

APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
SEPTEMBER 12, 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 Kape.
- 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. Declaration of Conflict of Interest

There was no conflict of interest statement expressed.
- E. Approval of the Minutes August 22, 2023.

Motion by Commissioner Benoit, supported by Commissioner Quinn, to approve the Minutes of August 22, 2023.
- Motion Carried (9-0) –
- F. Approval of the Agenda

Motion by Commissioner Quinn, supported by Commissioner Kape, to approve the agenda for the September 12, 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at 2975 and 2995 28th Street SE (Tabled from the June 25, 2023, August 9, 2023 and August 22, 2023) (APPLICANT HAS WITHDRAWN THEIR REQUEST)

I. Public Hearing

Case#21-23 – Fox Ford Commercial Vehicle Service Facility – Special Land Use and Site Plan Review for Vehicle Repair Located at 3560 – 28th Street SE

Pung stated the request is for special land use and site plan review for a vehicle repair facility intended for commercial vehicles only. He stated they are looking at constructing a 50,000 square foot freestanding building with 27 service bays. He stated they would also demolish the existing building that fronts on Broadmoor Avenue and that would be used for parking. He stated the overall site is 18 ½ acres in area and it is also the site for the existing Fox Ford dealership.

Pung stated this site has multiple points of access. There are two on 29th Street. Three access drives off 28th Street and then there would also be an access point off Broadmoor.

Pung stated the applicant was able to address some of the issues from the work session. Staff asked for a modified operations statement. They have provided that and within the operations statement they indicated that all work would be indoors and the number of employees that would be on site. They also indicated that there would be no work on any passenger vehicles and also no collision work for the fleet. They also indicated that if any vehicles were going to be onsite for more than the 72 hours they would be stored indoors, therefore they would not have any outdoor storage for the auto repair use.

Pung stated they increased the landscaped area along Broadmoor Avenue to the minimum requirement of 35 feet.

Pung stated there are two exceptions that would be required as part of this request. One being the garage doors. The zoning ordinance states that garage doors can't face the street. The Planning Commission can allow for garage doors facing the streets in the case of through lots, or where they have doors on both the front and back, or when it abuts up to a residential district. Pung stated this site is a through lot. They will have doors on all four sides. On the north and south sides which faces 29th Street and 28th Street there would only be one door. The majority of the doors are on the east and west sides. There is only one door that faces the 28th Street and 29th Street frontages. The Planning Commission can approve this as part of this site plan review and they wouldn't need a variance.

Pung stated they will need a variance for the number of access drives. Zoning ordinance states that for vehicle repair operations they can have no more than one drive per street frontage. They have frontage on three streets so technically they only get three drives for the vehicle repair operation. Therefore, they would need to go to the Zoning Board of Appeals to get a variance to have a vehicle repair operation on a site that has six driveway entrances.

Pung stated they have a dumpster located technically within the front yard. The zoning ordinance requires that dumpsters be in the rear yard of non-required sideyard, however, the Planning Commission can approve dumpsters in other locations. He stated although the dumpster is in the front yard, it is in the rear yard of the adjacent properties. You are not going to be able to see the dumpster from 28th Street. It is setback from 28th Street behind existing buildings and structures on the site. He stated he doesn't see any issues with allowing the approval of the dumpster location as proposed.

Pung stated he is recommending conditional approval of the special land use and site plan review as described 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) –

Colin Scheffler, Director of Real Estate DP Fox was present.

Porter stated his only question was parking and the number of employees. Pung stated they indicated that they will have 10-15 employees. The overall site has over 400 parking spaces.

VanderMeer questioned if they will have two different dumpster locations. Schfler stated currently there are a series of dumpsters in the loading dock area on the back side of the building on 29th Street. He stated they discussed using that, however, it is a long stretch to get to and from the facility as they are bringing out trash. There are other things that will stay in the back and the additional location would be used for Fox Ford building.

Poyner questioned what the landscaping will look like. Schfelr displayed the landscape plan. Poyner was okay with the plan presented, he was just concerned about it being wide open when people are driving by.

Motion by Holtrop, supported by Benoit, to grant conditional approval of the Special Land Use vehicle repair operation as described in Case 21-23. Approval is conditioned upon conditions 1 – 8 and basis point 1 –6 as described in Pung's memo dated September 6, 2023.

- Motion Carried (9-0) –

Motion by Holtrop, supported by Benoit, to grant conditional approval of the site plan dated September 5, 2023, as described in Case 21-23. Approval is conditioned upon conditions 1 –11 and basis point 1 –7 as described in Pung's memo dated September 6, 2023.

- Motion Carried (9-0) -

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

Golder stated that this conditional rezoning is an attempt to have mostly self storage use. She stated when looking at the rezoning standards one is whether it is consistent with the Master Plan and the answer is no it is not because the Master Plan remains commercial.

Golder stated the applicant has offered conditions restricting uses to Self Storage, Financial Institutions, Office Buildings of less than 50,000 square feet, Office building/uses within a building of 50,000 square feet or more (SLU). Research or development Facility, Trade of Industrial Schools, Freestanding Restaurants, Accessory buildings subject to section 3.15 and 3.16

Golder stated there are still some issues that were discussed with the Master Plan such as the proximity to residential. That is still going to be a problem because it is still going to be industrial rezoning on the site. The landscaping buffer requirements still remains.

