splash (later AJ's) Water Park. The Park was redeveloped into CarMax and Residence Inn. The site has access off Sparks Drive, which was not constructed until the development of the Residential Planned Unit Development that includes Clark Retirement Community, Forest Meadows Condominiums, and Christ Community Church.

Golder stated images of the Aloft Hotel brand posted on their website suggest that colorful lighting is used on the building the signage and entry canopy of the hotel. This lighting may be disruptive to the residential uses to the north and east. She stated the applicant must limit this type of lighting altogether. In particular, the entry canopy lights must be reviewed to ensure that they are not disruptive to the residential uses within Clark Retirement Homes north of Sparks Drive

Golder stated they are proposing a 105 room 4 story hotel. She stated because of the way it is laid out there are a number of variances that will be required. The applicant indicates in their project description dated October 15, 2018 that the hotel is to be four stories in height. However, there is a decorative roof structure that increases the height of the building to approximately 59 feet. Section 8.03 B of the zoning ordinance limits building height in the C-2 zone to 3 stories or 35 feet, whichever is lower. Further, if the commercial property abuts any residential district, building height would be limited to two stories or 30 feet. A variance is required to exceed these height requirements.

Golder stated there is a 25 foot greenbelt that is required along the front. She stated they have proposed a 16 foot driveway along the front and fire needs access along all the sides, they will want the drive to be 20 feet. They will also need a variance on the 20 foot setback required when you have a hotel adjacent to a residential property.

Golder stated they are also proposing parking in the 35 foot front yard setback They will be going to the Zoning Board of Appeals next week, but it will probably be tabled.

Golder stated with she has most concerns with the project complying with the general special land use standards.

A. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that a use will not change the essential character of the area in which it is proposed.

**The 2012 Master Plan recommended Mixed Use Residential and Commercial for this site and the overall site that now includes CarMax and the Residence Inn. The proposed use is generally considered a commercial use. Golder stated she thinks this is appropriate for the area in terms of the use.**

B. Be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewage facilities or schools.

**The proposed hotel is served adequately by public facilities.**

C. Not create excessive additional requirements at public cost for public facilities and services.

**The city will be making improvements to the intersection of Forest Hills and Burton to modify signal timing and add left turn phasing for Burton Street. In addition, right turn lanes would be added on Forest Hills to improve operation with future traffic volumes. This will improve stacking at the intersection.**

D. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, electrical or electromagnetic interference or odors.

Golder stated the concern is the lighting. She stated the façades that she has seen show a banded lighting along the sides of the hotel on the top decorative roof and under the canopy.

**The hotel use is not anticipated to generate significant traffic; the peak hour traffic is anticipated to increase by 38 in the AM and 34 during the PM peak. It is likely that the traffic will likely travel toward 28<sup>th</sup> Street or East Paris rather than toward the residential areas to the north.**

**Images of the Aloft hotel brand suggest that colorful lighting is used on the building the signage and entry canopy of the hotel. This lighting may be disruptive to the residential uses to the north and east. The applicant must limit this type of lighting altogether. The entry canopy lights must be reviewed to ensure that they are not disruptive to the residential uses within Clark Retirement Homes north of Sparks Drive.**

**The applicant indicates in their project description dated October 15, 2018 that the hotel is to be four stories in height. However, there is a decorative roof structure that increases the height of the building to approximately 59 feet. Section 8.03 B of the zoning ordinance limits building height in the C-2 zone to 3 stories or 35 feet, whichever is lower. Further, if the commercial property abuts any residential district, building height would be limited to two stories or 30 feet. A variance is required to exceed these height requirements.**

**The applicant also suggests that the hotel is built at an elevation that is 20 feet lower than that of the condominium units to the north (Forest Meadow Condominiums). In fact, the two condominium buildings that are closest to the proposed hotel are built at an elevation of 786' and 790-92 feet. However, the decks of the condominium buildings are at a higher elevation. To better understand the impact on the condominium development, the**

**applicant shall provide a section drawing depicting the relative elevation between the two condominium buildings that are closest to the proposed hotel.**

E. Be compatible and in accordance with the goals, objectives and policies of the Master Plan and promote the Intent and Purpose of the zoning district in which it is proposed to locate.

