

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
MARCH 27, 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 Pemberton.
- C. Roll Call:
Members Present: Bill Benoit, Garrett Fox, Dan Holtrop (arrived late), Sandra Jones, Ed Kape, Mike Pemberton, Monica Sparks, Frank Vander Hoff
Members Absent: None
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier, City Engineer Tim Bradshaw, Deputy Finance Director Bhama Cairns, the applicants and about 20 residents.

Motion by Kape, supported by to Pemberton, excuse Holtrop from the meeting.

- Motion Carried (7-0) –
- Holtrop absent -

- D. Approval of the Minutes and Findings of Fact

Motion by Commissioner Pemberton, supported by Commissioner Sparks, to approve the Minutes of March 13, 2018

- Motion Carried (7-0) –
- Holtrop absent -

- E. Approval of the Agenda

Motion by Commissioner Benoit, supported by Commissioner VanderHoff, to approve the agenda for the March 27, 2018 meeting.

- Motion Carried (7-0) –
- Holtrop absent -

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

There was no public comment

- G. Old Business

Case#7-18 - 5400 & 5432 Division Avenue Rezoning – Conditional Rezoning of approximately 1.2 acres of land (5400 S. Division) and 56,500 square feet of land (5432 S. Division) from Corridor General to Corridor Edge – Located at 5400 & 5432 South Division Ave SE (**Tabled Public Hearing Until April 10, 2018**)

H. Public Hearing

Case #8-18 – Super Green Market – Major Change to a PUD Plan Located at 3321 East Paris Ave SE;

Golder stated the applicant is proposing a 3,280 square foot addition to the existing 11,480 square foot grocery store. She stated back in 2010 it was zoned C4 and since grocery stores are not allowed in the office zoning the City granted the request to rezone the property to CPUD.

Golder stated back in 2010 the applicant was providing a driveway connection over to the Mosque. She stated it is now in place. She stated what is missing is a written easement as well as a parking agreement between the two parties. Golder stated there were going to add an additional, 3 parking spaces, additional landscaping along East Paris, there would be 10 evergreen trees planted on the north side. She stated when she visited the site there were not 10 trees that were planted, there were 2 and they were dead. She stated we need to update the landscaping for the new plan. She stated they also committed to no alcohol sold and no on site food consumption.

Golder noted during the work session the applicant stated all the deliveries were on the southeast side of the building. The applicant showed how they have the trucks coming in, but then they take a fork lift and bring the inventory around to the back side of the building. She stated they have committed to continuing to be quiet for the people living in the area. Golder stated they gave the general hours of operation and the general hours of loading in the 2010 PUD statement. Likewise the statement specified the furniture show room they were going to put a dark film over the windows on the north side so there is no light coming out onto the residential areas to the north.

Golder stated the 3,280 square foot addition that is being proposed is a distance back from East Paris and on the backside of the existing building. It is one story to be used for storage and a small bakery addition on the site.

Golder noted the plan in 2010 was to formally put the dumpsters on the back side within an enclosure. They actually have been using a dumpster enclosure in front of the building. The plan now is to relocate the dumpster to a location just north and west of the building. She stated they are still showing the 10 pine trees, they still say the loading will take place on the southeast side. Golder stated the dumpsters have to be off the lot line by at least 3 feet. There was a donation box by East Paris that will have to be removed. They are relocating the propane tanks that were on the site.

She stated they have decided to go with a decorative block for the 3,280 square foot addition rather than the metal siding so that meets our standards for building materials. She stated they have said that they will reinforce the landscaping that they committed to back in 2010 with respect to the East Paris frontage.

Golder stated there are a couple of things with the site plan and PUD statement. She stated in the PUD statement they say 8 pines trees are already around the property line and they are going to add 4. Yet on the site plan there are 10 pines trees shown. Golder stated also the statement says that the dumpster enclosure says it is going to be wood but the plan says that it is the decorative concrete. She stated she will address these items in the recommendation.

