

APPROVED MINUTES OF THE REGULAR MEETING  
OF THE KENTWOOD PLANNING COMMISSION  
WEDNESDAY AUGUST 9, 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 Poyner.
- 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, Planning Assistant Monique Collier, the applicants and about 40 citizens.

- 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 Kape, supported by Commissioner Quinn, to approve the Minutes of June 25, 2023 and the Findings of Fact for: Case#15-23 – EquipmentShare- Zoning Ordinance Text Amendment (Consideration of Special Land Use Open Air Heavy and Industrial Equipment Sales, Rental and Service)**

- Motion Carried (9-0) –

- F. Approval of the Agenda

**Motion by Commissioner Quinn, supported by Commissioner Holtrop, to approve the agenda for the August 9, 2023 meeting.**

- Motion Carried (9-0) –

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

There was no public comment.

- H. Old Business

**Case#16-23 – Kum & Go – Special Land Use and Site Plan Review for a Vehicle Fuel Station located at 2975 and 2995 28<sup>th</sup> Street SE (**Tabled from the June 25, 2023 meeting**)**

Golder stated the proposed Kum and Go development is located on a 1.496 acre property at the northeast corner of Ridgemoor Avenue and 28<sup>th</sup> Street. She stated there is another C2 parcel to the north of Kum & Go that is about 100 feet wide and 100 feet away from the next adjacent residential area zoned R2. The area to the west is zoned R3. She stated the master planned area to the north is medium density residential and the area to the northwest is high density residential. She stated along 28<sup>th</sup> Street it is zoned and master planned for commercial use.

Golder stated adjacent is Dollar General and the second hand store. She stated they share a driveway and that goes out to Ridgemoor. She stated there is also the driveway that serves Woodland Mall, Woodland Drive with a traffic light. She stated at the initial public hearing there was discussion regarding the traffic backing up to turn left into Woodland Drive. She stated the State of Michigan controls 28<sup>th</sup> Street and it was their preference to require a right in right out driveway for the existing entry into the development. She stated right now the driveway is full service. MDOT would like to see the driveway right in right out, however, because there is a shared easement; that is not up to Kum & Go to be able to decide a right in right out drive can happen therefore they have to get permission from Dollar General.

Golder stated that the State of Michigan has been trying to have a meeting with Dollar General so they can determine whether they will allow for the right in right out driveway on the site however, they have not been able to meet with them yet.

Golder displayed an aerial photo of the area and the existing driveway that is shared between Dollar General, West Marine and the Second Hand Thrift store. She stated if Kum & Go is approved it will replace West Marine and the Second Hand Thrift store. She stated Ridgemoor Drive is commercial in that area and 80 feet wide 30 foot pavement there are 4 driveways on the west side of Rdigmoor and 2 driveways on the east. The 2 driveways serve the existing West Marine and the Second Hand Thrift store and Dollar General that uses their easement to get out to Ridgemoor Drive.

Golder stated there has been a lot of input from the neighbors and their concerns were the traffic, traffic cutting through, the Calvin traffic, left turns out not of just the shared driveway but out of Ridgemoor at 28<sup>th</sup> Street, environmental concerns, visibility to the neighborhood and alcohol sales.

Golder stated the applicant wanted to respond to the concerns of the neighbors.

Mike McPhearson, Atwell LLC was present and a representative from Kum & Go Alex Sapinfield and Julie Kroll, traffic consultant.

McPhearson stated they heard the concerns of the neighbors at the meeting and they are working to address them as best as possible. He stated with regard to the concern regarding sight line and screening to the north, they have a 100 foot wide commercial lot between them and the nearest residential lot to the north. What they are willing to do is a

screened fence that will tie into the Dollar General's fence. They modified the trees to be larger evergreen trees to try to densify that screen.

McPhearson stated regarding pedestrian safety; they have sidewalk proposed all the way along Ridgemoor. That will tie into the existing sidewalk along 28<sup>th</sup> Street and then a sidewalk connector that will come up directly to the front of the store. He stated with regard to the wall that connects to the fence in the back, pedestrians are going to be limited to use of the public sidewalk in a safe manner. He stated there shouldn't be any type of cross access without jumping over fences and that would be out of their control. They are trying to keep the pedestrian path as efficient and as safe as possible.