**A hotel is a commercial use which is consistent with the Master Plan recommendation.**

F. Be subject to stipulations by the Planning Commission of additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the granting of the Special Land Use.

G. Comply with all applicable licensing ordinances.

2. Special Land Use Standards for Hotels, Section 15.04 O

1. Where the front yard is used to provide access, a twenty-five (25) foot wide greenbelt shall be provided along the front property line, except for drive openings.

**The hotel is generally set back 25' except for a driveway that extends around the northeast side of the building. This violates the greenbelt requirement. The applicant has requested a variance from the Zoning Board of Appeals.**

2. Each guest unit shall contain a minimum of two hundred and fifty (250) square feet of gross floor area.

**Information regarding the size of the rooms has not been provided by the applicant.**

3. A minimum lot area of forty thousand (40,000) square feet is required together with a minimum lot width of one hundred and fifty (150) feet, plus there shall be an additional four hundred (400) square feet of lot area for each guest unit.

**The lot area for the proposed hotel exceeds this requirement.**

4. Where adjoining a residential use or Residential District, Buffer Zone "B" (see Chapter 19, Landscaping) is required. In addition the Planning Commission may require a solid wall or solid fence along the lot line having a maximum height of six (6) feet.

**The hotel adjoins a residentially zoned property, although it is a detention area for the nearby Forest Meadows Condominiums. Therefore the buffer zone is required along the north lot line. A driveway encroaches 5' into this buffer zone. A variance is being requested.**

Golder noted a couple of site plan issues: parking is fine; they are a little short in lot coverage they need 75% they have 74%; we need a lighting plan; a landscaping plan; and we need to know about building materials. Golder stated there is an elevation change along the back side of the parking lot and we are looking for what type of barrier they are going to put up.

Golder stated the website building elevations show a lit base underneath the decorative roof structure. She noted we need to confirm that is not going to be an open space or music or lit.

Bill Mast, Visser Brothers, 1946 Turner Ave NW was present. He stated this is a tight site. He stated they have offsite detention within the pond built by CarMax. He stated they have taken care of some of the deficiencies, there were two driveways they are now taking it down to one. He stated they pulled all of the parking out of the front 25 foot greenbelt. He stated the drive that circles around the building on the north side is 16ft. He stated the rounded corner does encroach in the 25 foot greenbelt and also encroaches into the 20 foot landscape buffer zone B which is required on side yards of hotels when they border a residential. He stated he spoke to the Fire Marshall who is going to require a 20 foot wide driveway around the hotel for fire trucks which would make that driveway 4 feet wider. He stated he spoke to Forest Meadows Condominium President among others and the President at one time wrote a letter of support for the project. Mast stated he is seeking condo association approval to create the same full buffer zone B on the open space of the condominium associations holding pond.

Mast stated most of the requirements are due to the shared property line with residentially zoned property. He noted the nearest residence to the hotel is 475 feet away. He stated he has renderings of the hotel from that distance and also 28<sup>th</sup> Street.

Mast stated they will not need the front yard parking variance. He stated they are working with CarMax to get a landscaping easement on to their property. He stated it may be easier if Carmax sells them 10 feet so they can satisfy the requirement on their own property rather than doing it on someone elses.

Mast displayed photos of Aloft Hotels showing the lighting. He stated they are wrestling with Marriotts design standards. He stated if they say they can't get the canopy over the sign then it won't be an Aloft. He stated this is the only brand in the market his group is comfortable investing in.

Fox questioned what he plans on doing regarding the parking buffer for the 8 foot drop. Mast stated a guardrail. Fox questioned the number of employees. Mast stated about 12 total but 8 on site at any time. Fox questioned what they are doing for the lighting buffer for the Clark neighborhood. Mast stated they will do whatever they are told, they can plant vegetation that helps shield any lighting. Fox stated the lighting is the main concern for him. Fox asked if the lighting underneath the carport area is going to be shooting light out towards the street. Mast stated he feared that as well. He stated there are metal panels where light shines up on them. Mast stated they will have to meet the zoning ordinance photometric standards. Golder confirmed.

