

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
OCTOBER 10, 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 Holtrop.
- C. Roll Call:
Members Present: Dan Holtrop, Sandra Jones, Alex Porter, Ray Poyner, Darius Quinn, Doug VanderMeer, Sarah Weir
Members Absent: Bill Benoit and Ed Kape (absent with notification)
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier one citizen and the applicants.

Motion by Holtrop, supported by Poyner, to excuse Benoit and Kape from the meeting.

- Motion Carried (7-0) –
- Benoit and Kape absent -

- D. Declaration of Conflict of Interest

There was no conflict of interest statement expressed.

- E. Approval of the Minutes and Findings of Fact

Motion by Commissioner Holtrop, supported by Commissioner Poyner, to approve the Minutes of September 26, 2023 and the Findings of Fact for: Case#22-23 – Storage Five Kentwood LLC – Rezoning of 8.2 acres of land from C-2 Commercial to Conditional I-1 located at 1800-1900 44th Street SE; Case#23-23 -Body Shop Boss – Special Land Use and Site Plan Review for a Major Vehicle Repair located at 3851 Model Ct. SE

- Motion Carried (7-0) –
- Benoit and Kape absent -

- F. Approval of the Agenda

Motion by Commissioner Poyner, supported by Commissioner Quinn, to approve the agenda for the October 10, 2023 meeting.

- Motion Carried (7-0) –
- Benoit and Kape absent -

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

There was no public comment.

H. Old Business

There was no Old Business

I. Public Hearing

Case#17-23 – Bosgraff Walma 44th - Change in the Master Planned Land Use Designation from Low Density Residential to Medium Density Residential located at 2802 – 44th Street

Golder stated the request is for a 4.72 acre parcel of land at the southeast corner of Walma and 44th Street. She stated it was zoned office and master planned for office up until 2021 at which time staff received a request to go to low density residential. Golder stated the commissioners approved the amendment to the Master Plan and then the developer withdrew the application. She stated now Bosgraff is interested in changing the Master Plan again to medium density residential from the low density residential.

Golder stated what they intend to build is attached condominiums and they have said that they would be willing to do it within a PUD. Golder stated when the applicant went before the LUZ Committee, the committee wanted to make sure they are condominiums and not rental units, medium density 4-8 units per acre. The committee members were more comfortable with closer to 6 units per acre but could possibly go higher depending on what design they come up with within the PUD. She stated the PUD will allow some control for the City.

Golder stated there was concern about having an adequate buffer on 44th Street and the appearance of the buildings along 44th Street. She stated there is also concern about having sidewalk leading out to the public street as well as sidewalk internal to the community and visitor parking.

Golder stated that the staff recommendation is for conditional approval for the change to the Master Planned designation with two conditions. 1. The site would have to be developed as a residential PUD and 2. The residences would be limited to 2 stories or 25 feet in height. The basis for that is staff feels that the development to medium density could be accomplished in a way that is compatible with the existing residential units. The residential units to the south and to the east are low density. There is no road that goes through; therefore, it is not going to increase traffic for those units but feel like they can provide adequate separation to those uses.

Golder stated with the development of the PUD the property would require approval of the site plan the building elevations and landscaping plans. That will allow the Planning Commission

and the City the ability to see whether the density proposed is adequate and whether there is enough separation between it and the existing units. If there is too much traffic or too much density the Planning Commissioners can make that determination as to whether or not that site plan suits what they are expecting. She stated at the same time it will allow the developer flexibility to try to cluster the housing to preserve open space and provide screening.

The applicant has indicated his intent to develop units that are owned and that can be a condition of approval with the PUD.

Golder stated the City Commission would like to see this Master Plan change proposed again after the Planning Commission.

Mike Corby, with Integrated Architecture, 840 Ottawa Grand Rapids, MI was present. Corby discussed the point of access and egress that they are proposing even though they don't have a detailed design yet. He stated they did engage with Amy Gecario from Wade Trim to confirm or at least identify where the safe ingress and egress point would be on 44th Street. He stated that any kind of access off Walma would not be safe mostly because of the proximity to the intersection. He stated Amy suggested putting it about 300 feet from the intersection and that would allow about 300 foot distance between that point and the cross over to westbound.