McPhearson stated, in general, Kum & Go addresses crime prevention through environmental design. This include lit lots, high visibility building, lots of glazing so they can see out and people can see in. He stated there is also video surveillance inside and outside of the building.

McPhearson stated regarding the alcohol sales it is proposed as beer and wine only there will be no liquor sales at this location. All Kum & Go staff are trained to involve the local police if there are any problems, this is not a facility for alcohol consumption. He stated the stores participate in the Bars program for alcohol and tobacco compliance checks. They ID all persons and they also have the appropriate signage. He stated the coolers are programmed to lock when beer sales aren't allowed per the State.

McPhearson stated regarding environmental concerns, they have provided a lot of literature but in general this station will comply with all current codes which is much stricter than in the past. The tanks are fiberglass, doubled walled, noncorrosive materials. All the pipes are double and triple walled, all the connections are inside structures that are sealed and with electronic indicators. He stated if there were ever any type of leak detected an alarm goes off and automatically shuts the system down. All the pumps and the gas lines have breakaway seals on them. If someone drives away with the pump still in their car the gas is not going to leak. Discussion ensued regarding safety.

Julie Kroll, Traffic Consultant from Fleis and Vandenbrink stated they collected traffic counts on December 15. They did 24 hours worth of data collection understanding that school was in session, but it was during exams. She stated she did a deeper dive into the data collection to see what the peaking characteristics were on that road over the 24 hours. She stated that peak period was 4:30pm-5:30pm and that was the same as the adjacent street. She stated when they see peaking characteristics for schools and universities it is usually between 8am-9am and 3pm-4pm. She stated the peak for Ridgemoor was the same as 28<sup>th</sup> Street and that is what they are looking at is the peak hours for the site and the adjacent street that is going to give them the highest and most conservative evaluation.

Kroll stated there was also question about the count data. She stated she submitted all of the raw traffic count data that was collected. She stated they did 24 hour turning moving

counts. She stated they actually had a camera out and it collected turning movements at that intersection for a period of 24 hours. She stated most of the trips to the gas station are pass by trips. She stated pass by trips are when a person is on their way somewhere and they continue on to their destination, but you don't stop everyday some days you stop in on your route to get gas and then continue. She stated you are already on the road trying to go to your destination. She stated that is the majority of trips at a use like this where people are already out doing whatever they normally do. 75% of people are already on the road. The additional trips would be people who decide they want to go get gas and then come back home. 25% are new trips 75% are existing trips on the roadway.

Kroll stated one of the questions was how are there negative trips. She stated when they redistribute the traffic volumes from going through to now making a right hand turn they have to subtract them from the through and add them to the right and vice versa. It is a net zero at the driveway location.

Kroll stated another question was about their distribution calculation. She stated there was a lot of discussion with MDOT and one suggestion that they had was go down the street and collect data at a gas station on 28<sup>th</sup> Street and see what is going on there and how are people turning in. She stated this is how they developed the distribution, from the Shell gas station at 28<sup>th</sup> and Breton. The majority of trips were right in right out. It is much easier to make a right in right out at a gas station than to try to make a left in and continue to make a left out. She stated in having discussions with MDOT, they said that it is applicable to this site as well.

Alex Sapinfield, Realestate development manager for Kum & Go stated there was concern about Kum & Go company as a whole and he wanted to address that. He stated their company is currently under contract to be sold to another C-Store company called Maverick who is based out of Salt Lake City. He stated like Kum&Go they are a family owned business that owns and operates their 400+ C-store gas locations. He stated their guiding principle is something they call the titanium role which is to treat others better than they are expected to be treated; that goes for associates, employees, customers and neighbors of the surrounding properties. He stated if there is any concern when the company changes hands, he is certain that it will still be a quality operation.

Jones re-opened the public hearing.

Dan Olsen, 2580 Heathcliff SE was present. He had concerns regarding traffic and all the other gas stations in the area, 24/7 hours of operation, service of beer and wine. He cautioned the commissioners that they are going to be responsible of the legacy of what is going to happen to 28<sup>th</sup> Street in the future.

Mary Muller, 2650 Ridgemoor was present. Her concerns were if the driveway is going to be right in right out how do you get into the facility coming from eastbound. Golder stated you couldn't. Muller stated then you will have to go down Ridgemoor to get in so people will be stopping at the same place waiting, therefore it is going to make it even

more difficult turning left out of Ridgemoor. She thinks it will be a good idea to have a stoplight.