Benoit was concerned about the lighting as well. He stated you will be able to see the light on the hotel but we have enough standards. Mast stated the lighting on the north really wouldn't do the hotel any good. Golder stated she doesn't fully understand what is happening on the top it looks bright. She stated if that could be shielded from the residential she wouldn't care if it faced south or to the west. She does believe we have to make it a condition of approval.

Little stated he has concerns about the lighting. Little questioned the guardrail along the back. He stated it looks like a handrail. Mast stated what they have drawn is a handrail so they are going to keep the concrete about 8 inches above the asphalt that will stop the pedestrians and cars.

Pemberton also had concerns about the lighting. Pemberton suggested auto dimming lighting.

Holtrop stated the building height is 20 foot higher than the previously approved hotel. Height was his concern. Pung stated what made this height over is we are counting the top.

Kape questioned if they met with those in the adjacent residential area. Mast stated they met last week and they got a letter of support from the Board in which the President later rescinded because he thought it was the first hotel in the area and it is 2<sup>nd</sup>. Lighting is their primary concern as well.

Sparks stated she has stayed in the Aloft in Miami and Minnesota and their brand standards is the light, very bright and it is very appealing. She loved it but the lights are very bright.

Jones stated she hears the concerns about the lights and is confident our ordinance will take care of it. She stated the property is already zoned commercial. She stated there are many things that can go there and the people who live in the condos or are at Clark were aware that is commercially zoned property when they bought their home. She stated she doesn't want to put a bunch of limitations on the lighting beyond what the ordinance will permit. She stated this is commercial property right off of 28<sup>th</sup> Street and if people don't want to live in close proximity to commercial activity then she would think they would live some place that is not a block off of 28<sup>th</sup> Street.

**Case#32-18** - Zoning Ordinance Text Amendment – Relating to the prohibition on marijuana establishments and facilities

Schweitzer introduced the request. He stated on November 6 the voters approved the adoption of IL 1 of 2018, the Michigan Regulation and Taxation of Marihuana Act (MRTMA). In essence, the MRTMA legalizes at the state level (not federal) the recreation use and possession of marihuana. In addition, the MRTMA sets out a regulatory process to permit and license certain types of "marihuana establishments" (i.e., growers, safety compliance facilities, processors, microbusinesses, retailers and secure transporters). The MRTMA does not replace those laws and regulations already in place in Michigan involving the medical use of marihuana (including

the establishment of marihuana facilities under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016 “MMFLA”).

He stated under the MMFLA, in order to allow medical marihuana facilities to be established within a community, the community needs to affirmatively adopt an ordinance to this effect (i.e., it must “opt in”; recently, the City of Grand Rapids did precisely this). The MRTMA, however, is fundamentally different and requires that if a community wishes to prohibit the establishment and operation of (recreational) marihuana establishments within the community, the community must adopt an ordinance to this effect (i.e., it must “opt out”). In other words, if a community does not opt out then (recreational) marihuana establishments can be located and licensed by the state within that community.

Schweitzer stated consistent with how the City has treated medical marihuana facilities, and at the direction of the Mayor’s office, two proposed ordinance amendments have been prepared that would prohibit marihuana establishments in the City. The first is a regulatory ordinance that would amend Chapter 26 of the City Code (Business Regulations). Specifically, it would add a new article 9 to define marihuana establishments and facilities as referred to above and to prohibit the establishment of either within the City. It would also preserve the rights of patients and caregivers under the Medical Marihuana Act from 2008. The second ordinance is a companion amendment to the Zoning Ordinance which would replace the current prohibition on medical marihuana dispensaries with a general prohibition on marihuana establishments and medical marihuana facilities. The proposed Zoning Ordinance amendment will need to go, initially, to the Planning Commission for a public hearing before it can be considered by the City Commission.

