

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
JULY 11, 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: Bill Benoit, Dan Holtrop, Sandra Jones, Ed Kape, Darius Quinn, Doug VanderMeer, Sarah Weir
Members Absent: Alex Porter and Ray Poyner (absent with notification)
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier-Johnson and the applicants.

Motion by Holtrop, supported by Quinn, to excuse Porter and Poyner from the meeting.

- Motion Carried (7-0) –
- Porter and Poyner 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 Quinn, to approve the Minutes of June 27, 2023 and the Findings of Fact for: Case#13-23 – Request of Bigg Architecture on behalf of Huntington Bank for a Special Land Use Freestanding Drive Through ATM at 2956 – 28th Street SE (Zoned C-2 Community Commercial)

- Motion Carried (7-0) –
- Porter and Poyner absent -

- F. Approval of the Agenda

Motion by Commissioner Benoit, supported by Commissioner Kape, to approve the agenda for the July 11, 2023, meeting.

- Motion Carried (7-0) –
- Porter and Poyner absent -

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

There was no public comment.

There was no Old Business

I. Public Meeting

Case#14-23 – Storage Five Kentwood - Change in the Master Planned Land Use Designation from Commercial to Industrial for an 8.2 acre area of the property located at 1800-1900 44th Street SE;

Golder stated the request is a public meeting. The public hearing will be held in about 42 days.

Golder stated this is a master plan amendment request for the former Kentwood Village Mall and also known as the Trinity Health building. She stated the applicant wishes to use 8.2 acres of the overall 13.30 acre property as industrial. The applicant intends to divide 3.32 acres along the 44th Street frontage into four new commercial outlots. A fifth outlot is proposed on the southeast corner of the site, also intended to remain as a commercial parcel. Since the subject parcel is a platted lot, additional approvals for the land divisions will be required.

Golder stated the change in use would only affect the 8.2 acres that includes the existing building; four retail pads would remain along 44th Street. Another 1.77 acres on Bowen Boulevard would remain for commercial use.

Golder stated the owner said that there has been no interest in the property for 3 years. The building located on the property is 116,057 square feet in area and has been most recently used as a medical call center. Golder stated the applicant would like to use the building for climate controlled self-storage, requiring industrial zoning.

Golder stated the applicant approached the Master Plan Committee in 2023 to seek feedback on the amendment to the Master Plan. While the proposed self-storage use would generate very little traffic, concern was raised regarding rezoning to an industrial district, and whether permitted industrial uses (other than the storage) would be allowed. The Committee was concerned that variances would be needed to address the required separation of industrial uses from adjacent residential uses. Also, concern was raised as to whether more self-storage is needed in the community, and whether the proposed use will be a detriment to the vitality of the area.

Golder stated an issue related to the change in land use/rezoning is the building setback. A building must be at least 100 feet from a residential district the 116,057 square foot building is only 34 feet from the adjacent residential property line to the south. He stated the setback can be reduced to 50 feet if it is all landscaped, but this is all mostly paved. She stated a zoning board variance would ultimately be needed. She stated in Chapter 19

of the zoning ordinance the landscape requirements also have some buffer zones that are required between residential and industrial uses.

She stated at the work session there was discussion regarding parking. The applicant has indicated that they only need 30 parking spaces if this were to be a self-storage unit, but there are 391 spaces on the site. She stated the concern is what happens to that other land. She stated if it's something other than commercial use then they would have to go through another Master Plan Amendment and that still remains as an issue.

Chris Katanya, 40 Glimlock Ct. Sugarland TX 77479 was present. He stated although it is being turned into industrial his recommendation would be; master plan amendment with the condition that it can only be used for self-storage. He stated assuming that it goes self-storage it is one of the lowest impact uses. He stated there is going to be new development, new economic activity, brand new buildings and a physical screen between 44th Street and the storage facility.

Jones opened the public meeting.

Quinn stated he struggles with industrial being so close to residential. Katanya questioned if it is possible to change the Master Plan with the condition that it can only be certain uses. Quinn stated at the last meeting there was mention regarding conditional zoning or PUD. Golder stated the City Attorney was not in favor of amending the commercial zone use allowances to allow for self-storage. Quinn questioned what he plans on doing with the 1.77 acres. Katanya stated that would remain commercial, he is open to it becoming residential.

Discussion ensued regarding conditional rezoning and PUD's.

Holtrop questioned if any of the rear parking that is up for change to industrial be attached to the 1.77 acres remain commercial. Katanya stated the reason why he left it because code specified a certain amount of parking spaces per industrial use.

