

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
SEPTEMBER 11, 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 VanSoelen.
- C. Roll Call:
Members Present: Garrett Fox, Dan Holtrop, Sandra Jones, Mike Pemberton, Monica Sparks, Chad VanSoelen
Members Absent: Bill Benoit, Ed Kape and Timothy Little (absent with notification)
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier, the applicants and about 15 citizens.

Motion by Holtrop, supported by Fox, to excuse commissioners Benoit, Little and Kape.

- Motion Carried (6-0) –
- Benoit, Little, Kape absent -

- D. Approval of the Minutes and Findings of Fact

Motion by Commissioner Holtrop, supported by Commissioner Pemberton, to approve the Minutes of August 28, 2018.

- Motion Carried (6-0) –
- Benoit, Little, Kape absent -

- E. Approval of the Agenda

Motion by Commissioner Pemberton, supported by Commissioner Fox, to approve the agenda for the September 11, 2018 meeting.

- Motion Carried (6-0) –
- Benoit, Little, Kape absent -

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

There was no public comment

- G. Old Business

There was no Old Business

Case# 25-18 – Home 2 Hotel – PUD Rezoning and Preliminary PUD Plan Located at 4260 Sparks Drive

Case#26-18 – Home 2 Hotel – Special Land Use and Final Site Plan Review Located at 4260 Sparks Drive

Pung stated the request is to rezone approximately 3.4 acres from the current zoning of C2 Community Commercial to CPUD along with the Preliminary site plan and Final Site Plan Special land use for the hotel which is proposed as part of the PUD. Pung stated the proposed hotel would be four (4) stories (40' 6-1/2") in height.

Pung stated the property is currently vacant with access from a shared drive that runs from Sparks Drive to 28th Street along the west property line. He stated the majority of the wooded area on the property is located on the southern half of the site. The low point is at the northwest corner and the site slopes upward as you head to the south and east with the high point along the east property line. He stated the area is Master Planned for commercial development.

Pung stated the plan shows a significant amount of landscaping. They are showing setbacks that would exceed the minimum requirements even under the CPUD. He stated they are incorporating a high brick screen wall that is proposed as part of the landscaping. He stated they are also showing an outside seating area.

Pung stated they are proposing LED lighting that is going to be auto dimming. A feature proposed for the development is LED site lighting with photometric motion sensors that will reduce light levels within the parking lot if no motion is detected over a 15-minute time period. He stated once motion is detected, the lighting will increase to normal levels

Pung stated since the work session they have added a sidewalk along the private drive on the west line of the site.

Pung stated this is a C-PUD and the applicant has the ability to ask for waivers if they don't quite meet the requirements of the zoning ordinance. Pung stated there are 2 waivers.

- 1) Waiver by the City of the minimum five (5) acre requirement for a C-PUD is needed. Pung stated the City Commission can still approve a CPUD even though it is not going to be 5 acres upon recommendation from the Planning Commission.

- 2) Waiver by the City to permit a building height of four (4) stories.

Pung stated the applicant is seeking a waiver for the number of stories even though the height itself is under 45 feet the zoning ordinance limits the building height to 3 stories.

Pung stated he is recommending conditional approval of the rezoning, site plan, special land use and final site plan review for a CPUD and special land use hotel as described in his memos.

Andy Andre Sellar Development 2600 Auburn Suite 116 Auburn Hills MI was present. He stated since the work session they have incorporated some additional features within the development. The public gathering space is now proposed within the site. He stated they have added sidewalk along the west line of the site and he thinks it is a good component to the project because it offers some walkability.

Jones opened the public hearing.

Earl Clements, 1765 Forest Hill was present. He stated he thinks this is a good project for property that has been vacant for years. However, the negative is most of the traffic that will be visiting this hotel will come from 28th Street and they will be turning on what is now a private drive. The private drive has never been maintained properly. He suggested that the private drive should be restored and maintained thereafter. Alternatively he suggested that the private drive be made a public street.

