

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
APRIL 24, 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 Holtrop.
- C. Roll Call:
Members Present: Bill Benoit, Garrett Fox (arrived late), Dan Holtrop, Sandra Jones, Ed Kape, Mike Pemberton, Monica Sparks and 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, the applicants and about 4 residents.

Motion by Kape, supported by VanderHoff, to excuse Fox from the meeting.

- Motion Carried (7-0) –
- Fox absent.

- D. Approval of the Minutes and Findings of Fact

Motion by Commissioner Holtrop, supported by Commissioner Benoit, to approve the Minutes of April 10, 2018 and the Findings of Fact for: Case#12-18 – Lowes – Change to the Special Land Use Open Air Business and Site Plan Located at 3330 28th Street; Case#13-18 - Breton Avenue Precise Plat Amendment within Section 34; Case#14-18 – CIP Capital Improvements; Case# 15-18 – 36th Street Rezoning – Rezoning from R1-A Estate Residential to IILight Industrial Located at 3596 36th Street

- Motion Carried (8-0) –

- E. Approval of the Agenda

Motion by Commissioner Benoit, supported by Commissioner Kape, to approve the agenda for the April 24, 2018 meeting.

- Motion Carried (8-0) –

- 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 May 8, 2018**)

H. Public Hearing

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

Golder stated this is an existing 25,500 square foot building. Golder stated the proposed use is a microbrewery, with both production and retail/tap room components. 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 it is their intent to eventually take over the 8,300 square foot work clothing retailer space, which would eventually add another 8,300 square foot of production space at the site. She stated in the tap room they intend to serve food and at this point they are looking for food trucks as the food source. She stated in phase 2, should the retailer go out, they would put the 8,300 square feet into production bringing that total production to 20,300 square feet.

Golder stated the request is a special land use review to make sure the use will be good for the area. She stated 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 at least 10% of the area has to remain retail for it to qualify for commercial enterprise producing merchandise on the premises in addition to be able to meet the special land use standards.

Golder stated the request also has to go through an administrative special land use review for the liquor license itself. The administrative review recommendation will go to the the city commission for their consideration.

Golder stated looking at the special land use standards it is appropriate for the area.

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.

Golder stated one thing we keyed into was parking. Right now on the site there are 45 spaces and they are able to add an additional 15 spaces which include 5 parallel parking spaces. Golder stated if this were all retail they wouldn't be able to meet the parking standards, by putting it into production you make the parking more conforming to the ordinance. Golder stated with the retail they are still short; 73 parking spaces would be required. She stated with full development and if the work clothing retailer space retail goes into production they meet our ordinance right now, with the retail they don't. Golder stated the applicant has to satisfy this somehow and with the recommendation she left this open. She stated they can do one of many things, such as seeing if they can get some parking from another user which would involve something in writing, or they could terminate the lease of the retailer and then there would be enough parking on the site, or they could get a variance. They could also do underground detention. She stated she didn't dictate how they should do it, but left it open. When they decide how they are going to address the parking that will be in their statement for the special land use.

Golder stated in addition to the general standards there are specific standards for the special land use. She stated no more than 15 persons are employed on the premises (in the production portion of the operation); Productions shall not be to the detriment to the adjacent occupied premises and Entire product is sold at retail on the premises.

Golder stated they have provided a truck turning radius which reveals the truck monument can be accommodated.

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

Jason Spaulding was present. He stated they looked at the parking and they are going to put in as much parking as they can. They are confident of the ones that they have shown will fit pretty easily. He stated they might be able to put one more in on the parallel side.

Jones opened the public hearing.

There was no public comment.

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

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Motion Carried (8-0) –

The commissioners thought it was an exciting use for the property and ok with the request.

Benoit questioned where staff came up with the minimum 10% threshold for the retail facet of the project. Golder stated we picked 10% because it is the opposite of industrial and between staff there was discussion about what would be reasonable. Benoit questioned if someone came in with 9% would the recommendation be no. Schweitzer stated the 10% threshold could go to the Zoning Board of Appeals to question the interpretation. Discussion ensued.