Benoit stated he likes the idea of narrowing down in the master plan that this is meant for enclosed self-storage only. He stated if we can do that he would be satisfied.

VanderMeer agreed with Benoit. VanderMeer questioned if there were any easements. Jones stated the applicant owns the property. Golder stated behind the outlots if there isn't an easement now there will be. Schweitzer noted there are 2 existing driveways on to 44th Street. Discussion ensued.

Jones questioned if the driveway off 44th Street would remain. Katanya stated that would remain; the intent per the engineer that would be the common drive to get customers to the outlets.

Jones stated that the applicant will come back after 42 days for a public hearing.

Case#15-23 – EquipmentShare- Zoning Ordinance Text Amendment(Consideration of Special Land Use Open Air Heavy and Industrial Equipment Sales, Rental and Service)

Pung stated the applicant is requesting amending the zoning ordinance to add construction and industrial equipment sales and rental as a special land use in the industrial district. He stated currently there is allowance for an indoor sale of such equipment as a permitted use. They also wish to display their equipment outdoors. This will be an open-air business and open air businesses are not currently allowed within the industrial district.

Pung stated at the work session commissioners felt that it would be appropriate for the equipment to be located within an industrial district as a special land use. He stated the original application didn't have any specific site design criteria and there was some concern raised wanting to limit or have conditions for such a such a use.

Pung stated the recommendation does include adding site design standards.

Amend Section 10.2.A Table of Use to add:

Open Air Construction and Industrial Equipment Sales and Rental as a special land use in the I1 Light Industrial and I2 Heavy Industrial districts.

Amend Section 15.03 Special Land Use Specific Approval Standards to add the following:

KK: Open Air Construction and Industrial Equipment Sales and Rental

Amend Section 15.04 Site Design Standards to add the following:

KK: Open Air Construction and Industrial Equipment Sales and Rental

1. There shall be a minimum front yard landscaped setback of thirty-five (35) feet. No parking, storage, or display is permitted within the landscaped setback.
2. The maximum height of equipment stored or displayed in the front yard shall be no more than ten (10) feet.
3. A landscaped berm or solid wall at least three (3) feet in height may be required in the front yard.
4. All equipment shall be stored in the configuration used for transportation of the equipment.
5. A six-foot high vertical screen and/or a buffer zone may be required along the side and rear lot lines to enclose and screen the open storage area.
6. The lot areas used for parking, display, or storage shall be provided with a bituminous or Portland cement binder so as to provide a permanent, durable, and

dustless surface and shall be graded and drained so as to dispose of all surface water.

Pung stated he is recommending to amend the zoning ordinance as described in his memo dated July 6, 2023 with basis point number 2 adding subject t special land use review.

Drew Born, representing EquipmentShare was present. He expressed concern with the requirement that all equipment will be stored in the configuration used for transportation. He stated the goal is not having their equipment seen. He displayed a picture from the Lacks parking lot to show that they already have a good screen. He stated they don't want booms in the air, and they are willing to work with the commissioners/staff on the language on how they can adjust where the booms will not be allowed and what height staff feels appropriate. He stated it is important for them to have the booms raised a little bit. He stated the booms take over twice the square footage when you have to leave the boom on the ground. They have no intentions on parking the booms anywhere along the 52nd Street corridor, the booms will be stored behind the old Steelcase trucking facility and all of it will be below the current building height. He stated they would like to work on this language to have the booms so they aren't wasting acres of space when keeping everything stored in a lower position, yet being invisible from the 52nd Street and surrounding corridor.

Born displayed pictures from inside the Steelcase facility showing the height of the building which is roughly 30 feet, the light poles which are taller than the building and also a view into the site from Lacks so the commissioners see that nothing is visible.

Jones opened the public hearing.

There was no public comment.

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

- Motion Carried (7-0) –
- Porter and Poyner absent –

Kape questioned if the boom will be hidden behind the building. Born stated that is correct; they submitted a site plan with the restrictions on the equipment stored in the front. He stated there will be no visibility of the booms from the road.

Chad Stone, EquipmentShare and District Manager for the Midwest was also present. He stated they will have equipment, but it will not be visible from the road.

VanderMeer questioned the height of the berm on 52nd Street. Stone stated according to the topographic map it was 10 feet, further west it is higher. Discussion ensued regarding the storage of the booms and possible language.

Benoit and Holtrop both wanted them to make the equipment invisible. Holtrop stated there are always going to be light poles maybe the language should state nothing can be stored taller than light poles.