Jones opened the public hearing.

There was no public comment.

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

- Motion Carried (7-0) –
- Benoit and Kape absent -

VanderMeer questioned if we have the legal ability regarding ownership if he were to purchase a condo and then rent it out to someone else. Golder stated any individual that purchases could rent it out, but what we don't want is someone buying a group of condos and rent them all out. She stated that will be a condition of approval and we will put that in the condominium documents as well.

Poyner wanted to make sure the commissioners will see the landscaping plan and building elevations. Golder stated they will see all of that.

Porter questioned whether the ingress can have a slow down lane. Corby stated that would be something that they would address however, because of the low volume of the peak hour traffic that would indicate that it is not required.

Motion by Poyner, supported by Quinn, to recommend to the City Commission conditional approval of the request to amend the Master Plan Designation for 4.72 acres of land located at 2802 – 44th Street from Low Density Residential to Medium Density Residential as described in Case No. 17-23. Approval is conditioned on conditions 1-2 and basis points 1-6 as described in Golder’s memo dated October 2, 2023.

- Motion Carried (7-0) –
- Benoit and Kape absent -

Case#24-23 – Hotel Conversion – Special Land Use and Site Plan Review to convert an existing office Building into a Hotel Located at 2180-44th Street SE (Recommendation to Table Action to October 24**)**

Jones opened the public hearing.

There was no public comment.

Motion by Holtrop, supported by Quinn, to table Case#24-23 Hotel Conversion to October 24, 2023.

- Motion Carried (7-0) –
- Benoit and Kape absent -

J. Work Session

Case#25-23 – Master Plan Amendment 52nd and Broadmoor Ave – Change in the Master Planned Land Use Designation from Industrial to Commercial located at the northeast corner of 52nd Street and Broadmoor Avenue

Schweitzer introduced the request. He stated the request is to change the Master Plan designation from industrial to commercial in the northeast quadrant of 52nd Street and Broadmoor Ave.

Schweitzer stated the applicant submitted a one page narrative and conceptual site plan and conceptual interior floor plans for a pickleball and wiffeball restaurant and interior and exterior recreational sports courts. He stated the restaurant use is allowed by special land use and site plan review under the existing zoning, however the recreational sports are not allowed under the industrial zoning.

Schweitzer stated Broadmoor Avenue is a state trunkline, M-37, and across the frontage of the site it is a four-lane boulevard within a 205-foot-wide public right-of-way. The 52nd Street frontage is a five-lane arterial roadway within an 83-100-foot-wide public right-of-way. No direct left turns are allowed at the intersection as well as along the Broadmoor frontage. Schweitzer stated the main thing with a State trunk line route is to move traffic through safely and efficiently.

Schweitzer stated the northwest quadrant is master planned and zoned and developed as commercial. He stated as you look at the SE quadrant it is developed as industrial with similar constraints with the adjacent rail spur and proximity to a major intersection. This provides evidence that it is feasible along the Broadmoor frontage and comparable to the SE quadrant to have industrial there.

Schweitzer stated it is predominantly master planned for industrial in that area with the exception of the NW corner. Schweitzer displayed the general layout shown as a concept of how they would develop the property if the master designation was changed and there was a subsequent rezoning.

Schwitzer displayed a layout of a plan that was submitted earlier this year involving a concept that was being considered by a developer. They wanted to show for their own benefit as well as perspective tenants that it would be feasible to develop this for an industrial use. Very comparable to the development pattern on the SE quadrant with parking in the front, buildings to the western portion of the property, then having loading and circulation parallel to the railroad spur.

Schweitzer stated in both cases the concept plan does not include the two corner properties. There was a request in January 2022 from Kum and Go for a master plan change from industrial to commercial for the two corner properties. He stated we took it to the East Beltline Advisory Board and within about 10 days Kum & Go withdrew their application. He stated there has been previous interest. Schweitzer stated for those two particular properties it would be reasonable to tie those together. The main thing is for safe access onto the streets. If it is left up to the configuration of the two lots where it is right now, it would not meet MDOT's standards as far as access for them to access onto Broadmoor Avenue and 52nd Street. If you are going to have access further onto 52nd Street that is going to be further to the east closer to the railroad spur where that crosses.