Fox questioned if the applicant plans to make any exterior improvements and is everything done in the inside of the facility. Spaulding stated they will do both. They haven't quite gotten into what that looks like. Fox questioned if there will be any outdoor seating. Spaulding stated everything will be inside. Spaulding stated there was a concept of taking the 29th Street corner turning it in using some outdoor space but within the footprint of the building for some covered outdoor space. He stated they have to see if that works but other than that everything will be inside.

Motion by Holtrop, supported by Benoit, to grant conditional approval of the Commercial Enterprise Producing Merchandise on the Premises for Double Barrel Partners as described in Case No. 16-18. Approval is conditioned on conditions 1-5 and basis points 1-8 as described in Golder's memo dated April 18, 2018.

- Motion Carried (8-0) –

Motion by Holtrop, supported by Fox, to grant conditional approval of the site plan dated April 19, 2018 for Double Barrel Partners as described in Case No. 16-18. Approval is conditioned on conditions 1-5 and basis points 1-6 as described in Golder's memo dated April 18, 2018.

- Motion Carried (8-0) –

I. Work Session

Case#17-18 – 1 Dream Apartments - Final Site Plan Review of a 12 unit Apartment Building Located at 692-44th Street

Pung introduced the request. He stated the applicant wishes to construct a new apartment building. The building would consist of twelve (12) 2-bedroom townhouse apartments. East unit would have two floors above grade and a basement; finished living area on the first and second floors would total approximately 812 square feet (minimum required by ordinance is 780 square feet).

Pung stated this is a permitted use in the R4 district therefore it is only a site plan review.

Pung stated the existing apartment building was constructed in 1969. The site has frontage on both 44th Street and Potter Avenue. There are existing trees along the Potter Avenue frontage and along the east side of the property. Site clearing and tree removal has started and trees that will be retained will need to be identified on the site plan or a separate landscape plan.

Pung stated there are two (2) drives onto 44th Street; both drives are right-in/right-out. There is currently no access onto Potter Avenue and no access is proposed on the current site plan.

Pung stated prior to the reconstruction of 44th Street a boulevard in 2005/06, the site had a single full service drive onto 44th Street. With the reconstruction of 44th Street, a truck turnaround was located where the original drive access to the site had been located and the single drive was replaced with two new access drives (one on either side of the truck turnaround).

Pung stated in order to improve access to the site and improve onsite circulation, an access drive onto Potter Avenue should be considered.

Pung stated the Zoning Ordinance requires a minimum of two (2) parking space per dwelling unit. Based on thirty-six (36) dwelling units, a minimum of seventy-two (72) parking spaces are required; the site plan depicts seventy-six (76) parking spaces.

The existing parking located in the front yard is non-conforming with respect to setback and drive aisle width. Parking extends up to the public right-of-way and the drive aisle is as narrow as 8.7 feet resulting in vehicles driving over the public sidewalk in order to utilize several of the parking spaces; Section 6.03.D.2.c of the Zoning Ordinance requires that the front yard setback (35 feet) be maintained as a green area (the Zoning Administrator may allow parking lots to extend into the front setback area, provided the average of the front setback area is at least 30 feet from any public right-of-way and comes no closer than 10 feet to a public right-of-way) and Section 17.04.E requires a 24-foot wide drive aisle.

Pung stated prior to the reconstruction of 44th Street and the acquisition of additional right-of-way, the parking was in compliance with the setback and drive aisle requirements of the Zoning Ordinance.

Pung stated an option to reduce the need for vehicles to drive over the public sidewalk would be to remove several of the parking spaces closest to the sidewalk and add parking at the south end of the parking lot to the west of the existing building.