Schweitzer stated the regulatory ordinance, however, can be acted upon by the City Commission at any time. The MRTMA will become effective 10 days after the vote from the November 6 election is certified. Unfortunately, it is unclear from the text of the MRTMA when precisely the state will begin accepting applications for licenses (it must do so within 12 months). This is an important “unknown” because our ability to enforce and rely on an ordinance prohibiting marihuana establishments must be “in effect” when the application is filed with the State of Michigan. Again, because we do not know precisely when the state will begin to accept applications, it is the City Attorney’s recommendation that the regulatory ordinance be adopted as soon as possible now that we know the MRTMA was approved by the voters. The regulatory ordinance is formatted to be adopted as an emergency ordinance by the City Commission, which will allow it to go into effect immediately upon publication. The City Commission is scheduled to consider the regulatory ordinance at their meeting on Monday, November 12, 2018 at 7:00pm

Schweitzer stated again, as the rules become more known the City can make an informed decision on what kind of regulations it may want to consider. But at this point the draft zoning amendments would not allow for any establishments or facilities. He stated this will allow for changes late on. It is easier to adopt a regulation that is less stringent later on rather than something that is not very stringent up front and then you try to make it more stringent thereafter.

#### CURRENT ZONING ORDINANCE LANGUAGE:

#### **Section 3.31. - Prohibition on medical marihuana dispensaries.**

No medical marihuana dispensary shall be commenced, conducted, operated, or utilized in any zoning district or on or from any property within the city. Any person, firm, corporation, trust, partnership or other legal entity who shall commence, conduct, operate, or utilize a medical marihuana dispensary within the city shall be guilty of a criminal misdemeanor and shall, upon conviction, be subject to spending up to 93 days in jail, paying a fine of up to a \$500.00, or both such fine and jail, as well as any other fines, costs, or penalties imposed by law.

**DRAFT ZONING ORDINANCE LANGUAGE:**

**Sec. 3.31. - Prohibition on Marihuana Establishments and Facilities**

(a) Pursuant to Section 6 of the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, as amended, marihuana establishments are prohibited within the boundaries of the city.

(b) Marihuana facilities are prohibited within the boundaries of the city.

As used in this section, “marihuana establishment(s)” means that term as defined in the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, as amended, and “marihuana facility(ies)” means that term as defined in the Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended.

Sparks stated she wants to be clear that the commissioners are voting on the language that we can live with right now but possibly change later. Schweitzer stated that is correct.

Benoit stated this is an initial step to allow the City to figure out what is going on and wait until the rules come out then make a decision later on as to whether we would stand firm where we are at or should we move forward. He stated in his opinion this is a political question. He stated this has to go through the commissioners because it is an ordinance. He stated he would like to leave this with the politicians and let them deal with it.

Fox questioned what were the issues brought up by Mayor that were concerning to him. He questioned why we should stop the businesses. Schweitzer stated his understating that there may be some environmental imports associated with some of the grow and processing businesses. The tax proceeds back to the local community may be minimal as well. Schweitzer stated taking a conservative approach now kind of buffers our part of Michigan as we deal with this in the upcoming months and years.

Jones stated part of the issue is this is a cash only business. These businesses can not have bank accounts because of federal laws. She stated part of the concern is the amount of cash that will be sitting around these businesses. She stated in Colorado they are experiencing problems with the Cartels and with organized crime syndicates and it magnified issues in the community in terms of housing. Jones stated this may bring an unsavory element.

Sparks stated she thinks the Mayor wants to protect Kentwood and Kentwood’s reputation. She doesn’t believe the Mayor is looking at this from an economic standpoint. Sparks stated she doesn’t agree but she understands the Mayor wants us to be a community without issues.

Pemberton stated this just means we are waiting to see how things will play out. He stated we have to recognize we are going to be surrounded. He stated GR is all over this deciding how many etc. He stated we are going to be surrounded by communities that are embracing this and working their own process and coming up with some solutions for themselves. He stated this is going to come about so either we get on it or stay behind. He stated his fear is we are going to get a lot of pressure regarding trying to keep up. He stated the proposed ordinance is not a bad approach.