Golder stated she thinks this is a good project and it is well received in the neighborhood. She stated she is recommending conditional approval to the city commission as stated in her memo with conditions 1-5 and basis points 1-4

Paul Henderson with Roosien and Associates, Civil Engineer for the applicant was present. He stated they are proposing a 3,280 square foot addition in the back mainly for storage. There will be a small expansion of the bakery. He stated he reviewed the landscaping from the original PUD plan the only landscaping not on site was a small row of some grasses out front. He stated they are committed to bringing the site to the original landscaping plan. He stated the donation box has already been relocated and it will be removed from the site at some point. He stated LP gas tanks will be relocated to a spot on the side of the building.

Henderson stated he met with representatives from the condominium association and they walked around and discussed some of their concerns. He stated he doesn't think there is a solution to planting 10 trees to take care of their screening issues. He stated but the owner is committed to meeting with them and developing a plan suitable to everybody that will take care of the screening issues they may have. He stated it is a heavily wooded brush area and the two dead trees that are on the site don't get enough sun. He stated planting 10 trees wouldn't be effective. There are different things they might be able to do and they will continue that conversation with the condo association. He stated there are also some issues with grade and some of the typical screening they do might not be effective. He stated they would like to leave the landscaping and screening up to further conversations with the association if the project is approved.

Henderson stated the owner is committed to unloading in the front of the building and coming around the building to the overhead doors in the back. He stated they are enclosing the three dumpsters in a block structure with screened gates.

Jones opened the public hearing.

Mark Mckersie, 3213 Woodberry Drive was present. He stated they spoke to the applicants and most of the issues have been addressed. The dumpsters in the winter

months when you can see everything is unsightly, a lot of trash blowing around. He appreciates that the dumpsters will be enclosed. He stated there are some shipping skids out there sometimes and he would like for them to remove dead trees and put in new.

David Devries was present. He stated there are 19 homes in a circle community of really pristine kept properties. They are proud of their community and work to keep it beautiful. He stated he thinks it will be helpful to build a wooden fence in the area of the dumpster because you can otherwise see right through to the building.

Motion by VanderHoff, supported by Pemberton, to close the public hearing

- Motion Carried (8-0) –

VanderHoff suggested talking to the owner about putting a fence in for more privacy.

Fox questioned their other options for screening. Henderson stated they discussed placing a stockade solid fence from the back edge of the building to the dumpster area. He stated they could also extend it beyond to the top of the bank. He stated it wouldn't make much sense to go beyond. Fox questioned would they have a fence plus trees. Henderson stated they will discuss that with the condominium association, but any planting that they do would be on the condo property. Discussion ensued. Golder stated the way the recommendation is worded, it says for staff approval they can bring what they work out with the neighbors and staff will look at it to make sure it meets our ordinances.

VanderHoff, Kape, Sparks, Jones, and Benoit were ok with the request. Benoit stated no need to put more trees back there if they keep dying. Pemberton stated if they put a fence back there it will still be a grade change but they will still see.

Motion by Benoit, supported by VanderHoff, to recommend to the City Commission conditional approval of the site plan dated March 22, 2018 for the Major Change to an Approved Site Plan for the Super Green Market Development as described in Case No. 8-18. Approval is conditioned on conditions 1-5 and basis points 1-4 as described in Golders memo dated March 21, 2018.

- Motion Carried (8-0) –

Case#9-18 – 5955 Wing Avenue Rezone - Rezoning 22 Acres of land from R1-B Single Family Residential to R1-C Single Family Residential Located at 5955 Wing Ave SE;

VanderHoff excused himself from the request as he owns the property located at 5955 Wing.

Pung introduced the request. He stated the request is to rezone 21.65 acres from R1-B Single Family Residential to R1-C Single Family Residential. Pung stated they intend to retain the house upon further development of the balance of the property. The existing home is accessed off of Wing Avenue. . He stated any future development on this property will not be accessed off of Wing Avenue. The access will come off of the future Breton Ave extended. Pung stated the site is consistent with the Master Plan for residential development. It is consistent with the density recommendation. Pung stated the Master Plan recommends development for the whole section under a PUD or a Form Based Code. There is currently no Form Based Code for that area.

