



AGENDA
CITY OF KENTWOOD PLANNING COMMISSION
TUESDAY, DECEMBER 14, 2021
KENTWOOD COMMISSION CHAMBERS
4900 BRETON AVENUE
7:00 P.M.

6:30pm LUZ Conf. Rm. #119 Jones, Holtrop, Kape, Pemberton

- A. Call to Order
- B. Pledge of Allegiance (Holtrop)
- C. Roll Call
- D. Approval of the Minutes of November 23, 2021 and Findings of Fact for: **Case#34-21** – Union @ Silver Station – Site Plan Review for an Apartment Development – located at 5844 Division Ave SE
- E. Approval of the Agenda for December 14, 2021
- F. Acknowledge visitors and those wishing to speak to non- agenda items.
- G. Old Business

There is no Old Business
- H. Public Hearing

Case#30-21- Zoning Ordinance Text Amendment Relating to Athletic Training Facilities in Industrial Districts
- I. Work Session

There are no work sessions
- J. New Business

Set a public hearing date of January 25, 2021, for: **Case#1-22** – Midwest United – Special Land Use and Preliminary Site Plan Review for an Athletic Training Facility – Located at 3851 Model Court SE
- K. Other Business
 - 1. Commissioners' Comments
 - 2. Staff's Comments

L. Adjournment

*Public Hearing Format:

1. Staff Presentation – Introduction of project, Staff Report and Recommendation
Introduction of project representative
2. Project Presentation – By project representative
3. Open Public Hearing (please state name, address and speak at podium. Comments are limited to five minutes per speaker; exceptions may be granted by the chair for representative speakers and applicants.)
4. Close Public Hearing
5. Commission Discussion – Requests for clarification to project representative, public or staff
6. Commission decision – Options
 - a. postpone decision – table to date certain
 - b. reject proposal
 - c. accept proposal
 - d. accept proposal with conditions.



Memorandum

TO: Land Use and Zoning Committee

FROM: Terry Schweitzer, Community Development Director

DATE: December 9, 2021

RE: 741-48th Street, SE-Rezone From C-2 Community Commercial to R1-C Single Family Residential

The property at 741-48th Street, SE is for sale and Michael Moyer is considering purchasing the property with the intent to convert the building back to a single family detached home. The property is currently zoned C-2 Community Commercial. The city building permit records reflect that the house was moved to the property in April of 1969 and reconditioned to continue residential use. It appears that the property was zoned R-3 Residential in 1960 and sometime between then and 1970 it was rezoned to the current zoning. A permit was pulled in March of 1978 to convert the house into a hair salon which appears to be the most recent use of the property.

The beauty salon that has occupied the site is a permitted use. In addition, there is a zoning ordinance provision permitting a residence for a proprietor or storekeeper and their families, located in the same building as their place of occupation, and for a watchman or caretaker. The size for the proprietor or storekeeper dwelling unit shall be at least 375 square feet in area. There are also building code requirements requiring a separation between the business and living area within the building.

There is no allowance under the current C-2 zoning for this conversion. One would need to seek a rezoning to R1-C Single Family Residential.





PROPOSED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
NOVEMBER 23, 2021, 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, Catherine Brainerd, Dan Holtrop, Sandra Jones, Ed Kape, Ray Poyner, Mike Pemberton, Darius Quinn
Members Absent: None
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier and about 15 citizens.

- D. Approval of the Minutes and Findings of Fact

Motion by Commissioner Pemberton, supported by Commissioner Benoit, to approve the Minutes of November 9, 2021

- Motion Carried (8-0) –

- E. Approval of the Agenda

Motion by Commissioner Benoit, supported by Commissioner Brainerd, to approve the agenda for the November 23, 2021 meeting.

- Motion Carried (8-0) –

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

There was no public comment.

- G. Old Business

There was no Old Business

- H. Public Meeting

Case#33-21 Master Plan Request - Change from Office to Low Density Residential Land Use- located at 2802 44th Street

Schweitzer stated the request involves about a 4.7 acre area. Schweitzer stated the purpose of the meeting is to take public comment concerning whether to continue

planning for office use of this property or whether it might be desirable to plan for residential use.

Schweitzer stated there is the single family detached Wildflower Estates subdivision that is going in immediately south of the site. He stated the subdivision boundaries on the north are along the southern edge of this particular piece of property. He stated the property is owned by the developer. He stated he is developing a residential subdivision on the southern portion, but on the northern portion he has an investor that wants to use it for residential use. Schweitzer stated the property is currently zoned and master planned for office use.

Schweitzer stated to the north is the Cobblestone development. It is attached single family condominium housing. To the east is the Kentwood Acres subdivision. Further to the south adjacent to the Justice Center is another single family attached development Woodhaven Condos. He stated we have detailed plans of what the development looks like. He stated on the west side of Walma Avenue you have a series of apartment complexes, to the northwest is Hidden Lakes development and then Walnut Hills Dr. that leads north into the Holland Home campus.

