

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
JANUARY 24, 2023, 7:00 P.M.
COMMISSION CHAMBERS

- A. Chair Jones called the meeting to order at 7:00 p.m.
- B. The Pledge of Allegiance was led by Commissioner Porter.
- C. Roll Call:
Members Present: Bill Benoit, Dan Holtrop, Sandra Jones, Ed Kape, Alex Porter, Ray Poyner, Darius Quinn, Doug VanderMeer, Sarah Weir
Members Absent: None
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier, and the applicants.
- D. Approval of the Minutes and Findings of Fact

VanderMeer pointed out a correction to his name.

Motion by Commissioner Holtrop, supported by Commissioner Quinn, to approve the Minutes of January 10, 2023 and the Findings of Fact for: Case# 1-23 – Steelcase– Major PUD Change and Preliminary Site Plan – Located at 4308 52nd Street SE with change noted.

- Motion Carried (9-0) –
- E. Approval of the Agenda

Staff added under New Business Case#7-23 Enthusiasts Choice Detail Studio- Request of Connecticut Development Company LLC for a Special Land Use Major Vehicle Repair Dry Ice Cleaning and Site Plan Review for Ste. 3 Located at 5120 East Paris Avenue SE

Motion by Commissioner Poyner, supported by Commissioner Quinn, to approve the agenda for the January 24, 2023 meeting.

- Motion Carried (9-0) –
- F. Acknowledge visitors wishing to speak to non-agenda items.

There was no public comment.
- G. Old Business

There was no Old Business

H. Public Hearing

Case# 2-23 – Zoning Ordinance Text Amendments Relating to: Childcare provisions; sign provisions; PUD procedures; Chapter 8 Flood Plain Amendments

Pung went over zoning ordinance memos related to

***Child Care Facility Definitions**

In June of this year, the State approved Act No. 106 of Public Acts of 2022 amending 1973 PA 116 making allowance for the increase in capacity of family child care homes (1 additional child – up to 7 total) and group child care homes (2 additional children – up to 14 total). The Kentwood Zoning ordinance currently limits family child care homes to no more than six (6) children and group child care homes to no more than twelve (12) children.

Proposed Ordinance Language:

Modify the definition of child care organization under Chapter 2 to read as follows:

CHILD CARE ORGANIZATION: An organization having as its principal function the receiving of minor children for care, maintenance, training, and supervision notwithstanding that educational instruction may be given. Child care organizations are licensed and regulated under the State of Michigan Act 116 of 1973, as amended, and include the following:

1. Child Care Center (or Day Care Center): A facility, other than a private residence, receiving one or more preschool or school age children for care for periods of less than twenty-four (24) hours a day and for not less than two (2) consecutive weeks and where the parents or guardians are not immediately available to the child.
2. Foster Family Home: A private home in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood, marriage or who are not placed in the household pursuant to the adoption code, are given care and supervision for twenty-four (24) hours a day, for four (4) or more days a week for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
3. Foster Family Group Home: A private home in which more than four (4) but fewer than seven (7) minor children, who are not related to an adult member of the household by blood, marriage, or who are not placed in the household pursuant to the adoption code, are provided care for twenty-four (24) hours a day, for four (4) or more days a week for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

PUD Site Plan Deviation Procedures

Amend Section 12.13.A.2 of the Zoning Ordinance.

Current zoning ordinance language for Section 12.13

A. Amendments and Deviations from Approved Final PUD Site Plan

1. Deviations: Deviations from the approved Final PUD Site Plan may occur only when an applicant or property owner granted Final PUD Site Plan approval notifies the Zoning Administrator of the proposed amendment to such approved site plan in writing, accompanied by a site plan illustrating the proposed change, and receives approval consistent with this section. The request shall be received prior to initiation of any construction in conflict with the approved Final PUD Site Plan.
2. Procedure: Within fourteen (14) days of receipt of a request to amend the Final PUD Site Plan, the Zoning Administrator shall determine whether the change is major, warranting review by the Planning Commission, or minor, allowing administrative approval, as outlined in Section 13.05 (D) 8.