Patrick Cook, 2708 Ridgemoor was present. He stated the commercial lot and residential area is 100 feet wide. He stated he likes the convenience, but he has to live there. He stated it will be foolish of Dollar General to give them the right in right out because this is going to close Dollar General down. This will leave another building vacant on 28<sup>th</sup> Street by building this new business. He compared Shell gas station and stated you can make right turns out of there but Shell is at a light. He stated this proposed Kum& Go is not a primary street or secondary street, it is a residential street. He thinks this is just a terrible idea.

Sarah Patton, was present. She stated this is not what she wants to see on their street. She is concerned about the traffic and trying to take a left out onto 28<sup>th</sup> Street. She is also concerned about taking out 3 small businesses.

Andrew Wheeler, 2232 Woodcliff was present. His concerns were traffic and that the traffic study doesn't take into account that comes down Woodcliff to these adjoining streets out to Woodcrest. They put speed bumps on these streets. He is also concerned about alcohol sales and environmental impact and lack of maintenance.

Mary Laning, neighborhood watch director for the section north of the proposed facility was present. Her concerns were the fact that they said they care about their employees, but they didn't care about the neighborhood and they were never notified that they were even thinking about doing this and she finds this very distasteful. She stated the survival rate of businesses on that corner is very low. She stated there are 10 gas stations in a 2 mile radius of this proposed gas station. She is concerned about traffic. She isn't sure why this is even being considered on this corner. It is a bad decision and a bad location for Kum&Go. She stated she has a traffic study that was done on Ridgemoor 5 years ago and if you add up the cars coming and going and on Woodcliff alone it is 1,600 a day, they put in speed bumps and then the number went down to 900 cars and the speed went down. She stated Ridgemoor doesn't need more cars coming down. They did a traffic study on all the streets that would be possible to connect to 28<sup>th</sup> Street and the total came out to 7,337 cars.

Alec Betts, 2700 Ridgemoor Drive was present. His concerns were traffic at the intersection of 28<sup>th</sup> and Ridgemoor. He had concerns regarding the topography of the intersection that is significantly lower than the rest of the 28<sup>th</sup> Street frontage properties. He stated his house is one of the taller homes and you can see the roof of Dollar General, West Marine and the Thrift store. He doesn't think the trees are going to do anything for aesthetics. He also had concerns of hurting their property values.

Ruth Vandermolen was present. She has concerns regarding the trees if they are not trimmed properly that they will impede vision. If she wants to take a left turn it is going to be very difficult.

Dave Vandermolen was present. He echoes all the other comments and stated he thinks that Kum & Go should just go somewhere else.

There were several emails that were submitted in opposition of the request due to concerns of traffic, safety, noise, questioned the sale of alcohol, other gas stations within close proximity, environmental impact and air pollution

- \*Mary Lanning – Ridgemoor Neighborhood Watch Director
- \* Eric Bauman – 2630 Barfield Dr
- \*Don Kishman – 2436 Ridgecroft
- \*Judy Nyman – 2606 Ridgecroft
- \*Noel Horn
- \*Jeff McClure – 2519 Whipperwill Dr
- \*Paula Barissi
- \*Char Grasmeyer
- \*Pat Haines
- \*Ryan Anderson
- \*Callie Radford
- \*Scott Tindall
- \*Stuart P. Ray

There was an email in support of Kum & Go that thinks they will be a good neighbor.

\*Jeff Timmer

Email that was neutral to the request but objected to alcohol sales.

\*Ann Gass – 2235 Ridgecroft

Michael McPhearsom submitted a letter to table the request to August 22, 2023 to allow MDOT more time to meet with the Dollar General property owner to discuss the right in right out.

**Motion by Holtrop, supported by Benoit, to table the request to the August 22, 2023, meeting.**

- Motion Carried (9-0) -

I. Public Meeting

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

Golder stated the request is for a 4.72 acre parcel of land at the southeast corner of Walma and 44<sup>th</sup> 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 a developer is interested in changing the Master Plan again to medium density residential from the low density residential.

Golder stated the proposed development is medium density residential which means 4-8 units per acre. They are looking at attached condominiums and have discussed a PUD as well.

Golder stated to the north is the Cobblestone development, to the east is Kentwood Acres plat a single family plat, medium density apartments to the west, and the Bosgraff single family detached development is now under construction to the south.

