AGENDA CITY OF KENTWOOD PLANNING COMMISSION TUESDAY, OCTOBER 12, 2021 KENTWOOD COMMISSION CHAMBERS 4900 BRETON AVENUE 7:00 P.M.

6:30pm Master Plan Sub-Committee Meeting (Holtrop, Poyner, Quinn)

- A. Call to Order
- B. Pledge of Allegiance (Sandra Jones)
- C. Roll Call
- D. Approval of the Minutes of September 28, 2021 and Findings of Fact for: <u>Case#27-21</u>-Bethany Christian Services Proposed change to a Conditional Rezoning and Change to a Special Land Use Approval Located at 3220- 52nd Street
- E. Approval of the Agenda for October 12, 2021
- F. Acknowledge visitors and those wishing to speak to non- agenda items.
- G. Old Business

There is no Old Business

H. Public Hearing

<u>Case#28-21</u> – Kum & Go Store 2604 – Rezoning of 1.653 acres of land from C-4 Office to C-5 Neighborhood Commercial located at the southeast corner of 52nd Street and Kalamazoo Avenue

I. Work Session

<u>Case#29-21</u> – Equine Assisted Development - Major Change to Site Plan – Located at 3220 32nd Street SE;

<u>Case#30-21</u>- Zoning Ordinance Text Amendment

J. New Business

Set public hearing date of November 9, 2021, for: <u>Case#31-21</u> Abra (Auto Body Repair of America) – Special Land Use Major Vehicle Repair Establishment and Site Plan

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Review Located at 3165 29th Street; <u>Case# 32-21</u> – Master Plan Amendment Request – Change from Institutional to Medium Density Residential Located at 2400 Forest Hill

K. Other Business

- 1. Master Plan Implementation Schedule
- 2. Commissioners' Comments
- 3. 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.

PROPOSED MINUTES OF THE REGULAR MEETING OF THE KENTWOOD PLANNING COMMISSION SEPTEMBER 28, 2021, 7:00 P.M. COMMISSION CHAMBERS

- A. Vice-Chair Holtrop called the meeting to order at 7:00 p.m.
- B. The Pledge of Allegiance was led by Commissioner Pemberton.
- C. Roll Call:

Members Present: Bill Benoit, Catherine Brainerd, Dan Holtrop, Sandra Jones (arrived late), Ed Kape, Clarkston Morgan, 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, the press and the applicants

Motion by Kape, supported by Pemberton, to excuse Jones from the meeting.

- Motion Carried (8-0) -
- Jones absent -
- D. Approval of the Minutes and Findings of Fact

Motion by Commissioner Kape, supported by Commissioner Pemberton, to approve the Minutes of September 14, 2021.

- Motion Carried (8-0) –
- Jones absent -
- E. Approval of the Agenda

Motion by Commissioner Pemberton, supported by Commissioner Brainerd, to approve the agenda for the September 28, 2021 meeting.

- Motion Carried (8-0) -
- Jones absent -
- 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 Hearing

<u>Case#27-21</u>- Bethany Christian Services – Proposed change to a Conditional Rezoning and Change to a Special Land Use Approval Located at 3220- 52nd Street

Pung stated the request is to modify the conditions of both a special land use child caring institution and the conditional rezoning. He stated in 2014 the City approved both the conditional rezoning and the special land use for the child caring institution. A condition of both the special land use and the rezoning was that the capacity was limited to 8 children. Pung stated the applicant now wishes to increase that capacity to 12 children. He stated based on the prior approvals, both Planning and City Commission approvals are required in order to allow for a capacity of 12 children.

Pung stated there are no changes to the exterior of the site or the building. They are going to add additional sidewalk on the back of the building for egress and also adding one additional egress window.

Pung stated the only issue that came up at the work session was the number of calls for service to the Police Department. He stated the applicant explained why the calls were high, but now there have been changes to the Federal requirements as to when they need to call. They no longer have to call for service when a child leaves and they know where they are going. Pung stated this past year there has only been one call for service.

Pung stated he is recommending approval as described in his memo.

Holtrop opened the public hearing.

There was no public comment.

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

- Motion Carried (8-0) –
- Jones absent

The commissioners expressed support for the request.

Motion by Benoit, supported by Pemberton, to grant conditional approval of the change to the Special Land Use Child Caring Institution as described in Case 27-21: Bethany Christian Services. The approval is conditioned on conditions 1 –3 and basis points 1 –5 as described in Pung's memo dated September 20, 2021

- Motion Carried (8-0) -
- Jones absent

Motion by Benoit, supported by Brainerd, to recommend to the City Commission conditional approval of the request to modify the Conditional Rezoning Agreement

dated June 20, 2014, to increase the capacity of the child caring institution from eight (8) children to twelve (12) children. Approval is conditioned on conditions 1 – 2and basis point 1 – 5as described in Pung's memo dated September 20, 2021.

- Motion Carried (8-0) –
- Jones absent -

Commissioner Jones arrived.

I. Work Session

Case#28-21 – Kum & Go Store 2604 – Rezoning of 1.653 acres of land from C-4 Office to C-5 Neighborhood Commercial located at the southeast corner of 52nd Street and Kalamazoo Avenue

Schweitzer introduced the request. He stated the request is to rezone 1.5 acres from C-4 Office to C-5 Neighborhood Commercial. He stated the site has been zoned for office use since at least 1976. The site has been vacant since 2005 following the demolition of the building that housed a financial institution. No formal application for re-development of this site has been filed with the city since the building demolition Schweitzer stated The property has approximately 220 feet of frontage on 52nd Street and approximately 280 feet of frontage on Kalamazoo Avenue with the grade of the northern portion of the site above the grade of the streets. He stated this section of the Kalamazoo Avenue boulevard, built in 2008, is continuous along the entire site frontage and the cross section of the 52nd Street frontage consists of 2 through lanes in each direction as well as duel left turn lanes for westbound traffic.

Schweitzer stated the surrounding land uses are office use and high density residential, apartment buildings,

Schweiter stated during development of the 2020 Master Plan update staff had numerous discussions with the property owner about the prospect of commercial use of the property including several concept plans depicting alternative building, parking and circulation scenarios for office and/or retail uses. In the end the adopted master plan makes allowance for commercial use predicated on some site-specific issues associated with the location, size and configuration relative to the intersection of 52nd Street and Kalamazoo Avenue.

Schweitzer stated there were financial institutions occupying the property up until 2005 when the building was demolished and it has been vacant since then.

Schweitzer stated the Kalamazoo sub-area Master Planning there was discussion on getting some greenspace or hard scape at the intersections so that you don't have buildings and parking right up to the corner. He stated this a predominantly residential corridor and if there is going to be some commercial use there, there has to be a blend or a transition to take place.

Schweitzer stated the idea was to have commercial uses that were a good fit with the surrounding area. He stated this is hard to accomplish. The property has been zoned office, but we want to

allow for the introduction of commercial. He stated in the Master Plan as it was adopted and recommended, the idea was to look at low impact uses. He stated if we go the C5 zoning there is going to be a number of permitted uses, however, because of the size and configuration of the property it still may not be a good fit. He stated it might be too close to the surrounding residential uses. Schweitzer stated this is a challenging situation. He questioned whether there are sufficient safeguards within the C-5 zoning to provide protection from noise and light pollution that might take place for a new business that is going to be operated immediately adjacent to residential uses.

Schweitzer stated during the Master Plan process there were conversations with the developer regarding the development on the site. Schweitzer displayed graphics that showed the outline of the site. Schweitzer stated C5 has less setback requirements along the frontages. He stated for commercial use the setback is only 25 feet. He stated in 2008, Kalamazoo was changed from a 4 lane street to a boulevard and it allowed for a lesser setback even from the setbacks that were in place at that time.

Schweitzer stated likewise along 52nd Street in 2009/2010 the intersection was reconstructed to allow for the dual turns for westbound traffic and at the same time the grade of the intersection had to be raised because there were some drainage issues associated with that. Additional land area was needed to accommodate that and the City negotiated public sidewalk easement on to the private property

Schweitzer stated a retail site under a C5 zoning can also occupy that property. The perimeter allows for landscape buffer but not to the extent that we generally have if commercial retail is next to residential.

Schweitzer stated because of those changes that took place negotiating sidewalk easements along the frontage in the past you are not going to have as much greenspace along the edge. He stated if you go to C5 there is a lesser setback as compared to general commercial.

Schweitzer stated the intent of the applicant to develop the property as a convenience store including vehicle fueling would require special land use approval of the vehicle fueling portion of the business. There are several special land use site design requirements associated with vehicle fuel stations that would have to be addressed in addition to the guiding development concepts noted in the compatibility with master plan summary.

Schweitzer stated the applicant met with the LUZ committee and the consensus of the commissioners was it that has been Master planned office for a very long time and it hasn't been utilized, it hasn't been developed therefore they felt it would be reasonable to allow for commercial use on the property. However, given the specifics of the site to go to a fueling station seemed intense for the property for the space that is there. He noted there was also a concern as far as how the traffic going in and out of this site would work at this intersection. Schweitzer stated the traffic circulation seemed very difficult. From a land use perspective they were describing a 24 hour operation that there would likely involve continuous site lighting.

Schweitzer urged the commissioners to take a look at the entire range of uses that is allowed under C-5 zoning and determine if it will be a good fit. He stated they should also look at the size and configuration of the property as well as the traffic patterns while looking into the consideration of the rezoning.

Schweitzer stated in the standard review process staff looks at the guidelines set forth in the ordinance

1. Consistency with the goals, policies and future land use map of the Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

The future land use designation is commercial provided the commercial uses have minimal impact on the surrounding neighborhood. In addition, the guiding development concepts previously noted will be especially critical to the review of permitted as well as special land use allowances under the proposed C-5 zoning.

2. Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district;

The location, size and configuration of this site relative to the intersection of 52nd Street and Kalamazoo Avenue may limit the feasibility of some permitted and special land uses allowed in the proposed C-5 Neighborhood Commercial zone district.

3. The applicant's ability to develop the property with at least one (1) of the uses permitted under the current zoning;

The property has the potential to be developed for a range of office uses under the current C-4 Office zoning of the site.

4. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

The location, size and configuration of this site relative to the intersection of 52nd Street and Kalamazoo Avenue may limit the feasibility of some permitted and special land uses allowed in the proposed C-5 Neighborhood Commercial zone district. The boulevard along the Kalamazoo Avenue frontage and the 52nd Street cross section consisting of 2 through lanes in each direction and dual left turn lanes for westbound traffic may challenge businesses that are serviced by large vehicles or involve a high number of daily vehicle movements into and out of the site. Businesses that operate into the evening or on a 24 hour basis may also represent a potential noise or lighting nuisance to surrounding homes.

5. Whether the City's infrastructure and services are sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the City;

The city's infrastructure and services appear sufficient to serve this site.

6. Where a rezoning is reasonable given the above guidelines, a determination that the requested zoning district is more appropriate than another district or amending the list of permitted or Special Land Uses within a district.

The Master Plan narrative for this site identified PUD zoning as an alternative to fulfill the desired commercial land use designation. Likewise, a conditional rezoning to C-5 Neighborhood Commercial may accomplish the same including an allowance for reduced required parking. However, staff does not believe that adding a special land use allowance for vehicle fuel stations to the current C-4 zoning is desirable.

Eric Lord, with Atwell and Dave Lemons with Kum and Go were present. Lord stated the property has been vacant for 16 years. The Master Plan was changed in 2020, the feels the existing zoning wasn't contributing to the development of that parcel. He stated rezoning to a C5 use is in line with the Master Plan. He stated their intention at this location is a convenience store and a fueling station. He stated they had a neighborhood meeting with the residents within 300 feet of the property. He stated they got some good feedback and he thinks there are a lot of things they can address once and if they get to a site plan level. Lord stated for their intended use step 1 would be a rezoning and then step 2 would be coming back to the commission with for a site plan and a special land use review. He stated the site has certain challenges. They want to come up with a site plan that works operationally to mitigate some concerns that were bought up by the neighbors. He stated they have taken a good look and think they can do these things; not without challenges, but they think they can. He stated they will create more buffer than what the ordinance currently calls for the neighbors. He stated they have a few things to their advantage because from a grading perspective the residential sits higher than where their site is and by the time they get done grading and developing they would be at a higher point than the convenience store and there are a number of things they can help do to screen, buffer, block noise etc.

Kape stated the fueling station is what he is struggling with. He stated it feels like it is a lot going on that corner. He questioned if they need both the fueling and convenience station and if they can't have both will there be none. Lord stated that is a decision above his control, however they are here for both the fueling and convenience store. Kape stated this is a struggle for him.

Quinn stated he struggles with this. He is concerned with the impact on the residents and the traffic which is horrible there already. He stated he also struggles with the 24 hour operation. He said he recognizes we are focusing on the rezoning, but he has a long way to go on this project.

Morgan questioned if he has done an analysis of the market for vehicle fueling because there are other gas stations that are in close proximity. Lord stated Kum and Go operates over 400 stores and their stores are different because when you walk into their store, they have a full kitchen you don't get that with some of the other competitors. He stated there is a difference and they feel that it is a neighborhood value something that the competitors don't have. He stated although there is a gas station across the street they don't feel that has the same service offerings that Kum and Go has. Lord stated Kum and Go wants to be a good neighbor. Lord stated C5 allows a fueling stations however not by right they still have to come before the planning commission for

special land use and site plan review. Morgan stated the main concern is the increase in traffic. Discussion ensued regarding C5 versus C4 and its uses.

Jones stated as it relates to the zoning request she doesn't have any concerns about rezoning it and will reserve comments of what could be at another time because we are only discussing the rezoning.

Pemberton stated this is tough and was curious as to why this location. He stated even though they have to go through the rezoning, he thinks he still has a long way away from getting what he needs to get total approval for the project. He stated the property has been sitting vacant and has been zoned C4 for a long time with no interest and no movement. He stated we need to do something and maybe think what the city's desires are there. He stated on the flip side he thinks this is not the right use for this corner. He stated whether the zoning is one way or the other he is not sure it is going to be compatible.

Benoit stated we have to look at all the uses under the C5 zoning. He stated he would feel more comfortable with a conditional rezoning or a CPUD so the commissioners can really lay out some guidelines to make sure what is going to be there is going to fall into what they think will work. He stated this is a tight spot. Lord stated one of the challenges they have with a conditional rezoning is it has to be them offering the conditions on the plan as opposed to a work session.

Brainerd questioned where the closest Kum and Go would be. Dave Lemons, 1629 Grand Avenue, Des Moines, IAindicated he was the realestate representative for Kum and GO Convenience Stores. He stated the closest store is eastern Iowa. He stated a lot of their growth is in Colorado. He stated they have identified two markets that they would like to go to and Grand Rapids and Salt Lake City floated to the top. He stated their goal is to build 20-25 stores over the next 4 years. He stated this is a 200 million dollar investment in the community and they work hard to be good partners and neighbors. He stated they give back to the community in all ways.

Brainerd stated in terms of the rezoning her initial reaction was leaning towards a PUD. She stated she drives by this site everyday and developing it in any fashion is going to create issues especially traffic issues. She stated she has significant concerns about the fueling station overall if it gets to that point. She stated with the proximity from residential is a big jump and it is going feel like an even bigger jump because there hasn't been anything there for quite some time. She stated this is a very loud neighborhood. She stated she has concerns but with the rezoning she would probably consider the C5.

Poyner stated this is going to be tough. He stated he doesn't have any concern with going to C5. However marketing how good it will be he isn't sure, because if they drive anymore traffic there it makes it more difficult because traffic is heavy. He stated he doesn't have a problem with going to C5, it gives them the flexibility to find an applicant to find a use for the property.

Jones stated she would like to see the corner be used, it has been vacant for 16 years. She noted the Tim Horton's on the corner of 44th and Kalamazoo and reminded the commissioners that there used to be a gas station on that corner in somewhat the same situation. She questioned if

they have any other locations near residential areas. Lemons stated yes they do and in a lot of cases they have had residents come out and speak against the property and then they build a store. He stated most of the time they become good customers and they become fans of the business. He stated they are good operators and they run a very clean and good business. The reason they came to Grand Rapids is because the level of competition here is not very strong as in other places that they compete. They have operated in many situations very close to neighborhoods and are good neighbors. He stated not everyone next to their sites love them being there, but the vast majority of them they have been positive supporters post the change.