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

- Motion Carried (6-0) –
- Benoit, Little Kape absent –

Fox questioned what would be the requirement for a road to transition from private to public. Pung stated it would have to meet the City's requirements for a public road. Pung stated you are looking at a 60 foot wide right-of-way and this is a 30 foot wide easement. It would be up to the property owner to prove to the City that it can meet all of the requirements. Fox questioned if they would own a portion of the road and are they looking to do some restoration of the street. Andre stated he believes the predominate traffic pattern will come off of 28th Street. Their signage will be along Sparks Drive. Andre stated if there are any agreements as far as maintenance they will partake in that. Fox questioned the number of employees. Andre stated they will be open 24 hours with approximately 10 employees. Pemberton stated with the easement he answered the development group did advanced research to see who is going to maintain because they are going to front on it quite largely.

Sparks questioned the landscaping plan detail. Andre stated they are installing extensive landscaping.

Jones questioned if he will have signage on 28th Street. Andre stated he does not foresee that. Pung stated the zoning ordinance will not allow a sign on 28th Street it would be considered an offsite sign.

Motion by Holtrop, supported by Pemberton, to recommend to the City Commission conditional approval of the request to rezone 3.4 acres of land from C2 Community Commercial to C-PUD Commercial Planned Unit Development as described in Case No. 25-18. Approval is conditioned on the conditions 1-9 and basis points 1-9 as described in Pung’s memo dated September 5, 2018.

- Motion Carried (6-0) –
- Benoit, Little Kape absent -

Motion by Holtrop, supported by Pemberton, to Recommend to the City Commission conditional approval of the PUD site plan dated September 5, 2018 for the Home 2 Hotel Rezoning as described in Case 25-18. Approval is conditioned on the following: Conditions 1-10 and basis points 1-9

- Motion Carried (6-0) –
- Benoit, Little, Kape absent -

Motion by Holtrop, supported by Fox, to grant Conditional approval of the Special Land Use Hotel as described in Case 26-18. The approval is conditioned on conditions 1-5 and basis points 1-8 as described in Pung’s memo dated September 5, 2018.

- Motion Carried (6-0) –
- Benoit, Little, Kape absent -

Motion by Holtrop, supported by Pemberton, to grant conditional approval of the site plan dated September 5, 2018 for the Home 2 Hotel as described in Case 26-18. Approval is conditioned on conditions 1-8 and basis point 1-8 as described in Pung’s memo dated September 5, 2018.

- Motion Carried (6-0) –
- Benoit, Little, Kape absent -

I. Work Session

Case#27-18 – High Five Co-Op Brewery – Commercial Enterprise Producing Merchandise on the Premises Located at 3846 52nd Street SE;

Golder stated the request is within the Bailey’s Grove Commercial area. She stated the applicant is proposing a brewery on the site, with 879 square feet of production and storage, and approximately 1,120 square feet of taproom. The production of beer will occur on weekdays from 8:00AM-4:00PM. The brewery taproom would be open late afternoon to midnight during the week and early afternoon to midnight on the weekend.

The proposed use is a microbrewery with its packaging operation and a tap room. Total gross square footage is 2,500 square feet, of which 753 square feet is for production of beer.

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

The proposed use is served adequately by public facilities.

The use would not require additional public facilities or services.

Golder stated the proposed production of beer is a gas brewing system that includes a mash tun, a brew kettle, and a number of fermenters that will produce up to 250 barrels per year. The applicant has indicated that the smells from the size of system used would be minimal to begin with and mostly internal, so it would not reach neighborhood homes. Further, the applicant has indicated their intent to add a condensation trunk to the brew system in order to contain most of the odors.

The residual spent grain would be around 300 pounds a day and would be stored in 55 gallon trash cans inside the brewhouse prior to disposal. The brewery would either pay a compost company to take them but would prefer partnering with residents and farmers or local bakeries, because items such as bread, pizza crust and dog treats could be made with spent grains.