Proposed zoning ordinance language for Section 3.20.A

A. Amendments and Deviations from Approved Final PUD Site Plan

1. Deviations: Deviations from the approved Final PUD Site Plan may occur only when an applicant or property owner granted Final PUD Site Plan approval notifies the Zoning Administrator of the proposed amendment to such approved site plan in writing, accompanied by a site plan illustrating the proposed change, and receives approval consistent with this section. The request shall be received prior to initiation of any construction in conflict with the approved Final PUD Site Plan.
2. Procedure: Within fourteen (14) days of receipt of a request to amend the Final PUD Site Plan, the Zoning Administrator shall determine whether the change is major, warranting review by the Planning Commission, or minor, allowing administrative approval, as outlined in Section 13.05.I.

(The current ordinance refers to a zoning ordinance section (13.05 (D) 8) which does not exist, the proposed amendment would refer to the correct section of the zoning ordinance.)

***Chapter 8 Flood Plain amendments**

Amend Section 4.01 of the Zoning Ordinance to comply with Federal requirements.

Proposed zoning ordinance language for Section 4.01

Section 4.01 FLOODPLAIN

This district relies upon the analysis of flood prone lands in the city as defined by the Federal Emergency Management Agency (“FEMA”) in a scientific and engineering report entitled “The Flood Insurance Study for Kent County, All Jurisdictions,” dated February 23, 2023, with its accompanying Flood Insurance Rate Maps (“FIRM”) panels 26081 CINDIA and 26081 CINDA2A, effective February 23, 2023, which documents are hereby adopted by reference and declared to be a part of this ordinance. The limitations of the flood prone areas shall be considered to be the 100- year floodplain as shown on the most current FIRM.

The proposed changes are to comply with Federal requirements

***Group Child Day Care Home Proximity**

The Zoning Ordinance currently requires that a group child day care home not be located within a 1,200 foot radius of any other group child day care. The radius is measured in a straight line from the actual location of the use to the nearest property line of the other group child day care home.

Current zoning ordinance language for Section 3.20.A

A. Requirements Pertaining to Group Child Day Care Homes

1. There shall be sufficient on-site outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a minimum of four (4) foot tall fence, provided that no such fence shall be located in the front yard.
2. Ingress and egress shall be provided as far as possible from two (2) intersecting streets and shall be at least one hundred (100) feet from two through streets.
3. A group child day care shall not be located within a twelve hundred (1,200) foot radius of any other group child day care.
4. For the purpose of this Section, the measurement of a radius shall be measured in a straight line from the actual location of the use to the nearest property line of the other group day care home.
5. An on-site drive shall be provided for drop offs/loading. This drive shall be arranged to allow maneuvers without creating a hazard to traffic flow on the public street.

***Placement of Wall Signs in Industrial Districts**

Currently Section 10.03.E requires that wall signs in the I1 and I2 districts be placed on the wall facing the street frontage.

The I1 and I2 districts are the only zoning districts where wall signs are required to be placed on the wall facing the street. In other districts, such as commercial and office

districts, the property owner/tenant can decide on which wall to place their allotted wall sign(s).

There are circumstances, especially with multi-tenant buildings, where a tenant space may not face a street, or it may not be practical or desirable to place the sign on the wall facing the street.

In April, the Planning Commission discussed this requirement, it was the consensus of the Commission that the requirement for wall signs in industrial to be placed on the wall facing the street frontage be removed.

***Menu Boards**

Currently the Zoning Ordinance does not specifically make allowance for menu board or pre-order boards for drive-through establishments or vehicle wash establishments. Such signs are currently allowed through a Zoning Administrator interpretation.