Jones stated she thinks the language should read that the booms can not exceed the height of the building or light poles and that they will not be visible from the street

The commissioners decided to table the request to allow the applicants to work out details with staff.

Motion by Benoit, supported by Kape to table to July 25, 2023.

- Motion Carried (7-0) –
- Porter and Poyner absent -

Pung stated if the commissioners have any ideas before the next meeting to send him an email.

K. Work Session

Case#16-23 – Kum & Go – Special Land Use and Site Plan Review for a Vehicle Fuel Station located at 2975 and 2995 28th Street SE

Golder stated the proposed Kum and Go development is located on a 1.496 acre property at the northeast corner of Ridgemoor Avenue and 28th Street. The station is proposed to be open 24 hours a day. Six gas pumps (12 pumping stations) are proposed. The convenience store is 3,968 square feet in area.

Golder stated the existing businesses (West Marine and a second hand store) are served by a 28th Street driveway shared with the adjacent Dollar General store. Ridgemoor Avenue is a 30 foot paved road within an 80 foot right of way. The speed limit on 28th Street is 45 mph. Golder stated there is an access easement that runs along the common property line and goes out to Ridgemoor Drive

She stated the existing businesses are served by a driveway on 28th Street as well as two driveways on Ridgemoor Avenue. The 28th Street driveway is divided with a median and shared with the adjacent Dollar General store. The driveway is full service and is located approximately 292 feet from Woodland Mall Drive. The property to the east of the Dollar General store (Batteries Plus and Sleep Doctor) have two driveways to 28th Street. There does not appear to be restrictions of left turn movements out of the property, and cross access is permitted to Ridgemoor Avenue.

The site's two existing Ridgemoor driveways do not currently align with the driveways on the west side of Ridgemoor. The proposed Kum and Go development proposes the alignment of the southern driveway with an existing driveway that serves the alterations

shop on the west side of Ridgemoor, 154' north of 28th Street. The proposed new curb cut is 46' wide at the Ridgemoor right of way; 30' is the maximum permitted as per Section 54-194 of the Kentwood Code of Ordinances. The proposed curb cut onto 28th Street is also approximately 46'; the width of this driveway is being reviewed by MDOT.

The existing northernmost driveway on Ridgemoor Avenue also does not align with the driveway on the west side of Ridgemoor Avenue. An access easement exists on the property that serves Dollar General. The easement extends from Ridgemoor Avenue to the east, then turns south along the common property line between the site and Dollar General. The joint easement would be used for deliveries to the respective sites, with the exception of fuel delivery for the proposed Kum and Go.

The applicant has submitted a Traffic Impact Study as required by the Zoning Ordinance. The analysis reviewed current conditions, and then estimated future conditions, given the proposed gas station use. The study concluded that the "28th Street/East site driveway" (the shared driveway with Dollar General) operates currently at a LoS of B-C currently during the AM and the PM peak hour. With the addition of the Kum and Go, this driveway is expected to continue to operate at the same LoS B and C. Only the southbound left turn movement degraded from LoS B to C with the addition of the proposed gas station.

The driveway on the site with the most turning movement delay was the Ridgemoor and 28th Street intersection. Currently the PM peak hour operates at a LoS D; however, the level of service will not degrade further with the addition of the gas station. The AM peak at this driveway will degrade from LoS B to C in the AM peak.

The most congested nearby intersection is the 28th Street and Radcliff/Woodland Mall intersection. This is the signalized intersection that serves Woodland Mall. The LoS for this intersection ranges from A to E. Future conditions suggest that the LoS for this intersection will largely remain the same with the addition of the proposed Kum and Go gas station.

Since 28th Street (M-11) is a state route, the Michigan Department of Transportation (MDOT) reviewed the traffic study. They have indicated in their letter of June 29, 2023 their concerns regarding the full access driveway proposed on 28th Street, indicating that lefts in and out of the driveway would potentially conflict with queues at the signal of Woodland Drive. As a result, MDOT expressed a preference that the east driveway to the proposed Kum and Go be converted to a right-in, right-out only driveway. As a shared driveway it is unclear whether the city can require the right-in, right-out driveway without evidence that the intersection is unsafe.

The traffic study indicates a right turn deceleration lane is warranted along westbound 28th Street at the East driveway.

