

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
APRIL 10, 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 VanderHoff.
- C. Roll Call:
Members Present: Bill Benoit, Garrett Fox(arrived late), Dan Holtrop, Sandra Jones, Ed Kape, Monica Sparks, Frank VanderHoff
Members Absent: Mike Pemberton (with notification)
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier, Deputy Administrator Mark Rambo, Denise Dawson Grants Coordinator for the Park and Recreation Department, Bhama Caires, Deputy Finance Director and the applicants

Motion by Kape, supported by Benoit, to excuse Fox and Pemberton from the meeting.

- Motion Carried (6-0) –
- Fox 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 March 27, 2018 and the Findings of Fact for: Case #8-18 – Super Green Market – Major Change to a PUD Plan Located at 3321 East Paris Ave SE; 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; 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; 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

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

- E. Approval of the Agenda

Motion by Commissioner Holtrop, supported by Commissioner VanderHoff, to approve the agenda for the April 10, 2018 meeting.

- Motion Carried (7-0) –
- Pemberton 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**)

Schweitzer stated the original hearing was March 13, 2018 and was then tabled to April 10, 2018. The applicant would now like to table the public hearing to May 8, 2018. The applicant Mike Houseman indicated that they have not yet made contact with the other interested parties regarding cross access and building restrictions.

Jones opened the public hearing.

There was no public comment.

Motion by Benoit, supported by VanderHoff, to table the public hearing to May 8, 2018.

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

H. Public Hearing

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 sheds would be on display from April 1 through September 30th annually. Golder stated if the sheds are stored outside and not being displayed they have to be screened from view.

Golder stated she is recommending conditional approval of the special land use and site plan as stated in her memo.

Jones opened the public hearing.

There was no public comment.

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

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

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

Motion by Holtrop, supported by VanderHoff, to grant conditional approval of the Major Change Special Land Use Open Air Business for Lowes Home Improvement Warehouse as described in Case No. 12-18. Approval is conditioned on conditions 1-5 and basis points 1-4 as described in Golder’s memo dated April 3, 2018.

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

Motion by Holtrop, supported by Fox, to grant conditional approval of the Site Plan dated April 3, 2018 for the Special Land Use Open Air Business for Lowes Home Improvement Warehouse as described in Case No. 12-18. Approval is conditioned on conditions 1-2 and basis points 1-3 as described in Golder’s memo dated April 3, 2018.

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

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

Pung stated the request is to 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 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.

Pung stated there were no issues with the request and he is recommending approval to the City Commission as stated in his memo.

Jones opened the public hearing.

There was no public comment.

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

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

Commissioners offered no additional comments and were ok with the request.

Motion by Benoit, supported by Fox, to recommend to the City Commission approval of the request to amend the precise plat of Breton Avenue extended. Approval is conditioned on basis pints 1-3 and described in Pung’s memo dated April 5, 2018.

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

Case#14-18 – CIP Capital Improvements

Schweitzer stated Deputy Administrator Mark Rambo, Denise Dawson Grants Coordinator for the Park and Recreation Department are present to answer any questions the commissioners may have.

Rambo stated the next phase for the city is Parks programming, Recreation Programs, Master Planning and Business Plan Update. He stated we have been getting a lot of positive responses to what has been happening. He stated we have kicked off updating the Business Plan to see how the community has changed.

Jones opened the public hearing.

There was no public comment.

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

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

VanderHoff questioned if there is really a need to increase the number of parks. Rambo stated that is not the focus to expand. He stated the first phase of the Master Plan is to evaluate what we have and improve what we have before we go out and build additional parks. Rambo stated the City owns a few spots that are flagged as future parks but right now it is not the intent to develop any of the new property until they have focused on the existing parks. Discussion ensued.

Dawson stated most recently they have requested funding from the DNR for the Natural Resource Trust Fund Grant to help with improvements at Old Farm Park. She stated we

are waiting on the approval and should be hearing something by the end of this year. Discussion ensued regarding grants.