Lemons stated he agrees this is a tight challenging site and they knew this before coming into it. That is why it is important for them to have the neighborhood meetings. That is why it is important for them to get the commissioners comments and know how they feel and what would be a good use for the site.

Poyner questioned if he had been to the site and actually walked that site. Lemons stated he has been to the site in the early mornings, afternoons and evenings. Lemons stated he understands the traffic that is there and they look for sites that are high traffic. One of the challenges that boulevard roads create that congestion at times. It creates challenges and access is one of the most important things they have as a business. If they don't have good access onto the site and off of the site, then people don't come in if it is not convenient from their perspective. He stated they feel that is something that they have to have to be successful. Lord stated they have taken traffic counts and are gathering the data for them to make decisions.

Holtrop stated he would like to see what are permitted uses in C5 neighborhoods. Brainerd stated she would like to see a C4 and C5 to compare. Holtrop stated what strikes him the most is the 24/7 lights and neighbors are things that concerns him and he stated he appreciates them meeting with the neighbors.

Lemons questioned if 24/7 would not be part of the conversation would that be more attractive Holtrop stated more attractive yes, but more completely he isn't sure.

J. New Business

Motion by Jones, supported by Pemberton, to set public hearing date of October 26, 2021, for: <u>Case#29-21</u> – Equine Assisted Development - Major Change to Site Plan – Located at 3220 32nd Street SE; <u>Case#30-21</u>- Zoning Ordinance Text Amendments

- Motion Carried (9-0) -

K. Other Business

1. Commissioners' Comments

Holtrop stated there was a Master Plan subcommittee meeting prior to the Planning Commission meeting reviewing the 10.32 acre site at the southeast corner of Burton

Street and Forest Hill Avenue. The committee recommendation may be presented on October 12.

2. Staff's Comments

Schweitzer stated he spoke to the operator at Abra and they will be coming in for a parking lot expansion and maybe another building. He stated the owner was sincere and wants to be a good neighbor.

L. Adjournment

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

Motion Carried (9-0) -

Meeting adjourned at 8:10pm

Respectfully submitted,

Ed Kape, Secretary

CIY OF KENTWOOD PLANNING COMMISSION PROPOSED FINDINGS OF FACT OCTOBER 12, 2021

Pung 09/20/21

PROJECT: Bethany Christian Services Rezoning

APPLICATION: 27-21

LOCATION: 3220 – 52nd Street

HEARING DATE: September 28, 2021

REVIEW TYPE: Change to a Conditional Rezoning Agreement

MOTION: Motion by Benoit, supported by Brainerd, to recommend

to the City Commission conditional approval of the request to modify the Conditional Rezoning Agreement dated June 20, 2014, to increase the capacity of the child caring institution from eight (8) children to twelve (12) children. Approval is conditioned on conditions 1-2 and basis point 1-5 as described in Pung's memo dated

September 20, 2021.

- Motion Carried (8-0) –
- Jones absent -

CONDITION: 1. Maximum capacity of the child caring institution shall not exceed twelve (12) children.

exceed twelve (12) clindren.

2. Execution of a formal written revised Conditional Rezoning Agreement acceptable to the owner and the City and conforming to Section 3.29.C.2 of the Kentwood Zoning

Ordinance.

BASIS: 1. In 2004 the State of Michigan passed Public Act 579 which

makes allowance for the conditional rezoning of property. In a conditional rezoning an owner of land voluntarily offers in writing, and a city may approve, certain use and development of the land as a condition of the rezoning.

2. The proposed change is not anticipated to have a substantial and permanent adverse impact on neighboring property.

Findings of Fact Case 27-21 Page 2

- 3. The proposed change would not have a tendency to create any type of blight within the area and would allow for reasonable use of the property and building.
- 4. Applicant's presentation at the Planning Commission work session and public hearing.
- 5. Discussion at the Planning Commission work session and public hearing.

CIY OF KENTWOOD PLANNING COMMISSION PROPOSED FINDINGS OF FACT OCTOBER 12, 2021

Pung 09/20/21

PROJECT: Bethany Christian Services

APPLICATION: 27-21

LOCATION: 3220 – 52nd Street

HEARING DATE: September 28, 2021

REVIEW TYPE: Change to a Special Land Use for a Child Caring Institution

MOTION: Motion by Benoit, supported by Pemberton, to grant

conditional approval of the change to the Special Land Use Child Caring Institution as described in Case 27-21: Bethany Christian Services. The approval is conditioned on conditions 1–3 and basis points 1–5 as described in

Pung's memo dated September 20, 2021

- Motion Carried (8-0) –

Jones absent -

CONDITION: 1. City Commission approval of a modification to the

Conditional Rezoning Agreement dated June 20, 2014, increasing the capacity of the child caring institution from

eight (8) children to twelve (12) children.

2. The use shall otherwise be operated consistent with the 2014

special land use approval.

3. Documentation of compliance with State Building and Fire

Codes shall be submitted to the City.

BASIS: 1. The use has been in operation since 2014. Except for a

window and a concrete walkway, no eternal changes to the

building or site are proposed.

2. The proposed change is consistent with both the Master Plan

recommendation and the zoning of the property.

- 3. With the proposed changes, the use would still meet the special land use standards of Section 15.02 of the Kentwood Zoning Ordinance.
- 4. Applicant's representations at the work session and public hearing.
- 5. Discussion at the work session and public hearing



Memorandum

TO: Planning Commission

FROM: Terry Schweitzer, Community Development Director

DATE: October 8, 2021

RE: Kum & Go Withdrawal Letter

Attached you will find the letter of withdrawal from Kum & Go regarding their request to rezone the property at the southeast corner of 52nd Street and Kalamazoo Avenue, SE. They have notified the Princeton Estates Neighborhood Association as well as the residents immediately adjacent to the site. The property ownership that also signed the rezoning application has decided to continue the rezoning request.

During the September 28 work session review of the rezoning request, you expressed a desire to review the full set of allowable uses associated with the current C-4 Office zoning as compared to the requested C-5 zoning. The respective list of use allowances is attached. Likewise, your deliberations included a recognition that businesses that operate in the evening or on a 24-hour basis may also represent a potential noise and/or lighting nuisance to surrounding homes. For this issue we recommend consideration of an amendment to the C-5 zoning provisions to limit the hours of operation and the extent of overnight lighting when a C-5 use is located immediately adjacent to residential uses.

The property ownership has indicated they are amenable to tabling action on the October 12, 2021 rezoning request pending the amendment of the C-5 zoning provisions noted above.



October 6, 2021

City of Kentwood Planning Commission 4900 Breton Road SE Kentwood, MI 49508

Re: Kum & Go Rezoning Request Withdrawal

Southeast Corner of 52nd Street and Kalamazoo Street

Dear Planning Commissioners:

After much consideration, we are writing to inform you of our decision to withdraw the rezoning application for the above referenced property. The feedback we received from City staff, Planning Commission, and neighbors was very helpful in determining our next steps. Our goal is to gather as much community input as possible in order to move forward with a project that is in line with the mutual goals of the Kentwood community and our Kum & Go business interests.

While we remain very excited to bring the Kum & Go brand to the City of Kentwood, it has become clear to us that this particular location may not be the best fit. We will continue to look for a more suitable location to operate our business and look forward to coming before you again in the very near future. We are confident that you will find Kum & Go to be a great partner in the Kentwood community. We love what we do, have a genuine compassion for our customers, associates, families, and communities; and expect & deliver superior performance.

Thank you for the opportunity to explain our intentions for the property and to obtain your open, honest and valuable feedback. I sincerely appreciate you for serving Kentwood and look forward to the opportunity to share the Kum & Go story with you very soon.

Respectfully, KUM & GO, L.C.

Dave Lemons

Sr Real Estate Development Manager

Zoning Ordinance

CHAPTER 8 COMMERCIAL/OFFICE DISTRICTS

SECTION 8.01 INTENT AND PURPOSE

This Chapter is intended to provide in an organized format the regulations associated with three (3) commercial/office zoning districts in the City: C-2 Community Commercial District which provides for commercial uses and activities providing services for the community and surrounding neighborhoods; C-3 Regional Commercial District providing commercial goods and services of a regional nature, serving areas both within and outside the city; and C-4 Office/Business District, which is intended primarily to permit office and business uses of a less intensive nature than those in the other commercial districts. These regulations shall provide for the orderly development of these uses to meet the retail, service and employment needs of the City's residents and surrounding areas.

SECTION 8.02 TABLE OF USES

A. The following abbreviations apply to the Table of Uses:

P: Land and/or buildings in this District may be used for the purposes listed by right.

SLU: The following uses may be permitted by obtaining Special Land Use approval when

all applicable standards as cited in Chapter 15 are met:

NP: Use is not permitted in the district.

Use	C-2	C-3	C-4
Retail			
Building supply and equipment establishments.	SLU	NP	NP
Commercial enterprises producing merchandise on the premises	SLU	SLU	NP
Convenience Stores	Р	NP	NP
Drive through service establishments	SLU	NP	NP
Open Air Businesses.	SLU	SLU	NP .
Pawnshops	SLU	NP	NP
Restaurants, drive-through	SLU	SLU	NP
Restaurants, Freestanding but excluding drive-through establishments	Р	Р	SLU
Restaurants within shopping centers, excluding drive-through establishments	Р	Р	NP
Retail businesses	Р	Р	NP
Retail with on site Warehousing/Distribution	SLU	NP	NP
Vehicle rental establishments.	SLU	NP	NP
Service			
Animal hospitals and kennels.	SLU	NP	NP

Use	C-2	C-3	C-4
Commercial schools	SLU	SLU	SLU
Financial Institutions, Freestanding	SLU	SLU	SLU
Funeral homes and Crematoria	SLU	NP	Р
Hotels and motels	SLU	SLU	SLU
Personal service establishments	Р	Р	Р
Radio and television stations	Р	P	Р
Repair and service establishments	Р	NP	NP
Vehicle Fuel Stations	SLU	NP	NP
Vehicle Repair, Major	SLU	SLU	NP
Vehicle Repair, Minor	Р	SLU	NP
Vehicle washes	SLU	NP	NP
Institutional, Recreational and Utilities			
Assisted Living Facilities	NP	NP	NP
Assisted Living Family Facility	NP	NP	NP
Assisted Living Group Facility	NP	NP	NP
Colleges and universities	SLU	SLU	SLU
Convalescent Homes	NP	NP	NP
Elementary and secondary schools	SLU	NP	NP
Emergency Medical Centers	SLU	SLU	SLU
Training Facility	Р	Р	SLU
Hospitals	SLU	SLU	SLU
Municipal and Public Service Activities	Р	Р	Р
Nursing Homes	NP	NP	NP
Private Clubs or Lodges	Р	NP	NP
Recreation Facilities, Indoor	Р	Р	SLU
Recreational Facilities, Outdoor	Р	Р	SLU
Recycling Station	SLU	NP	NP
Theaters	SLU	SLU	NP
Utility substations, transmission lines and pressure controls	SLU	SLU	SLU

Use	C-2	C-3	C-4
Offices	, , ,		
Clinics	Р	NP	Р
Offices	Р	Р	Р
Other			
Accessory buildings and uses subject to Sections 3.15 and 3.16	Р	Р	Р
Assembly buildings	Р	Р	Р
Billboards	NP	NP	NP
Conference Meeting and Banquet Facility	Р	Р	Р
Elderly Housing	NP	NP	NP
Freestanding Off Street Parking	Р	Р	Р
Places of Religious Worship	P	Р	Р
Residential Child and Adult Care Institutions Refer to Sec		to Sectio	on 3.20
Single family residential within a historic district as designated by the City of Kentwood Historic Preservation Commission.	Р	NP	Р
Wireless Communications Tower	SLU	NP	SLU
Wireless Communications Antenna when attached to an existing telecommunications tower, water tower, or other structure	Р	Р	Р

SECTION 8.03 DEVELOPMENT REQUIREMENTS

A. Site Plan Approval Requirements

The following chart provides requirements for site plan approval. A site plan shall be submitted for Planning Commission review in connection with the following, unless specifically exempted in Section 14.02:

District	Site Plan Approval Requirements	Other Requirements
C-2	Special Land Uses	Site plans shall be submitted for all shopping centers,
C-3	Permitted and Special Land Uses	plats, site condominium projects, and municipal buildings. All other new buildings with a permitted use
C-4	Special Land Uses	in C-2 and C-4 shall be subject to approval by the Staff Review Team in accordance with the requirements of Section 13.05. See Section 3.25 for site condominium requirements and procedures. See Chapter 14 for site plan requirements. See Chapter 15 for Special Land Use requirements.

CHAPTER 9 C-5 NEIGHBORHOOD CORRIDOR COMMERCIAL DISTRICT

SECTION 9.01 INTENT AND PURPOSE

The purpose of this Chapter is to provide regulations for certain high traffic corridors within the city that exhibit unique characteristics not found in other commercial districts in the city, and to encourage appropriate development and redevelopment to sustain the economic viability of the district. The regulations herein are based on the following findings:

- A. The shallow depth and adjacent residential districts and uses of many of the parcels along arterial routes make it difficult to arrange a site plan that can meet the setback, parking and buffer standards required of other Commercial Districts in this Ordinance.
- B. The City wishes to encourage combinations of parcels to increase lot widths and depths to allow successful commercial development while allowing sufficient area to adequately protect adjacent residential land uses.
- C. The long-term viability of single-family residential uses along some arterial corridors is a concern. These residential uses are subject to high traffic volumes and future street widening. These factors call into question the long-term use of residential properties with shallow front yard setbacks.
- D. Uses appropriate for this District must be accommodated within relatively small lots and must be compatible with the adjacent residential neighborhoods.
- E. Establishing setbacks closer to the street than what is required in other commercial districts is considered appropriate given the unique conditions of this District and an objective to increase pedestrian activity along the street.

SECTION 9.02 TABLE OF USES AND PARKING

- A. The following abbreviations apply to the Table of Uses and Parking:
 - P: Land and/or buildings in this District may be used for the purposes listed by right.
 - SLU: The following uses may be permitted by obtaining Special Land Use approval when all applicable standards as cited in Chapter 15 are met.
 - NP: Use is not permitted in the District.