Based on the definition in Section 2.20.S of the Zoning Ordinance a menu board in many respects is a sign. However, when the menu board is located at the rear of a site, the focus is narrowed to the specific options and associated pricing rather than attracting attention to or identifying a business to motorists etc. It is practical and desirable to allow drive-through establishments and vehicle wash establishments a limited ability to communicate to customers the specific options and pricing information in a manner distinguished from the freestanding, wall, and window identification sign allowances. The proposed amendment to the Zoning Ordinance would explicitly make allowance for menu boards and pre-order boards as permitted signs.

The proposed language was approved by the Planning Commission in 2021 but was not reviewed by the City Commission. In April, the Planning Commission confirmed the proposed language.

Proposed Language:

Add Subsection K to *Section 16.03 Signs Permitted or Prohibited*

K. Menu Boards and Companion Display for Drive-through and Vehicle Wash Establishments

1. Menu board shall not exceed sixty-four (64) square feet in area nor exceed a height of ten (10) feet
2. Menu board shall be located within ten (10) feet of where the order is placed.
3. Companion display shall not exceed sixteen (16) square feet in area nor exceed a height of ten (10) feet.
4. Companion display shall be located adjacent to a menu board to communicate special pricing and services.

***Definition of Dwelling, Multiple Family**

Amend Section 2.02 of the Zoning Ordinance to modify the definition *Dwelling, Multiple*.

Current zoning ordinance language for Dwelling, Multiple

DWELLING, MULTIPLE: A building or portion of a building, used or designated for use as a residence for more than two (2) families living independently of each other. This definition does not include manufactured homes, single family attached dwellings or two (2) family dwellings.

Proposed zoning ordinance language.

DWELLING, MULTIPLE-FAMILY: A building or portion of a building, used or designated for use as a residence for more than two (2) families living independently of each other. This definition does not include manufactured homes, single family attached dwellings or two (2) family dwellings.

Pung stated his recommendation is to recommend to the City Commission to amend the zoning ordinance as outlined in his memos.

Jones opened the public hearing.

There was no public comment.

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

- Motion Carried (9-0) –

Motion by Holtrop, supported by Quinn to recommend to the City Commission to amend the Kentwood Zoning Ordinance 9-02 as follows amend the definition of a dwelling Section 2.02, Amend Section 4.01 Floodplain, amendments and deviations from an Approved Final PUD site plan section 12.13.A amend section 10.03.E Placement of Signs in Industrial Districts, amend section 3.20.A Group Child Day Care Proximity, 4.01 Floodplain, ,amend the definition of Child Care Organization 2.02, add subsection K to section 16.03 signs permitted or prohibited as described in Pungs memo dated January 18, 2023

- Motion Carried (9-0)

I. Work Session

Case#3-23 – Caring Hearts Adult Day Center – Special Land Use and Site Plan Review for an Adult Daycare located at 4488 Breton Ave SE

Pung stated the request is for special land use and site plan review for an adult day care facility. He stated the applicant intends to operate an adult day care facility within a 6,648 square foot tenant space within a 71,000 square foot shopping center.

Pung stated an adult day care center is a special land use under the current CPUD zoning. He stated it does require review and approval of both the use and the site plan by the Planning Commission.

Pung stated staff needs more information with respect to the number of employees and number of clients that would be on site at any given time. He stated there is an abundance of parking on the site. Pung stated the expected hours of operation will be from 6am-7pm weekdays and varying hours on the weekend. He stated the use meets all the special land use standards.

Vicky Russell, 2529 Bridgeport Ln was present. She stated they are looking at opening an adult daycare center for senior citizens with disabilities from the ages of 50-90 who are high functioning but with disabilities. She stated they are looking to staff about 15-20 people. She stated there will be a therapists, counselors, physical therapist CNA workers and also a cook. She stated they will have two bus drivers that will be picking up and dropping off as needed. She stated they are looking forward to opening up a place where they can offer a social setting and to be able to give the clients independence that will be different from going to the nursing home.