Schweitzer stated the commissioners have a summary of the discussion with the LUZ Committee and Master Plan Committee and a lot of that conversation involved the primary staff/commissioners concern relating to the availability of land suitably zoned to support industrial development in Kentwood and the greater Grand Rapids area. A recent Crains Grand Rapids Business article dated August 8, 2023, highlighted the scarcity of available industrial real estate in the West Michigan area. Schweitzer stated we reached out to Tim Mroz, the Senior Vice President of Community Development with The Right Place for his perspective on the availability of industrial properties. He provided us a report describing the industrial vacancy rates in the southeast portion of the Grand Rapids Metro area through the second quarter of 2023 from the viewpoint of JLL and NAI Wisinski of West Michigan. Mroz also provided the 2023 The Right Place Development Report which described their pursuit of build-ready industrial sites.

The current amount of industrially zoned land in Kentwood is approximately 2,760 acres and it is a major component of the city's tax base. He stated working with the City Assessor's Office we have identified the subject site as well as 6 others that appear to be vacant and available for industrial development according to the Commercial Alliance of Realtors website. However, these sites only range from 1-10 acres in size.

Schweizer stated we will have a public meeting on November 14 for this Master plan change request from the applicant.

Andy Anderson was present. He stated he would like that Master Plan to be changed from industrial to commercial so he can build a pickleball and wiffleball restaurant. He stated within the restaurant they will have 6 indoor pickleball courts, 4 outdoor courts and an indoor whiffleball field. He stated pickleball is the fastest growing sport in America and this will be the first one in the State of Michigan. He stated the land has been vacant for 40 years. The last survey of it was 1989. He stated it has been up for sale around 10 years. He stated he is here to develop the land and add some tax revenue to the City of Kentwood. He stated with pickleball there can be noise complaints if it is in a residential area, this is not near residential, there will be no noise complaints and 6 of the 10 courts will be indoors.

Anderson stated he chose this area because this will provide a restaurant not only to the residents but also to the workers, so they won't have to take an hour to get to lunch on 28th street. He stated additionally people going to the airport getting off of M6 from Lansing or Holland, it will provide an additional place for them to grab a meal other than the Arby's and Burger King that is also on Broadmoor.

Anderson stated looking through Kentwood's documents there has been strong interest in adding pickle ball courts. He felt that what he is proposing will compliment the pickleball courts that are being added to Covenant Park.

Anderson stated he has been to LUZ and there were some concerns. He stated the CRAINS article said the SE portion of Grand Rapids has about 5% availability for industrial land. He stated he had his realtor do a search and he found 22 sites that are currently for sale for lease, that includes 180,000 square feet of building space and 14 acres of land that are available for industrial right now. There are also 75 acres in Wyoming, 237 acres in Lowell and 16 acres in Caledonia surrounding Kentwood. He stated the acres he would like to convert to commercial will not impact the overall potential for industrial.

Anderson stated another concern was that this will not be industrial wages, it will be restaurant wages. He stated he will employ approximately 30 employees, however the business will drive economic growth. He stated pickleball tournaments draw people from all around.

Anderson stated another concern is that the City Commission won't approve due to the past decline of the indoor soccer facility. He stated he spoke to a couple of City Commissioners and they are in favor of his project and 2 of them voted against the indoor soccer field but they are in favor of this.

Anderson stated another concern was whether this will compete with Covenant Park pickleball courts. He stated this will compliment them. The public courts are open to the public, his restaurant will also be open to the public, but you have to pay to play on a court. When Covenant Park closes for the winter, they can come to his place and play inside, also when it is too dark to play, snowing or raining they can come to his place and play. He stated this will be year-round.

Porter stated there are a few restaurants in the area, he can see the benefit, however on the other hand he sees the point about industrial space and where we can grow industrial businesses. He stated he is curious about the tax base, questioning which gets more tax revenue commercial or industrial and if we expect to see a big difference. Schweitzer stated he would check with the City Assessor. Porter questioned if the railroad spur is active. Schweitzer stated it has been inactive for many years, still owned by the State.