Schweitzer stated on this site, the subdivision comes up to the northern portion. The Wildflower Estates homes are built up and the property slopes to the north pretty significantly and there is a wetland along that area. He stated that is one of the reasons why the developer is developing the area to the south, it doesn't lend itself to be continued development with the subdivision all the way out to 44th street. He stated the change in grades is one of the reasons why there is a different use of the use of the property other than a subdivision.

Schweitzer stated one of the things we look at when we are looking at a proposed change in the use of land is how it fits in with the surrounding areas. There are different types of housing developments throughout there. Schweater stated the numbers that are assigned to the surrounding properties represent density and density is how many housing units is on a given acre of land. He stated the new subdivision has a density of about 3 ½ dwelling units per acre. He stated Kentwood acres is about 2.7 dwelling units per acre, Springbrook Estates and Springbrook subdivisions further to the east are about 2 units per acre, The Landing place apartments are 7.75 units per acre, Hunters Ridge Apartments is 9.66 units per acre, PineTree Apartments are 9.5 units per acre and Whitney Young Village Apartments are about 12.5 units per acres. He stated this gives a sense of what is in the area. He stated it is predominantly residential use. It is low density residential until you get to Walma Avenue. Discussion ensued.

Schweitzer stated when looking at the history on this property, up until 2004 the area from 44th Street south to the Justice Center was master planned medium density residential. In 2004 the developer came forward and proposed to change it to low density residential with office use on the 44th Street frontage. He stated at the time the rezoning took place the City was concerned as to what would go in there. They approved the office

rezoning and the developer entered into a self-imposed restriction on the property so that it would be developed as office in accord with a specific development design. He stated 17 years since then there has been no interest in office.

Schweitzer displayed a concept plan showing what is envisioned. He stated they are looking at 4 buildings, very comparable in terms of the massing of buildings on the property. He stated the 2004 plan as well as this concept plan calls for a landscape buffer along the east line of the site common to the Kentwood Estates development.

Schweitzer stated even if the land use plan were changed clinical use is an allowable use even if the zoning were to change to a residential classification.

Schweitzer stated what they were looking at in 2004 and the concept plan that they have now, is for single story residential style buildings, sloped roofs, landscaping and the buffer to the surrounding uses. He stated given the nature of this review State law requires that the planning commission consider the comments received now from the neighbors as well as over the next 6 weeks to take any additional comments as they come in and hold a public hearing. He stated in this case the public hearing would be January 25, 2022. He stated at that time the planning commission will take into account the comments that have been received from the deliberations that have taken place and then they will be able to make a decision.

Jones opened the public meeting.

Ron Draayer, 2931 Wildflower was present. He questioned how will people access the site. Will there only be 4 houses. He also questioned if the homes will be adult foster care homes. Jones stated the purpose of the meeting is to discuss the change in the master plan and what has been presented is conceptual, an idea that someone has brought forward. She stated we have had someone come with interest for an adult foster home. Schweitzer stated the plan from 2004 anticipated that the access will be directly on to 44th street, and in 2004 the boulevard was already in place right turn in, right turn out only. He stated this concept plan for the adult foster care proposes getting out to Walma Ave which would make for easier movement if you wanted to go westbound on 44th street.

Ryan Wheeler, Wheeler Development Group was present. He stated they feel like it is a great fit since it is surrounded by residential uses and they are excited to work on the project.

I. Public Hearing

Case#34-21 – Union @ Silver Station – Site Plan Review for an Apartment Development
– located at 5844 Division Ave SE

Kape recused himself from the project due to the conflict of his management position with Sun Communities which owns and operates Bretwood Village Community that is adjacent to this property.

Golder introduced the request. She stated within the Form Based Code, this is the Corridor General district. She stated this parcel is 6.7 acres, it was part of a 7.8 acre property PUD that was approved in 1990's. She stated they suggested a retail building, a fast food with a drive-thru, and mobile home sales. The only thing that was built was the Family Dollar building. She stated when they approved the overall plan our City Engineering Department required all the detention to be in place; therefore we have a nice detention easement going right along the front and also a cross access easement that goes across the front as well. She stated the easements need to be modified to allow this project proceed as designed.

Golder stated the surrounding uses include Brentwood Mobile home park to the east, about 10 homes are located up against this proposed development, to the south is the park and ride for the bus rapid transit, a car dealership in Wyoming to the east and a car dealership to the north of Family Dollar.

Golder stated the applicant is requesting site plan review of a 152-unit apartment development located on 6.7 acres of property. Eight buildings are proposed; Golder stated there are now 4 - 3 story buildings and 2 two story buildings and then building D is a part 3 story and 2 story building. She stated a community room is proposed in Building B, adjacent to Division Avenue. She stated of the 152 proposed apartments, 40 are one bedroom units, 84 are two bedroom units, and 28 are three bedroom units. This creates a density of 22.6 units per acre. The one bedroom units are 730 square feet in area, the two bedroom units are 950 square feet in area, and the three bedroom units are 1,127 square feet in area.