Golder stated the use is consistent with the Master Plan.

The applicant has stated that 4 people will be involved in the production portion of the microbrewery.

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 applicants have addressed the impact on area residents; additional information should be provided on whether the smells generated by the brewery would have a negative impact on adjacent businesses in the strip center.

Golder stated she has asked them to provide additional information of the smells that come out of a Brewery. Golder stated she also wants more information about what happens to the spent grain.

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

Site Plan Review

The parking spaces needed for the brewery and tap room totals 17 spaces. If the space were retail use, only 10 would be necessary. The entire center has 91 spaces. If the center were all retailers, only 64 would be required. Given that the brewery is most likely to be open on weekends and later in the evening, parking should not be an issue for the center. The applicant is also going to provide bike racks for the use of patrons.

Additional seating is being proposed outdoors.

Doug Pettis 4572 Bremer Street Grandville MI was present. He stated this is a co-op and a brewery. Co-op is owned by members and as you become a member you have a voting right in how it runs the operations. As a brewery this will be like any other in the area, you don't have to be a member to come in and have a beer, a nice casual atmosphere.

Sparks questioned whether the adjacent Childcare Facility and the Kentwood public schools will they have an issue with the Brewery on that property. Pettis stated the Landlord is the same person that runs the childcare. Sparks was concerned with the smells. Sparks questioned what they plan to do with the spent grain. Pettis stated they have spoken with other breweries in the area and they do have nearby farmers and other ways to get rid of it.

VanSoelen questioned the area for a future kitchen and what kind of food will they have. Pettis stated if they do something like that it will be something small nothing that would require a commercial kitchen hood.

Holtrop stated he is a member and will probably abstain from the vote.

Pemberton stated he thinks it is a nice project.

Fox stated his concern was the proximity to the adjacent Childtime child care center. Fox stated he has heard the smells are bad and will they do something to contain the smell. Pettis stated there are devices they can use to contain the smells. He stated they are far enough away from housing and childcare.

Jones was concerned about the smells as well and the desire to need food to soak up alcohol. Golder stated the City has ordinances that gets into the food and the menu and what they need to offer.

Case #28-18 – Thomsons Auto Repair – Rezoning of 1.72 acres land from R-2 Two Family Residential to C-2 Community Commercial Located at 5905 Kalamazoo Ave SE

Schweitzer stated the request is for Rezoning of 1.72 acres land from R-2 Two Family Residential to C-2 Community Commercial. Schweitzer stated the site generally slopes down as much as a 7 foot grade differential from the southwest corner of the site to the northeast corner. The Pine Hill Creek within the Crippen Drain cuts through the northeast corner of the site. The western edge of the site is also as much as 7 feet above the adjacent grade of the Sutton Club Apartment site. Over the past 14 months the property owner has removed a substantial number of mature trees on the western half of the subject site. Two large pine trees remain as well as smaller tree stands along the south line of the site closer to Kalamazoo Avenue as well as along the Pine Hill Creek.

Schweitzer stated Section *13.03.C of the Zoning Ordinance sets forth the following as a guide in making findings, recommendations and decision relating to any proposed amendment to the official zoning map:*

- Consistency with the goals, policies and future land use map of the master plan, including any subarea or corridor studies. If conditions have changed since the master plan was adopted, the consistency with recent development trends in the area;

Schweitzer stated as noted, the 2012 Master Plan Update included 60th Street and Kalamazoo as part of the sub area analysis. The request to rezone the subject property to C-2 Community Commercial would suggest consistency with mixed use Commercial/Residential land use designation assigned to this site as well as the commercial shopping center to the south. While there has been reinvestment and some changes in tenant mix in the existing shopping center since the Master Plan update in 2012, within its overall site there is a vacant 60th Street frontage parcel as well as an approximately 2 acre undeveloped area that could accommodate the expansion of the existing multi-tenant retail building or a freestanding commercial building site.