Use	Approval Type	Parking Requirement Spaces per unit of measurement
Residential		
Detached single-family homes existing at the effective date of this Ordinance. Such homes may be improved, expanded and reconstructed as a conforming use.	Р	2 Per dwelling unit

Use	Approval Type	Parking Requirement Spaces per unit of measurement
Residential dwellings located on the same premises as non-residential uses permitted by this Chapter, provided that all such dwellings meet all applicable Building Codes.	Р	2 Per dwelling unit
Retail		
Building supply and equipment establishments.	SLU	1 Per each 400 sq. ft. GFA
Commercial enterprises producing merchandise on the premises	SLU	1 Per each 350 sq. ft. GFA
Open Air Businesses.	SLU	1 Per each 800 sq. ft. of lot area used for the open air business plus parking for any main use building and associated accessory uses
Pawnshops	SLU	1 Per each 250 sq. ft. GFA
Restaurants, freestanding and other establishments serving food and/or beverages, including outdoor seating areas, but not including drive-through facilities.	SLU	1 per 75 sq. ft. UFA, including outdoor seating areas
Restaurants within shopping centers, excluding drive-throughs	P	1 Per each 100 sq. ft. UFA
Retail businesses	Р	1 Per each 300 sq. ft. GFA
Convenience stores	Р	The each 500 sq. it. GrA
Vehicle rental establishments.	SLU	1 Per each 600 sq. ft. GFA
Offices	L	3
Office	Р	1 Per each 400 sq. ft. GFA
Clinic	SLU	2 Per each exam or outpatient procedure room or station plus 1 per each lab or recovery room
Service and Repair Establishments		
Animal hospitals and kennels.	SLU	1 Per each 400 sq. ft. GFA
Financial Institutions, freestanding	Р	1 Per each 300 sq. ft. GFA
Financial Institutions, drive-in	SLU	Per each 300 sq. ft. GFA plus 3 standing spaces per each out-side teller or other outside service window
Funeral homes and Crematoria	SLU	1 Per each 50 sq. ft. of parlor area
Personal service establishments	· P .	1 Per each 400 sq. ft. GFA

Use	Approval Type	Parking Requirement Spaces per unit of measurement
Repair and service establishments	SLU	1 Per each 1000 sq. ft. GFA
Vehicle repair-major and minor	SLU	2 Per each service stall, plus one per each employee
Fuel Stations	SLU	2 Per each service stall, plus one per each employee
Vehicle washes		1 per each employee
Institutional, Recreational, and Utilities		
Adult and Child Care Institutions	SLU	1 Per each 4 beds, <u>plus</u> 1 Per each daytime work shift staff, <u>plus</u> 1 Per each 4 off-site visiting staff
Assembly buildings	· SLU	1 Per each 3 seats or six (6) feet of bleacher seating or each 100 sq.ft. whichever is greater
Bowling alleys or skating rinks	SLU	4 Per bowling lane, <u>plus</u> ½ the amount required for accessory uses
Commercial recreation, indoor	SLU	Parking Operations Plan but not less than 3 per court or other recreational use plus parking required for any accessory uses. If athletic fields are included, there shall be provided an additional 10 spaces per field
Commercial recreation, outdoor	SLU	Parking Operations Plan but not less than 1 per each miniature golf holes plus two per each batting cage plus one per each 50 sq. ft. with video games plus 3 spaces per court
Commercial schools	SLU	6 Per classroom or amount required for the auditorium place of assembly, whichever is greater
Day Care Centers	SLU	Parking operations plan or 1 Per each 3 clients computed on the basis of the greatest number of clients on site at a given time.
Elementary and secondary schools	· SLU	3 Per classroom or amount required for the auditorium place of assembly, whichever is greater; separate areas for student drop off and pick up areas for buses must be provided.
High schools, colleges and universities	SLU	6 Per classroom or amount required for the auditorium place of assembly, whichever is greater; separate areas for student drop off and pick up areas for buses must be provided.
Housing for the elderly.	SLU	1 Per dwelling unit <u>plus</u> 1 per each daytime work shift staff
Libraries, art galleries or museums	SLU	1 Per each 300 sq. ft. GFA

Use	Approval Type	Parking Requirement Spaces per unit of measurement
Freestanding Off Street Parking	Р	Parking Operations Plan
Municipal and Public Service Activities	SLU	1 Per each 300 sq. ft. GFA, not including parking areas for municipal vehicles (police cars, public works vehicles, etc.), plus spaces required for assembly areas.
Parking lots to serve an adjacent permitted or approved special land use	SLU	N/A
Places of religious worship	Р	2 Per each 5 seats based on the maximum seating capacity of the main place of assembly up to 2,500 persons
Radio and Television Stations.	SLU	1 Per each 250 sq. ft. GFA
Radio, Television, or Microwave Tower	SLU	None
Theaters	SLU	4 Per each 10 persons allowed within the maximum occupancy load as established by local, city, county, state – fire, health, or building codes
Utility substations, switching stations, and transmission lines	SLU	2

SECTION 9.03 DEVELOPMENT REQUIREMENTS

A. SITE PLAN APPROVAL REQUIREMENTS

The following chart provides requirements for site plan approval. A site plan shall be submitted for Planning Commission review in connection with the following, unless specifically exempted in Section 14.02:

Site Plan Approval Requirements Other Requirements				
,	All other new buildings with a permitted use shall be subject to			
Special Land Use, Plats, Site	approval by the Staff Review Team in accordance with the			
Condominium Projects, and	requirements of Section 13.05. See Section 3.25 for site			
Shopping Centers and Municipal	condominium requirements and procedures. See Chapter 14			
Buildings	for site plan requirements. See Chapter 15 for Special Land			
	Use requirements.			

STAFF REPORT:

September 27, 2021

PREPARED FOR:

Kentwood Planning Commission

PREPARED BY:

Lisa Golder

CASE NO.:

29-21 Equine Assisted Development – Major Change to Approved

Site Plan

GENERAL INFORMATION

APPLICANT:

Dwight Strayer

Anne Driesenga

3220 32nd Street SE

Creative Project Services LLC

Kentwood MI 49512

STATUS OF

APPLICANT:

Property owner and representative

REQUESTED ACTION:

Major Change to the Site Plan Review of a horse stable operation.

EXISTING ZONING OF

SUBJECT PARCEL:

R1-B Single family residential

GENERAL LOCATION:

3220 32nd Street SE

PARCEL SIZE:

15.14 acres

EXISTING LAND USE

ON THE PARCEL:

Indoor arena, caretakers home, and pasture

ADJACENT AREA

N: Industrial (Hearthside Food Solutions)

LAND USES:

S: Condominiums

E: Single Family Residence

W: Venue 3 Two, Breton Avenue and apartments (Wingate)

ZONING ON ADJOINING

PARCELS:

N: I-2 Industrial

S: RPUD -1 High Density Residential PUD

E: R1-B Single Family Residential and I-1 Industrial

W: C-4 Office (Venue 3 Two), and R-4 High Density Residential

Compatibility With Master Plan

The Master Plan recommends Medium Density Residential use of the site. The horse stable and arena were approved for Special Land Use in 2015. A horse stable is a Special Land Use in the R1-B zone.

Case 29-21 Equine Assisted Development Major Change to Approval Site Plan Page 2

Relevant Zoning Ordinance Sections

Chapter 5 describes the permitted and Special Land Uses permitted in the R1-B Residential zone. Chapter 15 lists Special Land Use Standards; specific standards for horse riding stables and horse breeding stables can be found in Section 15.03 DD of the Zoning Ordinance.

Zoning History

The site has been zoned R1-B Single Family Residential since 1980. The Special Land Use stable was approved in 2015. The conditions of approval and staff report are attached. The Venue 3 Two event center (8 acres) was split from the original 23 acres and received approval for a Conditional Zoning to allow the event venue.

TECHNICAL INFORMATION

Streets and Traffic

The site is located at 3220 32nd Street. 32nd Street is a two lane road with a center turn lane within an 80 foot right of way.

Site Characteristics

The site is a 15 acre site with an occupied caretaker's home, pastures, and an indoor event arena. A recent fire burned the stable that housed the horses used in the existing Equine Assisted Development (EAD) operation. Approximately one third of the property is within the 100 year floodplain.

Project Overview:

The request is for Site Plan Review Approval for a new 14,400 square foot barn that includes an indoor arena and mutli-purpose space to replace the buildings lost in the May 2021 fire. The breakdown of proposed space is as follows:

50% Indoor arena and for horse therapy sessions

30% Stables and storage

20% multipurpose space, that includes a welcome center, offices and counseling rooms, bathrooms, volunteer locker rooms and storage/mechanical

Staff Review

- 1. The horse stable and the EAD operation received Special Land Use approval in 2015. The proposed change to the site plan must receive Planning Commission approval to ensure that it is consistent with the intent and standards of the Special Land Use and the Planning Commission approval.
- 2. The Special Land Use Standards associated with horse stables are as follows:
 - 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 use would maintain the same general appearance as was approved in 2015. The proposed 80' by 180' barn will be bigger than the barn that was burned, but not as tall. The height of the proposed barn should be noted.

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

The use is adequately served by essential public facilities and services.

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

The use will not create excessive additional requirements at public cost for public facilities and services.

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 information provided by the applicant suggests that the property would generally generate very little traffic and noise. Most of the activities are one-on one counseling or groups of no more than 8 people. Team building event are held with never more than 20 participants. Mid-sized events, such as day camps for schools, would be limited to no more than 35 participants. Large events may be held, but are limited to 2-4 times per year. The property owner of Venue 3 Two has indicated that the Venue 3 Two parking could be used to accommodate the parking needs for the event.

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 locate.

The Master Plan recommends medium density residential use for the site. Stables are permitted with Special Land Use, and approval for the use was received in 2015.

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.

Case 29-21 Equine Assisted Development Major Change to Approval Site Plan Page 4

- G. Comply with all applicable licensing ordinances.
- 3. In addition, standards for can be found in Section 15.03 DD of the Zoning Ordinance, as follows:
- 15.03 DD. Horse Riding Stables
 - 1. For breeding, rearing and housing of horses, mules and similar domestic animals, the minimum lot size shall be ten (10) acres, except that up to two saddle horses or pones may be housed and reared on lots of two (2) acres or more.
 - The site is 15.14 acres in size. Ten horses are proposed to be housed on the site. The building currently used as an arena would be used for storage.
 - 2. A building used as a stable shall not be located nearer than sixty (60) feet to any property line and not nearer than one hundred (100) feet to any dwelling on adjacent property.
 - A portion of the new 80' by 180' building is proposed to be used as a stable. The stable portion of the barn will be located no closer than 60' from the adjacent property line. The other proposed uses within the building include an indoor arena, and multipurpose space (offices, counseling rooms, training rooms, bathroom, volunteer locker room). This part of the building would be as close as 20' from the east property line.
 - 3. Animals shall be confined in a suitably fenced area, or paddock, to preclude their approaching near than sixty (60) feet to any dwelling on adjacent premises.
 - The existing paddock is located more than 60 feet from any dwelling on adjacent premises.
 - 4. The facility shall be so constructed and maintained that odor, dust, noise and drainage shall not constitute a nuisance or hazard for adjoining premises.
 - The EAD has been in operation since 2015, allowing the various activities described in the original statement of operations. These activities include therapy sessions, team building events, and limited, larger events. These activities are not anticipated to change from the original approval, except for the increase of the number of large events at the site.

The applicant has indicated that approximately 10,000 square feet of building area that was approved for the 2015 Special Land Use no longer exists on the site. The new 14,400 square foot proposed building would replace the lost 10,000 square feet approved for the 2015 Special Land Use. The proposed building comes within 20' of the eastern property line. However, the area within the new building that houses the stable will be at least 60 feet from the property line. The part of the building closer to the property line includes meeting rooms, a volunteer locker room, and restrooms.

When the EAD was originally approved, the Venue 3 Two did not exist, and parking for the occasional EAD events was accommodated on the paved and unpaved areas of the property. Now, additional paved parking at Venue 3 Two has made it possible to allow shared parking, which the property owner has offered for the larger EAD events. The agreement to allow shared parking must be formalized to ensure that parking can continue to be accommodated for EAD events in the future.

Site Plan Review

- 4. The applicant is requesting a Major Change to an Approved Site Plan for the Equine Assisted Development, originally approved by the Planning Commission in 2015. The development involves an empowerment center with the use of horses. The horses are not ridden, but used in activities that assist in critical thinking and empowerment. In May of 2021, a fire destroyed buildings on the site, requiring the EAD to re-build stables, counseling center and other uses in order to continue operations.
- 5. The applicant has described the EAD use in their Statement of Operations dated September, 2021. The statement describes the use of the proposed 14,400 square foot building, as well as the types of therapy sessions undertaken at the EAD. Generally, these therapies and events are consistent with the operation described in 2015. However, now the EAD does envision 2-4 larger events per year, rather than just the one event described in 2015. The existence of the Venue 3 Two (and their stated commitment to allow for EAD parking) alleviates the concern regarding the adequacy of parking for these events.
- 6. The applicant has proposed an area of parking to the south of the proposed barn/multipurpose building as well as future parking west of the existing arena near 32nd Street.
- 7. A fire lane has been provided along a portion of the north side of the proposed 14,400 square foot building.

Attributes:

- Use, square footage similar to existing EAD operation
- Arena moved further from existing home on 32nd Street

Issues:

- Agreement needed to allow shared parking now and in future
- Adequacy of the fire lane for new barn/arena

Case 29-21 Equine Assisted Development Major Change to Approval Site Plan Page 6



Existing site; buildings that have been removed/destroyed

Equine Assisted Development (EAD) serves our community by creating a safe place for therapy and counseling using a unique approach with the space that includes horses to help those in our community that are experiencing grief, divorce, depression, anxiety, and PTSD. Our visitors are trauma survivors such as human trafficked, abused, those struggling with mental health, veterans, first responders and memory care patients.

We are looking to replace our buildings that were destroyed by fire in May of 2021 with an 80' x 180' building with the following approximate uses:

50% - Indoor Arena for therapy sessions with the horses

30% - Stables and storage for the horses

20% - Multi-Purpose space:

- Welcome center
- Offices and counseling rooms
- Multipurpose room (training, meetings, small events, team building)
- Bathrooms, Volunteer locker room & Storage/Mechanical

Use Cases for how the new building will be utilized

Therapy Sessions:

About 60% of the therapy sessions are one on one with a trauma patient either in a private office or arena. About 40% of the therapy sessions are with groups of never more than 8, these groups are typically facing grief, divorce, depression, anxiety, or PTSD such as veterans, first responders & trauma survivors.

Team Building Events:

Team events with a horse experience that is never over 20 people for organizations such as Easter Seals, Arbor Circle, schools and churches or therapist trauma training sessions. These would utilize the welcome center, multipurpose room, and indoor arena and outdoor spaces.

Mid-sized Community Events:

With a maximum of 35 at a time, these events would include day camps for groups and schools, science outings, vacation bible school for smaller churches without the facilities, men's or women's groups and clubs. This would utilize the welcome center, multipurpose room, and indoor arena and outdoor spaces.

Large Events:

The large events could have up to 200 people and are limited to 2-4 times a year which would include fundraisers and community events and open houses such as "Boots and Bling" or "Unity In Community". With direct ownership and partnership in place, EAD would use Venue3Two jointly for extra event space as well as ample parking.

Parking Considerations:

With the largest event being 35, including staff and attendees we estimate parking requirements to be 15 parking spaces which will be constructed along with this project.



To:

Kentwood Planning Staff

From:

Brad Boomstra, P.E.

City Engineer

Date:

October 4, 2021

Re:

Schaffer 3 Two Ranch

3220 32nd Street SE 41-18-14-300-083

Kentwood Engineering received a site layout plan for Schaffer 3 Two Ranch and has the following comments in preparation for the staff review scheduled for Monday, October 11, 2021:

- 1. Stormwater detention will not be required for this project as more than 25% is within the floodplain.
- 2. How will drainage from the proposed parking area and building be handled? Will storm sewer be installed? Where will stormwater discharge?
- 3. The site plans should include information regarding water and sewer connections.
- 4. A soil erosion permit will be required. Therefore, a site plan that includes all necessary soil erosion and sediment control information must be submitted along with appropriate fees and bonds.

Should the applicant have any questions regarding this department's review, please feel free to have them contact our office.

cc: Kentwood Permit Staff



CITY OF KENTWOOD PLANNING COMMISSION APPROVED FINDINGS OF FACT SEPTEMBER 22, 2015

Golder 9/2/15

PROJECT:

Equine Assisted Development of the Great Lakes

APPLICATION:

28-15

REQUEST:

Special Land Use approval for a horse stable

LOCATION:

3220 32nd Street SE

HEARING DATE:

September 8, 2015

MOTION:

Motion by Pemberton, supported by VanderHoff, to grant conditional approval of the Special Land Use horse stable as described in Case No. 28-15. Approval is conditioned on conditions 1-4 adding the waste management to condition 1 and basis points 1-5 as described in Golder's memo dated 9/2/15.

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

CONDITIONS:

- 1. Compliance with the Letter of Intent dated July 31, 2015 for the Equine Assisted Development of the Great Lakes.
- 2. Applicant shall provide for staff review and approval the lease agreement between the property owner and Equine Assisted Development of the Great Lakes. Lease agreement shall include language regarding the applicant's right to use property outside of the lease area to allow larger vehicles to turn around.
- 3. Approval of the site plan by the Kentwood Fire Marshal.
- 4. Applicant shall comply with all city requirements with respect to any additional paving of property on site.