Golder stated the amount of open space has changed. She stated with the building footprint getting smaller, there is quite a bit more open space and it is similar to what they have at City Line Apartments

Golder stated the development is accessed from Division Avenue on the southern edge of the site. This driveway aligns with the auto sales drive driveway across Division Avenue (City of Wyoming). In addition, it is possible that the apartment development can be accessed through the Family Dollar parking lot. When the Family Dollar was developed in 2000, it was part of an overall PUD development that included the site for the proposed Union at Silver Station Apartments. Cross access between the two parcels was a condition of the approval of the original development; a cross access easement was recorded. The original cross access easement is located 60' from the proposed cross access for the apartment development. The easement will have to be amended in order to allow cross access between the uses.

Golder stated at the work session there was a lot of discussion about the building setbacks. Golder stated in the FBC we have build- to zones. She stated in Corridor General for our Flex building the build to zone is between 5-20 feet. For a public road frontage we take that setback from the ROW. Golder stated for the private driveways and access that go through the parking lot what was done for City Line and what is proposed here is to take the setback from the building to the start of the parking. She stated generally speaking all those also meet the build-to line. She stated that creates 22 feet between the edge of the building and the property line and that means that the buildings are about 44-55 from the individual mobile home community housing units.

Golder stated the applicant has also proposed a privacy fence and they have shown the location of the trees in the area that was discussed to make sure there is enough screening. She stated she would like the applicant to name the species and the sizes of those trees so that we can be assured that the landscaping proposed on the apartment side is adequate to best screen.

Golder stated some of the changes to the site plan involve the open space; there was a dog park that has now changed to a playground. She stated in the commissioners packets they showed the types of playground equipment that would be there. She stated they have relocated the carports so that they are not right in front of the buildings. She stated they provided additional information on trip generation. They have clarified some engineering detail although the City Engineer still have to review the detailed construction plans.

Golder stated this is a flex building with a dooryard façade. Flex buildings required to be 150 foot maximum and 3 of the buildings are 160, therefore a variance would be required. She stated the floor height of the 1st floor required to be 14 feet high, 2nd floor 8 feet high. These buildings are 10 foot, the 1st floor is 10 foot they need a variance for that as well.

Golder stated with respect to transparency or glass on the 1st floor windows, the dooryard façade requires 20% clear glass on the first floor, and at least 15% on the upper floors. It meets this standard for the buildings.

Golder stated the recommendation is for conditional approval as stated in her memos.

1. Approval by the Kentwood Zoning Board of Appeals of three variances to Chapter 23 of the Kentwood Zoning Ordinance Form Based Code, relating to: first floor building height, width of Buildings A, B, and D; and the requirement for a horizontal expression line.
2. Compliance with the City Engineer's memo dated October 29, 2021 and final approval of the site plan by the Kentwood City Engineer.
3. Compliance with the Fire Department memo dated October 21, 2021 and final approval of the site plan by the Kentwood Fire Marshal.
4. Applicant shall record revised easements for stormwater detention and cross access between the proposed apartments and the adjacent Family Dollar store to

ensure that cross access is maintained and the stormwater detention can be relocated to the south side of the site. Easements must be reviewed and approved by the City.

5. Applicant shall provide additional detail regarding the trees on the mobile home property to the east to determine whether these adjacent trees provide adequate, year-round screening based on species and size. This information will assist in providing adequate screening for between the apartments and the adjacent mobile home park property.
6. Staff approval of the transparency requirements for the secondary building wall for Building B.
7. Applicant shall extend the sidewalk from the tot lot near Building D to Division Avenue. Applicant shall provide an easement for future pedestrian access in this area to the Rapid Park and Ride facility to the south.
8. Applicant shall relocate some of the mechanical equipment to the side yard of the proposed buildings. The mechanical equipment for Buildings A and B must remain on the east side of the these buildings.
9. Final approval of the landscaping and lighting plans. Landscaping is to be adequately maintained and replaced as needed.
10. Compliance with the signage provisions for the Corridor General District.
11. Final staff approval of the building elevations.

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Tyler Knox, developer for the Annex Group 409, Massachusetts Ave Indianapolis, IN 46204 and Nicolas Fergatos, 9365 Counselors Row Suite 116 Indianapolis, IN 46240 engineer were present.

Fergatos stated they are agreeable to all the conditions and they can get the tree survey done to show the heights and species of the trees that are going to remain. He stated the air conditioner units that were on the back they moved to the front, they were trying to help with noise on the back side.

Knox stated they were happy with the commissioners suggestions to increase some open space. He stated they reorganized the buildings and created a 3 story building to allow and open up the additional space on the west side of building D for additional playground space, outdoor eating areas etc. He stated they were also able to relocate where the carports.