Porter questioned the industrial concept plan. He noticed in the study it was about 5 dollars a square foot for industrial. He questioned whether we know what the net cost would have been for them with what they had to do to put it in here and would it have met the 5 dollar per square foot or was it working out higher or was there a cost factor. Schweitzer stated he doesn't know that detail but we can check with the source that shared that with us. Porter stated this would be an important factor for him for a change in the Master Plan land use designation.

Porter questioned if the two properties at the corner were rezoned, if the access to those would be through the proposed property. Schweitzer stated in the best case it would be. It would be a matter of property rights that come into play, but in terms of optimum design and also the unlikelihood of MDOT relaxing its standards to allow for separate access for one or both of those corner properties. Schweitzer stated that is why the Advisory Board gets together to get a broader perspective for an issue like this. Anderson stated as part of the plan they would share access together. That would be his ideal situation. Porter stated the easement is critical for the efficient use of all of this. Discussion ensued.

Holtrop questioned if this property has always been planned industrial. Schweitzer stated since about 1980 when public water and sewer was extended out to that area. Holtrop stated this has been industrial for 40 years and nobody has moved on it therefore he is ok with the change.

Holtrop stated another concern is the two corner lots the owner is holding it as industrial. He wondered if that owner had been notified about the request. Schweitzer stated because

of the November 14 public meeting date we have not yet sent out that notice, however a notice of intent was sent out in late September to the adjoining land owners.

Holtrop stated we are looking at articles about lack of industrial but our presentation states there is 2,700 acres of industrial and 6 that are still vacant and those 6 range from 1-10 acres. He stated at the highest point we would have 60 acres of industrial land left in Kentwood. Holtrop stated he is ok with changing the Master Plan.

Holtrop stated we have discussed the noise with pickleball next to residential, however how would that apply to having a restaurant in close proximity to pickleball courts. Anderson stated they tvs will be loud they won't even realize that it is happening. The inside will have some glass walls so they can still see but also not be as distracted.

Poyner questioned if the outdoor pickleball courts would be far enough away from M37 that they are not going to get noise from all the vehicles that are going down M37. He stated that is going to disturb those playing pickleball. Anderson stated he doesn't think the noise from the traffic will irritate them.

Poyner stated he is also curious to know about the tax revenue. He stated he doesn't believe that you can look at something and say that because it has been vacant for years that it would likely stay vacant going in the future. He would argue that we have had a lot of development recently at that intersection and if there is a demand for industrial that something may come in for industrial. Poyner questioned if he has looked at any other commercial properties in the City of Kentwood. Anderson stated he has done a very exhausting 3 month effort looking at all potential locations. Anderson stated however, you have to look at the size, he needs about 4 acres, and the cost, and is the location a good location. Discussion ensued. Poyner stated that he agrees that if we are going to change to commercial the other two adjacent lots on the corner sound also be considered as commercial as well.

VanderMeer stated he doesn't have a concern about the noise at this location. VanderMeer stated the buildings that are now on the southeast corner have gone up in the last 5 years. He stated that this property has been for sale for 10 years, why didn't they buy the northeast property when they had a chance.

VanderMeer questioned if the applicant has been talking to MDOT about access off of Broadmoor. Anderson stated he was waiting for the planning stages. Anderson stated whatever it is they will do whatever MDOT tells them to. Schweitzer stated we sent this request to the Advisory Committee and Anderson will be a part of the discussion at the October 19 meeting.

Quinn stated he is in support of zoning. He stated there has been discussion regarding the 2,700 acres, 6 vacant lots, and he doesn't see very much demand. He stated why let a

property sit for many years. Quinn stated that parking would be his only concern. Anderson stated once we get into the actual details with this building, he feels that there will be adequate parking

Jones questioned what kind of screening will there be. Anderson stated he is hoping to work with staff on the appropriate screening.

Case#26-23 – Biggby Coffee – Special Land Use and Site Plan Review for a Drive Through Restaurant – Located at 2300 44th Street SE;

Golder stated the applicant is proposing a drive-thru only Biggby Coffee facility located on a currently vacant property at 2300 44th Street. She stated it is zoned commercial the proposed use is an 800 square foot coffee shop. There is no indoor seating, only the drive through and then there is a walk up window out in the front.