Holtrop questioned her history on this type of work. Russell stated she works with Abilities of Michigan, works with Michigan Rehabilitation, and she also assist with helping seniors with disabilities find employment. She stated she works with Agency on Aging, Reliance, and various other agencies for seniors with disabilities. Holtrop questioned if this would be private pay. Russell stated this will be private pay and state pay. Holtrop questioned if the commissioners need to know what the interior is going to look like. Pung stated generally just the site plan. Pung stated the applicant indicated they are not going to make many changes because the site was a church and they won't be doing anything that is going to require building permits.

VanderMeer questioned what they are going to do for wheelchair accessibility. Russell stated in the back of the building there is a garage door entry entrance and they will be able to enter through the back.

Poyner questioned if there will be a nurse to provide emergency care if needed. Russell stated yes there will be a nurse. She stated they will also be offering respite care for those who have parents that they are taking care of and have to go to work, especially if they don't feel safe leaving their parents home alone.

Kape questioned if she had to have a license to do this type of business. Russell stated no this is not an AFC home but the therapist, nurses and counselors that will be rendering services at the facility are licensed. Kape questioned the kind of security they will have

and if the doors will be locked. Russell stated the facility will be secured because some of their patients will be early dementia. They won't be able to get in and out it will be locked.

Jones questioned the anticipated daily number of people they plan to have at any given time. Russell stated anywhere from 25-50 people. Jones questioned if she anticipates being a part of the existing aging network because there are currently 6. Russell stated she has a meeting coming up with Reliance and Agency on Aging, she is also networking with the other agencies that are already involved.

Case#4-23 – Snackcraft Building Addition – Major Change to a PUD and Final Site Plan Review located at 4444 – 52nd Street SE;

Pung stated the applicant is looking at 171,150 square foot addition to the existing building. The initial industrial building was constructed in 1974, prior to the rezoning of the property. A 6,160 square foot addition was constructed in 1995, a 4,050 square foot addition in 1999, and a 14,000 square foot addition in 1996.

Pung stated there were several outbuildings designed along with the expansion of the existing industrial building. When they came in with the original application, they were looking at doing a CPUD that was not consistent with the Master Plan at that time. The applicant then came back looking at the IPUD and looking at having uses that would be permitted under the IPUD zoning. That was approved in 1991 and nothing came in to develop it in that fashion. He stated there were a couple of additions to the existing industrial building. He stated with the applicants proposed expansion it is a major change and would prevent any of those outbuildings from ever being constructed.

Pung stated some of the issues we are looking at include provision of a pedestrian connection to 52nd Street. He stated drafting of a PUD agreement exempted would have to be drafted to meet the current requirements of the PUD.

Pung stated their current PUD requires a primarily brick façade facing a public street or a parking lot. He stated this is going to primarily insulated metal panel but the Planning and City Commissions can grant a waiver to that specific requirement.

Pung stated 2017 non-motorized plan that was also adopted into the Master Plan does require an 8 to 10-foot-wide shared use path along Broadmoor Avenue. Currently there is a 5-foot-wide asphalt sidewalk. There is a 90-foot gap in the sidewalk. The sidewalk is not in the best shape. He stated what is there currently doesn't meet the Master Plan requirements and it is in a condition in which it needs to be repaired or replaced.

Pung stated staff has to contact MDOT in order to see what their requirements are within their ROW and what they would allow in order to determine what type of trail or path would be allowed within the ROW, and what those requirements would be.

Brad Rosley, Third Coast Development and owner of the facility 545 Michigan Street was present. He stated they purchased this building over a year ago. He stated after they purchased, they were introduced to Snackcraft. He stated they believe this is a great location. He stated this is an expansion which is the maximum they can do on this site. He stated they have put the fire lane around the building for the Fire Chief.