Jones opened the public hearing.

Douglas Stayson, 5831 South Division Avenue was present. He stated he has 6 acres and his concern is with the sufficiency of parking. He is also concerned about the traffic and the median that is there. He stated there is also a creek at the entrance. Golder stated the drive is 35 feet from the creek.

Jason Musik, owner of the property next door to Mr. Stayson was present. He stated his concern was about the creek, when people walk by they are constantly throwing things in

the creek and they spend hours cleaning. He questioned whether something will be done to block people from throwing debris in there. He stated his other concern is traffic exiting the site and thinks there could be potential traffic issues.

Golder stated we can look how much stacking there is and have the applicant do some additional traffic analysis. She stated she doesn't think the median is a problem where people will not be able to turn. Golder stated there are 228 parking spaces. Our ordinance allows for a 25% reduction when you are adjacent to a bus rapid transit facility or additional public parking space. She stated the reason we are looking at having apartments on Division Avenue is because of the bus rapid transit and the opportunity for residents to use transit instead of their own private vehicles.

Knox stated their parking ratio is 1.5 and on a company average they have 1.56 parking ratio. He stated they have never had issues.

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

- Motion Carried (7-0) –
- Kape – abstaining –

Quinn stated he is excited about the project and he agrees that median may be a problem with traffic.

Benoit stated we have had a couple developments come through and they need variances if we start seeing this, we need to look at getting the ordinance changed. Golder stated we may need to amend the ordinance provision relating to the dimension of building footprints and floor heights.

Poyner questioned the price points of the apartments. Fergatos stated they will be for those who earn between \$33,600- \$48,000 a year and that puts rent between \$900-\$1,150. Poyner questioned what they are thinking about for the playground. Fergatos stated some benches and seating areas and the swing set, slide what you would typically see at a playground. Poyner stated we need to make sure the lighting plan is reviewed because that was a question we had for the residents on the east side. Poyner stated he would like to have a traffic study added as a condition of approval to evaluate the sufficiency of stacking vehicles in the roadway and turning conflicts..

Pemberton stated he appreciates the aggressive landscape plan that they have, but it needs some work on the east side but he was happy to see how much landscaping that is going to go in there. He stated he thinks everyone is forgetting that they have a north entrance, there is access into the parking lot which means people can exit out that way and enter in that way

Holtrop questioned the north access family Dollar and asked if they got permission. Vergatos stated he has been in contact with the legal team for Family Dollar. He stated

they have given the impression that they will make the amendments, but they have to get in contact with the real estate corporate team for Family Dollar. The owner of the land has said yes they can get access, but they need a write off from Family Dollar. Holtrop questioned if we need to get permission from the Rapid for parking. Golder stated it is a little unclear. She stated she doesn't think they believe people will park and walk over there. Discussion ensued.

Holtrop stated condition 7 there was mention about a sidewalk. Golder stated there is a sidewalk that is stopped and she is recommending that they extend it out to Division Avenue. Part of that condition the applicant shall provide an easement for future pedestrian access between the bus rapid transit and the apartment development so at some point crossing of the drain can take place.

Holtrop stated since there are traffic concerns could it be possible in the future to reduce the median. He stated he thinks there will be a lot of issues in the future going in and out. Golder stated to highlight the point of the cross access, she thinks there are going to be several places to get in and she thinks that more than one will be used.

Holtrop questioned if they don't get the variance for 160 foot buildings and forcing them to the 150 will they be okay with that. Fergatos stated that he thinks they would be able to cut off some from the two building eaves on the east side. It might impact the size of the playground area.

Brainerd stated she likes the changes that were made and is excited to see that area developed.

Jones questioned if there is a clubhouse or community building. Knox stated it is in building B. It will have the community room with a community kitchenette, with an exercise facility as well as a bike storage room and a business center a private room with a few computer and a printing station. Jones stated she likes the floor plans and likes that they have storage available for each of the units and located in the corridor right outside of the unit. Knox stated they did that so that they weren't taking away from square footage space of the units themselves.

Motion by Holtrop, supported by Pemberton, to grant conditional approval for the site plan dated November 16, 2021 for Union and Silver Station Apartments as described in Case No. 34-2021. Approval is conditioned upon conditions 1-11 adding condition 12 for traffic analysis and basis points 1-9 as described in Golder's memo dated November 17, 2021.

- Motion Carried (7-0) –
- Kape abstaining -

J. Work Session

There are no work sessions

There is no New business

L. Other Business

1. Commissioners' Comments

The commissioners wished everyone a Happy Thanksgiving.

Brainerd stated she learned that Popeye's sells turkey so they are having a Popeyes turkey for Thanksgiving.

2. Staff's Comments

Staff offered no additional comment.