BASIS:

- 1. The Letter of Intent dated July 31, 2015 details the representations made by the Equine Assistant Development of the Great Lakes with respect to the operation, number of sessions, events, employees and volunteers that would be present at any given time.
- 2. The lease agreement will detail the applicant's right to use the property as indicated on their site plan and in the representations made in the Letter of Intent dated July 31, 2015.
- 3. Review of the plan by the Fire Marshal will ensure that emergency vehicles can access the site if necessary.
- 4. The applicant has indicated that the owner of the property has granted the right to use certain areas of the site, but not other areas. The limits of use of the property must be memorialized so that each party knows what is permitted on the property.
- 5. Discussion during the work session and public hearing.



CITY OF KENTWOOD PLANNING COMMISSION APPROVED FINDINGS OF FACT SEPTEMBER 22, 2015

Golder 9/2/15

PROJECT:

Equine Assisted Development of the Great Lakes

APPLICATION:

28-15

REQUEST:

Site Plan Approval for a horse stable

LOCATION:

3220 32nd Street SE

HEARING DATE:

September 8, 2015

MOTION:

Motion by Pemberton supported by VanderHoff, to grant conditional approval of the site plan dated September 1, 2015 for the Equine Assisted Development of the Great Lakes as described in Case No. 28-15. Approval is conditioned on conditions 1-5 and basis points 1-4 as described in Golder's memo dated 9/2/15

- Motion Carried (7-0) -
- Benoit and Jones absent -

CONDITIONS:

- 1. Compliance with the Letter of Intent dated July 31, 2015 for the Equine Assisted Development of the Great Lakes.
- 2. Applicant shall provide for staff review and approval a copy of the lease agreement between the property owner and Equine Assisted Development of the Great Lakes. Lease agreement shall include language regarding the applicant's right to use property outside of the lease area to allow larger vehicles to turn around.
- 3. Applicant shall provide an updated site plan indicating the areas where parking will be permitted and where it would be prohibited.
- 4. Approval of the site plan by the Kentwood Fire Marshal.
- 5. Approval of the Special Land Use for a horse stable.

BASIS:

- 1. The Letter of Intent dated July 31, 2015 details the representations made by the Equine Assistant Development of the Great Lakes with respect to the operation, number of sessions, events, employees and volunteers that would be present at any given time.
- 2. The lease agreement will detail the applicant's right to use the property as indicated on their site plan and in the representations made in the Letter of Intent dated July 31, 2015.
- 3. The applicant has not submitted a plan that indicates where parking will be permitted and where it is prohibited. Parking may not block emergency access to the site and must allow for cars to maneuver through the parking area.
- 4. Discussion during the work session and public hearing.

STAFF REPORT:

August 14, 2015

PREPARED FOR:

Kentwood Planning Commission

PREPARED BY:

Lisa Golder

CASE NO.:

28-15 Equine Assisted Development of Great Lakes

GENERAL INFORMATION

APPLICANT:

Deb VanderBand

6941 Union Street Cutlerville MI

STATUS OF

APPLICANTS:

Tenant and operator of the proposed Equine Development Center

REQUESTED ACTION:

Special Land Use and Site Plan Review of a horse stable operation.

EXISTING ZONING OF

SUBJECT PARCEL:

R1-B Single family residential

GENERAL LOCATION:

3220 32nd Street SE

PARCEL SIZE:

21.9 acres

EXISTING LAND USE

ON THE PARCEL:

Existing house, caretakers home, and stables

ADJACENT AREA

N: Industrial (Hearthside Food Solutions)

LAND USES:

S: Condominiums

E: Single Family Residence

W: Breton Avenue and apartments (Wingate)

ZONING ON ADJOINING

PARCELS:

N: I-2 Industrial

S: RPUD -1 High density Residential PUD

E: R1-B

W: R-4 High Density Residential

Compatibility With Master Plan

The Master Plan recommends Medium Density Residential use of the site. The proposed horse stable is not consistent with the long term recommendation as defined by the master plan, but is rather is a low impact business that makes use of the existing structures on the property.

Relevant Zoning Ordinance Sections

Chapter 5 describes the permitted and Special Land Uses permitted in the R1-B Residential zone. Chapter 15 lists Special Land Use Standards; specific standards for horse riding stables and horse breeding stables can be found in Section 15.03 DD of the Zoning Ordinance.

Zoning History

The site has been zoned R1-B Single family Residential since 1980.

TECHNICAL INFORMATION

Streets and Traffic

The site is located at 3220 32nd Street. 32nd Street is a two lane road with a center turn lane within an 80 foot right of way.

Site Characteristics

The site is a 29.1 acre site with an existing vacant single family house, an occupied caretaker's home, and several barns. Approximately one third of the property is within the 100 year floodplain.

Staff Review Special Land Use

- 1. A horse stable operation is permitted with Special Land Use in the R1-B zone, requiring consideration of the following standards:
 - 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 use would maintain the same appearance as the existing site. When the Empowerment Center is in operation, the applicant indicates that there will be no more than 8 vehicles per day.

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

The use is adequately served by essential public facilities and services.

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

The use will not create excessive additional requirements at public cost for public facilities and services.

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 information provided by the applicant suggests that the property would generate very little traffic and noise. The use would only occupy two buildings on the site. The applicant must provide additional information on the nature and extent of activities in the arena to ensure that they meet these requirements.

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 locate.

The Master Plan recommends medium density residential use for the site. The proposed horse stable is therefore not consistent with the Master Plan. However, the proposed use is likely an interim use, and is similar to the previous use of the property. When and if another use is found, its merits will be compared with the current recommendations of the Master Plan.

- 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.
- G. Comply with all applicable licensing ordinances.
- 2. In addition standards for can be found in Section 15.03 DD of the Zoning Ordinance, as follows:

15.03 DD. Horse Riding Stables

1. For breeding, rearing and housing of horses, mules and similar domestic animals, the minimum lot size shall be ten (10) acres, except that up to two saddle horses or pones may be housed and reared on lots of two (2) acres or more.

The site is 21.9 acres in size. Six full size horses and three miniature horses will be housed at the stable (the metal Quonset hut building), the paddock would also be used. The arena would be used for the equine assisted activities. The applicant has indicated that a portion of the overall 21.9 acres may be used for another purpose. The applicant shall clarify this statement to ensure compliance with the Special Land Use regulations. If another principal use is proposed on the site, the parcel may have to be divided or another city approval may be necessary.

2. A building used as a stable shall not be located nearer than sixty (60) feet to any property line and not nearer than one hundred (100) feet to any dwelling on adjacent property.

The building used as the stable is located 150 feet from the east property line. The building used for the arena is located 16 feet from the east lot line. The activities proposed within the arena should be fully described in the statement of operations.

3. Animals shall be confined in a suitably fenced area, or paddock, to preclude their approaching near than sixty (60) feet to any dwelling on adjacent premises.

The existing paddock is located more than 60 feet from any dwelling on adjacent premises.

4. The facility shall be so constructed and maintained that odor, dust, noise and drainage shall not constitute a nuisance or hazard for adjoining premises.

The barn and arena are existing structures. The applicant shall indicate how noise will be addressed within the arena area.

Site Plan Review

- 3. The applicant is requesting Special Land Use and Site Plan Review for the establishment of an equine assisted development. The development involves an empowerment center with the use of horses. The horses are not ridden, but used in activities that assist in critical thinking and empowerment.
- 4. The applicant has indicated in their statement that no more than 4-8 vehicles a day would access the site, but there would be no more than 3 vehicles at the property at a time. The applicant has indicated that the area behind the barn south of the Quonset hut would be used for parking. In addition the applicant has noted the location of a garage on the site. It is unclear what buildings and areas the applicant has access to. This must be clarified in the statement of operation and in the lease agreement with the owner. Information on the parking spaces must also be provided.
- 5. The applicant's website suggests that there are larger groups that use the property for team building and other activities. The applicant shall indicate where the parking will take place on the site to accommodate these larger groups. Additionally the applicant shall provide information regarding how supplies will be provided to the site.
- 6. Access to the facility is from an existing driveway on the east side of the site. It appears that another driveway further to the east has been removed.
- 7. The applicant has indicated that the owner is unwilling to allow the equine assisted development to use the western-most access. The applicant and current owner need to define the limits of the use of the property so the Planning Commission can effectively evaluate the impact of the development on the property.

Attributes:

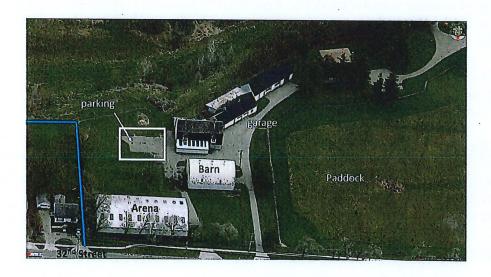
- Use similar to past use of stables for horses
- Makes use of vacant building
- Little impact on surrounding properties
- Good interim use

Issues:

- Updated operations statement needed
- Information on busing and deliveries
- More information needed regarding extent of the equine center on the property



3220-3224 32nd Street



Aerial view looking south



Kentwood Planning Department

July 31, 2015

Letter of Intent

To whomever this letter concerns. For the intent of the property 3220 32nd st. we plan to open an Empowerment Center with the use of horses. We believe everyone has the potential for greatness. Through engaging activities with horses, we can observe the critical thinking process of an individual or group and coach them through scenarios of everyday life. We are shaping our community as people discover their identity. We are a non-riding facility. Because horses mirror our emotions, we value them more when we are on the ground with them.

Our goal as a business is to continue our growth as we impact Kentwood and the greater Grand Rapids area. We are partnering with Seeds of Promise, Wedgwood, Arbor Circle, Hope Network, and Kentwood Alternative High School to enrich and empower our community. We work with foster and adopted children, expelled teens and most importantly sexually trafficked teens from these various organizations. It's important for the future generations to discover their identity for their growth towards impacting their own communities.

As we rent space at this location we have no intentions for new construction projects, just minor wood work to get the stables back in shape. For this reason we have no need for a site plan as we operate in the current structures.

We have nine horses (six full size and three miniatures). We currently have two full-time employees who work up to 60 hours a week. Also, there are four volunteers who give their time throughout the week. Our hours of operation are from 8:00 a.m. to 8:00 p.m. Our traffic situation is somewhere between 4-8 vehicles a day (no more than three vehicles at a given time).

Thank you for your time,

Deb VanderBand CPEC, ES Cofounder of EAD www.eadgl.org 616.318.4919 debvbead@yahoo.com

Plan for 3220 32nd Street

This outlines the modifications to the agreed on by the City of Kentwood Planning Commission on September 8th, 2015. Modifications to the Special Land Use approval for a horse stable for Equine Assisted Development of the Great Lakes at 3220 32nd Street are necessary due to the pending change in ownership and pending future plans for the entire property

Our vision for purchasing the property is to create a place to assist multiple charitable organizations to develop a self-sustaining model and to create an environment where they can work together in order to accomplish their mission.

The current approved plan is based on a rental agreement with the current owner that allowed EAD to use just two barns #1 & #2. With the new ownership, we would like to modify this request and allow EAD to use buildings #1 & #3. Building #1 will be utilized as an indoor arena as planned. Building #3 is currently set up for and will be used for the horse stables.



This will expand the area that is accessible to EAD and allow more space for parking. No other modifications to the original plan outlined on September 8th will be needed.

EAD plan approved on September 8th:

No changes except now that we have the entire property, the expanded area will allow plenty of parking to accommodate a group of any size.

Summary of what was agreed to:

- We have a combination of full size and miniatures for a total of 10 horses
- Two full-time employees who work up to 60 hours a week
- Four volunteers who give their time throughout the week
- Our hours of operation are from 8:00 am to 8:00 pm
- Our typical traffic situation is somewhere between 3-6 vehicles (staff, volunteer, and customers)
- EAD holds an annual fundraiser that we open to the public, and volunteer day for students to help kick-off the warm weather seasons. The current paved areas would be more than adequate to accommodate the parking needs
- EAD will be removing manure from paddocks and stalls daily to ensure optimum odor control
- A waste service and covered dumpster will be used to remove horse manure from the premises
- There will be no composting, spreading or recycling of the manure, only removal from the facilities

Future Plans

The meeting and events center (bldg. #2) is currently a Quonset hut barn that will be converted to a gambrel style barn to fit the architecture of the stables. This building would also be upgraded to include bathrooms, kitchen and heated space for classes, meetings and events. This building would be available for the use of all of the organizations on the property as well as other organizations. We will also connect buildings 1, 2 & 3 with a covered walkway since clients will potentially be using all three buildings. All three structures would be improved and painted to match.

It is our intention to pursue a rezoning to mixed use in order to accommodate this plan. The house will be restored and depending on its use, it may need to be parceled out in order to accommodate the use.

Conditional Zoning Statement

3220 32nd Street SE Kentwood, MI 49512

The purpose of this document is to outline the conditional rezoning of the parcel at 3220 32nd Street to C-4. This outlines intended use of the property by the current owners as well as conditions that we could like placed on the zoning request.

Purpose and intent for the re-zoning:

The main purpose for the re-zoning is to separate 8 acres of the 23 acre property that currently houses Equine Assisted Development (EAD), run by Deb Vanderband. EAD uses horses along with coaching in a safe environment where the client experiences growth and healing. She has worked with many local non-profit organizations that work with girls that are rescued from trafficking, Children from the Kentwood Schools that have been bullied, families at risk, underprivileged children and single dads to name a few in the short time that she has been there. Once we restored the barns, indoor arena and caretakers house for EAD, have shifted our focus to the large historic 1925 house on the property at 3220 32nd Street which is the focus of the 8 acre rezoning request.

The conditional zoning that we are asking for will allow us to utilize the large house or "mansion" on the property as an events center. The revenue generated will help with the expenses of the property and also support other local non-profits and charities. Typical uses and events would include meetings, planning sessions, fund raising events, dinners, training events, educational classes, guest speakers and networking events as well as celebrations, events, parties, weddings or receptions.

The mansion contains a large kitchen, dining room and great room on the main floor that could be utilized separately for smaller events or in combination with an addition. There are also additional rooms and bedrooms that could be used as storage, offices or additional meeting space.

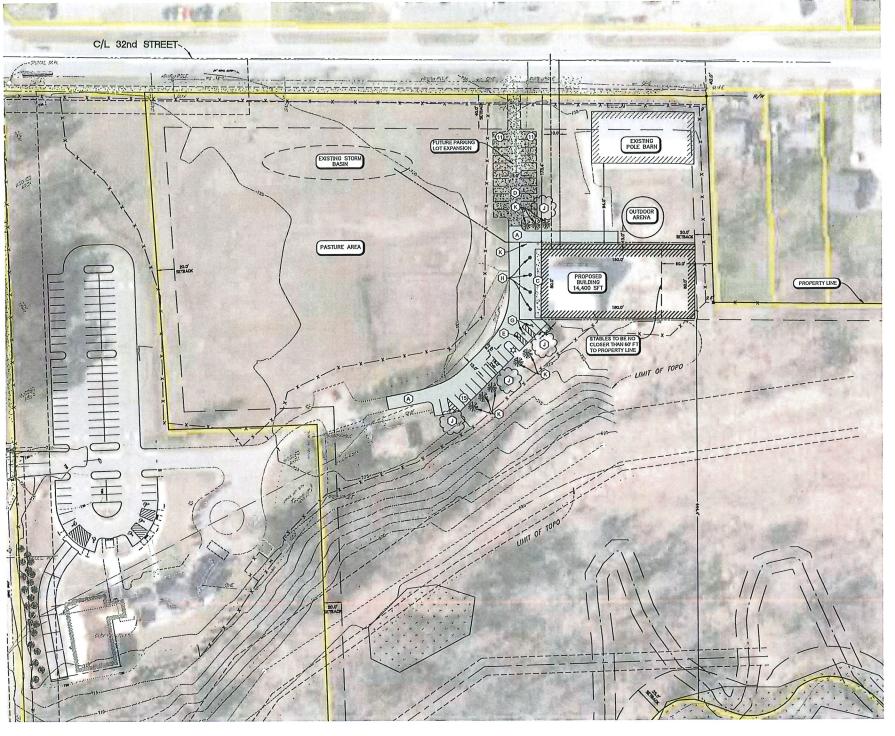
The Conditional Zoning would include these restrictions on the parcel:

- No restaurant or bar serving to the general public
- No overnight lodging such as a hotel and motel
- Sound amplification will be restricted to within an enclosed building

The Conditional Zoning would allow the following:

- Ability to operate as a conference, banquet and meeting facility
 - o Could include administrative offices for the operating entity
 - O Clients would hire caterers to serve food and alcohol for registered events
- Ability to construct an addition or other buildings that adhere to the conditional zoning and in compliance with Zoning Ordinance requirements
- Office use if located on a separate parcel within the conditional zoning site.