Golder stated it is a narrow lot 85 feet wide. There are wetlands to the south and to the west and that makes it impossible to get that rear exit that we might have thought we could get over to Countrywood.

Golder stated if you want to get into the property you would access from the adjacent property to the east there would be a direct turn into the property and then an easement that would allow you to go to get to the proposed Biggby. When you exit, you would have to turn right, go through the intersection and then come all the way back if you want to go back to the west. It is more difficult to get out to go westbound.

Golder stated this is a special land use therefore we use the general and specific standards. She stated there are no problems with the general standards. She stated with the specific standards there is a reference to if you are adjacent to office or commercial to try to make a connection to the adjacent property. She stated maybe there is a possibility to connect over to the office building adjacent, but that turn would be difficult. She stated the lane is narrow and it is a one way, 15 feet from curb to curb, it is very narrow to make that turn. She stated it might be difficult, and if you did get out there it is only 180 feet from the driveway to get to the indirect left. She stated she will look into that to see if there is any benefit to have any type of easement the west so that if something would happen in the future, we know where we can make a connection and make it safely.

Golder stated there is plenty of stacking area. She stated with the walk up she thought that it might be a good idea to have a crossing for that driveway so people know that there might be pedestrians there. The lanes meet our minimum and there is room for bypass, but the two landscape islands do not meet our standards. She stated we would also need more information on site lighting.

Mark Bailey with Feenstra & Associates was present. He stated the easement Golder was referring to they still do not have all the title work for the property they are trying to find

out if one exists already, they should have that soon. He stated they moved the building over because of the landscaping. It was very tight to put anything in so it made it much easier to put landscaping in with the wetlands they are trying to minimize the area that they are going to impact, so by sliding everything over it doesn't help a whole lot, but it does decrease that some. He said they put stripes across the road for the walk crossing. He stated they are currently working with EGLE on mitigation and the wetlands. He stated as far as the site lighting they are working with a commercial lighting company that is supposed to be providing that for them, they have not yet.

Garner Tyson with Biggby coffee was also present.

Holtrop questioned the landscaping on the east side of the parcel. Bailey stated they put about 7 deciduous trees on each side and about 25 shrub or dwarf type ornamental trees. Holtrop stated he thought it was strange that only one parcel is going to have landscaping.

Holtrop questioned their parking for the staff. Golder stated there are 8 spaces and that is more than they need for employees, it is only an 800 square foot building. She stated because it is tight, they might be able to remove some spaces and it might be a help with maneuverability because backing out is going to be tight.

Jones questioned why drive-thru only. Tyson stated they have done a lot of Biggby's and through covid they found that the lobbies aren't being used as much, not only can they staff less it is more economical.

The commissioners were ok with the request.

Case#27-23 – Kentwood Drive and Shine – Special Land Use and Site Plan Review for a Vehicle Wash Establishment – Located at 3311 Woodland Drive SE

Pung stated the request is a special land use and site plan review for a vehicle wash facility and with it they are also proposing a accessory oil change and quick lube.

Pung stated this is a 4 ½ acre site located on the north side of Woodland Dr. west of the East Beltline. The site is currently an overflow parking lot for the office building to the north which the applicant also owns.

Pung stated there is currently a drive that only provides access to Anna's House which is on the adjacent property to the east. He stated with this proposal would also serve as the main access to this site. The existing drive connection to the north goes into the other parking lot that will be an egress only for bypass traffic. It will also serve as an egress only for bypass traffic.

Pung stated the building would be a 23,400 square foot building with an oil change facility, interior carwash, interior self-vacuum, and interior vacuum and cleaning that will be done by staff and then there will also be some exterior vacuums. He stated they are

also proposing future vacuums that will be closer to the residential so there may be some concerns with noise and screening.

Pung stated this site was conditionally rezoned to C2 community commercial in December of last year. One of the conditions of approval was that the use was restricted to the carwash and the accessory oil change only. As long as it is zoned C2 this is the only use that can be there, and the oil change can only be associated with the carwash.