M. Adjournment

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

- Motion Carried (8-0) -

Meeting adjourned at 8:20pm

Respectfully submitted,

Ed Kape, Secretary

**CITY OF KENTWOOD
PLANNING COMMISSION
PROPOSED
FINDINGS OF FACT
DECEMBER 7, 2021**

Golder 11/17/2021

PROJECT: Union @ Silver Station Apartments

APPLICATION: 34-21

REQUEST: Site Plan Review for a 152-unit apartment development

LOCATION: 5844 Division Avenue

HEARING DATE: November 23, 2021

MOTION: **Motion by Holtrop, supported by Pemberton, to grant conditional approval for the site plan dated November 16, 2021 for Union and Silver Station Apartments as described in Case No. 34-2021. Approval is conditioned upon conditions 1-11 adding condition 12 for traffic analysis and basis points 1-9 as described in Golder's memo dated November 17, 2021.**

- Motion Carried (7-0) –
- Kape abstaining -

CONDITIONS:

1. Approval by the Kentwood Zoning Board of Appeals of three variances to Chapter 23 of the Kentwood Zoning Ordinance Form Based Code, relating to: first floor building height, width of Buildings A, B, and D; and the requirement for a horizontal expression line.
2. Compliance with the City Engineer's memo dated October 29, 2021 and final approval of the site plan by the Kentwood City Engineer.
3. Compliance with the Fire Department memo dated October 21, 2021 and final approval of the site plan by the Kentwood Fire Marshal.
4. Applicant shall record revised easements for stormwater detention and cross access between the proposed apartments and the adjacent Family Dollar store to ensure that cross access is maintained and the stormwater detention can be relocated to the south side of the site. Easements must be reviewed and approved by the City.

5. Applicant shall provide additional detail regarding the trees on the mobile home property to the east to determine whether these adjacent trees provide adequate, year-round screening based on species and size. This information will assist in providing adequate screening for between the apartments and the adjacent mobile home park property.
6. Staff approval of the transparency requirements for the secondary building wall for Building B.
7. Applicant shall extend the sidewalk from the lot near Building D to Division Avenue. Applicant shall provide an easement for future pedestrian access in this area to the Rapid Park and Ride facility to the south.
8. Applicant shall relocate some of the mechanical equipment to the side yard of the proposed buildings. The mechanical equipment for Buildings A and B must remain on the east side of these buildings.
9. Final approval of the landscaping and lighting plans. Landscaping is to be adequately maintained and replaced as needed.
10. Compliance with the signage provisions for the Corridor General District.
11. Final staff approval of the building elevations.
12. Applicant shall conduct a Traffic Analysis to determine whether there is adequate stacking for left turn movement into the development.

BASIS:

1. Section 23.04.10 of the Kentwood Zoning Ordinance Form Based Code requires the first floor of a flex building to be a minimum of 14 feet in height from finished floor to finished ceiling. The applicant is proposing the first floor to be 10' in height.

Section 23.05.12 requires the building widths to be 150 feet or less. Buildings A, B and D on Division Avenue are proposed to be between 158'-160'.

Section 23.05.12 C sets façade standards for dooryard buildings. A horizontal expression line of 24" to 42" is required.

2. The applicant has submitted new plans that address some of the concerns of the City Engineer. The final plans must be reviewed by the City Engineer.

3. There is currently an easement for stormwater detention that serves both the Family Dollar building and the proposed apartment development. The applicant is proposing the relocation of this easement and detention pond.

An access easement between the Family Dollar building and the proposed apartments is also proposed to be relocated. The applicant must also receive permission to extend pavement on the Family Dollar site to allow cross access between the uses.

The modification of both the stormwater easement and cross access easement must occur in order to allow for the apartment development as configured on the site plan.

4. The applicant has been asked to show the existing vegetation on the mobile home property in order to determine where additional landscaping should be provided along eastern edge of the apartment development. The plan does not indicate the species or size of the trees on the mobile home park property, making it difficult to determine the amount and type of landscaping needed for screening between the uses.
5. The sidewalk ends at the edge of the parking lot near Building D. It must be extended to provide another access to Division Avenue on the south side of the driveway.
6. The applicant has indicated a desire to provide a future connection to the Rapid Park and Ride lot, south of the proposed apartment development. An easement will ensure that future pedestrian access can be provided.
7. The applicant has shown mechanical equipment in both the front and the rear of the apartment units, with the exception of Buildings A and B (where the mechanical units are on back side). The Form Based Code states that mechanical equipment is not located in the front yard of any parcel. This would only apply to the Division Avenue frontage. Even though the mechanical units can be legally located on the front side of buildings C, D, E and F, staff recommends relocating as many units as possible to the sides of these buildings.
8. The proposed monument sign does not meet the Form Based Code requirements of Section 23.07.16. The sign will need to be changed, or a variance received to allow the sign as proposed.
9. Discussion during work session and public hearings.

