



AGENDA
CITY OF KENTWOOD PLANNING COMMISSION
TUESDAY, APRIL 25, 2023
KENTWOOD COMMISSION CHAMBERS
4900 BRETON AVENUE
7:00 P.M.

6:30 pm LUZ Conf. Rm. #119 (Benoit, Holtrop, Jones, Kape)

- A. Call to Order
- B. Pledge of Allegiance (VanderMeer)
- C. Roll Call
- D. Approval of the Minutes of April 11, 2023 and Findings of Fact for: **Case#9-23** – Self Storage- Rezoning of 3.46 acres of land from C-2 Commercial to I-1 Light Industrial located at 3119 Broadmoor Ave SE; **Case#10-23** – City of Kentwood - Rezoning of 18.66 acres at 4775 Walma Avenue from C-4 Office to OS Open Space
- E. Approval of the Agenda for April 25, 2023
- F. Acknowledge visitors and those wishing to speak to non- agenda items.
- G. Old Business

There is no Old Business
- H. Public Hearing

There are no public hearings.
- I. Work Session

Case#11-23 Request by the City of Kentwood to amend the Animal Control and Form Based Code provisions of the Zoning Ordinance pertaining to building type size and massing, sign display, building type floor height, building type façade composition, building material and construction, and use allowances.
- J. New Business

No New Business
- K. Other Business

Agenda - Planning Commission

April 25, 2023

Page 2

1. Intent to Amend Master Plan
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.



April 18, 2023

MEMO TO: Land Use and Zoning Subcommittee
FROM: Lisa Golder, Economic Development Planner
RE: SE corner of Walma and 44th Street (2802-44th Street)

The City has been approached by Bosgraaf Construction to consider an amendment to the Master Plan designation for 2802 44th Street. This property had been zoned and Master Planned for office use until 2021. At that time Cardinal Senior Management requested a Master Plan Amendment to allow for a low density residential use. This development would have allowed 80 adult foster care units on the property, creating a density of 2.75 units per acre. The Master Plan amendment to low density residential development was approved. However, the project was dropped prior to the approval of the rezoning and therefore remains zoned as C-4 Office.

Bosgraaf Construction would like the Land Use and Zoning Committee to consider a potential amendment to the Master Plan and rezoning to allow 38 attached condominiums on the 4.92 acre site, creating a gross density of 7.7 units per acre. Review by the Master Plan Committee is also anticipated.

The applicants will be available to discuss the proposed Master Plan amendment, rezoning, and potential development project at the LUZ meeting on April 25th.



17 April 2023

City of Kentwood Planning Department
Ms. Lisa M. Golder, Economic Development Planner
PO Box 8848
Kentwood, MI 49518
GolderL@kentwood.us

RE: 44th and Walma Site Preliminary Review

Dear Lisa,

Thank you and your staff for taking the time to meet informally to discuss process and zoning for our property at the southeast corner of 44th and Walma Streets. The property is approximately (5) acres and is currently master planned as low density residential.

In our discussion with you, we communicated our desire to explore single family /attached condominiums, with garages. Attached is our early concept that, we feel, is a creative way to work with the site's current topography and configuration. This plan would include potentially (38) attached units with garages and have access from 44th Street.

Our goal is to bring a high quality housing option for home ownership in a way that balances density with open space and is economically feasible.