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 44<sup>th</sup> Street and the appearance of the buildings along 44<sup>th</sup> 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.

Mike Corby, with Integrated Architecture, 840 Ottawa Grand Rapids, MI was present. He stated they are prepared to do something that fits on the site and looking forward to moving to the PUD process. Something they will be working closely with staff/commissioners is to make sure everyone is comfortable with the plan development.

Jones opened the public meeting.

Ron Draayer, 2931 Wildflower was present. He stated he travels on 44<sup>th</sup> and Walma 2-4 times a day. He stated he would urge the commissioners to vote no to change from low density residential to medium density residential. He stated his problem is when he is heading east on 44<sup>th</sup> Street and turning on Wintergreen, the first street after Walma, cars are behind him traveling at a very high rate of speed. When he makes the turn the cars are already on top of him when he is trying to make his right hand turn. An entrance on the 44<sup>th</sup> Street would have to be way before Wintergreen. He is concerned that there are going to be a lot of rear end accidents. Discussion ensued.

#### J. Public Hearing

**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 – 52<sup>nd</sup> Street SE;

**Case#19-23** – EquipmentShare – Final Site Plan Review of a PUD located at 4250 -52<sup>nd</sup> Street SE

Golder stated the request is for the 30 acres that one time housed the former Steelcase, truck maintenance facility, truck wash and, at one point, a planned 80,000 square foot building. She stated earlier this year the Planning/City commission approved a preliminary amendment to the PUD to allow something different on the site and what are the possible uses that we would accept. She stated some of the things that came up were a motor freight terminal, contactor's yard and vehicle repair. She stated we required that the applicant have a traffic analysis for those 3 uses and looked at the projected traffic generation by and the 3 driveways that they might potentially want, just to make sure that 52<sup>nd</sup> Street could handle that amount of traffic. Golder stated the traffic study did not include construction and industrial equipment sales and rental. Therefore, staff is asking for an update. She stated she received an updated traffic study and it appears that the traffic generated from this use will be even less than the maximum that all the other uses could produce.

Golder stated the other issue that was raised at the work session had to do with the 8-foot fence that was proposed. There was discussion that our ordinance doesn't allow for an 8 foot fence in the front yard. Therefore, the applicant is providing a decorative fence in the landscape setback. It is a wrought iron fence, a 4ft chainlink fence in the front yard area in front of the building and then the 8-foot fence would be in the rear yard and that is okay to do.

Golder stated she is recommending conditional approval of the special land use, site plan review and final site plan review of a PUD phase as described in her memos dated July 31, 2023.

Brian Sikkema, Highpointe Real Estate and Kent from Equipment share were present.

Sikkema stated there was question at the work session if Steelcase was ok with the fence and Steelcase is working very closely with EquipmentShare and are comfortable with what they want to do.

Jones opened the public hearing.

There was no public comment.

**Motion by Kape, supported by Benoit to close the public hearing.**

- Motion Carried (9-0) -

The commissioners offered no additional comments and were okay with the request.



**Motion by Holtrop, supported by Poyner, to grant conditional approval of the proposed Special Land Use Open Air Construction and Industrial Equipment Sales and Rental establishment for EquipmentShare as described in Case No. 18-23. Approval is conditioned upon conditions 1- 7and basis points 1 –5 as described in Golder’s memo dated July 31, 2023.**

- Motion Carried (9-0) –

**Motion by Holtrop, supported by Quinn, to grant conditional approval of the site plan dated July 26, 2023 for the EquipmentShare as described in Case No. 18-23. Approval is conditioned upon conditions 1- 7 and basis point 1 – 3 as described on Golder’s memo dated July 31, 2023.**

- Motion Carried (9-0) –

**Motion by Holtrop, supported by Poyner, to grant conditional approval of the site plan dated July 26, 2023 for the Steelcase (EquipmentShare) PUD as described in Case No. 19-23. Approval is conditioned upon conditions 1-7 and basis point 1- 5 as described in Golder’s memo dated July 31, 2023.**

- Motion Carried (9-0) –

K. Work Session

**Case#20-23** – Mi Prime Logistics – Special Land Use and Site Plan Review for a Major Vehicle Repair Located at 5120 East Paris SE

Golder stated the request is for an independent delivery contractor for Amazon. They are seeking special land use and site plan review for vehicle repair. This is a 23,000 square foot multi-tenant building.