Golder stated there are a couple of special land use site design standards K&G doesn't meet. One is that it can only be one driveway per street that has frontage where two driveways are proposed on Ridgemoor Drive. This will have to go to the Zoning Board of Appeals. The same issues with the other K&G's the merchandise outside. She stated the

building itself sits 150 feet back from the street there will be a nice 75 foot buffer. We have standards about not having outdoor sales. Golder stated with the general special land use standards the only issue is relates to traffic. She noted the traffic analysis and she questioned whether the 28th Street driveway is safe for left turns out.

Golder also noted the driveways don't meet the City requirements for width.

Jared Kind, Atwell LLC, was present, 2 Towne Square Southfield, MI, was present.

Quinn questioned if the pumps are buffered from the street. Golder stated yes the landscape plan shows the trees and the building sits 150 feet back. Quinn stated Ridgemoor and 28th Street says that the grade is at an acceptable level, but when turning left, that is a hard left out of there. Discussion ensued regarding level of service. Quinn stated that left turn out on to Ridgemoor is a concern for him.

Holtrop questioned forcing the right in, right out on Dollar General and who determines who can do that. Golder stated she spoke to the City Attorney and he felt that it had to be a compelling reason to force Dollar General to agree to that. Golder stated when none of the level of service has changed that much, it is hard to come up with the justification for what the danger is with it. She stated she wants to go back and check with crash data and stacking.

Kind stated as they see the traffic backed up it may be more difficult to make that turn on to 28th. The additional drive entry that K&G has on the front side of the building that they will be relocating further north on Ridgemoor will become an obvious route of travel for those looking to turn left.

Holtrop questioned the elevation. Golder stated it is on the same elevations as the second hand store, there is going to be a hill from the building to the west. Kind stated they are going to have a single level building and a nice landscape slope coming down

Holtrop questioned the rationale why the building sits 150 feet off of 28th Street. Kind stated with the existing site configuration it is a deep lot for them and with the existing easement across the back that becomes their natural service area. He stated keeping everything where the service needs to be, provides for ample room up front for the parking or the fueling stations and provides a nice screening buffer along the street.

Holtrop stated they will be much closer to the homes. Kind stated it is no closer than the existing buildings and driveways and dumpsters and service areas that Dollar General is already to those homes. Discussion ensued.

Benoit questioned if the Zoning Board previously granted variances to allow K&G to store products out front. Golder stated it never went to the zoning board, planning staff worked with the applicant on what products could be outside and where it could be placed. Discussion ensued.

VanderMeer questioned the 24/7 hours of operations to be consistent to the other Kentwood K&G locations. Golder stated Eastern and 52nd is 24/7. Golder stated she thinks 24/7 is reasonable for this site. VanderMeer questioned if there is a proposal for future charging stations. Golder stated what she was told before is what they would need underground conduit that would be put in place just in case it is needed in the future. Kind stated conduits are an easy thing to provide as the demand increases. Discussion ensued.

Kape questioned if there was sidewalk on 28th Street. Golder stated there is one that goes from Cascade over to Grandville. It doesn't go all the way down to Ridgemoor.

Jones stated her questions are the width of the curb cuts. Kind stated the width of the curb cuts is tied to the truck turning maneuvers for the fuel trucks as they move in and out of the fueling area. Golder stated MDOT has a standard curb design they will probably address the 28th Street curb cut. Golder stated the City Engineer is on board with 30 feet. Kind stated they can take a look at how they can get it to fit with the 30 foot current standards.

L. New Business

Motion by Benoit, supported by Holtrop, to set a public meeting date of August 9, 2023, for: 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 SE; and Public Hearing dates for Case#18-23 - EquipmentShare – Special Land Use and Site Plan Review for an Open Air Construction and Industrial Equipment Sales and Rental located at 4250 – 52nd Street SE; Case#19-23 – EquipmentShare – Final Site Plan Review of a PUD

- Motion Carried (7-0) –
- Porter and Poyner absent -

M. Other Business

1. Commissioners' Comments

Holtrop questioned since we tabled Equipment share will it still be on time to go to the City Commission. Schweitzer stated if the commissioners are inclined to approve it at the next meeting they will have the choice to and send it directly to the City Commission without having the Planning Commission approval of the Findings of Fact.

2. Staff's Comments

Schweitzer stated Parks and Recreation is looking at wayfinding signs for citywide recreational facilities. They want to make people more aware of the parks in the area.

Collier-Johnson stated that the first Planning Commission meeting in August will be held on Wednesday August 9, 2023, not on Tuesday Aug 8 due to the election.

N. Adjournment

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

- Motion Carried (7-0) –
- Porter and Poyner absent -

Meeting adjourned at 8:30pm

Respectfully submitted,

Ed Kape, Secretary