Pung stated they also went to the Zoning Board of Appeals for several variances. One was for a reduction to the rear yard setback. They were granted a variance of 28 feet to the rear yard setback. They were also granted a reduction of 17 feet to the adjacent residential to the northwest. They were also granted a waiver to the 10-foot buffer zone requirement along the property line, but one of the conditions of approval was that they would be putting in a permanent landscape easement that would act as that buffer but it will be on the adjacent property to the north.

Pung stated the applicant provided an operational description and indicated that the number of employees would be 6, but staff would like that to be clarified that they only intend to have 6 employees and that will be adequate to manage the services that they provide. Staff is also looking at them to add into the operations statement of how the wastewater is going to be treated. Pung stated staff would also like some additional detail of how long it takes to provide each service so staff can see how long the stacking might be.

Pung stated it is currently located on 3 separate parcels. Those parcels will have to be combined as part of this project. As noted, they want future outside vacuums on the westside of the building. Those would be closer to the apartments and residential to the northwest and they would not be screened by the building. Pung stated staff wants to make sure there isn't any noise issue. He stated regarding the noise the applicant has indicated that they have done studies showing how the noise is not going to be an issue. Staff is looking for them to provide that information and the studies of what the noise levels are going to be at that property line.

Pung stated we are looking at having the permanent landscape easement and also providing a permanent egress to the East Beltline over to the adjacent property to the north. We have to make sure if the property to the north is ever sold that egress is maintained and they are able to get off the site for the bypass. He stated staff is also looking at the bypass. If there is more than one vehicle the bypass could be blocked, we will need to know how busy the use is and how often it will get blocked or is there a way to create a different bypass so people aren't waiting in line for the oil change and they are not blocking the egress from someone trying to get out of the carwash.

Carolyn Kurtz, from AR Engineering was present. She stated they met with staff and the traffic engineer and a representative from the Fire Department to discuss any potential issues. In concerns of the vacuum noises, she read documents from the manufacturers

giving their statement on the noise levels and a statement from the owners. They do not see a potential issue with the noise generated from the vacuums. Even with the future vacuums shown, they are over 120 feet from the residential, twice the distance that the owner states and there is some tree screening.

Porter questioned if the building will be one or two stories and a lot of glass. Kurtz stated it is one story and the vacuum enclosure is all glass.

Holtrop stated he thinks if they can move the bypass lane further west, that would address the oil change back up potential. He stated he isn't sure of the reasoning of needing the reserved area for future vacuums, he is not a huge fan of putting the vacuums to the west. Kurtz stated the owners want them there in case demand is high for them and the actual vacuum is in an enclosure.

Poyner questioned if they have a specific plans as far as noise. Kurtz stated there is quite a bit of existing landscaping and they do have some proposed landscaping. She stated as mentioned they are over 100 feet from that residential property and according to the manufacturer the vacuums are 60 decibels at the actual enclosure therefore 100 feet it wouldn't provide much noise at all if any.

VanderMeer gave examples of other businesses that are 100 feet within a carwash with vacuums. He stated that you don't hear the noise. He stated he was more concerned about the only 6 employees, but the owner understands what it takes to run a business.

K. New Business

Motion by Holtrop, supported by Quinn, to set public hearing date of November 14, 2023, for: Case# 28-23 - DAMA Ventures LLC – Special Land Use Indoor Vehicle Sales and Site Plan Review – Located within Phase A of 3350 Broadmoor Avenue, zoned I-1 Light Industrial

- Motion Carried (7-0) –
- Benoit and Kape absent -

L. Other Business

1. Commissioners' Comments

Commissioners offered no comments.

2. Staff's Comments

Schweitzer stated Tuesday October 17 at the City Commission Committee of the Whole meeting at 5:30pm there will be a presentation on the transit master plan and invited the commissioners to attend. Golder stated at the same meeting staff is also presenting the housing recommendations to the City Commission.

Golder stated Storage 5 has retained legal counsel and they tabled their City Commissioner conditional rezoning request. She believes they might try to amend the conditions and bring it back to the Planning Commission.

M. Adjournment

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

- Motion Carried (7-0) –
- Benoit and Kape absent

Meeting adjourned at 8:55pm.

Respectfully submitted,

Ed Kape, Secretary