Dwight Strayer, 3two Ranch, L3C



PROJECT SUMMARY

- PARCEL INFORMATION CURRENT ZONING: R1-B RESIDENTIAL DISTRICT 3220 32ND ST SE, KENTWOOD, MI 49512 REQUIRED 0,32 AC 100 FT 15,28 AC 1,102 FT 2. BUILDING REQUIRED PROVIDED 3. SETBACKS 173 FT 20 FT 452.5 FT SIDE (MIN.) REAR (MIN.)
- . REGULATORY APPROVALS THE PROJECT WILL REQUIRE THE FOLLOWING APPROVALS, AT A MINIMUM (OTHEI PERMITS/APPROVAL MAY ALSO BE REQUIRED)
- CITY OF KENTWOOD SITE PLAN . CITY OF KENTWOOD FIRE DEPARTMENT
- CITY OF KENTWOOD STORM WATER MANAGEMENT.
- . KENT COUNTY SOIL EROSION & SEDIMENTATION CONTROL PERMIT

- 5. IMPACT ON PUBLIC SERVICES
 PROJECT WILL NOT RESULT IN ADVERSE IMPACT TO PUBLIC SERVICES, INCLUDING POLICE & FIRE PROTECTION, UTILITIES, TRAFFIC OR ROADWAYS.
- 6. IMPACT TO SURROUNDING PROPERTIES
 USE OF PROPERTY WILL BE CONSISTENT WITH OTHER USES IN THIS ZOMING DISTRICT
 AND IN THE SURROUNDING AREA. USE OF PROPERTY WILL NOT GENERATE ADVERSE
 LEVELS OF NOISE, VIBRATION, SMOKE, LIGHT, GLARE, OR OTHER PROBLEMATIC

DVIDE
18'

- 8. SIGNAGE TO BE DETERMINED UNDER SEPARATE PER
- STORM WATER MANAGEMENT
 STORM WATER WILL BE COLLECTED IN A SERIES OF CATCHBASINS, PIPES, AND DITCHES
 AND ROUTED TO A PROPOSED BASIN ON-SITE. THE BASIN WILL DISCHARGE TO THE
 PUBLIC STORM SEWER SYSTEM VIA A CONTROLLED DISCHARGE PER CITY OF KENTWOOD
- 10. WATER/SEWER SERVICE
 SITE WILL BE SERVED BY PRIVATE WATER AND SEWER CONNECTIONS CONNECTED TO
 EXISTING PUBLIC UTILITIES ADJACENT TO THE SITE.
- $\frac{\textit{WETLANDS}}{\textit{THERE ARE NO KNOWN REGULATED WETLANDS IMPACTED BY THE PROJECT.}}$
- 12. FLOODPLAINS
 THERE ARE NO KNOWN REGULATORY FLOODPLAINS ON THE SUBJECT PROPERTY, PER FEMA FIRM MAP CN: 2601070010B.

FRONTAGE (LFT)	REQUIRED	PROVIDED
DECIDUOUS TREES	X (2 PER 100)	X
EVERGREEN TREES	X (3 PER 100)	X
SHRUBS	X (4 PER 100)	x
GREENBELT (LFT)	REQUIRED	PROVIDED
DECIDUOUS TREES	X (2 PER 100)	X
EVERGREEN TREES	XX (4 PER 100)	XX
SHRUBS	XX (10 PER 100)	XX
PARKING LOT (35 SPA	CES) REQUIRED	PROVIDED
DECIDUOUS TREES	4 (1 PER 10 SPACE	S) 4
LANDSCAPE AREAS (SET	350 (100 PER 10 SF	ACES) 4.941

- SITE LIGHTING
 PROPOSED LIGHTING WILL BE WITH SHIELDED LIGHT POLES AND WALL PACKS AT
 LOCATIONS SHOWN, LIGHTING WILL BE CONSISTENT WITH OTHER USES IN THE AREA AND
 WILL COMPLY WITH ORDINANCE REQUIREMENTS.
- LOADING/UNLOADING OPERATIONS
 LOADING/UNLOADING AREAS ARE NOT REQUIRED FOR THE PROPOSED USE...
- 16. REFUSE MANAGEMENT TO BE DETERMINED

 A NEW DUMPSTER ENCLOSURE IS PROPOSED, LOCATED AT THE __CORNER OF THE SITE.
 ENCLOSURE WILL COMPLY WITH SCREENING REQUIREMENTS.
- 17. CONSTRUCTION SCHEDULE TO BE DETERMINED CONSTRUCTION IS ANTICIPATED TO START IN __ 20__ AND BE COMPLETED IN __ 20_.

GENERAL NOTES:

- CONTRACTOR SHALL OBTAIN ALL NECESSARY LOCAL, STATE AND FEDERAL PERMITS REQUIRED.
- ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF AUTHORITIES HAVING JURISDICTION.
- CALL "MISS DIG", 811, 72 HOURS PRIOR TO THE START OF ANY EXCAVATION.
- 4. EXISTING UNDERGROUND UTILITIES ARE SHOWN BASED ON AVAILABLE RECORDS ANDOR TOPOGRAPHIC SURVEY DATA. THIS PLAN MAY NOT SHOW UTILITIES IN THEIR EXACT LOCATION AND MAY NOT SHOW ALL UTILITIES IN THE AREA.
- CONTRACTOR SHALL MAINTAIN UTILITY SERVICES AT ALL TIMES, ANY INTERRUPTION IN SERVICES TO THAS SITE OR ADJACENT SITES MUST BE SCHEDULED WITH THE OWNER, UTILITY PROVIDER, AND AFFECTED PROPERTIES 40 HOURS PRIOR TO THE INTERRUPTION.
- CONTRACTOR SHALL PROTECT ALL EXISTING AND NEW CONSTRUCT FROM DAMAGE. SHOULD ANY DAMAGE OCCUR, CONTRACTOR SHALL MAKE ALL NECESSARY REPAIRS AT NO COST TO THE OWNER.
- IF ANY DISCREPANCIES OR CONFLICTS ARE FOUND, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY PRIOR TO CONSTRUCTION AFFECTED WORK TO DETERMINE COURSE OF ACTION.

LAYOUT NOTES:

LEGEND

- CONTRACTOR SHALL REVIEW AND VERIFY SITE LAYOUT PRIOR TO CONSTRUCTION.

- REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR BUILDING DIMENSIONS.

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TRANSFORMER		
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SOIL BORING	◆ SB #1	-
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PRELIMINARY



DRIESENGA &

Engineering Surveying Testing

Holland, MI 616-396-0255 Grand Rapids, MI 616-249-3800

Kalamazoo, MI 269-544-1455

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ER 3 TWO R, 2220 32ND ST SE R1W, KENTWOOD T FOR-TWO, L3C LE AVENUE, SE AI SCHAFFER 3220 32 S 10N 14,

PRELIM SITE PLAN 10-04-2021

ISSUED FOR:

Project Manager: TRACY HUTCHINSON Project # 2130734.1A

> SITE PLAN

C-101 3 of 5



(A) ASPHALT PAVEMENT-STANDARD DUTY

(B) 6" REINFORCED CONCRETE PAVEMENT © 4" CONC. SIDEWALK WINTEGRAL CURB

D GRAVEL PAVEMENT

(E) 4" BLUE PVMT. MARKING & SYMBOL PER ADA STD.'S, TYP

F BARRIER FREE SIGN

G BARRIER FREE SYMBOL

(H) BOLLARD

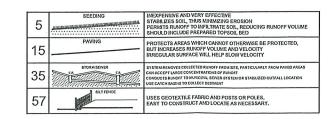
(J) CANOPY TREE

K SHRUB



STORM WATER SUMMARY:

STORM WATER MANAGEMENT TO BE REVIEWED AND APPROVED BY CITY OF KENTWOOD AND OR JURISDICATIONAL AUTHORITY.



SOIL EROSION & SEDIMENTATION CONTROL (SESC) NOTES:

CONTINUED MAINTENANCE OF PERMANENT SESC MEASURES:

PROPERTY OWNER SHALL BE RESPONSIBLE TO MAINTAIN PERMANENT SESC MEASURES.

SEEDING: INSPECT NEVILY SEEDED AREAS SUBSEQUENT TO ANTICIPATED GERMINATION DATE AND AFTER EACH SIGNIFICANT RAINFALL EVENT THAT PRODUCES RUNOFF UNTIL AREAS ARE STABILIZED,

REPAIR ERODED AREAS, APPLYING SUPPLEMENTAL SEED, MULCH AND WATER AS NEEDED.

F SEED DOES NOT ESTABLISH, CONDUCT SOIL TESTS, AMEND SOILS AS NEEDED, AND REAPPLY SEED AND/OR MULCH DURING THE RECOMMENDED GROWING SEASON.

SESC SITE SUMMARY:

- NATIVE SITE SOIL IS CLASSIFIED AS LOAM PER USDA WEB SOIL SURVEY.
- WETLANDS
 THERE ARE NO KNOWN REGULATED WETLANDS TO BE IMPACTED BY THE PROJECT.
- 4. AREA OF DISTURBANCE: 1,80 ACRES

RESTORATION NOTES:

- EXISTING ONSITE TOPSOIL MAY BE USED IF APPROVED BY ENGINEER, IF NOT APPROVED, IMPORTED TOPSOIL MEETING PROJECT SPECIFICATIONS SHALL BE USED.
- RETENTION BASIN, IF PRESENT, SHALL BE RESTORED WITH 3' OF LOOSE SANDY TOPSOL, SEED, FERTILIZER, AND MULCH ON BASIN BOTTOR RETENTION BASIN SIDES, LOPES SHALL BE RESTORED WITH 3' OF LOOSE SANDY TOPSOL, SEED, FERTILIZER, AND EROSION CONTROL BLANCH NORTH AMERICAN GREER DISTOR OF EQUAL, SEED MX SWALL BE JEFNEW STORNWATER SEED MX OR EQUAL ON BASIN BOTTOM AND ZERO WENTOLLY UP SIDESLOPE, AND SUTABLE GRASS SEED MX AROVE 2

- ALL OTHER DISTURBED AREAS SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND MULCH.

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GAS METER	©	
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GUY ANCHOR	←	
TRANSFORMER		
HAND HOLE (ELECTRIC)	10	
ELECTRIC METER	€	
GROUND MOUNTED LIGHT	<	4
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LEGEND

PRELIMINARY NOT FOR CONSTRUCTION



DRIESENGA & ASSOCIATES, INC

Engineering Surveying

Testing

Holland, MI 616-396-0255 Grand Rapids, MI 616-249-3800 Lansing, MI 517-889-6210

Ypsilanti, MI 734-368-9483

8 SCHAFFER 3 TWO RANCH 3220 32ND ST SE SECTION 14, TOGN, RIW, KENTWOOD TWP., KEN L3C ღ₫

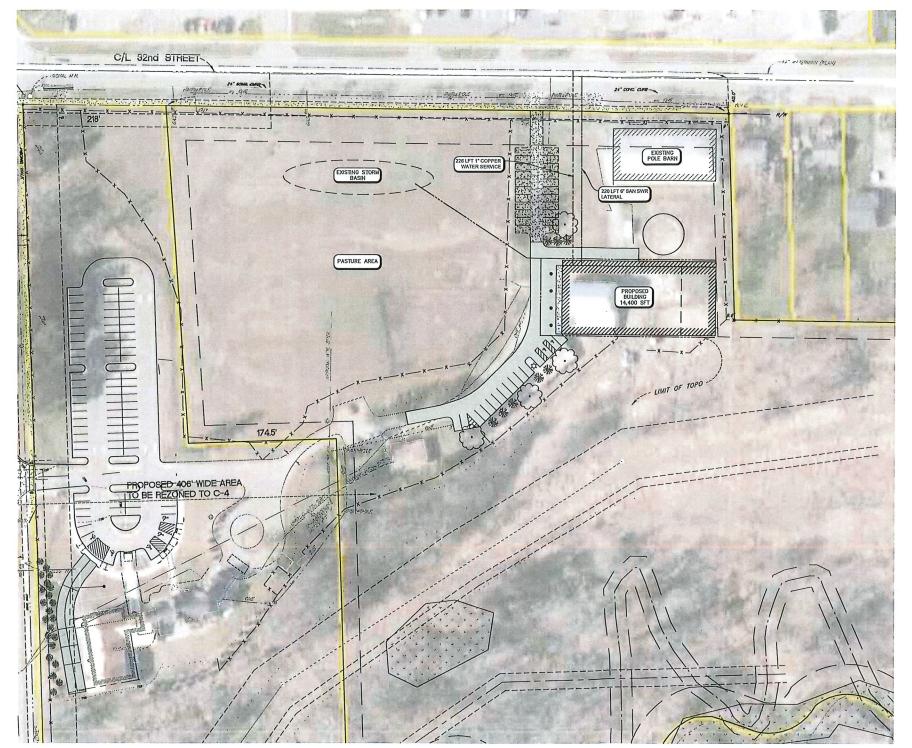
ISSUED FOR: 1 LAYOUT REVIEW 09-29-2021 PRELIM SITE PLAN 10-04-2021

Project Manager: TRACY HUTCHINSON Project # 2130734.1A

> STORM SHEET

C-103 5 of 5

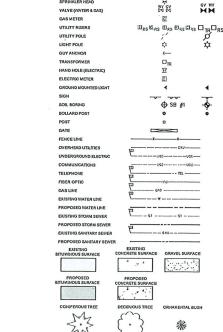
Know what's below. Call before you dig.



UTILITY NOTES:

LEGEND

BM#1 (i) (i) (ii) (5) (**3**) (**4**) ® % FIRE HYDRANT SPRINKLER CONTROL VALVE N SX





PRELIMINARY NOT FOR CONSTRUCTION



DRIESENGA & ASSOCIATES, INC

Engineering Surveying Testing

Holland, MI 616-396-0255

Grand Rapids, MI 616-249-3800 Kalamazoo, MI 269-544-1455

Lansing, MI 517-889-6210 Ypsilanti, MI 734-368-9483

SCHAFFER 3 TWO RANCH 3220 32ND ST SE SECTION 14, T08N, RIW, KENTWOOD TWP., KENT -FOR-3 TWO, I 8760 WHITNEYVILLE AVENUE

ISSUED FOR:

Project Manager: TRACY HUTCHINSON Project # 2130734.1A

> UTILITY PLAN

C-102 4 of 5





Memorandum

To: Planning Commission

CC:

From: Joe Pung

(616)554-0810

pungj@kentwood.us

Date: October 6, 2021

Re: Zoning Ordinance Update (Adult Foster Care Facilities)

Over the past year, the Land Use and Zoning (LUZ) Subcommittee has met with two (2) applicants looking at developing adult foster care large group homes.

The Ste of Michigan defines Adult Foster Care (AFC) homes as licensed residential settings that provide 24-hour personal care, protection, and supervision for individuals who are developmentally disabled, mentally ill, physically handicapped or aged who cannot live alone but who do not need continuous nursing care.

AFC Homes are restricted to providing care to no more than 20 adults.