Jones questioned the defibrillators. Rambo stated that is a Fire grant.

Motion by Holtrop supported by Fox, to adopt Planning Commission Resolution #1-18 to approve the Structures and Improvements Plan for the period July 1, 2018 through June 20, 2024. Approval is based on basis points 1-4.

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

Case# 15-18 – 36th Street Rezoning – Rezoning from R1-A Estate Residential to I-1 Light 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.

Pung stated he is recommending approval to the City Commission as stated in his memo.

Jones opened the public hearing.

There was no public comment.

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

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

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

Motion by Holtrop, supported by Benoit, to recommend to the City Commission approval of the request to rezone 1.31 acres from R1-A Estates Residential to I-1 Light Industrial as described in Case No. 15-18. Approval is based on basis points 1-6 as described in Pung's memo dated April 5, 2018.

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

I. Work Session

Case#16-18 - Double Barrel Partners – Commercial Enterprise Producing Merchandise on the premise Special Land Use Located at 2885 Lake Eastbrook Blvd.

Golder stated this is an existing 25,500 square foot building. The applicant is proposing a brewery on the site, consisting initially of 12,000 square feet of production and 5,000 square feet of retail/taproom. The remaining space is rented by a work clothing retailer. The applicant has stated their intent to eventually take over the 8,300 square foot work clothing retailer, which would eventually add another 8,300 square feet of production space at the site. Golder stated we Kentwood does not have any breweries.

Golder stated the proposed use is a microbrewery, with both production and retail/tap room components. Initially, of the 26,000 square foot building, about 12,000 square feet is intended to be used for the production of beer and cider. The remainder of the square footage is proposed for commercial retail sale of the beer and cider produced on the site, and a tap room. If the overall building is only production, the use would rightly be considered an industrial operation. However, in this case, only a portion of the building is for production, similar to the nearby Schuil Coffee and Monica's Gourmet Cookies.

Golder stated the applicant intends to have a tap room. She stated in order to meet the food service requirements related to the service of liquor by the glass, the applicant intends to have food trucks within the building to provide the limited menu food service required by the City ordinance. Golder stated additional details should be provided regarding how food trucks would work within the space and meet building codes.

Golder stated this is a special land use therefore we want to make sure this use will be good for the area.

Golder stated the Planning Commission must review the following standards with respect to the proposed microbrewery facility:

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 proposed use is a microbrewery with its packaging operation, as well as retail sales and a tap room. Two phases are identified. The first phase allows 8,300 square feet of the building to remain as a tenant space for a work clothing retailer, along with 12,000 square feet of beer production and 5,000 square feet dedicated to the tap room and retail use.

Phase 2 envisions the 8,300 square foot clothing tenant space being used for additional production, bringing the total production area to 20,300 square feet. Approximately 5,000 square feet of floor area would still be used for retail sales/tap room. The applicant has stated that the production space will require 2-6 semi-trucks per week at the facility. The proposed production and retail sales use is consistent with nearby businesses such as Schuil Coffee and Monica's Gourmet cookies.

The use as proposed would not be permitted in other zones, such as industrial, because of the size of the proposed retail area and tap room.

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 use is served adequately by public facilities.

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

The use would not require additional public facilities or services.

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.

The proposed production of beer consists of mixing grains like barley, wheat, and oats with hot water, boiling and adding hops and fermenting for 3-6 weeks or more. The applicant states that odors are minimal and that currently the production takes place within a high density residential area in another community without neighborhood complaint.

The application has indicated that 2-6 semi-trucks per week will access the property. The applicant must provide a turning radius template to ensure that the trucks have adequate room to maneuver and load. In addition, the applicant shall indicate whether the truck loading will increase with the Phase 2 expansion of the microbrewery.