Little stated he sees this as an opportunity to look at the surrounding areas as they go through this and learn from them and make Kentwood's ordinance better, rather than starting off with something we are going to regret.

Kape stated he thinks we should see what the other communities are doing but he doesn't think we should wait too long. He felt we need to be proactive and not reactive. He stated he can see us watching what our surrounding neighbors are doing then by the time we get up we are behind. Fox and Sparks stated that is their concern with this as well.

Fox stated there is not a timeline attached to this. We are saying we don't want it but some of the concerns have already been addressed by the State, Kentwood just isn't aware. He stated from a business perspective he sees so many good things with this from training people. The City can dictate who owns such as saying you have to be a resident of Kentwood to open up shop and have been a resident of 10 years to even apply. The City can do things like that to exclude people coming in and rushing in from out of State. He stated he doesn't know what Kentwood is waiting for.

Sparks stated it is because of the Federal laws. She thinks if the Federal Laws were different they may be more open to looking at something. She stated we do need to do something because it is going to come to our doorstep. We need to figure out what that something is. She stated we can put very specific restrictions on it but we do need to figure out something.

Schweitzer stated we also have to understand what the range of discretion the city will be afforded we can't necessarily expect that we are going to be able to set the requirements so specific. Golder stated at City Commission they were saying they don't know what the State is going to do. She stated it makes sense to step back.

J. New Business

**Motion by Holtrop, supported by Pemberton to set a public hearing date of November 27, 2018, for: Case#32-18 - Zoning Ordinance Text Amendment – Relating to the prohibition on marijuana establishments and facilities.**

- Motion Carried (8-0) –

K. Other Business

1. Allen Edwin Home Elevation Review

Pung stated when the Bretonfield development was originally approved they submitted, as part of the PUD, a set of elevations for the homes within that development. He stated they could

subsequently propose changes to the elevations, different designs, but had to be approved in advance by staff. He stated Allen Edwin is looking at a design that has a garage forward. Pung stated the originally approved designs incorporated garages that were even or about 5 or 6 feet beyond the porch running along this. Pung stated this is drastically different, staff did not approve this request at the staff level. He stated they have the option to come before the planning commission and present their design.

Tom Larabel with Westview Capital in Allen Edwin Homes, 795 Clyde Ct Byron Center, was present. He presented elevations of their homes. He stated they are seeking to create an affordable home. He stated they have a number of 3 and 4 bedroom two story home designs that are really efficient but they came up with this new design. Their current home designs have been based on a 40 foot building width. But, when they get to their 3 bedroom homes the back gets too narrow and it creates a clunky inefficient design. He stated the new design for the 3 bedroom that they came up with is going to be awesome. He stated it is going to hit the market and going to hit a lot of the demand areas. He stated this house can bring to the market about \$15,000 dollars lower than their 3 bedroom houses today. He stated their design has the garage forward, however they have designed it with a full front porch knowing there was a desire to reduce the impact of full front garages. He stated 4-5 foot deep the front porch extends from the garage all the way to the left side of the house to minimize the impact of the garage being forward.

Larabel stated when you drive through a subdivision and now all the garages in front you definitely get a different curb appeal. He stated what they have now are a lot of their houses with the garage even a couple feet in front of the house but it is tucked back in the house. He stated but getting to the 3 bedroom efficient design has been a challenge. He displayed pictures of the Ravines with a mix of garages and its variety. He stated they can put some constraints on this. They don't have a desire to build a whole phase of these houses, but they believe adding and mixing some of these homes in will be good for the neighborhood.

Sparks questioned what is affordable housing. Larabel stated that particular home they would like to build they think they can get in the lower \$200,000 - \$250,000. Sparks questioned if this was a pre fab home. Larabel stated they do not build pre fab homes. He stated once they had a company that did 8ft wall panels and they did them in 8ft sections in house. Larabel stated now most of their houses are stick built right on site.

Schweitzer stated he would suggest the commissioners to take this in and think about it and make a decision at the next meeting. Schweitzer stated this new design could have quite an impact. He suggested it is desirable to really focus on the house rather than the garage extending forward.