Golder stated all of the vans that are scheduled for repair will be inside the building. There won’t be any damaged vans parked overnight. The description also says that there are going to be 10 stalls of vans that are assigned for Amazon drivers. She stated as of right now, that is not going to be the case. They are not going to do that. If that idea is resurrected again, then they will come back to staff to see what kind of review is needed. We were considering this as a minor part of the operation.

Golder stated the hours of operation will be 8am-5pm and 10 employees at the most.

Craig Baker was present. He stated this will be more of a cosmetic shop as opposed to a body shop. Amazon vehicles that come in may have a scratch or a small dent. The turn around time is maybe 3 days per van. They will also service the rental vans they use for Amazon. The vehicles will have to be driven in, they are not towing vehicles in.

Benoit stated he thinks it will be a good use.

Poyner questioned since Amazon is continually growing, have they taken into account potential growth. Baker spoke about DSP (Delivery Service Partner) locations a partner of Amazon where they have vehicles. There are 16 DSP locations between the Steelcase location and the Walker location. He stated he doesn't see the power vehicles growing because of Rivian vans coming in. Discussion ensued. Baker stated they will not have vehicles stored outside they will be using the inside only. The vehicles are drivable. They will take a van back and pick up another at the same time to be worked on.

Porter questioned if cosmetics includes painting and grinding. Baker stated a little bit, but it will be very minimal.

Holtrop stated he is ok, and it sounds like the vehicles will be at the DSP.

L. New Business

**Motion by Holtrop, supported by Quinn, to set public hearing date of September 12, 2023, for: Case#21-23 – Fox Ford Commercial Vehicle Service Facility – Special Land Use and Site Plan Review for Vehicle Repair Located at 3560 – 28<sup>th</sup> Street SE**

- Motion Carried (9-0) -

M. Other Business

1. Commissioners' Comments

Holtrop stated at 36<sup>th</sup> on the East Beltline there is a motorhome and 3-4 cars out there on a regular basis.

Porter had questions regarding the letter of the law and the intent of the law.

Poyner stated he worked at the polls for the election and number of people asked him regarding what is going to happen on 52<sup>nd</sup> Street Construction. Schweitzer stated he will look into it and send the commissioners an email regarding the construction detours an schedule.

Jones questioned how many acres is the Patterson Farm and if anything is happening. Golder stated it is 140 acres and they are waiting to hear who the developer is for the property and they will contact the city so we can amend the Master Plan.

Jones stated we need to check on Lowe's and Home Depot's outside storage.

Jones stated the lights in the commission chambers need to be fixed, they keep flickering.

Benoit stated there was a LUZ meeting. They wanted a pickleball facility at 52<sup>nd</sup> Street and Broadmoor with a full restaurant with 12 indoor and 4 outdoor pickle ball courts. He stated they told them they were concerns about the industrial property being taken up.

2. Staff's Comments

Golder stated City Commission decided not to set the hearing for the Master Plan Amendment for the self storage concept in the 1800-1900 block of 44<sup>th</sup> Street. We are going to let him apply for a conditional zoning and he knows that going in he is not going to be consistent with the Master Plan.

Golder stated Lakewood Ravines Breton Extended is coming back. Also, the commercial PUD at 36<sup>th</sup> Street and Patterson is coming back.

Golder stated to send any questions the commissioners may have regarding traffic or anything else regarding Kum & Go

Schweitzer stated we had a consultant assist us in doing a pedestrian crosswalk study last year and we recently contracted with a traffic engineer to take a look at 2 of the recommended locations on Division Avenue that are under considerations for crosswalk. One location is by 43<sup>rd</sup> and Division and the other in the immediate vicinity where Kelloggsville High School and Kelloggsville Middle School is located. Got the results back. They had a camera on 24 hours a day at each location and they had to do it a second time. What they concluded is the crosswalk at 43<sup>rd</sup> Street is not warranted there wasn't enough walking traffic going across that intersection, barely one or two pedestrians a day. He stated, in contrast, between the middle and high school they had sufficient amount of pedestrian traffic not crossing at the prescribed location but at mid-block location that would meet the warrant to put in a pedestrian refugee island there and perhaps some additional traffic controls to allow for safe passage for people to go through. Discussion ensued.

N. Adjournment

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

- Motion Carried (9-0) –

Meeting adjourned at 8:55pm

Respectfully submitted,

Ed Kape, Secretary