One impact of the proposed development may be overflow parking at the adjacent businesses. There are 45 parking spaces currently available on the site. The parking lot is already inadequate to meet the parking standards for retail use of the entire 25,500 square foot building (100% retail use of the site would require 105 parking spaces). The proposed production area reduces the required parking significantly. With the full development of the microbrewery (Phase 2), 58 parking spaces would be required. The applicant has identified 15 new parking spaces that could be added to the site, bringing the total number of parking spaces to 60. The 15 new parking spaces may not meet city standards; this must be reviewed.

The initial microbrewery development (Phase 1) will have a parking shortfall due to the existence of the 8,300 square foot work clothing store. This is considered retail, and raises the required parking to 73. There is a current verbal agreement in place with the adjacent property owner to allow employee parking at the Meyer Music store. The

applicant should formalize this agreement so that there is adequate space for customer parking on site.

One mitigating factor regarding the parking shortfall, however, is that the current operating hours of the clothing store and the microbrewery/retail/tap room are offset, which will lessen the parking need at any given time.

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.

The Master Plan highlights the 28th-29th Street Corridor in the “Issues and Concerns” section of the Plan due to the concern regarding the potential decline of the 28th Street/29th Street corridor given its age and the competition from other new retail centers. However, uses such as microbreweries may help the corridor stay relevant; the city does not currently have any microbreweries.

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 – Section 15.03 FF

The proposed microbrewery also must meet the requirements of Section 15.05 FF of the Zoning Ordinance for Commercial Enterprises Producing Merchandise on the Premises

1. No more than 15 persons are employed on the premises (in the production portion of the operation)

The applicant has stated that 3 people will be involved in the production portion of the microbrewery in Phase 1. This information should be updated for Phase 2 development.

2. Productions shall not be to the detriment to the adjacent occupied premises.

There should not be a negative impact on the adjacent occupied businesses. Microbreweries are very common within commercial districts in other locations without detriment to adjacent businesses. The clothing store hours are offset from the tap room hours, such that parking should not be an issue for the clothing store patrons. The applicant must work to formalize the agreement with the adjacent property owner to allow employee parking on the Meyer Music site; otherwise the use cannot meet the city’s parking standards at this time.

3. Entire product is sold at retail on the premises

The microbrewery's beers and cider will be sold on the premises.

Site Plan Review

3. The applicant has indicated that 15 parking spaces could be added to the supplement existing parking, including 5 parallel parking spaces along the north side of the property. The parallel parking spaces must be a minimum of 8.5 feet by 25 feet as per Section 17.04 of the Zoning Ordinance. In addition, the applicant must show that the drive aisle adjacent to the parallel parking meets zoning requirements for width. The applicant may be able to move the parallel parking to the northern lot line. The anticipated percent of greenspace shall be noted on the site plan for both Phase 1 and Phase 2 of the development.
4. A cross access agreement should be provided to allow cross access to the Meyer Music property, if one has not been negotiated already.
5. The façade does not meet current city requirements; any changes to the façade must make the building more conforming.
6. Applicant shall indicate the location on dumpster on the site.

Jason Spaulding was present. He stated the parking seems to be the biggest issue and if they took over the whole building it seems with the additional spots they can make the plan work. He stated he doesn't want to kick the tenant out and would like to keep them there. But, with them there it creates the parking issue. He stated they are trying to figure out how they can make it work.

VanderHoff questioned if he thinks the lack of parking would impact his business. Spaulding stated they believe they have enough for the amount of space they have. Spaulding stated if it is busier than they anticipate those are good problems to have but, with his calculations it appears to be adequate. VanderHoff questioned the kind of menu he would have in his restaurant. Spaulding stated they have to work out some things but, what they are looking at hasn't been done around here. He stated they would like to pull food truck indoors but one of the issues is the venting. He stated he met with the Fire Marshall and who had further concerns with if you bring a vehicle with fuel in the tank inside. He stated those are things that can be worked around. Discussion ensued.