Pung stated he is recommending to the City Commission approval of the request to rezone 21.65 acres of land from R1-B to R1-C as stated in his memo.

Chris VanderHoff with Bosco construction was present. He stated they would like to rezone to R1-C they will bring a stub street in from the west off Breton Avenue and build single family larger lot homes. Discussion ensued regarding kinds of homes they would like to build.

Jones opened the public hearing.

There was no public comment.

Motion by Kape, supported by Pemberton, to close the public hearing.

- Motion Carried (8-0) –

The commissioners were ok with the request

Motion by Holtrop, supported by Fox, to recommend to the City Commission approval of the request to rezone 21.65 acres from R1-B Single Family Residential to R1-C Single Family Residential as described in Case No. 9-18. Approval is conditioned upon basis points 1-7 as described in Pung's memo date 3/20/18.

- Motion Carried (8-0) –

Case#10-18 – DIS Transportation – Special Land Use and Site Plan Review for a Major Vehicle Repair Establishment Located at 3636 East Paris Avenue SE

Pung stated the request is for Special land use and site plan review for a major vehicle repair operation in the industrial district. Pung stated the applicant wishes to construct a four thousand (4,000) square foot addition onto the south side of the existing six thousand (6,000) square foot building currently used for a motor freight terminal operation. The proposed addition would be for truck diagnostic and repair work which is classified as major vehicle repair and is a special land use in the I1 Light Industrial district. This would include 3 service bays. Two bays for service of the vehicles and the other for engine diagnostics and a vehicle wash.

Pung stated the approved site plan for the motor freight terminal had the front yard along the 36th Street frontage; this would put the rear yard setback for the proposed addition at approximately twenty-six (26) feet, which is less than the forty (40) feet required under the Zoning Ordinance

However, Pung stated the applicant is wishing to reorient the site so that the front yard will be along East Paris Avenue making the south side of the lot a side yard requiring only a minimum twenty (20) foot building setback. As part of the reorientation, existing paving along the East Paris Avenue frontage will be removed in order to meet the requirement for a minimum twenty-five (25) foot front yard landscaped setback (as a corner lot street side yard it had only needed a ten (10) foot wide landscaped parking setback).

Pung stated at the work session we asked for more detail on the operation. The applicant provided more detail, operating from 8am-5pm. There will be no body work or painting occurring on site.

Pung stated there were also 3 wall signs on the building they will have to remove one and acquire a sign permit.

Pung stated on the site plan there is no screening or any indication of outdoor storage. There will be a condition of approval that there will be no outdoor storage of equipment.

Pung stated he is recommending conditional approval of the special land use and site plan.

Jeff Brinks, with Venture Engineering was present representing the applicant.

Jones opened the public hearing.

There was no public comment.

Motion by VanderHoff, supported by Kape, to close the public hearing.

Fox questioned the directional signs that show the traffic flow and how they intend to communicate that to the drivers. Brinks stated it is an owner operated freight terminal so the predominant activity will be their drivers. Trucks coming into the site for repair will be directed to come in off East Paris. It is not a lot of outside traffic.

Holtrop wanted to make sure the hours of operation were from 8-5pm. Benoit and Pemberton questioned the exit out on to 36th Street whether it been resolved. Pung stated they met with the City Engineer and they have come up with what they need to do to fix the driveway. It was more of a contractor, construction issue. Pemberton stated he wanted it open and active before they occupy the new space. Brinks stated they met with engineering, it is closed right now because it doesn't meet City standards, the drive will be repaired in the near future. He stated they discussed other potential adjustments.

Kape questioned if they are going to store parked vehicles to be fixed. If so, he questioned will they be required to be stored behind a screened area. Pung stated if there is a vehicle that is being repaired and there for more than 72 hours it is considered being stored. There is no storage associated with the repair operation. They can have their trailers because that is associated with the trucking terminal. Pung stated they will not be able to store inoperable vehicles outdoors.

Motion by Holtrop, supported by Fox, to grant conditional approval of the Special Land Use Major Vehicle Repair as described in Case10-18. The approval is condition on conditions 1-8 and basis point 1-8 as described in Pung's memo dated March 20, 2018.