Regardless of the zoning of the subject property, the Master Plan stresses sensitivity in the site design of whatever redevelopment takes place especially given the immediate adjacency of the church and apartment complex.

- Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district;

The size and dimension of the subject property as well as its topographic elevation compared to the apartment development to the west would appear to allow for the buffered spatial separation required adjacent to residential zoning/development to the north, south and west. The remaining portion of the subject site should be ample for most commercial redevelopment.

- The applicant's ability to develop the property with at least one of the uses permitted under the current zoning;

The size and dimension of the subject site is sufficient to support at least one other single family detached residence or a total of as many as 3-4 duplex sites. Given the location of the site, retaining the existing residence and creating another single family site may not be marketable. However, if access could be negotiated onto the existing apartment driveway to the south, the prospect of redeveloping the site for multiple duplexes may be more feasible.

- The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density,

nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

As noted above, the size and dimension of the subject property as well as its topographic elevation compared to the apartment development to the west would appear to allow for buffered spatial separation on all directions for most commercial re-development. However, a number of C-2 Community Commercial special land uses (building supply and equipment establishments, commercial enterprises producing merchandise on the premises, open air businesses, drive thru restaurants, freestanding financial institutions, vehicle fuel stations, major vehicle repair and vehicle washes) as well as a number of permitted uses (freestanding restaurant and convenience store) may not be good fits for this site primarily due to the associated nature and/or volume of their traffic. The frontage of the subject site relative to the Kalamazoo Avenue boulevard cross section will present difficulties for traffic entering and exiting the site, including large delivery vehicles. (NOTE: also see Assistant City Engineer Dan VanderHeide's September 5, 2018 memo, points 3 and 4.)

•Whether the City's infrastructure and services are sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the City;

The boulevard cross section of Kalamazoo Avenue is designed preserve and protect the adjoining residential development as well as safely optimize the movement of traffic along the major arterial street while affording reasonable access to frontage properties. The access into the redeveloped site should complement the existing roadway.

•Where a rezoning is reasonable given the above guidelines, a determination that the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.

The applicant's stated desire is to secure city approvals to locate a major vehicle repair establishment on the subject property. It would not be desirable to amend the Zoning Ordinance to add this particular use as a special land use under the existing R-2 zoning of the site. The applicant could amend his application to seek a conditional rezoning to C-2 strictly for the Special Land Use major vehicle repair establishment or seek a commercial planned unit development zoning (with a waiver on the minimum site size requirement) where the major vehicle repair would be subject to Special Land Use approval.

Regardless of the zoning of the subject property, the Master Plan stresses sensitivity in the site design of whatever redevelopment takes place especially given the immediate adjacency of the church and apartment complex.

John Walsh, Principal Engineer with Paradigm Design was present. He stated the stream provides a natural barrier, a transition from a commercial use. He stated the proposed use is approximately a 9,000 square foot automotive repair facility. He stated they have an existing facility on the southwest corner of 52nd and Kalamazoo he is looking to move that operation and combine another operation in Grand Rapids under one roof. He stated this is a great way to clean up their other facility. He stated they are confident they can meet all applicable ordinance requirements. He stated they will not have any overhead doors facing Kalamazoo or the residents to the west.

Walsh stated Kalamazoo can handle a commercial use, they will generate some traffic but this isn't a retail destination. They will be coming to get their car repaired. He stated utilities and infrastructure are more than adequate on Kalamazoo. They do anticipate meeting the screening requirements. He stated the proposed site will be heavily landscaped on the west and the south. They will purposely stay away from the creek and be respectful for the natural state of that.

Fox questioned how they plan to handle light pollution. Walsh stated they are sensitive to the residential. They will put together a photometric site plan showing the site lighting and light levels. He stated they are located far enough from the residential to keep the lighting in their own parking lot. Fox questioned does he plan to move the curb cut from where the existing driveway is. Walsh stated the next step would be to go into a traffic study. Walsh stated they think it will probably make sense to move the driveway slightly south.