Holtrop stated when he first read this he was not inclined to support the change. However, he is willing to let them have a little bit of variety but he would not go as far as every other house. Holtrop questioned how many lots are in the development that we are discussing. Larabel stated over 200 lots. Holtrop stated he would be inclined to allow a range of 25% and none of them next to each other.

Pemberton stated he likes it because of the flexibility and the fact that it will be more affordable. He stated he likes the ability to mix. He stated he would go up to 40% but the ability to have some flexibility and to flip these plans opposites so garages are different sizes make for a really nice looking neighborhood. He stated it gives some texture and variety that it wouldn't normally have.

Little stated when he first looked at this he was not in favor. He stated if there is some kind of percentage he was thinking 10%.

Benoit stated he worries about houses selling and being more affordable. He stated if it sells it means people want to buy it. He questioned why is government sticking their nose in worried about what it looks like. He stated this is a residential subdivision. The people who are coming in there are seeing what is there and if they like it they buy the home. He stated he doesn't have a problem with the request at all he doesn't care if it is 100%.

Fox questioned if this will be included in the rotation of what has been approved. Larabel stated yes there are currently 6 elevations, they would have more in the future. Fox questioned at the \$200,000+ dollar price range if the home is livable. Larabel stated it doesn't come with a refrigerator or washer or dryer. It comes with sod, dishwasher, stove and range. Fox stated he likes living on the back of the house so he doesn't have an issue of the garage on the front. He stated his issue is the house has only 6 windows and questioned is that for cost. Larabel stated when you build and design and affordable house some things have to give. Larabel stated with that design the windows would be larger.

Discussion ensued regarding affordable housing. Pemberton stated whatever we can do to provide some flexibility and get some design concepts in that will broaden the scope of affordable, he is all in.

Fox stated he would like for us to come up with a not to exceed percentage. Fox stated as far as frequency he would like to see not just next to, but the next two or three wouldn't be the same.

Jones stated she would like for us to come up with another name for "affordable housing". She stated she knows of people who are homeless because where they were living has been gentrified and the rent has been raised 400-500 dollars a month. They can not afford these homes and these are the people working 2-3 minimum wage jobs who are trying to keep a roof over their children's heads. They can't afford these homes, this is not affordable. She stated in terms of the homes, with the garages in the front, she would like for us to be very mindful and very thoughtful about whether we want to have more of those homes. She stated these she doesn't know if "snout" houses are where we want to continue. She doesn't know that we need all these houses with the garages in the front. She stated you can't sit on the porch. She stated we have a number of designs that have been approved. She doesn't think it is necessary to bring the "snout" houses back into the community.

Schweitzer stated if they want to make if more affordable they can perhaps seek to change the square footage. He stated look on the side of the garage where it is protruding 20 feet beyond the

front of the house there is a blank wall. He stated that is what we have been working on. Work with developers when they come in with something if they want to look at a different design look at ways to soften the effect. Schweitzer stated another thing they can put in is a window on the side of the garage. He stated that is another way to soften that effect. Schweitzer encouraged the commissioners to think about everything that has been discussed. He stated maybe work with the developer on a more affordable design, but in a way that isn't at the sacrifice of how it looks. He stated affordable is important, you want a good product at a good price. Schweitzer encouraged the commissioners to take a look at Windy Ridge across from Baileys Grove and the Ravines north of Pfeiffer Woods between Shaffer and Breton, where they have the garages forward. He suggested envisioning those homes and how that might look and come back at the next meeting with those in mind. He stated staff can offer a recommendation. He stated staff can talk with the developer and brainstorm ideas then the commissioners will have something to look at and go from there.