- Motion Carried (8-0) –

Motion by Holtrop, supported by Fox, to grant conditional approval of the site plan. Approval is conditioned on conditions 1-6 and basis points 1-6 as described in Pung's memo dated March 20, 2018.

- Motion Carried (8-0) -

Case#11-18 – Zoning Ordinance Text Amendments –Definition of Mechanical Work; Commercial Enterprises Producing Merchandise on the Premises Parking, Special Land Use Requirements and Establishing the Commercial Enterprises Producing Merchandise on the Premises Special Land Use Requirement in the Form Based Code Corridor General and Corridor Edge Context Zones; Animal Keeping and Gardening

Schweitzer stated between the work session and public hearing there was additional feedback from the attorney. The recommendation involves an additional phrase.

Commercial Enterprises Producing Merchandise on the Premises

To improve the clarity of the Commercial Enterprises Producing Merchandise on the Premises ordinance provisions, we propose the following respective changes

(highlighted in red) to the workforce limitation for commercial enterprises producing merchandise on the premises found in Section 15.04.FF.1 of the Zoning Ordinance and on site product sales requirement found in Section 15.04.FF.3 : 1.

No more than fifteen (15) persons **in merchandise production** are employed on the premises. 3. ~~Entire~~ **The finished product is sold at retail on the premises.**

When the Form Based Code Use provisions were devised it is city staff's recollection that there was a desire to make Special Land Use allowance for microbreweries. The current use provisions do not include this use allowance in Form Based Code. If microbreweries are a desired special land use in the form based code corridor general and corridor edge context zones, Table 4.01 of Section 23.04.09 and Table 4.03 of Section 23.04.10 could be amended to include microbreweries.

Pung stated there were lots of changes from the work session discussion regarding animal keeping and gardening. He stated the first changes were reintroducing definitions for Agriculture and Farm, defining a garden and a community garden, defining a green house and definition of a hoop house. He stated we also added specific requirements and criteria for keeping of other fowl such as honey bees, rabbits and goats. They are specifically called out with regard to the number and setbacks housing and location on the property.

Pung stated for larger lot 5 acres or more looking for allowing for larger detached accessory buildings 1 acre or less than 5 acres will stay at 960. But a lot 5 acres or more they can go up to a detached accessory of 1,100 square feet and also a second detached accessory building up to 500 square feet.

Pung stated we added the allowance of a non commercial greenhouse and that would be limited to 250 square feet for lots less than one acre in area and 400 square feet for lots more than an acre in area.

Pung stated for the larger lot there are larger setback requirements for the larger accessory buildings. He stated that accessory buildings can't cover more than 30% of the rear and also a 30 feet perimeter setback.

Jones opened the public hearing.

Kyle Wycott 5475 Settler's Pass was present. He stated the larger size is perfect. His only concern would be the setback.

Motion by Benoit, supported by VanderHoff, to close the public hearing

- Motion Carried (8-0) -

Commissioners were ok with the amendments.

Motion by Holtrop, supported by Benoit, to recommend to the City Commission amendment to the zoning ordinance No. 9-02 to revise Definition of Mechanical Work; Commercial Enterprises Producing Merchandise on the Premises Parking, Special Land Use Requirements and Establishing the Commercial Enterprises Producing Merchandise on the Premises Special Land Use Requirement in the Form Based Code Corridor General and Corridor Edge Context Zones; Animal Keeping and Gardening as described in Schweitzer's memo dated March 19, 2018 and Pung's memo dated March 20, 2018.

- Motion Carried (8-0) -

I. Work Session

Case#12-18 – Lowes – Change to the Special Land Use Open Air Business and Site Plan Located at 3330 28th Street

Golder stated the applicant wishes to increase open air display and outside storage for the Lowes site beyond the currently approved display/storage. Specifically, Lowes is asking to utilize six parking spaces north of the building to be used to display 4 residential storage sheds. The applicant has stated that the shed would be on display from April 1 through September 30th annually.

AJ Lange, Assistant Store Manager at Lowe's was present.