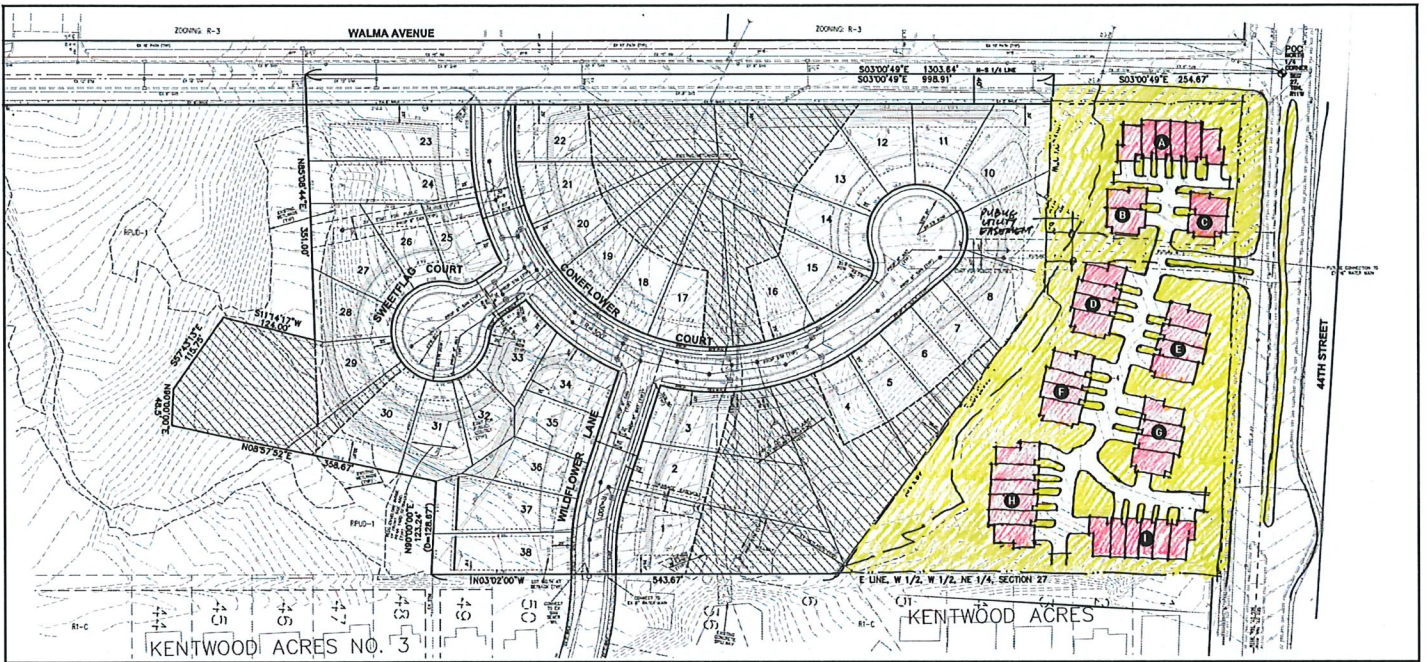
We look forward to informal, but important feedback from you and the Land Use and Zoning Committee on April 25th at 6:30pm. At that time, we can explain the idea further and show potential architectural directions... and listen!