PLANNING STAFF RECOMMENDATION

Pung 12/03/21

PROJECT: Zoning Ordinance Text Amendments

APPLICATION: 30-21

HEARING DATE: December 14, 2021

REVIEW TYPE: Zoning Ordinance Amendments Relating to Athletic Training Centers

RECOMMENDATION: Recommend to the City Commission to amend the Kentwood Zoning Ordinance No. 9-02 as follows:

Amend Chapter 2 Definitions to add the following:

Athletic training facility: A specialized indoor facility provided for the training needs and related activities of athletes. Unlike a health club, these facilities are primarily for the prearranged use of specific teams and programs, rather than for public walk-in use. This includes specialized sports facilities, such as ball courts, hockey rinks, gymnasiums, gymnastics, and pools, and may include weight rooms, classrooms, and meeting space. Activities may include training sessions, practices and competitive or spectator events.

Amend Section 10.2.A Table of Use to add the following:

Athletic Training Facility as a special land use in the I1 Light Industrial and I2 Heavy Industrial district.

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

KK: Athletic Training Facility

Amend Section 15.04 Site Design Standards to add the following:

KK: Athletic Training Facility

1. Maximum area of 25,000 square feet.
2. The principal and accessory uses and buildings shall not be located within one hundred (100) feet of any residential district or use.
3. All uses shall be conducted completely within a fully enclosed building.

Comments

- 1) The proposed amendments would make allowance for athletic training facilities in industrial districts but would prevent other indoor recreational uses such as go-cart tracks, trampoline parks, etc. from locating within industrial districts.
- 2) The amendments would limit the size of such facilities in an industrial district to 25,000 square feet.
- 3) Limitations on competitive or spectator events could be imposed as part of the special land use review process.

STAFF REPORT: December 7, 2021
PREPARED FOR: Kentwood Planning Commission
PREPARED BY: Joe Pung
CASE NO.: 01-22 Midwest United

GENERAL INFORMATION

APPLICANT: Mahi Mahesh Properties REP: Mahi Mahesh
6600 Mahesh Drive, SE 6600 Mahesh Drive, SE
Grand Rapids, MI 49546 Grand Rapids, MI 49546

STATUS OF APPLICANT: Property Owner

REQUESTED ACTION: Special land use and preliminary site plan review for an athletic training facility.

EXISTING ZONING OF SUBJECT PARCEL: I-1 Light Industrial

GENERAL LOCATION: 3851 Model Court, SE

PARCEL SIZE: 4.84 acres

EXISTING LAND USE ON THE PARCEL: Multi-tenant Industrial Building

ADJACENT AREA LAND USES:
N: Vacant Land
S: Industrial Buildings
E: Vacant Land & Model Court ROW
W: Consumers Energy Transmission Lines

ZONING ON ADJOINING PARCELS:
N: I1 Light Industrial
S: I1 Light Industrial
E: I1 Light Industrial
W: I1 Light Industrial

Compatibility with Master Plan

The Master Plan recommendation is for industrial use of this site. Proposed zoning ordinance amendments, if approved by the City Commission, would make allowance for athletic training facilities in the I1 Light Industrial district as a special land use. If the proposed amendments are approved, the proposed use would be consistent with the Master Plan recommendation.

Relevant Zoning Ordinance Sections

Section 13.04.A requires Planning Commission review and approval of special land uses. Section 13.08 outlines the general review standards. Section 15.02 outlines the general approval standards for a special land use. If the proposed zoning ordinance amendments are approved there will be specific design criteria for athletic training facilities.

Zoning History

The site has been zoned for industrial development since at least 1970.

SITE INFORMATION

Site Characteristics

The property is currently developed with a multi-tenant industrial building.

Traffic & Circulation

The site is accessed off Model Court with a shared drive that provides access to the adjacent property to the south.

Parking

For indoor recreational facilities a Parking Operations Plan is required but not less than four (4) parking spaces per court or other recreational facility use plus parking required for any accessory use. If athletic fields are included, twenty (20) parking spaces per field shall be provided. A Parking Operations Plan needs to be provided along with detail the amount and location of on-site parking is available for this use.

Engineering

All applicable Engineering Department standards and requirements will have to be met.

Fire

All applicable Fire Department standards and requirements will have to be met.

Staff Comments

- 1) The applicant is requesting special land use and site plan review for an athletic training facility. The necessary Zoning Ordinance amendments to allow for athletic training facilities in the I1 Light Industrial district have not yet been approved by the city; the recommendation from the Planning Commission on the proposed ordinance amendments will be heard by the City Commission in January. Although the proposed ordinance amendments have not been approved, the applicant wished to make application so that if approved they would not have to wait until January or February to start the review process.
- 2) The proposed definition of an athletic training facility is as follows:

A specialized indoor facility provided for the training needs and related activities of athletes. Unlike a health club, these facilities are primarily for the prearranged use of specific teams and programs, rather than for public walk-in use. This includes specialized sports facilities such as ball courts, hockey rinks, gymnasiums, gymnastics, and pools, and may include weight rooms, classrooms, and meeting space. Activities may include training sessions, practices and competitive or spectator events.
- 3) In May, Midwest United FC met with the Land Use and Zoning Subcommittee regarding a proposal to locate a 24,000 square foot indoor training facility for soccer, lacrosse, and futsal at this location. The Committee was supportive of the concept, but the applicant was made aware that the use was not currently permitted within the I1 Light Industrial district and that zoning ordinance amendments would be required to make allowance for such a use.
- 4) At the meeting with the Land Use and Zoning Subcommittee, Midwest United FC provided a description (attached) of the proposed use. As part of this review, an updated and more detailed (hours/days of operation, types of training activities and when they would take place, expected number of competitive and spectator events, expected occupancy, etc.) needs to be provided. Detail on competitive and spectator events will be important in determining if adequate parking is available and if they are potential conflicts with existing tenants.
- 5) There is a large, covered area (see Exhibit 4) on the south side of the building that had been used by the prior tenant as a fenced in storage area. This area may be able to be used for additional parking if needed. Information on the intended use of this area is needed.
- 6) Included in the proposed ordinance amendments are three (3) site design standards specific to athletic training facilities. They are as follows:
 - Maximum area of 25,000 square feet.
 - The principal and accessory uses and buildings shall not be located within one hundred (100) feet of any residential district or use.

- All uses shall be conducted completely within a fully enclosed building.

As originally proposed the facility would be under 25,000 square feet in area with all activities occurring indoors. There are no residential districts or uses within one hundred (100) feet. The updated operations description shall verify that the area and that all activities will occur indoors.

- 7) Section 15.02 of the Zoning Ordinance (Special Land Use Standards) states that the Planning Commission must determine that the proposed use meets the following standards:

- 15.02.A Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that a use will not change the essential character of the area in which it is proposed.

The intended character of the general vicinity is for industrial development. The proposed athletic training facility is anticipated to be a special land use in the I-1 Light Industrial district and is not anticipated to change the essential character of the area.

- 15.02.B Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities or schools.

The site is currently served by essential public facilities and services.

- 15.02.C Not create excessive additional requirements at public cost for public facilities and services.

The proposed athletic training facility is not anticipated to create excessive additional requirements for public facilities and services at public cost.

- 15.02.D Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, electrical or electromagnetic interference or odors.

The proposed athletic training facility is not anticipated to create excessive production of traffic, noise, smoke, fumes, or odors. A detailed description (hours of operation, description of activities and events, anticipate traffic, etc.) of the business/operation is needed to verify compliance with this section of the Zoning Ordinance.

- 15.02.E Be compatible and in accordance with the goals, objectives and policies of the Master Plan and promote the Intent and Purpose of the zoning district in which it is proposed to located.

The proposed used anticipated to be compatible and in accordance with the goals and objectives of the Master Plan.

15.02.F Be subject to stipulations by the Planning Commission of additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the granting of the Special Land Use.

15.02.G Comply with all applicable licensing ordinances.

Issues to Address

- Submit detailed business operations description/statement.
- Provide detail on anticipated parking needs.
- Potential use of covered area on south side of the building.