Kape questioned if there are any issues finishing that 90-foot gap in the asphalt. Pung stated we have to contact MDOT, it is their ROW. Kape questioned if there was only one entrance into the site off of 52nd Street. Rosely stated that is correct MDOT would not allow them to have an entrance on Broadmoor.

Poyner questioned how many employees they will have when they are fully operational. Rosely stated there will be approximately 185-200 employees. Poyner questioned if there is enough parking. Rosley stated the number of employees is in multiple shifts they are coming at different times. Pung stated they are showing parking on the plan, however, they do not plan on constructing all at once. They are showing deferred parking. Poyner questioned if the applicant has any issues with the non-motorized 8' – 10' wide sidewalks. Rosely stated not knowing where the bus stop is going to be, they aren't sure. Poyner stated the non-motorized sidewalks are along Broadmoor. Rosely stated right now the sidewalk goes nowhere once you get to Roskam there is no sidewalk there. Rosley stated even if it is an agreement once they have the connectivity to another sidewalk then they will look into it. Pung stated staff will be working with MDOT and the City Attorney to see the options.

Vandermeer stated he would like to see the non-motorized path as part of the project instead of holding off until later.

Holtrop questioned if this is going to increase traffic now that this will be doubling in size. Rosley stated there are currently 8 truck docks in the back, this will have 15. He stated he can't answer that question, but he can get the answer. Holtrop questioned if there was any way to use the drive off Broadmoor. Pung stated that is the entrance to Roskam. Rosley stated that would be shocking if Roskam let them use that driveway. He stated they don't even use that for 18 wheelers right now. He thinks they only see the south entrance. Holtrop suggested they spruce up the landscaping it looks pretty bad.

Quinn stated his concern was also the landscaping.

Porter questioned the traffic flow for the semi-trucks. Rosley stated 99% of the trucks will take a right out of the facility and then coming in they are going to make a left in. Porter stated he was concerned about the cars stacking up turning in. Discussion ensued regarding traffic. Porter questioned if there will be any landscaping or bushes on the other side of the pond. Rosley stated probably not because that is a Consumer's easement.

Benoit stated regarding the sidewalk, he has a hard time requiring someone to put one in that leads to nowhere. He stated sometime in the future when the neighbors have to then ok. Benoit stated we need to also update our ordinance regarding building material there are so many options now.

Jones also agreed with Benoit and stated it would be good to have the building materials come through as an Zoning Ordinance amendment.

Case#5-23 – Blue Pearl Specialty and Emergency Pet Hospital – Special Land Use and Site Plan Review for an Animal Hospital located at 2500 East Paris Ave SE

Golder stated the Planning Commission and City Commission just approved the request for the conditional rezoning from C4 to C2 for this 3.26 acre site.

In a letter dated October 17, 2022, the applicant changed the proposed text amendment request to a conditional rezoning from C-4 to C-2 and voluntarily offered the following conditions:

- Uses shall be limited to animal hospital subject to Special Land Use and Site Plan approval and those C-2 uses subject to the review as otherwise allowed as permitted or special land uses in the C-4 Office Zone district.
- An animal hospital must be separated by a minimum of 150 feet from a residential district or use.
- All principal and accessory animal hospital use activities shall be conducted within a totally enclosed building.

Blue Pearl Specialty and Emergency Pet Hospital is proposing a 25,300 square foot single story building at 2500 East Paris Avenue, SE. The business will operate 24 hours a day, seven days a week. There will be no exterior animal occupancy (all service provided in the building). They will provide deceased animal service (storage of deceased pets within the building until pickup) and the only pets that stay in the facility overnight are those receiving treatment or recovering from treatment. There will be no non-treatment kenneling.

The Blue Pearl development proposes two driveways. The proposed East Paris Avenue driveway aligns with Peninsular Drive to the west and straddles the property line between the subject property and the property immediately to the north. The proposed 30-foot-wide shared ingress, egress and utility easement should be a condition of any site plan approval. The proposed driveway onto Embassy Drive is sufficiently spaced from East Paris Avenue and properly aligned with the easternmost access into 2560 East Paris on the south side of Embassy Drive.