Golder stated her concern is the area that is proposed for self storage but there is also other areas that would also be conditionally rezoned which means the self-storage could expand; it is a permitted use and we would have no other way to control that on this site.

Chris Cantania was present. He stated he attempted to help by offering the other uses so if it is to be rezoned to industrial that also are use allowances also found in the commercial zone. He stated one of the concerns was what if self storage is not a good use. This will allow for other uses that are in Industrial but are also commercial as an alternative.

Quinn stated his issue is the buffer to the residential. He questioned what kind of expansion controls can the commission put in place. Golder stated we can't add conditions to a conditional rezoning except for those offered by the applicant. Cantania stated regarding the buffer he believes it is 35 foot from the back of the building to the property line. Golder stated there is still the setback that have been discussed 34 feet from the building to the boundary with the apartments. If it is all landscaped, then it can be 50 foot. There will be some variances as well. Cantania stated he is happy to build a huge vegetation buffer and as long as fire will let him remove the access drive behind that section of the building, but he thinks he is still inside the minimum requirement of 50 foot variance that would be needed. Cantania stated if fire would allow them to vegetate the majority of it a tall living buffer that would be the best option.

Golder stated the commissioners can not tell the applicant what to do he has to offer.

Benoit stated expansion isn't a bad thing if the business does really well. Golder stated to her the problem is that we have a building that is hard to reuse and she isn't wild about

have self-storage in the middle of a residential area therefore why would we want more. Cantania stated if he were to build more it is because the business is doing fantastic and the residents are loving it and businesses are using it and it would increase the property tax base significantly if he added another structure. Benoit stated he isn't sure he is afraid of expansion; it is on 44th Street. Cantania states he would be more than happy to restrict additional building to the rear parcel.

Weir questioned if we consider the conditional rezoning do we lose the ability for taxes a revenue that we would get on a commercial site. Golder stated she will check with the Assessors Office.

Poyner questioned that if the applicant goes away can we potentially have other light industrial uses that an applicant can come forward with. Golder stated for the 8.2 acres only the self-storage and what the applicant has restricted would be allowed. She stated some uses are permitted by right and some would be a special land use. Cantania stated that is why he added the uses that are currently allowed in commercial so they can also have options of what could go in the industrial zone.

Poyner questioned what size vehicles he will be expecting to come in. Cantania stated pickup trucks, cars, SUV's and occasionally 18 wheelers which they don't see them often. Poyner questioned if he had an estimate of how many 18 wheelers they could see in a month. Cantania stated ideally when it first opens you will see more because it is going to fill up quicker and then it tapers off as the properties fill. Cantania stated for about a month maybe one 18 wheeler a day and that would be a moving company not necessarily an 18 wheeler. Cantania stated they have normal business hours 9:30am-6pm. They can only deliver and unload during those hours and can only come with the tenant who has leased the unit. Poyner stated he is ambivalent on this, he isn't quite sure how he feels about the rezoning request.

Poyner questioned how he makes sure they don't have hazardous material stored in the units. Catania stated that it is in the lease. They property is managed by a third party management company. They have full time staff, and they are physically watching. Discussion ensued.

Holtrop questioned the condition of rezoning to industrial allowing self-storage: is it differentiating between indoor/outdoor, interior/exterior. Cantania stated outdoor storage is considered an item not inside a structure. He stated self-storage is defined as inside self storage. Holtrop stated what he is getting at is all the garage doors that lead to a parking lot that's self storage. Cantania stated drive up climate type storage would be allowed there, but he doesn't believe garage doors are allowed to face outwards. If it was to happen they would all have to face inside. Golder stated she doesn't think there is any restriction on that but if you park RV's outside that is a special land use. Holtrop stated he was more concerned about another building adding on whether stand alone or adding on to the existing building with exterior doors. Golder stated as it reads now it does not

restrict that from happening. Golder stated that would have to be a restriction from the applicant.

Holtrop stated if conditions are not met does it revert back to the original zoning. Pung stated we would work with the City Attorney as to how that would be worded. Within our ordinance language it states if the conditions are not met or are violated within a specific time frame it can revert back to the prior zoning. Discussion ensued.

Holtrop stated he doesn't have a problem with traffic, but he does have a problem with putting unsightly self-storage units on the facility if he were to expand. He stated that he is okay with this.

Kape stated he doesn't think they will have to pay personal property taxes. Catania stated they pay personal property taxes, but it would be less.

VanderMeer stated he would like to see an example of one in the area that is similar to what he wants to build. Catania stated he hasn't seen one that is like his in the area but he will look and get it for the commissioners. Catania stated everything is inside, new façade on the outside and branded. Catania stated he will send photos of properties that he personally has, and he will find one in town that would be the best representation of something that it will be built like. It won't be his, but something the commissioners can go visit. VanderMeer stated he isn't concerned about the tractor trailer because they are there now because of some of the other businesses in the area. VanderMeer noted that along the highways they build a 20 foot buffer wall that cuts the sound.