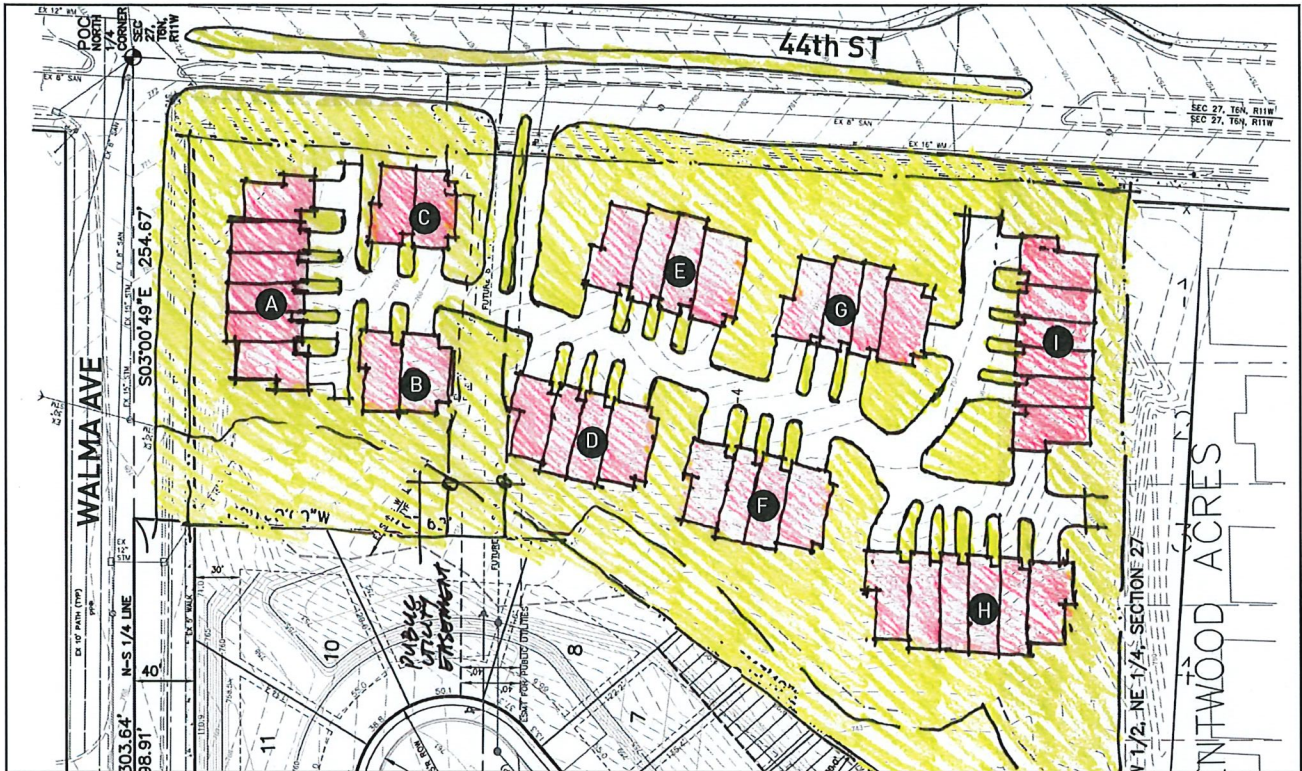
Thank you for your assistance in our efforts to help positively impact the Kentwood community and design a creative way to use this interesting site.

Very truly yours,

Michael C. Corby FAIA - President
INTEGRATED ARCHITECTURE

cc: Mike Bosgraaf
Attachment: Test Fit Townhouses







**CITY OF KENTWOOD
PLANNING COMMISSION
PROPOSED
FINDINGS OF FACT
APRIL 25, 2023**

Pung 03/31/23

PROJECT: Self-Storage Rezoning

APPLICATION: 09-23

LOCATION: 3119 Broadmoor Avenue

HEARING DATE: April 11, 2023

REVIEW TYPE: Rezoning of 3.62 acres from C2 Community Commercial to I1 Light Industrial.

MOTION: **Motion by Benoit, supported by Quinn, to recommend to the City Commission approval of the request to rezone 3.62 acres from C2 Community Commercial to I1 Light Industrial as described in Case 09-23. Approval is based on basis points 1-5 as described in Pung's memo dated March 31, 2023.**

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

- BASIS:
1. The I1 Light Industrial zoning district is consistent with the City of Kentwood Master Plan recommendation for industrial development of this site.
 2. Development under the I1 Light Industrial zoning district would be compatible with the existing industrial zoning to the west and south.
 3. Rezoning the property is more appropriate than amending the list of permitted or special land uses under the current C2 Community Commercial zoning to permit industrial uses.
 4. Applicant's representation at the work session and public hearing.
 5. Discussion at the work session and public hearing.