The State of Michigan currently identifies five (5) types of adult foster care homes:

- Adult Foster Care Family Home (Licensed for 3-6 residents/licensee must live in the home)
- Adult Foster Care Small Group Home (Licensed for 3-6)
- Adult Medium Group Home (Licensed for 7-12 residents)
- Adult Large Group Home (Licensed for 13-20 residents)
- Adult Congregate Facility (Capacity >20/per Public Act 218 the licensure of new AFC's for more than 20 persons is prohibited)

The Kentwood Zoning Ordinance currently makes allowance for adult foster care family homes and adult foster care small group homes, the ordinance does not currently make allowance for adult foster care medium and large group homes. The recommendation out of the Zoning Ordinance Subcommittee is to expand the use allowances to permit medium and large adult foster care group homes.

Based on information on the Michigan Department of Licensing and Regulatory Affairs website, there are eleven (11) licensed adult large group homes (as defined by the State) in Kentwood with all but one located in the same building with at least one other large group home.

In addition to the eleven (11) licensed adult large foster care group homes, there are three (3) licensed adult medium group homes (as defined by the State), twenty-five (25) licensed adult small foster care group homes (as defined by the State), and four (4) adult family foster care homes (as defined by the State) in Kentwood.

Current Ordinance Language Relating to Adult Foster Care:

Section 2.02 Definitions

Adult Care Facilities: A facility for the care of adults, over eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 218 of 1979, as amended, and rules promulgated by the State Department of Consumer and Industry Services. The organizations shall be defined as follows:

- 1. Adult foster care facility: A governmental or non-governmental establishment that provides foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.
- 2. Adult foster care small group home: A private home with the approved capacity to receive twelve (12) or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week and for two (2) or more consecutive weeks for compensation.
- 3. Adult foster care family home: A private home with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

Adult caring institution. A state licensed adult residential facility which provides care and supervision on a 24-hour basis for the treatment of mental health, alcohol or substance abuse or other long-term illness or rehabilitation program. The terms "institutions for mentally handicapped," "drug or alcohol patients," "correctional institutions" or "mental health facilities" shall mean the same, with regard to persons 18 years of age or older.

Section 3.20 Residential Child and Adult Care Facilities

As defined in Chapter 2 Definitions, the following uses are allowed only as provided for in the following Table of Facilities and Zoning Districts. Refer to Chapter 15 Approval Standards for Special Land Uses for applicable conditions.

P: Land and/or buildings may be used for the purposes listed by right.

- SLU: Land and/or buildings may be permitted by obtaining Special Land Use approval when all applicable standards as cited in Chapter 15 and elsewhere are met:
- SLU as accessory: Land and/or buildings may only be allowed as an accessory to an approved use, such as a church, school, recreation facility, office or other similar use upon review and approval of a Special Land Use approval, in accordance with general and specific standards.

Type of Facility per District	R1-A, B, C, D	R-2, 3, 4,	C-2, 3, 4	os	Form Based Code (FBC)	I-1, I-2
Adult foster care family home	P	P			P	
Adult foster care small group home	SLU	SLU			SLU	
Adult day care facility		SLU	SLU		SLU	
Foster family home	P	P			P	
Foster family group home	SLU	P			SLU	
Family child day care home	P	P			P	
Group child day care home	P	P			SLU	
Child Care Center	SLU	SLU	P		SLU	SLU as accessory and freestandi ng
Child Caring Institution		SLU			SLU	
Adult Caring Institution		SLU				

- A. Requirements Pertaining to Group Child Day Care Homes
- 1. There shall be sufficient on-site outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a minimum of four (4) foot tall fence, provided that no such fence shall be located in the front yard.
- 2. Ingress and egress shall be provided as far as possible from two (2) intersecting streets and shall be at least one hundred (100) feet from two through streets.
- 3. A group child day care shall not be located within a twelve hundred (1,200) foot radius of any other group child day care.
- 4. For the purpose of this Section, the measurement of a radius shall be measured in a straight line from the actual location of the use to the nearest property line of the other group day care home.

5. An on-site drive shall be provided for drop offs/loading. This drive shall be arranged to allow maneuvers without creating a hazard to traffic flow on the public street.

Section 15.04.A: Adult foster care small group home

- 1. The use shall be registered with the City and shall continually have on file with the City documentation of a valid license as required by the State.
- 2. The applicant shall submit documentation of compliance with State Building and Fire Codes.
- 3. Non-residential parking setback and screening provisions shall apply.
- 4. The building shall have an appearance that is non-intrusive and consistent in color, materials, roofline, and architecture with the District and neighborhood in which it is located.

Proposed Ordinance Language:

Section 2.02 Definitions

Adult Care Facilities: A facility for the care of adults, over eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 218 of 1979, as amended, and rules promulgated by the State Department of Consumer and Industry Services. The organizations shall be defined as follows:

- Adult foster care facility: A governmental or non-governmental establishment that
 provides foster care to adults. It includes facilities and foster care homes for adults who
 are aged, mentally ill, developmentally disabled, or physically handicapped who require
 supervision on an ongoing basis but who do not require continuous nursing care. An adult
 foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol
 or substance abuse rehabilitation center, or a residential center for persons released from
 or assigned to a correctional facility.
- 2. Adult foster care small group home: A adult foster care facility private home with the approved capacity to receive twelve (12) six (6) or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week and for two (2) or more consecutive weeks for compensation.
- 3. Adult foster care medium group home: A adult foster care facility with the approved capacity to receive seven (7) to twelve (12) adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week and for two (2) or more consecutive weeks for compensation.
- 4. Adult foster care large group home: A adult foster care facility with the approved capacity to receive thirteen (13) to twenty (20) adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week and for two (2) or more consecutive weeks for compensation.
- 5. Adult foster care family home: A private home with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

(The proposed amendments modify the definition of small group home and add definitions for medium and large adult foster care group homes consistent with the State of Michigan classifications.)

Section 3.20 Residential Child and Adult Care Facilities

As defined in Chapter 2 Definitions, the following uses are allowed only as provided for in the following Table of Facilities and Zoning Districts. Refer to Chapter 15 Approval Standards for Special Land Uses for applicable conditions.

- P: Land and/or buildings may be used for the purposes listed by right.
- SLU: Land and/or buildings may be permitted by obtaining Special Land Use approval when all applicable standards as cited in Chapter 15 and elsewhere are met:
- SLU as accessory: Land and/or buildings may only be allowed as an accessory to an approved use, such as a church, school, recreation facility, office or other similar use upon review and approval of a Special Land Use approval, in accordance with general and specific standards.

Type of Facility per District	R1-A, B, C, D	R-2, 3, 4, 5	C-2, 3, 4	os	Form Based Code (FBC)	I-1, I-2
Adult foster care family home	P	P		1	P	
Adult foster care small group home	SLU P	SLU P			SLU P	
Adult foster care medium group home	SLU	P			P	
Adult foster care large group home		SLU			SLU	
Adult day care facility		SLU	SLU		SLU	
Foster family home	P	P		-	P	
Foster family group home	SLU	P			SLU	
Family child day care home	P	P			P	
Group child day care home	Р	Р			SLU	
Child Care Center	SLU	SLU	P		SLU	SLU as accessory and freestandi ng

October 6, 2021

Child Caring Institution	 SLU			SLU	
Adult Caring Institution	 SLU	_	-		

- A. Requirements Pertaining to Group Child Day Care Homes
- 1. There shall be sufficient on-site outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a minimum of four (4) foot tall fence, provided that no such fence shall be located in the front yard.
- 2. Ingress and egress shall be provided as far as possible from two (2) intersecting streets and shall be at least one hundred (100) feet from two through streets.
- 3. A group child day care shall not be located within a twelve hundred (1,200) foot radius of any other group child day care.
- 4. For the purpose of this Section, the measurement of a radius shall be measured in a straight line from the actual location of the use to the nearest property line of the other group day care home.
- 5. An on-site drive shall be provided for drop offs/loading. This drive shall be arranged to allow maneuvers without creating a hazard to traffic flow on the public street.

(The proposed amendments make adult foster care small group homes a permitted use in all residential districts and the Form Based Code district. Classifications for medium and large adult foster care group homes have been added with medium group homes a special land use in R1 residential districts and a permitted use in all other residential districts and the Form Based Code district and large group homes not permitted in R1 residential districts and a special land use in all other residential districts and the Form Based Code district. Section 2.06 (1) of the Michigan Zoning Enabling Act states: Except as otherwise provided in subsection (2), a state licensed residential facility shall be considered a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone.)

Section 15.04.A: Adult foster care small medium and large group homes

- 1. The use shall be registered with the City and shall continually have on file with the City documentation of a valid license as required by the State.
- 2. The applicant shall submit documentation of compliance with State Building and Fire Codes.
- 1. Non-residential parking setback and screening provisions shall apply.
- 2. The building shall have an appearance that is non-intrusive and consistent in color, materials, roofline, and architecture with the District and neighborhood in which it is located.

(Proposed amendments would only require use specific design criteria for medium and large group homes and remove requirements number one and number two. The city has not enforced the requirement for continual documentation of a valid license nor documentation of compliance with the State Building and Fire Codes.)

Comments:

1) In researching and drafting the proposed language, staff did reach out to the existing adult foster care large group home in Kentwood for perspective and comments. Below is a comment received from one of the providers:

I would lobby to NOT require a separation between large group home facilities. I am not sure what the intent would be to do so?

I would also lobby TO allow multiple facilities within the same building - and allowing utilization of shared spaces. What is the intent to prohibit this?

Allowing this would give facilities access to more flexible staffing and resources. Health Care everywhere is short on staffing, and it is projected to get worse as the population ages and there are less bodies coming up to fill the holes needed in the workforce to care for the elderly. It would be nice to have shared spaces such as dining, beauty/salon services/fitness centers etc. - it would decrease the cost for facilities by having only ONE of these areas for multiple AFC's versus having to pay to put one in EACH AFC. It is so expensive to build that when the cost gets high, facilities are going to cut these "amenities" - which can have a negative impact on the quality of life for the residents in AFC.

In the original information sent to the providers, it was noted that some possible restriction/requirements could be limiting the number of facilities within a single building and requiring a separation between facilities. The current draft language does not include either of these requirements.



Memorandum

To: Planning Commission

CC:

From: Joe Pung

(616)554-0810

pungj@kentwood.us

Date: September 30, 2021

Re: Case 30-21 Zoning Ordinance Update (Athletic Training Centers)

Recently the Land Use and Zoning (LUZ) Subcommittee met with an applicant looking at locating an indoor recreation facility within an existing building in the I1 Light Industrial district. The Zoning Ordinance currently does not permit recreation facilities (indoor or outdoor) in industrial districts. The request was not the first heard by the city and at least one variance had been granted in the past to permit an indoor recreation facility in an industrial building.

Currently indoor recreation facilities are allowed either by right or as a special land use within all zoning districts in Kentwood except R5 Manufactured Housing, I1 Light Industrial, and I2 Heavy Industrial.

In initial discussion at the Zoning Ordinance Subcommittee there was support for allowing uses such as indoor soccer training, etc. in industrial districts, but there were some concerns with how large such facilities could be, especially based on limited industrial space, and the type of uses that could be included under an indoor recreation facility. Based on the concerns identified, staff had drafted the following proposed ordinance amendments.

Proposed Ordinance Language

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 and practices but not competitive or spectator events.

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

Page 2

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 but would prohibit indoor recreational uses such as go-cart tracks, trampoline parks, etc. The amendments would also limit the size of such facilities in an industrial district.



Memorandum

To: Planning Commission

CC:

From: Joe Pung

(616)554-0810

pungj@kentwood.us

Date: September 28, 2021

Re: Case 30-21 Zoning Ordinance Update (RPUD-1 & RPUD-2 Descriptions)

The current residential planned unit development districts in Kentwood are:

RPUD -1 High Density Residential

• RPUD-2 Single Family Residential.

To describe the intent and purpose of the districts more accurately, the proposed change is to rename them as follows:

- RPUD-1 Attached Residential
- RPUD-2 Detached Residential

Current Ordinance Language

Section 1.08 DISTRICTS ESTABLISHED

For the purposes of this ordinance, the City of Kentwood is divided into the following Zoning Districts:

Zoning Dis	trict	Chapter
F-1	Floodplain	4
R1-A, B	Very Low Density Residential	5
R1-C, D	Low Density Residential	5
R-2,	Two Family Residential	6
R-3	Medium/High Density Residential	6
R-4	High Density Residential	6

R-5	Manufactured Housing	7
C-2	Community Commercial	8
C-3	Regional Commercial	8
C-4	Office/Business	8
C-5	Neighborhood Corridor Commercial	9
I-1	Light Industrial	10
I-2	General Industrial	10
OS	Open Space, Public, Semi-Public	11
RPUD-1	High Density Residential PUD	12
RPUD-2	Low Density Residential PUD	12
CPUD	Commercial PUD	12
MPUD	Mixed Use PUD	12
IPUD	Industrial PUD	12
OPUD	Office PUD	12
FBC	Form Based Code	23

Proposed Ordinance Language

Section 1.08 DISTRICTS ESTABLISHED

For the purposes of this ordinance, the City of Kentwood is divided into the following Zoning Districts:

Zoning Dis	trict	Chapter
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R1-C, D	Low Density Residential	5
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R-3	Medium/High Density Residential	6
R-4	High Density Residential	6
R-5	Manufactured Housing	7
C-2	Community Commercial	8
C-3	Regional Commercial	8
C-4	Office/Business	8
C-5	Neighborhood Corridor Commercial	9
I-1	Light Industrial	10
I-2	General Industrial	10

OS	Open Space, Public, Semi-Public	11
RPUD-1	High Density Residential PUD Attached Residential PUD	12
RPUD-2	Low Density Residential PUD Detached Residential PUD	12
CPUD	Commercial PUD	12
MPUD	Mixed Use PUD	12
IPUD	Industrial PUD	12
OPUD	Office PUD	12
FBC	Form Based Code	23

Current Ordinance Language

Section 12.02.C DISTRICTS ESTABLISHED

- C. The following minimum project sizes shall apply
 - 1. RPUD-1 High Density Residential: Five (5) acres
 - 2. RPUD-2 Single Family Residential: Five (5) acres
 - 3. Commercial PUD: Five (5) acres
 - 4. Mix Use PUD: Five (5) acres
 - 5. Office PUD: Five (5) acres
 - 6. Industrial PUD: Ten (10) acres

Proposed Ordinance Language

- C. The following minimum project sizes shall apply
 - 1. RPUD-1 High Density Attached Residential: Five (5) acres
 - 2. RPUD-2 Single Family Detached Residential: Five (5) acres
 - 3. Commercial PUD: Five (5) acres
 - 4. Mix Use PUD: Five (5) acres
 - 5. Office PUD: Five (5) acres
 - 6. Industrial PUD: Ten (10) acres

Current Ordinance Language

Section 12.03 RPUD-1 HIGH DENSITY RESIDENTIAL PUD – SPECIFIC REGULATIONS

High density residential development under this category shall promote the high quality character of the community and contribute to the variety of housing option for City residents. To ensure

Page 2

RPUD-1 projects meet this intent and the described intent of the PUD designation, the following design requirements shall apply in addition to all other regulations set forth in this Ordinance.

Proposed Ordinance Language

Section 12.03 RPUD-1 HIGH DENSITY DETACHED RESIDENTIAL PUD—SPECIFIC REGULATIONS

High density residential development under this category shall promote the high-quality character of the community and contribute to the variety of housing option for City residents. To ensure RPUD-1 projects meet this intent and the described intent of the PUD designation, the following design requirements shall apply in addition to all other regulations set forth in this Ordinance.

Current Ordinance Language

Section 12.04 RPUD-2 SINGLE FAMILY RESIDENTIAL

Low density residential development under this category shall promote the high quality character of the community and contribute to the variety of detached housing option for City residents. To ensure RPUD-2 projects meet this intent and the described intent of the PUD designation, the following design requirements shall apply in addition to all other regulations set forth in this Ordinance.

Proposed Ordinance Language

Section 12.04 RPUD-2 SINGLE FAMILY DETACHED RESIDENTIAL PUD

Low density residential development under this category shall promote the high-quality character of the community and contribute to the variety of detached housing option for City residents. To ensure RPUD-2 projects meet this intent and the described intent of the PUD designation, the following design requirements shall apply in addition to all other regulations set forth in this Ordinance.