Fox questioned do we need the applicant to say what they want to do initially and where they project to go, or is it sufficient to just say initially this is what we want to do. Golder stated from a parking perspective they need to show they can meet the ordinance now in phase 1. Golder stated that could be showing deferred parking. Discussion ensued with ways they can meet parking. Fox questioned the operating hours. Golder stated operation hours will be tied to what they say. If they would change the hours of operation staff would have to determine if it is a major or minor change, but this would fall more under the liquor license permit. Fox stated if their intent is to stay open longer then he should say that now so he doesn't have to come back

for approval. Fox questioned if they plan on having brewery tours. Spaulding stated that is one of the attractions that they can potentially do.

Holtrop questioned the dumpster. Spaulding stated they do have a small dumpster area. Holtrop questioned if there will be improvements to the façade. Spaulding stated yes they will do that. Holtrop questioned if they will have outdoor tanks. Spaulding stated not initially, he doesn't see a need for that but phase 2 it may become necessary. Holtrop questioned the time frame as to when they plan to open. Spaulding stated they hope to close on the property by mid-May. Spaulding stated then the existing tenant they would have to leave but they want to give them enough time to transition. Spaulding stated then they will need some time to go in and rearrange some things, therefore, he is thinking sometime before the end of the year around September or October ideally. Holtrop stated one thought on parking is that it will be self-regulated. Nobody is going to come to the brewery if they can't find a place to park. Spaulding stated he understands that but if you look at the retention area in the back he knows it will be expensive to do but there is some potential.

Benoit questioned what is his ultimate goal, will this all go to production eventually and will all production be allowed. Golder stated he has to keep some of it retail. Benoit stated if food and tap doesn't work out would he still be able to have a small retail shop and use the rest for production for offsite sales. Spaulding stated with the space they have now they would like to bring a semi-truck in any time they would like, because they can't do that. Spaulding stated having truck docks is a big improvement for them. They are doing production in a heavy City setting having this space will alleviate some of that and phase 2 would be to start porting over more of the production from that site to this site. Spaulding stated he doesn't see the retail tasting room ever going away, that is such an important part for the company and for the beer. Discussion ensued.

Kape questioned if they will come back with a site plan to show where they plan to place the dumpster and the façade. Golder stated the façade doesn't have to come back to the planning commission, we can make it a condition of approval. Golder stated with the dumpster that is something that the commissioners will need to see. If they put it on the site plan and have to move the dumpster that will be a staff decision unless it is a major change. Golder stated the biggest thing is parking. Golder stated the conditions of approval if it doesn't show on the site plan he will have to show how he will meet the parking standard and it could be a zoning board variance but whatever method it will have to meet the standards.

Sparks stated she worked with the small business association administration to judge the businesses and she was so impressed with Double Barrel it was very sustainable.

Jones stated in terms of odors he stated there are no smells. She indicated she works downtown near Founders and sometimes it smells bad. She stated it is not all the time but certain times of the day. Spaulding stated they brew during the day but Founders brews 24 hours. He stated they have never had a phone call or complaint with his other business because of odor. Golder questioned how much bigger is Founders. Spaulding stated Founders are on their way to being 600,000 barrels and Double Barrel is now 5,000 barrels, their goal is to reach 7,000. That is as

big as they would like to get. Jones questioned if they had a discussion with Meyer Music. Spaulding stated no he has not. He inquired through the real estate agent if there was a written agreement and if they could show him but it turned out that it was a verbal agreement.

J. New Business

Motion by Holtrop, supported by Benoit, to set a public hearing date of May 8, 2018, for: Case#17-18 – 1 Dream Apartments - Final Site Plan Review of a 12 unit Apartment Building Located at 692-44th

- Motion Carried (7-0) -
- Pemberton absent -

K. Other Business

1. Commissioners' Comments

Commissioners offered no additional comments.

2. Staff's Comments

None

L. Adjournment

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

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

Meeting adjourned at 8:55p.m

Respectfully submitted,

Ed Kape, Secretary