**CITY OF KENTWOOD
PLANNING COMMISSION
PROPOSED
FINDINGS OF FACT
APRIL 25, 2023**

Golder 4/4/23

PROJECT: Kentwood Fire Station 1 and Community Center Rezoning

APPLICATION: 10-23

LOCATION: 4755 Walma Avenue SE

REQUEST: City of Kentwood is requesting a rezoning of 18.66 acres of land from C-4 Office to OS Open Space

HEARING DATE: April 11, 2023

MOTION: **Motion by Poyner, supported by Benoit, to recommend to the City Commission approval of the rezoning of 18.66 acres of land from C-4 Office to OS Open Space. Approval is based on the basis points 1 -5 as described in Golder's memo dated April 4, 2023.**

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

BASIS:

1. Although the Kentwood Master Plan recommends institutional use for the existing fire station, it has been the city's policy to rezone City-owned property to Open Space.
2. The current C-4 Office zoning may not be an appropriate use for the area.
3. The location of a future community recreation center or other public uses will not have a negative impact on the adjacent residential properties.
4. The uses permitted in the proposed Open Space zone are compatible with the surrounding area.
5. Discussion at the work session and public hearing.

PROPOSED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD PLANNING COMMISSION
APRIL 11, 2023, 7:00 P.M.
COMMISSION CHAMBERS

- A. Chair Jones called the meeting to order at 7:00 p.m.
- B. The Pledge of Allegiance was led by Commissioner Weir.
- C. Roll Call:
Members Present: Bill Benoit, Dan Holtrop, Ed Kape, Alex Porter, Ray Poyner, Darius Quinn, Doug VanderMeer, Sarah Weir
Members Absent: Sandra Jones (with notification)
Others Present: Community Development Director Terry Schweitzer, Economic Development Planner Lisa Golder, Senior Planner Joe Pung, Planning Assistant Monique Collier, the applicant and one citizen.

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

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

- D. Approval of the Minutes and Findings of Fact

Motion by Commissioner Quinn, supported by Commissioner Poyner, to approve the Minutes of March 28, 2023.

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

- E. Approval of the Agenda

Schweitzer stated he would like to add under other business architectural requirements update.

Motion by Commissioner Benoit, supported by Commissioner Poyner, to approve the agenda for the April 11, 2023, meeting with change noted.

- 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

Case#9-23 – Self Storage- Rezoning of 3.46 acres of land from C-2 Commercial to I-1 Light Industrial located at 3119 Broadmoor Ave SE;

Pung introduced the request. He stated the request is to rezone 3.46 acres of land from C-2 Commercial to I-1 Light Industrial. He stated the parcel is vacant and located on the west side of Broadmoor Avenue north of the CSX railroad ROW. He stated the Master Plan recommendation for this site is for industrial development and has been since the 2012 Master Plan update, the site was previously master planned for commercial development. The proposed rezoning is consistent with the Master Plan recommendation.

Pung stated the site contains floodplain, wetlands and quite a bit of a grade change on the site. He stated the property owner's intent is to develop it as a multi-story self-storage facility which would be a permitted use under the I1 Light Industrial zoning.

Pung stated MDOT is looking at this property to be a right in and right out access off Broadmoor Avenue. He stated there were no issues from the work session therefore he is recommending to the city commission approval of the request as described in his memo.

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

Motion by Benoit, supported by Quinn, to recommend to the City Commission approval of the request to rezone 3.62 acres from C2 Community Commercial to I1 Light Industrial as described in Case 09-23. Approval is based on basis points 1-5 as described in Pung's memo dated March 31, 2023.

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

Case#10-23 – City of Kentwood - Rezoning of 18.66 acres at 4775 Walma Avenue from C-4 Office to OS Open Space

Golder introduced the request. She stated the request is to rezone 18.66 acres at 4775 Walma Avenue from C-4 Office to OS Open Space. She stated this is a rezoning for a piece of property that is going to eventually be the City's community center that was part of the millage campaign. She stated the Master Plan recommends institutional use for Fire Station 1 and open space for the northern piece. She stated since the city has rezoned other city owned institutional uses to Open Space zoning, the proposed zoning is considered to be consistent with the Master Plan recommendation.

Golder stated she is recommending to the City Commission approval of the request to rezone 18.66 acres from C-4 Office to OS Open Space as described in her memo dated April 4, 2023.

The Commissioners were ok with the request and offered no additional comments.

Motion by Poyner, supported by Benoit, to recommend to the City Commission approval of the rezoning of 18.66 acres of land from C-4 Office to OS Open Space. Approval is based on the basis points 1 -5 as described in Golder's memo dated April 4, 2023.