Comments

1) The proposed change would more accurately describe the type of housing intended for each RPUD district. Under the current RPUD-1 district title there is often the misunderstanding that apartments and other high-density development is intended/proposed. Although apartments are allowed under the RPUD-1 district, the primary intent has been to allow for attached condominium developments which are not permitted under the RPUD-2 district nor the R1 single family residential districts.

4



Memorandum

To: Planning Commission

CC:

From: Joe Pung

(616)554-0810

pungj@kentwood.us

Date: September 29, 2021

Re: Case 30-21 Zoning Ordinance Update (Subdivision Control Ordinance Variance

Requests)

The City Attorney has recommended that the following amendments be made to the subdivision control ordinance.

Current Ordinance Language

Section 90-38 Variances

- (b) *Other subdivisions*.
 - (1) Demonstration of need. If the proprietor can clearly demonstrate that literal enforcement of the terms of this article is impractical or will impose undue hardship in the use of his land because of peculiar conditions pertaining to his land, the zoning board of appeals may at its discretion, permit such variances it finds reasonable and within the general policy and purpose of this article. No variance shall be granted unless the zoning board of appeals finds that:
 - a. There are special circumstances or conditions affecting the property such that the strict application of the provisions of this article would deprive the proprietor of the reasonable use of his land.
 - b. The variance is necessary for the preservation and enjoyment of a substantial property right of the proprietor.
 - c. The granting of the variance will not be detrimental to the public welfare or be injurious to property in the area in which the property is situated.
 - (2) *Conditions*. The zoning board of appeals, in granting approval of variances, may require such conditions as will secure substantially the objectives of the requirement varied or modified.

Page 2

(3) *Application*. An application for any such variance shall be submitted to the zoning board of appeals at the time the preliminary plat is filed with the community development department. The application shall fully state the grounds for such a variance.

Proposed Ordinance Language

Section 90-38 Variances

- (b) Other subdivisions.
 - (1) Demonstration of need. If the proprietor can clearly demonstrate that literal enforcement of the terms of this article is impractical or will impose undue hardship in the use of his land because of peculiar conditions pertaining to his land, the zoning board of appeals may at its discretion, permit such variances it finds reasonable and within the general policy and purpose of this article. No variance shall be granted unless the zoning board of appeals finds that
 - a. There are special circumstances or conditions affecting the property such that the strict application of the provisions of this article would deprive the proprietor of the reasonable use of his land.
 - b. The variance is necessary for the preservation and enjoyment of a substantial property right of the proprietor.
 - c. The granting of the variance will not be detrimental to the public welfare or be injurious to property in the area in which the property is situated.
 - (2) *Conditions*. The zoning board of appeals, in granting approval of variances, may require such conditions as will secure substantially the objectives of the requirement varied or modified.
 - (3) Application. An application for any such variance shall be submitted to the zoning board of appeals at the time the preliminary plat is filed with the community development department. at the time the preliminary plat is filed with the community development department. The application shall fully state the grounds for such a variance.

Comments

1) The proposed changes will clarify the standards for granting a variance and remove the restriction that any variances to the subdivision control ordinance must be filed at the same time as the preliminary plat application is filed.



Memorandum

TO: Planning Commission

FROM: Terry Schweitzer, Community Development Director

DATE: October 8, 2021

RE: Master Plan Amendment Request-2400 Forest Hill Avenue

Over the past several weeks the Master Plan Committee has been focusing their efforts on the request by Cypress Partners to consider an amendment to the Kentwood Master Plan to change the future land use classification of the property addressed 2400 Forest Hill Avenue from its current Institutional classification to Medium Density Residential. The key aspect of this request relates back to the Embassy Park Planned Unit Development approved back in 1992.

At the conclusion of the September 28, 2021 Master Plan Committee meeting it was the consensus of the committee to recommend to the full Planning Commission to amend the master planned designation of the 10.32 acre property addressed 2400 Forest Hill Avenue from Institutional to Medium Density Residential provided: the overall Embassy Park PUD area remains low density residential (no more than 4 units per acre net residential density); at least 25% of the 2400 Forest Hill Avenue site is dedicated open space; and its 10.32 acre area does not exceed a net residential density of 6 units per acre.

Please set the date of November 9, 2021, for a public meeting review with the full Planning Commission. We will publicize the public meeting review like the notice for public hearings, notifying the property owners within 300 feet of the original Embassy Park PUD site as well as contact the public and private agencies specified in the Michigan Planning Enabling Act. The public meeting review will initiate the 43-day public comment period specified in the Michigan Planning Enabling Act. A work session will be held on October 26 on the proposed Master Plan amendment.



CITY OF KENTWOOD MASTER PLAN NEAR TERM IMPLEMENTATION SCHEDULE ASSIGNMENTS

Assignment	Target Date	Task	Status
Housing - 70-30	04 2020	Confer with CC re new policy/res to count duplexes toward rental side	Completed
	Q1 2021		Upcoming joint meeting
	Q1 2021	Recalculate housing mix and having ongoing method to update	
Economic Development	Ongoing	Continue R & E Program	Ongoing
	Ongoing	Continue to update website with new information/programs	Ongoing
	Q2 2021	Determine how to best utilize the Entrepreneurial Center to promote small business	In EDC Strategic Plan
	Ongoing	Continue loan programconsider micro grant program	Ongoing
	Q1 2021	Work with high schools/businesses for job opportunities	Ongoing
	Q4 2020-Q1 2021	Develop property information for RRC program.	Meeting 7/2021
	Q3 2020	Track retail vacancies)
	Q1 2021	Identify commercial areas in declinestrategy to re-occupy vacancies	
	Q3 2021	Improve ped/transit access to mall/28th street	
	Q4 2021	Contact business regarding the formation of a neighborhood business	Ongoing effort thru KPD Price
		doullo.	Program
	Ongoing	KPD	

			Partially
	Q2 2021	Prioritize Four Corners recommendations into SCI & non-motorized plan	completed
	01 2021	Improve crosswalk demarcation	Crosswalk study,
	Q1 2021		2021-2022 GR/Kentwood
			secured safety
			grant for
			Eastern Ave – 44 th -52nd
Assignment	Target Date	Task	Status
Complete Streets	Q1 2021	Require sidewalk on all streets	Ordinance adopted
		Review ordinance languagereview by Ordinance Committee	Ordinance adopted
PRINCIPLES			
Open Space-Green Infrastructure	Q1 2021	Who is on OS Committeemeeting to establish goals	committee: Kape, Pemberton Brainerd
		Collect information on maplocation, attributes	
	Q1 2021	Require sidewalks on all streets	Ordinance adopted
	Q1 2021	Amend ordinance to require the need for greenspace to connect to trails, bus routes	
	Q1 2021	Take steps to become a Tree City USA	Tree City Status Approved
Add greenspace reqt- plats, PUD	04 2020	Review existing greenspace requirement policy in all districts	
	Q4 2020	Review other communities' greenspace requirement	
	Q1 2021	Develop draft ordinance	
	Q1 2021	Review - developer and ordinance committee	
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Determine gateway locations and map Completed Q1 2021	Rail, Air, Truck	Ongoing	Incorporate rail & truck projections into GVMC Transportation model	
Q1 2021 Determine gateway locations and map Q1 2022 Work toward branding and wayfinding concepts	PLACE STRENGTHENING			
Q1 2022 Work toward branding and wayfinding concepts	Gateways	Q1 2021	Determine gateway locations and map	Completed
Target Date Task Ongoing Orgoning Ongoing Confinule to support events such as farmer markets and concerts Ongoing Work with business associations to establish unique identity Ongoing Completed Arts Commission to establish projects to provide public art in city Completed Q3 2022 Project to install art on City Campus Completed Ongoing Project to install art on City Campus Completed Ongoing Coordinate connection of bike trails in adjacent communities Ongoing Plan Investigate establishment of DDA or CIA as needed to provide public Beginning Q1 2022 Improvements GWMC re-est. Q1 2021 Establish review process for road projects on state and county corridors Beltline Q2 2021 Appoint committee to address Reviewed by Q2 2021 Participate in Michigan Green Communities Challenge staff Q1 2022 Appoint committee to address Reviewed by Q2 2021 Participate in Michigan Green Communities Challenge staff Q1 2022 Reviewimaintenance policies of city- (environmental issuesefficiency) Reviewed by Q1		Q1 2022	Work toward branding and wayfinding concepts	
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		Q1 2023	Build new buildings to LEED standards	Nec.
		Q1 2023	Promote recycling-replace closed county recycling operation	
		Q1 2022	Promote community gardens-locate one new community garden in city	

	04 2020	Map sites with Phase 1 info from EPA grant	
	03 2021	Initiate Master Plan Amendment-Division United recommendations	Ongoing
	40 505 5	The state of the s	
		Contact owners at developing conners at 32 ind oon inc. green space, praca	Completed
Kalamazoo Corrigor 04 2020	Q4 2020	requirement	
	02 2020	Contact owners re: driveway restrictions	•
la conjunction w/ road improvements	d improvements	Improve sidewalk demarcation at intersections	KFF HOUSE
ווו כסווןשווכנוסוו ייי/ וסם			Initial contact
	Q2 2021	Investigate interest in business assn with Gaines	made to Gaines
	04 2020	Provide information on housing improvement programs	Ongoing
	Į.	(0 0 1 0 0 0 1 0 0 0 0 0 0 0 0 0 0 0 0	List of
	02 2021	Host meeting of property owners at NE corner of 60th/Kzoo to discuss lack	developers
	Q2 2021	of development	identified
	_		

Assignment	Target Date	Task	Status
Section 34	0	Collect wetland data as becomes available	
	Ongoing	Talk to Heyboer family about retention of farm as a historic resource	Completed
	Q4 2021	Discussipotential development of new park in center of section	
	As		With future
	development	Breton extended listed as a complete street	development
	occurs		
	Q4 2020		
	As dev. occurs	Desired expansion of Route 2 to Breton extended	Coor Tay to Co
	in area	hequest expansion of noare 2 to 5 teen extended	
As Heyboer family decides direction	decides direction	Explore possibility of a community garden in Section 34	
Patterson Farm			
	As dev. occurs	Collect data on wetlands and floodplain as it becomes available	
	As dev. occurs	Obtain rights to use Saddleback sewer easement for trail	
	As dev. occurs	Begin discussions with Consumer's Energy re Trail within row	

	04 2021	Provide wayfinding signage to the City Campus	
	1,00,10	Investigate possibility of using former landfill for renewable energy	
	Q4 2021	production	
Eastern and 52nd	Ongoing	Stay in touch with relators re area	<u>B</u>
	04 2020	Provide information on incentives	
	2 - 2 - 2	In EDC	
	0000	Support existing businesses an early unere; meeting/emany/ property	
	Q4 Z0Z0	owners:	gic Plan
	01 2021	Continue/restart business association	
	01 2021	Periodic clean-up and events	
	01 2021	Gauge interest in other events	

Updated 8/13/21



Memorandum

TO: Planning Commission Master Plan Committee

FROM: Terry Schweitzer, Community Development Director

DATE: October 6, 2021

RE: Master Plan Sub Area Plan Review-Southeast Corner of 44th Street and Walma Avenue

Background

In 2004 the 29-acre area on the southeast corner of 44th Street and Walma Avenue was zoned R1-C Single Family Residential and Master Planned for Medium Density Residential use. That summer the property owner sought and secured rezoning of the southernmost 24 acres to RPUD-1 to accommodate a plan for a low density attached condominium development at 4 units per acre. The northernmost balance of the site was rezoned to Office (Exhibit 1). The subsequent update of the city's Master Plan in 2005 reflected the changes in land use associated with the approved rezonings.

While securing the rezoning of the 44th Street frontage property the developer was also granted site plan approval of a four-lot site condominium project (Exhibit 2). The developer subsequently recorded protective covenants, restrictions, and conditions to assure office use of the site with not more than 4 pitched roof single story office buildings. The exterior building materials were specified to be at least eighty percent brick, stone or decorative masonry on the fronts (side facing the parking lot) and the other sides were required to be at least twenty-five percent brick, stone or decorative masonry. The site condominium project plan was conditioned to provide a minimum 50-foot building setback and 30-foot greenbelt buffer along the east lot line of the site.

In the past two years the city has approved changes to the development plans for the RPUD-1 zoned properties. The northernmost 12.83 acres is being developed to accommodate the 38-lot Wildflower Estates single family detached plat (Exhibit 3). Along the north edge of the plat there is a designated wetland area common to the subject site. The southernmost 11.82 acres, Woodhaven Condominium, has received final site plan approval to construct 41 single family attached dwellings (Exhibit 4). However, the 4.7-acre subject site fronting on 44th Street is still zoned office and is vacant.

Request

Wheeler Development Group PA, represented by Michael Maier, requests that the current master planned Office land use designation of the subject site (Exhibit 5) be changed to Low Density Residential identical to the designation of the properties to the east and south. They are seeking the change to enable them to pursue an adult foster care development of the site. They envision a two-phase development, each phase containing two buildings consisting of ten (10) 2-bed suites (Exhibit 6). Like

the office site condominium concept, they plan single story, slab-on-grade construction with sloped shingled roofs (Exhibits 7, 8 and 9).

In the Zoning Ordinance definition of dwelling unit, every six beds are considered equivalent to one dwelling unit in residential child or adult care facilities. Therefore the 80 total adult foster care beds associated with the concept plan equates to 13 dwelling units. On the 4.7-acre site this would yield a net density of 2.9 units per acre.