Fox questioned how he plans to handle the detention pond. Walsh stated the simplest thing to do would be to dig a hole or a basin on site and put your storm water in there. He stated right now, they anticipate some type of underground collection system. They will control it to meet the City Engineering standards and outlet to that creek. Fox questioned the number of in process vehicles they will have at a time. Walsh stated 30 parking spots outside. Vehicles being worked on will be stored inside, vehicles waiting in the cue no more than 3 days. It will vary from about 15-20 cars. Fox stated he is looking to see on the site plan the type of fencing they are going to use seeing that they are close to residential. Walsh stated 6 foot tall solid fence with landscaping around it.

Pemberton stated security was his concern. He doesn't see problems with the development or idea. Pemberton stated the only thing he is concerned about is the what if. What if the customers don't like it then now we have building and development that didn't make it. Walsh stated they feel confident and having an established business moving right down the road they feel good about this. Pemberton stated he doesn't see it as a residential opportunity. It is commercial in his mind and he is ok with the rezoning.

Holtrop asked if the creek presents the problem of having the drive all the way to the north. Walsh stated there is a cost associated with that. Some people like having access upstream other people don't. He stated he thinks the traffic study will work through that but there are traffic

concerns with shifting that drive. Holtrop questioned signage. Walsh stated they will comply with the ordinance.

VanSoelen stated he thinks C2 fits the property.

Sparks questioned what they plan to do with the current property. Walsh stated it will be abandoned, demolished and resold. They do not own the property.

Jones questioned the condition of the house that is there. Schweitzer stated it is a rented unit and occupied. Jones stated she thinks commercial makes sense. She questioned if there is any concern of the proximity of the driveway to the driveway for the apartments. Walsh stated it is roughly 100 feet apart. Discussion ensued regarding the driveway people are going to turn into. He stated he has no concern of how it is.

Jones allowed the representative from Suttons Club Apartments speak.

David Calden with Varnum Law Firm 333 Bridge St NW Grand Rapids MI . He stated he was there on behalf of the Suttons Club apartments located immediately adjacent to the south and west of the subject parcel. He stated he is representing the tenants who reside at Suttons Club who are concerned about the proposed rezoning. Suttons Club and the residents oppose the proposed rezoning. The proposed use will involve noise, odors and environmental risk. They would like for us to stick to our future land use Master Plan and not allow the rezoning.

J. New Business

There was no New Business

K. Other Business

1. Master Plan Discussion

Golder stated at the last meeting there was discussion about the 28th Street and 29th Street Sub area. She stated staff drove around and looked at all the vacancies.

Earl Clements was present and gave a long extensive prospective on 28th Street and 29th Street. Where the strong areas are, where the weak areas are, and what is happening in the retail and commercial realm.

Connectivity between sites along the 28th Street corridor is a major factor in the strong retail area from Kentwood east into Cascade Township. The significant presence of vehicle dealerships also contributes to the vitality of the overall retail activity.

28th Broadmoor (zip Codes 49512/49546)

Have previously produced highest annual sales tax receipts in any zip code set within the State of Michigan 72,000 cars per day travel through the intersection

Woodland Mall

Proactive PREIT ownership bought and razed Sears building making way for significant redevelopment.

Design Center between Lake Eastbrook Boulevard and East Paris

A representative of the strong destination retailers found along the 29th Street corridor.

2. Commissioners' Comments

Jones stated the duplexes that were approved on Eastern are up and look very nice. Jones also stated the City of GR granted medical marijuana dispensaries that are close to our borders.

3. Staff's Comments

Offered no additional comments

L. Adjournment

Motion by Commissioner Pemberton, supported by Commissioner Holtrop, to adjourn the meeting.

- Motion Carried (6-0) –
- Little, Kape and Benoit absent -

Meeting adjourned at 10:00pm

Respectfully submitted,

Ed Kape, Secretary