VanderHoff questioned if these will be sheds that are for sale. Lange stated that is correct they are the wooden sheds made by a company called Heartland sheds and they will be painted. Fox questioned if they will have signage or landscaping etc. connected to the sheds. Lange stated they will stay exclusively display sheds. Holtrop questioned where do the sheds go after September 30th. Lange stated they will go to the side parking lot that is covered with the fence. Benoit questioned if there is room for them in there. Lange stated after they have everything out, they will have plenty of room. Pemberton, Kape, Sparks were ok with the request.

Golder stated we will add that the sheds have to be within the parking area because we don't want them creeping out into the drive aisle to get in the way of traffic.

Case#13-18 - Breton Avenue Precise Plat Amendment within Section 34

Pung stated the request is amend the precise plat of Breton Avenue extended. He stated in 1989 the City of Kentwood adopted Ord. No. 6-89 defining the precise plat for Breton Avenue extended from 52nd Street to 60th Street.

In 2004 the property owner of the land currently being developed as a single family residential development commonly known as the Bretonfield requested a modification to

the precise plat for Breton Ave. The modification to the precise plat was approved by the City Commission.

Pung stated the applicant is requesting a minor (maximum of 20 feet) modification to the alignment of the precise plat for Breton Avenue extended in order to align the road with storm sewer facilities that were installed with the first phase of the development and to also address some discrepancies from the 2004 precise plat amendment on the City's property located to the north of the trail.

The commissioners offered no additional comments and were ok with the request.

Case#14-18 – CIP Capital Improvements

Schweitzer stated there were questions that came up at the committee level to which several departments responded

Tim Bradshaw, City Engineer and Bhama Cairns, Deputy Finance Director were present.

Benoit stated his only concern is the city wide installation defibrillators being delayed.

Jones stated she had questions about the DPW campus Master Plan. Bradshaw stated the material lay down and storage area on the landfill has become unstable with the methane collection system expansion. Bradshaw stated they had an agreement with the EPA and Kent County to allow us to use the west end of the landfill near the DPW facility. However, with the sampling they have done in the last couple of years they had to install monitoring wells in the methane collection system in that area. We are no longer able to store our materials on top of it because the County employees need to access it so they can sample as needed. There is a ½ million dollar investment in that methane collection system now and they don't want the extra weight and big equipment driving on it.

Jones questioned the DPW plan including a brush site for residents. Bradshaw stated this will be very soon on the property where the church was, they will do a test brush facility this year.

Kape questioned what caused the cost increase to Old Farm. Bradshaw stated we had originally programmed a standard bathroom to be put in. As part of the parks master planning work now underway a lot of the parks and this park in particular rather than just put a bathroom back they also wanted to have a pavilion and some other amenities based on the research that was done by the planning team. This will be a drastic scope change.

Discussion ensued regarding programming in the parks. Discussion ensued regarding construction, sidewalks and cost for different projects.

Case# 15-18 – 36th Street Rezoning – Rezoning from R1-A Estate Residential to I1Light Industrial Located at 3596 36th Street

Pung stated last year two adjacent properties were rezoned from R1-A Estate Residential to I-1 Light Industrial at that time the applicant wasn't interested in rezoning. He stated they are now looking to sell the property and is requesting it to be rezoned.

The commissioners offered no comments and were ok with the request.

J. New Business

Motion by Holtrop, supported by Benoit, to set public hearing date of April 24, 2018, for: Case#16-18 - Double Barrel Partners – Commercial Enterprise Producing Merchandise on the premise Special Land Use Located at 2885 Lake Eastbrook Blvd.

- Motion Carried (8-0) –

K. Other Business

1. Commissioners' Comments

Holtrop stated the Taste of Kentwood was very nice.

2. Staff's Comments

Golder stated Speedway bought the property west of their existing site for future use. Golder stated staff will look at the request and see if it constitutes any kind of major change.

L. Adjournment

Motion by Commissioner VanderHoff, supported by Commissioner Benoit, to adjourn the meeting.

- Motion Carried (8-0) –

Meeting adjourned at 9:05p.m.

Respectfully submitted,

Ed Kape, Secretary