Larabel stated it is important to remember these lots are 52 feet wide. The houses are very tight only 10 foot setbacks between houses. He stated this should be considered in the discussion about adding windows to the side of the house. They don't have a desire to add more windows to the side because you will be looking at the neighbor's house which is about 10 feet away. When you add landscaping in the front of the house and around the corner and wrap it around, you won't see the side of the house. He suggested driving through Bretonfield. He stated everything is the street façade and it feels good. He stated they have landscaping, the homes are all sodded and they have good curb appeal. He stated but, when you get to the side of the house you don't notice it. He stated he would be willing to eliminate this house on corner lots if the garage is a concern extending out that far you wouldn't see that if it is the second house in. He stated they are ok with going with every third lot or whatever. He stated dropping the price \$15,000 dollars is something they haven't done in a long time and they are scratching to do something. He stated he would appreciate the consideration.

## 2. Master Plan Discussion

Intern James Kilborn discussed the following sites regarding what the desires land uses would be for these sites.

4610 North Breton Ct.

### **Future Land Use Considerations**

The site is currently vacant and zoned for Commercial Planned Unit Development, with future land uses reserved for office development. Hope Network's proposed development of the property involves the construction of a multi-family facility similar to the existing one at 4634 N Breton Ct SE. This would require a change in the future land use designation as well as a zoning change, as residential development is prohibited in C-PUD zones per the zoning ordinance.

**Current Zoning Provisions:** Under the current zoning ordinance, the proposed multi-family development would be prohibited within the C-PUD designation and would require a zoning change. Nearby Breton Meadows Senior Living Center and Breton Court Apartments are both

zoned for R-4 High-Density Residential, changing the zoning to R-4 would allow for the construction of the requested multi-family facility, with the future transition to adult daycare facilities contingent on the issuance of a special land use variance.

Hope Network proposes construction of a multi-family structure similar to the Metropolitan Apartments existing on 4634 N Breton Ct SE, containing about 18-24 units.

**The commissioners thought that it would make sense to change the future land use designation on this property to residential. Fox stated his first thought is visibility in general and the second part is the noise.**

Burton and East Paris Avenue

**Zoning:** The site is currently zoned for both office planned-unit development (O-PUD) as well as low-density residential (R1-C) on three lots in the northeast portion of the site. Most of the site is currently developed, with a variety of medical and financial offices facing East Paris Avenue. Single-family residences occupy the three lots on the northeast portion of the site. The master plan has the site designated for mixed use office/residential development.

**Current Zoning Provisions:** The site meets the minimum size requirement for mixed use planned-unit development (MPUD). The current green space on the site could be retained to further satisfy the minimum green space requirement for planned-unit developments.

The potential redevelopment will likely only occur on the northeast portion of the site – the three lots that are currently zoned for low-density residential (R1-C). Due to the residential nature that currently exists along Burton Street, the three lots could be redeveloped as higher-density residential as a transition from the lower-density single-family residences east of the site. (A) represents the medical office at 2060 East Paris Avenue, (B) represents the office building at 2106 East Paris Avenue, and (C) represents the proposed higher-density residential structures along Burton Street. Connectivity within the area may be improved by the extension of Sable Pointe Drive, connecting the site to Burton Street.

**Pemberton stated he could see this as a small condo community if it was going to go residential. He felt it could be similar to the nearby Inglenook neighborhood.**

**Benoit stated he would hate to change the Master Plan without some kind of input from the property owner. Schweitzer stated the process is to get some ideas for prospective changes and then seek feedback from the property owners.**

**Golder stated it is now all designated for mixed use. We would suggest go with office on the part that is office and then residential of some sort, (medium density) on the part currently zoned R1-C. Commissioners thought this makes sense.**

2500 East Paris Avenue

**Zoning:** The site is currently zoned for C4 Office/Business district, which does not allow for the proposed assisted living facility. The future land use plan designates the site for office use, which would preclude the development of the assisted living facility.

**Current Zoning Provisions:** In January of 2016, the Land Use and Zoning subcommittee reviewed the concept of an Alzheimer's special care center on the site. The committee felt locating this type of land use along East Paris Avenue was not desirable due to the high-speed nature of the roadway and the special care the facility's population would require. The committee suggested considering a site off the arterial frontage.

Under the current zoning ordinance, the proposed assisted living facility would be prohibited within the C-4 designation. The future land use designation of the site would have to be changed to a residential classification and be rezoned to either R-2, R-3, R-4, R-5, or RPUD-1 to allow for the assisted living facility.