Exhibit 1: Project Location

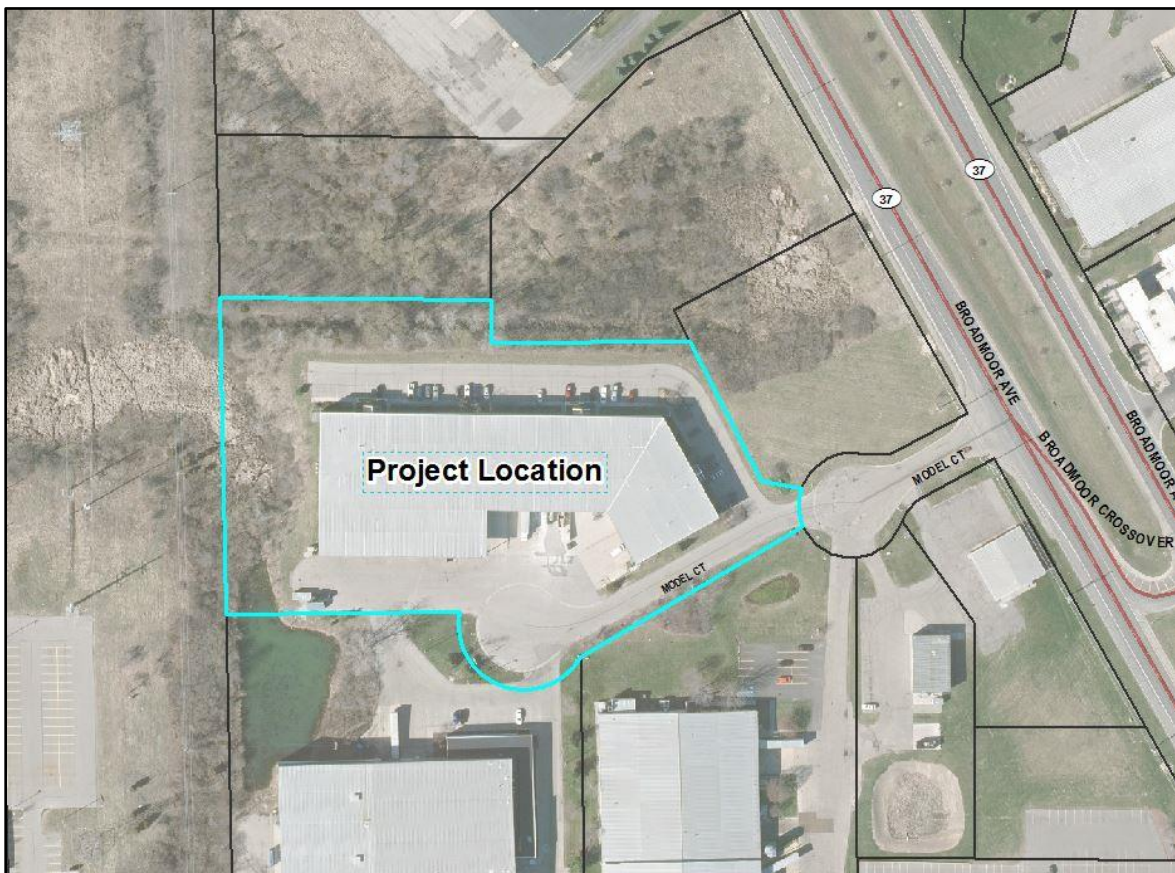


Exhibit 2: April 2020 Pictometry Photo (View from the North)



Exhibit 3: April 2020 Pictometry Photo (View from the South)



Exhibit 4: Covered Area on South Side of the Building





Midwest United FC

“Tradition of Excellence”

May 27, 2021

Dear Kentwood Land Use and Zoning Committee,

This letter is in regard to the property on 3851 Model Court, S.E., Suite 400). Midwest United FC is a youth soccer club and we have been looking for indoor space to utilize during the winter months. We have approximately 1,200 players in our club and we need a home for them during the winter, when our outdoor space is inaccessible. During the fall and the spring, we use the complex we have developed at 3450 36th Street SE. We have an arrangement with the City of Kentwood and utilize the 12 or so acres just north of Covenant Park. We have two turf fields and are in the process of installing a grass field as well.

As a club, we offer year-round training to our players and that leaves us looking for space in December, January, February and March. We feel this location on Model Court would be perfect for our club. We have price quotes for turf, sport court and nets, and we are comfortable with our ability to fully cover the costs of the project.

The space we would be renting would be approximately 24,183 square feet. Our plan would be to turf about 12,500 square feet, put sport court on about 6,600 square feet, add roughly 94,000 square feet of netting (walls and ceiling) and use the remaining 5,000 or so square feet for our offices, retail space, workout area and storage. We are currently in an office that is 5,000 square feet and it works perfectly for the needs of our staff and customers. The current heights of the ceiling and free span dimensions are perfect for what we intend to use the space for.

The space is currently occupied by Augusta Towers, and the property owners have told us they have not had any other companies inquire about the space. Augusta Towers let them know months ago that they will be leaving to occupy their own space, and there has been no interest in the space other than Midwest United FC.

The arrangement we have with the City of Kentwood on the property connected to Covenant Park is one we are excited about and meets our needs for the majority of our season, but the reality is it precludes us from developing any indoor space on site. The City is working on plans for Covenant Park. I sit on their committee and I am excited to be a part of the development process. That being said, there are no plans for indoor space at this time. The location on Model Court allows us the space we need for our club and a proximity to our fields that works well for everyone.

As a club, we have been proud of the economic impact we have had for the City of Kentwood. We continue to grow as a club and, in doing so, have been able to bring many events to the city. We host two large

tournaments each year - with 300+ teams in the fall and 150+ teams in the spring - that put heads in beds as well as help local companies like restaurants, shopping centers, gas stations and more. In addition to those events, we host 50 plus games each weekend in the fall and spring, many of the teams coming from out of state and out of our region.

In addition to our own Midwest United FC families, the Midwest United FC Complex is host to the Grand Rapids FC, BIH, West Michigan Bearings and Midwest United FC Women pro-am soccer teams, as well as host to True lacrosse, Omnia Lacrosse, Grand Rapids Christian HS sports, La Raza League, and more for team training and games. An indoor facility with sport court would allow use by local adult and youth futsal teams and leagues.

Our expectations are to have hundreds of people visit both the outdoor and indoor spaces on a weekly basis, again having an economic impact for the city's restaurants, hotels and other retail businesses. We feel this is a winning situation for us all.

We appreciate your consideration in allowing a variance for this space. This will be a huge benefit to our club, to our community and to our over 50 employees.

Thank you for your consideration,

Josh Sheldon
Executive Director
Midwest United FC