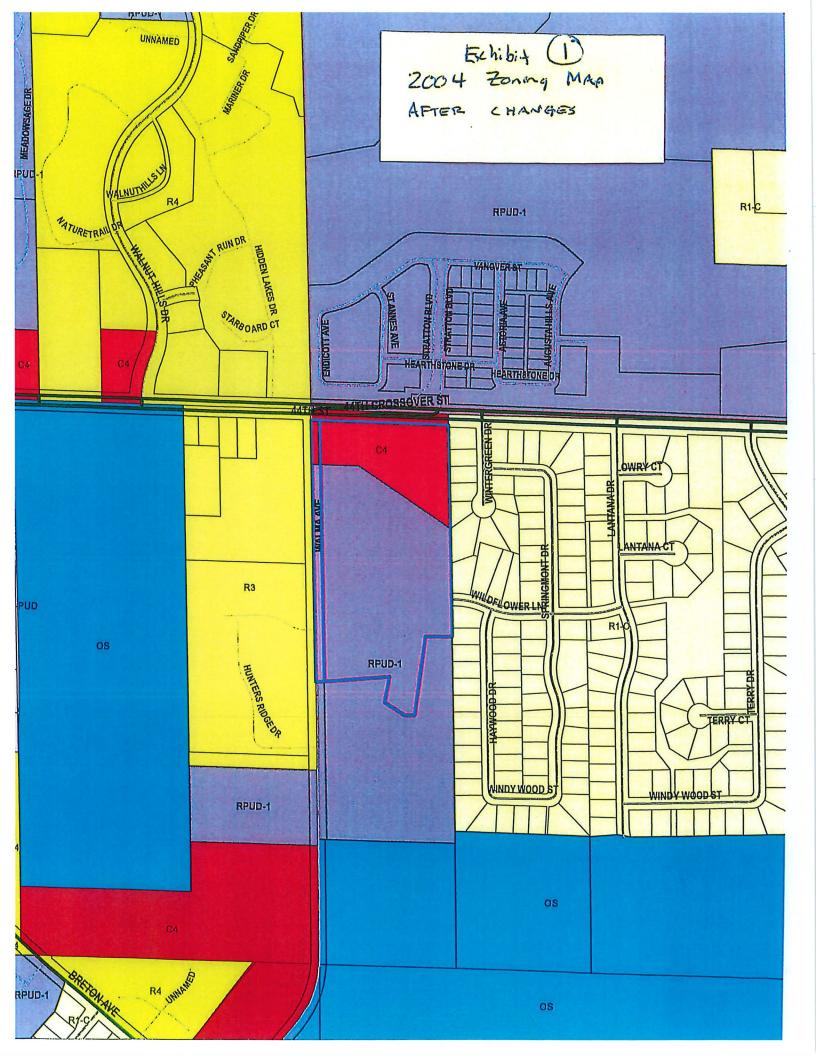
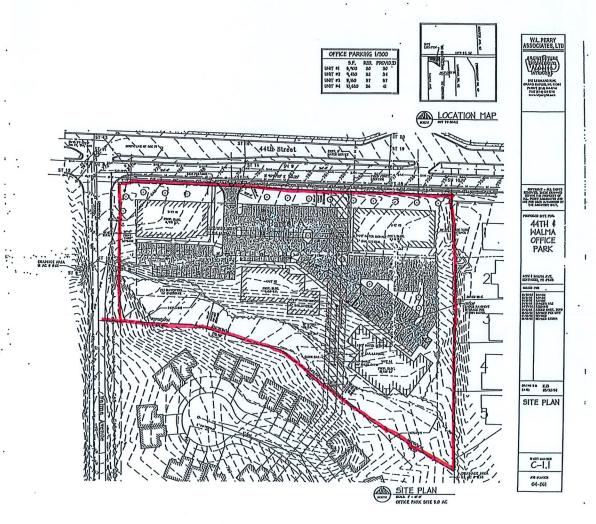
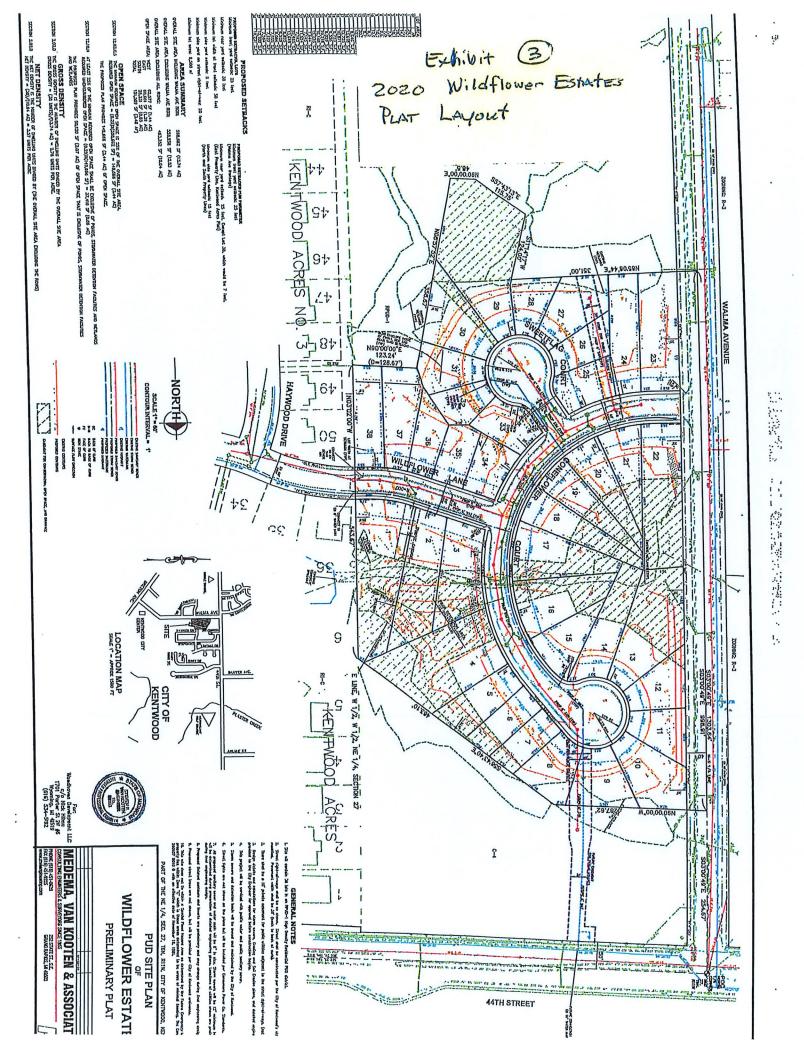
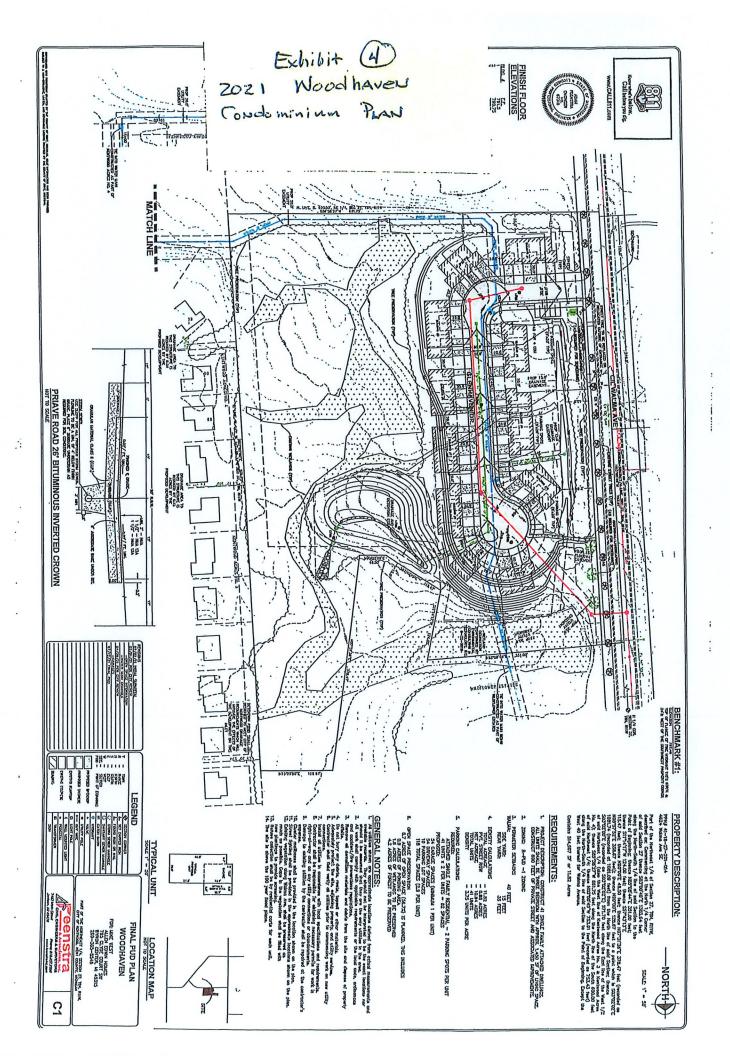


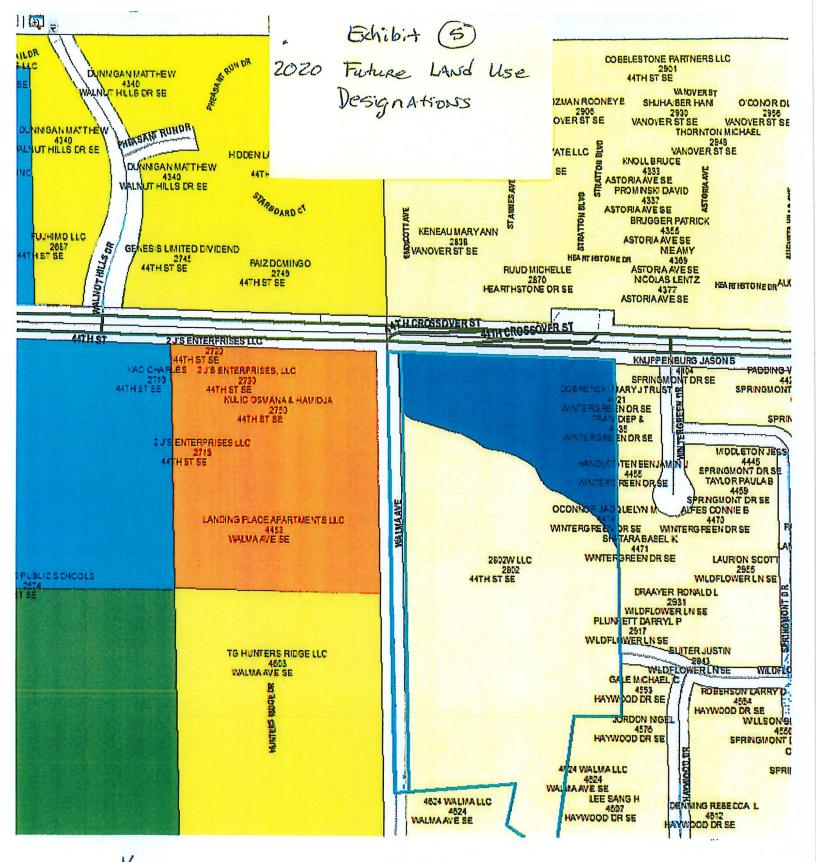
Exhibit (2)

2004 OFFECE SITE





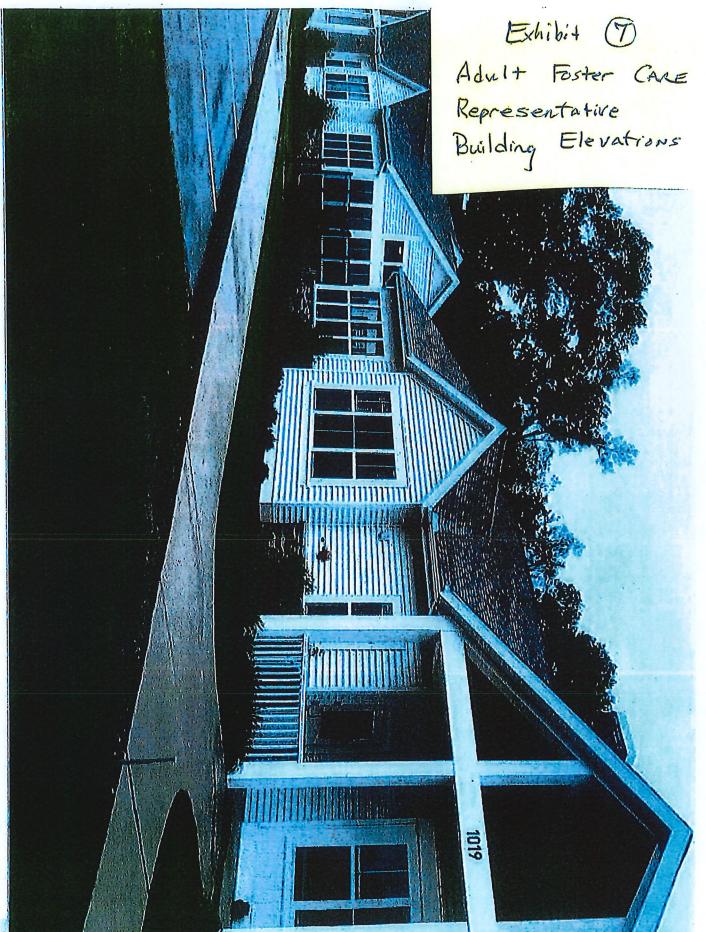




Light Yellow - Low Density Residential
Bright Yellow - High Density Residential
ORANGE - Medium Density Residential
DARK Blue - Office
Light Blue - Institutional
Green - Park/Open Space

Exhibit 6 SINGE SINGE TAMICA TAMI Adult Poster Care Concept PLAN 女甘 紅帝町 9 29 21 MALMA

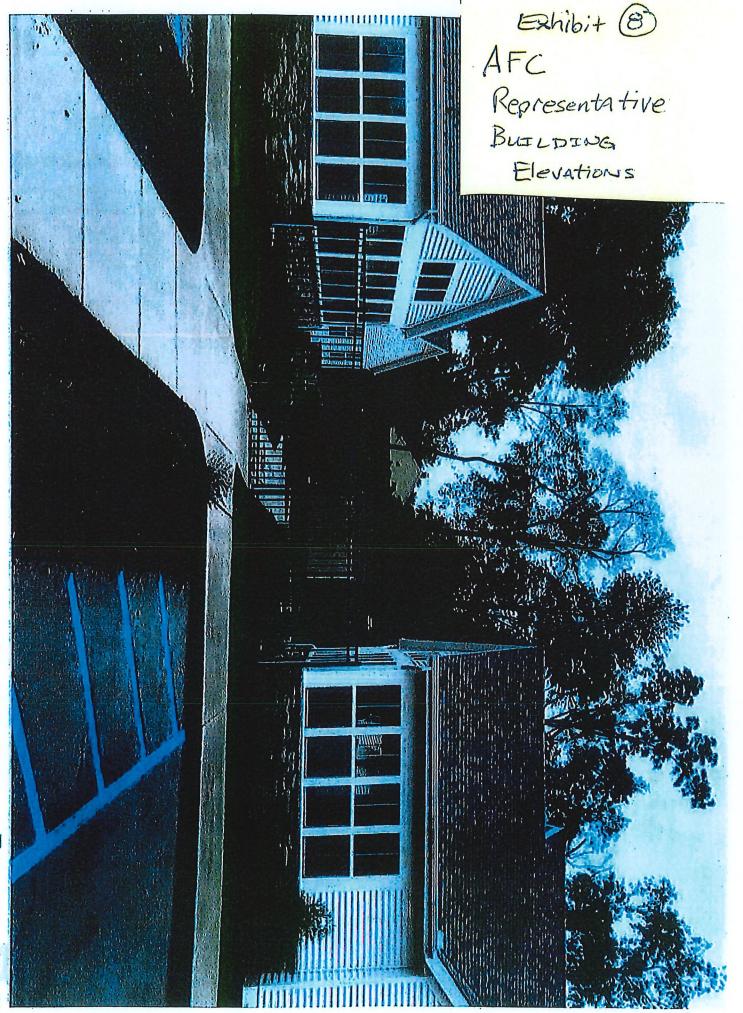




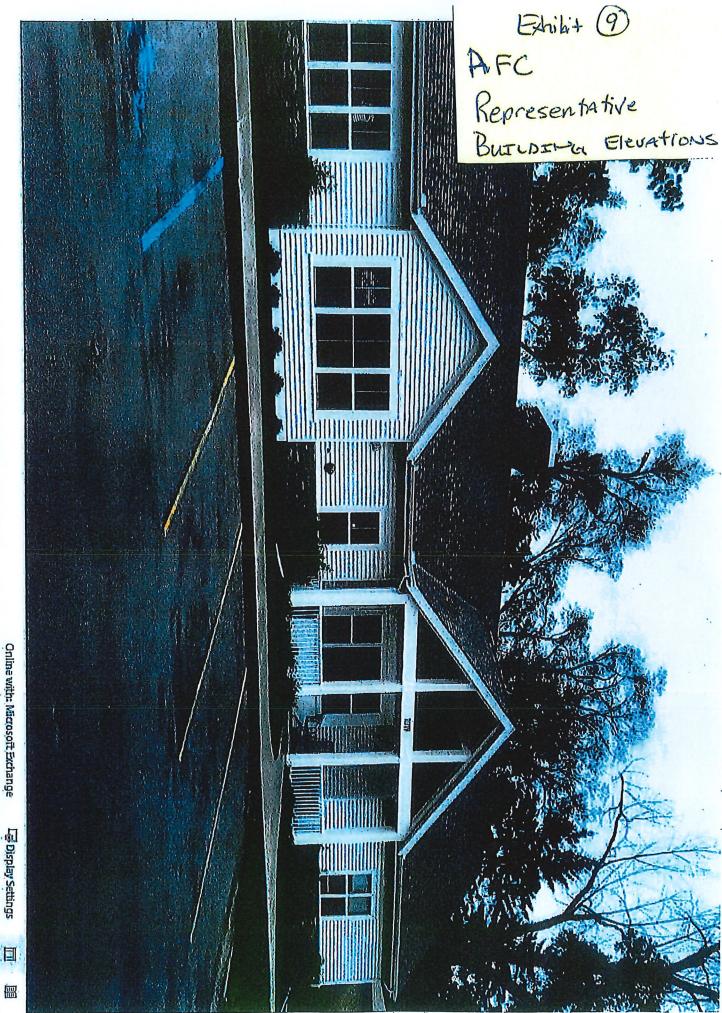
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