Section 13.02.C of the Zoning Ordinance specifies the directional trip thresholds to determine whether a Traffic Impact Assessment or a Traffic Impact Study is required for Special Land Uses such as an Animal Hospital. Volume 4 of the 11th Edition of the

Institute of Transportation Engineers Trip Generation Manual includes trip generation projections for an Animal Hospital/Veterinary Clinic that staff draws upon to make a preliminary determination. The projections key into vehicle trip ends based on 1000 square feet of gross floor area as well as projections based on the number of employees. Based on directional trips per 1000 square feet during a typical day and during the am and pm peak hours, it appears the applicant will need to supplement this application with a Traffic Impact Assessment. At this time, we have not received information from the applicant relating to the greatest number of employees projected to be on site during a given day.

The only concern with the special land use was to minimize whatever noise there might be from an animal hospital, but the drop off and pick up that is close to the door should really help.

The minimum parking calculation for the animal hospital is one parking space for every 400 square feet of gross floor area. General note #4 properly computes the minimum parking to be 64 spaces. However, they wish to initially develop 121 parking spaces and they identify possible parking expansion near the east lot line for another 23 parking spaces.

Five of the required 8 minimum trees along the East Paris frontage are not identified to be a specific variety and appear to have an icon reflecting some type of evergreen. Given their proximity to the East Paris Avenue sidewalk it may be desirable to specify a variety of canopy tree in this area of the site.

Several light fixtures in the lighting plan must be reduced in height so it appears that the lighting plan should be recalculated. In addition, the minimum readings for the parking lot area should reflect the readings at the outer edge of the parking lot as opposed to the perimeter of the site.

We have contacted the design professional that prepared the proposed building elevations and requested the relative amount of the proposed walls that are proposed to be architectural composite metal panels, masonry and glass. This has been received.

Doug Stalsonburg with Exxel Engineering and Craig Baker from First Companies were present.

Benoit stated this looks like a good use for that piece of property.

Porter stated he thinks it is a good use for the property also. He questioned will people be bringing their animals who have passed away to the facility and how do they dispose of them. Baker stated they have a service; they aren't a collection center for dead animals. Baker stated he will have more information by the next meeting.

Holtrop questioned the timing of the project if things go well. Baker stated the plan is once they are approved they expect to have a lease soon, break ground in the spring and need about a year to put it all together. Holtrop questioned if we need that much asphalt. Baker stated the Blue Pearl knows that 5 spaces per thousand is what they need and he will work to get that data for the commissioners.

Vandermeer questioned the drainage. He stated when you put the concrete in the water has to go somewhere. Is there a retention pond. Stalsonburg stated there is a detention pond on the corner of East Paris and Embassy Dr..

Poyner questioned if we will have the traffic study before the public hearing. Stalsonburg stated they will provide more information.

J. New Business

Motion by Benoit, supported by Quinn, to set a public hearing date of February 28, 2023, for: Case#6-23 – Dykstra Auto – Major Change to an Approved Site Plan located at 4782 – 44th Street SE; Case#7-23 Enthusiasts Choice Detail Studio- Request of Connecticut Development Company LLC for a Special Land Use Major Vehicle Repair Dry Ice Cleaning and Site Plan Review for Ste. 3 Located at 5120 East Paris Avenue SE

- Motion Carried (9-0) -

K. Other Business

1. Commissioners' Comments

Jones stated it is nice to see the progress made on the hotel on 32nd Street and Lake Eastbrook.

2. Staff's Comments

Staff offered no additional comment.

L. Adjournment

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

- Motion Carried (9-0) –

Meeting adjourned at 8:20pm

Respectfully submitted,

Ed Kape, Secretary