**Potential Plan Illustration:** The applicant states that the proposed assisted living facility would be compatible with the surrounding neighborhood and would feature extensive landscaping and green space

**Potential Site Plan:** The site plan calls for a 34,491 sq. ft. 66-bed facility sitting on the site's 5.25 acres. 48 spaces of parking would be included, satisfying the minimum parking requirements for an assisted living facility per the zoning ordinance.

**Benoit stated he thinks the office designation is the best for this parcel.**

**The commissioners agreed.**

4789 Burton Street

**Zoning:** The site is currently classified as "vacant" under the existing land use map, and is currently zoned for "R1-C" under the current zoning map. Future land uses in both Kentwood and Cascade Township designate the site as mixed-use development.

**Current Zoning Provisions:** Under the current zoning ordinance, sites within the R1-C designation require a minimum lot size of 10,000 square feet, with no more than 25% of the total lot size dedicated to the building footprint. If left unchanged and ignoring factors such as open space retention and necessary infrastructure rights-of-way. The site would yield less than 26 houses under the R1-C designation, and less than 38 houses if the adjacent Cascade Township parcel is included. Due to the unconventional shape of the two parcels and immediate adjacency to I-96, this zoning designation may seem unreasonable for the site.

**Potential Zoning:** In changing the zoning designation to Mixed-Use PUD:

1. The site could be developed according to C-2, C-3, R-3, and R-4 zoning regulations.

2. At least 60% of site must be developed for residential, institutional, or public uses and at least 20% of site must be devoted to open space/recreation.
3. Due to the current zoning designation and the residential nature of the surrounding parcels, attached housing would be limited to less than 50% of the units and cannot be located adjacent to existing single-family residences.
4. 10% of the total site area could be developed for retail or other businesses, as long as they are constructed abutting an arterial roadway near the front of the development.

In changing the zoning designation to Office PUD:

1. The site could be developed according to C-4 zoning regulations.
2. 33% of the business area could be used for storage of product or prototype development.
3. Maximum building size would be 40,000 square feet with a maximum height of 50 feet.
4. Access points would need to be analyzed, as ingress and egress via cars may dictate the need for a traffic study.

In maintaining the R1-C zoning designation :

1. The site's natural features would be preserved.
2. The site could be used to satisfy wetland mitigation requirements for other developments within the city.

***Potential Plan A:*** Mixed-Use PUD featuring 12 single-family houses, 3 duplexes, 4 fourplexes, abundant green space, and office development fronting Burton Street. Potential residential units per acre of illustrated plan is roughly 4 units per acre.

***Potential Plan B:*** Office PUD featuring two office buildings, landscaped plaza, and abundant green space.

***Potential Plan C:*** Developing the site for wetland mitigation would both retain existing natural features as well as count for mandatory wetland mitigation areas for future developments elsewhere within the city. The parcel has a land value of \$120,800 and a state-equalized value (S.E.V.) of \$60,600 in 2018. This alternative may be popular with local residents as well, as they would see the site remain in a natural state for the foreseeable future.

**Schweitzer stated maybe someone might want to buy this property for mitigation later on.**

**Fox stated he doesn't think residential as being lost in this area. He stated with this being in the Forest Hill school district people will move there to get their children in the school system. He doesn't think we should exclude residential at all. He thinks you can get apartments or potentially condos. The commissioners agreed.**

3. Commissioners' Comments

Benoit stated he stopped at the Holiday Volunteer Reception event and it went well.

Pemberton congratulated all the newly elected officials.

Jones suggested someone go check on the Patterson's, they may be having medical issues and they may need help with meals or home chores etc.

4. Staff's Comments

Staff offered no additional comments.

L. Adjournment

**Motion by Commissioner Benoit, supported by Commissioner Pemberton, to adjourn the meeting.**

- Motion Carried (8-0) -

Meeting adjourned at 9:50p.m.

Respectfully submitted,

Ed Kape, Secretary