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

Work Session

There was no work sessions

I. New Business

Motion by Poyner, supported by Benoit, to set a public hearing date of May 23, 2023 for: Case#11-23 Request by the City of Kentwood to amend the Form Based Code provisions of the Zoning Ordinance pertaining to building type size and massing, sign display, building type floor height, building type façade composition, building material and construction, and use allowances.

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

J. Other Business

1. Architectural Changes

Golder stated staff has met with developers to try to understand what their objections to the proposed architectural changes. She stated staff is looking at different ways to calculate the transparency requirements.

Also staff is considering the addition of different design elements to be included in Section 3.22.B.3 including: reduce porch depth to 5', add gutters, add change in materials as a design element, substantial porch columns, allow for a garage to be forward 8' (rather than 5'in current regulations).

The commissioners were ok with staff's recommendation.

2. Pedestrian Safety Action Plan

Schweitzer stated in the past year Spalding DeDecker, a local traffic engineering firm was commissioned to assess a representative sample of existing Kentwood intersection

crosswalks for compliance with Michigan laws and Kentwood standards. He stated they physically inventoried 15 crosswalk locations, conducted a safety review and collected data for average daily traffic volume and crash data. The assessment included public and key stakeholder input and provided a prioritized list of recommendations for future facility design. They also developed a methodology that will allow the city to self-evaluate pedestrian facilities in the future.

3. Commissioners' Comments

VanderMeer questioned if there are any measures to the goals. Schweitzer stated the commissioners will have an opportunity within the next 1 - 2 years for an update o the Master Plan but in the meantime staff will look at it but the next time staff will do a better job.

Porter stated there are 3 cars at Bargain Books. Schweitzer stated Code Enforcement spoke with them and it is associated with GR Auto Gallery on 50th Street.

4. Staff's Comments

Staff offered no additional comment.

K. Adjournment

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

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

Meeting adjourned at 8:10pm

Respectfully submitted,

Ed Kape, Secretary

STAFF REPORT April 21, 2023

PREPARED FOR: Kentwood Planning Commission

PREPARED BY: Terry Schweitzer

CASE NO.: 11-23 Zoning Ordinance Text Amendments

GENERAL INFORMATION

APPLICANT: City of Kentwood

REQUESTED ACTION: Zoning Ordinance Text Amendments- Animal Control and Form Based Code provisions pertaining to building type size and massing, sign display, building type floor height, building type façade composition, building material and construction, and use allowances.

Background:

Animal Control-

Prior to changes in 2022, Kent County Animal Control was an operation of the county health department. Following a review and study of other animal control operations within Michigan, Kent County moved animal control operations under the oversight of the Kent County Sheriff's Office and passed a new county-wide animal control ordinance. Under the Dog Law of 1919, Act 339 of 1919, counties can establish an animal control agency, and in turn, "[t]he animal control agency shall have jurisdiction to enforce this act in any city, village or township which does not have an animal control ordinance." Given the language of Act 339 of 1919, any municipality which has its own local animal control ordinance would prevent Kent County from enforcing the County animal control ordinance.

The city does not have to surrender completely its ability to regulate animals within its jurisdiction. As an example, the county ordinance is silent on loud animals creating a nuisance; this can be kept in place by moving loud animals to an alternative section of the City's current ordinance. Further, the city may still regulate certain aspects of the existing animal control ordinance through zoning and special land use permits. The city will take deliberate steps to ensure it has ordinance language in place where the county ordinance is silent.

It is the City's desire to allow Kent County Animal Control to continue the enforcement of dog bites, loose or stray animals, animal abuse/neglect, and things of this nature. They are better equipped for these types of enforcement actions and have the facilities to care for/hold animals

in situations like this. Further, it is safe for our staff, mainly the police department, to defer to the County on many of these matters.