Pung stated after meeting with the applicant there was discussion of possibly relocating the parking which is currently closet to the sidewalk in the public ROW or possibly putting a drive out to Potter Avenue that would make it less likely that people would drive over the sidewalk. It would also give more space if a fire truck had to get through. Pung stated there are several options that we have to address the issues.

Pung stated there are currently two (2) unenclosed dumpsters on the property. One dumpster enclosure is proposed on the site plan. All dumpsters on the property shall be enclosed as required under Section 19.03.F of the Zoning Ordinance. At least one

additional dumpster enclosure is required in order to provide all units adequate access to a dumpster.

Pung stated existing vegetation which will be retained needs to be identified on the site plan or a separate landscape plan. The development will have to meet the buffer zone requirements of Section 19.03.C of the Zoning Ordinance.

Pung stated we are also looking to add a sidewalk connection between the two buildings. Sidewalk is proposed in front of the new building but it does not connect with the sidewalk in front of the existing apartment building. A connection needs to be made between the sidewalks located in front of each building

Pung stated the applicant needs to provide firelane access on another side of the building. They will be looking at ways to meet that requirement.

John DenHardick was present. He stated he has owned the apartment building for about 6 ½ years. He stated they realized how much land they had and how townhouses are very desirable for renters. He stated on Potter Street, staff recommended to have a drive off Potter into the property to gain 2 parking spots. He stated he doesn't agree with that because it would destroy the privacy associated with woods next to Potter. He also stated if they put a drive there, they will have a situation where people will be cutting through the property. He stated they can extend the parking without a drive connection to Potter.

VanderHoff stated if we get all the concerns answered particularly on the parking it sounds like a good use of the property. Holtrop also questioned the parking. He stated he is okay with it because it has been functioning but if it can be spruced up and add some landscaping and not impact the rest of the facility for parking spaces he is okay. He doesn't think access to Potter would be needed.

Fox questioned the size of the townhouses. DenHardick stated these will be bigger than the current apartments. These will have 3 floors with an escape window in the ground floor therefore it will be useable space for a third bedroom.

Benoit stated he is concerned because all this work was done on 44th Street and the property owner was not treated fairly. It seems there should have been some variances granted so they are not non-conforming. Pung stated it is legal non-conforming. Schweitzer pointed out if there was any devaluing of the property he is sure they were reimbursed to cover the cost. Benoit stated he has issues with more renters in Kentwood but the property is zoned this way and this a permitted use.

Pemberton questioned if there will there be any other thoughts of further additions. Pung stated with this addition it brings it to 11 units per acre and you are only allowed 12. Pemberton stated if we resolve the parking issue and dress up the front he will be good with the request.

Kape questioned the cost of rent. DenHardick stated whatever the market is at that time but he would think between \$1,000-1200 per month.

Jones stated she has concerns about adding more rentals to Kentwood. She is not in support.

J. New Business

Motion by Holtrop, supported by Benoit, to set a public hearing date of May 22, 2018, for: Case#18-18 Bethany Christian Services – Rezoning of 0.586 Acres of Land from C-2 Commercial to R-2 Two Family Residential Located at 930 52nd Street; Case#19-18 – Clark at Keller Lake – Independent Living- Final Site Plan Review for the conversion of the maintenance building located at 2451 Forest Hill Ave

- Motion Carried (8-0) –

K. Other Business

1. Commissioners' Comments

Tour of Venue 3Two will be May 3, 2018 5-6:30pm at 3223 32nd Street.

Holtrop stated he noticed at DIS Transportation outside parking of a trailer and three box trucks. Pung stated the vehicles for repair can't be stored, but the vehicles that are associated with their trucking operation can be parked in the open air.

Pemberton stated Super Green Markets donation boxes are still sitting there.

2. Staff's Comments

Schweitzer stated the City Commission approved taking part in the study of the 4 corners area group with Cascade, Caledonia and Gaines.

L. Adjournment

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

- Motion Carried (8-0) –

Meeting adjourned at 8:30p.m.

Respectfully submitted,

Ed Kape, Secretary