Porter stated the only concern he has is what is going to happen with that back lot that is right in the line of sight for all the residential. He stated if it does get rezoned then another concern for him would be what is the landscaping going to look like in that 35feet.

Case#23-23 -Body Shop Boss – Special Land Use and Site Plan Review for a Major Vehicle Repair located at 3851 Model Ct. SE

Pung stated the request is for a special land use and site plan review in the industrial district. He stated they are looking at utilizing approximately 17,000 square feet of an existing 50,000 square foot building which is accessed off Model Ct. He stated they are only going to be doing cosmetic repairs which would be nonstructural, dent scratches etc. There will be no body work or engine repairs. He stated on their own vehicles they will do brakes repair. They indicated that there will be no other type of repair just scratch and dent and nonstructural bodywork at this location. He stated they will only be working on Amazon vehicles in the Greater Grand Rapids area.

Pung stated some of the issues that came up is that staff is looking for a revised operations statement to include: all repairs will be done indoors. Also identify within the operations statement the number of service bays or areas they expect to have within the

building and the number of vehicles that will be serviced at any one time. They also indicated that they don't plan on having any extended outdoor storage. He stated the most number of vehicles that they might have parked outside is 5 vehicles as they are switching them around. No vehicles will be stored outdoors and as the applicant indicated if it can't be driven there, it is not supposed to be there. They don't do any type of body work or major repairs on the vehicles at this location. He stated we asked him to verify that there will be sufficient parking for all the tenants within that building.

Pung stated with this request two variances will be required that have to do with the vehicle repair site design standards.. He stated the zoning ordinance requires that for vehicle repair they have a minimum frontage of 100 feet. In this case, it is located on the end of a cul-de-sac and the street frontage is 44 feet, the lot width would be measured the way the building setback is.

The other requirement that they would need a variance relates to having at least one side that abuts an arterial street. Model Court is not an arterial street. Although they are within 220 feet of Broadmoor Avenue and 6 lots total served by Model Ct it is unique in that aspect, but the ordinance stated they have to abut that arterial street. Therefore, they would need a variance from the zoning board of appeals.

Applicant stated they will also work on the rental vehicles that they use.

Porter questioned if the scope of the work that is being declared actually a condition of the special land use. Pung stated within their operations statement they stated the work that is going to be done. If they wanted to change that, they would have to come back to the Planning Commission as a change to the special land use.

VanderMeer stated it talks about outdoor storage areas is not permitted in the front yard and then it says 72 hours they can store behind the building or the east and the west ends of the building. Pung stated the storage area would still have to meet the zoning requirements of the zoning ordinance. As indicated, they don't intend to have any vehicles on the site outside for more than 72 hours, Any vehicle that would be there longer than that would have to be parked indoors.

Holtrop questioned if he would have 3 truck bays. Applicant stated they don't need them. It will be cleaned up. Discussion ensued.

K. New Business

Motion by Holtrop, supported by Benoit, to set a public hearing date of October 10, 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 - 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

- Motion Carried (9-0) –

Motion by Holtrop, supported by Benoit, to set a public meeting date of October 24, 2023, for: 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

- Motion Carried (9-0) –

L. Other Business

1. Commissioners' Comments

Holtrop stated there was a LUZ meeting just before the regular meeting. A parcel on 52nd Street near Eastern has a carwash and a former drive-thru ice cream sales fronting 52nd Street. The applicant wants to turn the carwash into a motor vehicle repair facility. There were a couple of issues including the garage doors would face 52nd Street.

Holtrop stated there was another request on 36th Street north of Covenant Park. It is currently an industrial building, Howie's Hockey tape. Midwest United would like to use that building. Currently their offices are next door, they would like to put an indoor soccer field facility there. It is allowed in Industrial but only to a certain size of the building or they could rezone. He stated the encouragement was to apply for a dimensional variance. But it would still be subject to special land use.

Holtrop stated on Thursday night there will be a Vibe function for the Parks and Rec over at the library \$40 dollars per ticket.

Kape gave a couple of updates on the Parks and Recreation. He stated the City received their first payment from the millage. An architectural and design company has been hired called Spark 43.

Kape stated the Food Truck rally was down from past years.

Kape stated Parks & Rec building will have gender neutral restrooms.

Jones stated that the county quadrant meeting will be held on September 13 at Kentwood City Hall in the Commission chambers at 3pm

2. Staff's Comments

Schweitzer stated we will send of the notice of intent to consider the change in the land use at 52nd Street and Broadmoor. Schweitzer stated he would like to set up a meeting with the Master Plan subcommittee: Quinn, Poyner and Holtrop prior to the Planning Commission meeting on September 26 at 6:30pm.

Schweitzer stated the Rapid is undergoing a process of updating Transit Master Plan and there is an opportunity to have them come to us and describe what the process is and look for any comments or suggestion. He stated we could set it up under other business on one of the upcoming agendas.

M. Adjournment

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

- Motion Carried (9-0) –

Meeting adjourned at 8:30pm

Respectfully submitted,

Ed Kape, Secretary