New Zoning Ordinance Animal Control provisions-

Kennels are currently allowed subject to special land use and site plan review in our Commercial Retail and Industrial zoned districts. Given the recommendation of the City Attorney's office to repeal the current city animal control ordinance it would be desirable to amend our kennel definition and the current Zoning Ordinance special land use site design standards relating to kennel licensing. Likewise, there are currently vicious animal provisions relating to indoor and outdoor confinement and required sign display that are recommended to be incorporated into the Zoning Ordinance.

The City Attorney also suggested that the city could consider adding portions of the current Animal Care Guidelines as part of a new special land use review in the commercial retail zone districts for businesses wishing to operate a "pet store".

Background:

Form Based Code-

In 2017 the Zoning Ordinance was amended to include a new Chapter 23 entitled Division Avenue Form Based Code. Form-Based Codes (FBC) represent a paradigm shift in the way that regulates the built environment. This shift was considered necessary because the conventional, use-based approach to zoning had been shown to be ineffective for regulating diverse, urban, mixed-use environments.

The City of Kentwood incorporated Form-Based Coding into the Zoning Ordinance seeking to achieve the vision, goals, and outcomes of the "Fisher Station Sub Area" and the Division Avenue Sub Area plan that were within the 2012 Kentwood Master Plan. The FBC is intended to encourage a compact, transit-oriented development pattern that promotes a diverse mix of uses and building types, transit-supportive density and uses, and walkability.

When the code was introduced over five years ago, we anticipated there would be a need to modify the regulations to fit the evolving context of the Division Avenue corridor as well as the one quarter mile stretch of 44th Street, east of Division Avenue. The first two amendments approved by the City Commission took place in 2018. The first change was in response to a concern that there were too many requirements (amount and location of parking, building height, lighting, landscaping, signage, use, and building placement, type, or façade) that were being triggered by minor expansions to existing buildings. The new regulation specified most of the requirements would come into play only when façade expansions were planned in the front yard, or when an expansion doubled the square footage of a building on a property. In addition, with any building expansion, non-conforming pylon signs were allowed to remain on site. However, once these signs were removed, full compliance with the sign provisions of the

ordinance was required. The second change to the FBC was to allow microbreweries subject to special land use review in both the general and corridor edge context areas.

Zoning Ordinance Form-Based Changes

Based upon staff experiences and the FBC non-use variance requests over the past 5 years we offer the following comments on selected FBC zoning provisions.

- Sign band signs are currently only allowed to be externally illuminated. Consider internal illumination.
- The Corridor Edge size restriction for ground signs is a maximum of 12 square feet for single business sign/24 square feet for multi-tenant sign with no provision for pylon signs. The height and width of the ground signs are limited to 4 and 3 feet respectively. In Corridor General there is no allowance for any type of freestanding signs. Consider allowances for larger and higher ground signs in both context areas.
- The FBC only allows pitched roofs for small multiplex and flex buildings. The large multiplex currently must be a flat roof with parapet. Consider whether to allow for pitched roofs on large, multiplex buildings.
- The FBC restricts the building width of Flex and Mixed-Use buildings to a maximum of 150 feet. Consider a greater allowance. Likewise, a horizontal expression line from 24 to 42 inches in height is required along the entire width of the façade. Consider a reduction in these requirements.
- Consider whether to amend the use allowances in both corridor edge and corridor general to include Commercial Enterprises Producing Merchandise on the Premises subject to special land use/ site plan approval (characteristics are like microbreweries which are allowed subject to special land use and site plan review).
- The minimum first floor ceiling height for Flex and Mixed-Use buildings is 14 feet. Consider removing or reducing this requirement to 10 feet.
- Awnings are currently required to be either cloth, canvas or similar materials. Consider making allowance for metal.



Memorandum

TO: Planning Commission

FROM: Planning Staff

DATE: April 19, 2023

RE: Master Plan Amendment Request

In February of 2022 Vince Rostov appeared before the Land Use and Zoning Committee seeking feedback on the potential of rezoning 1.34 acres of property located at 2180-2186 44th Street from office use to high density residential. The property currently has 2 three-story office buildings, connected by a common hallway. Mr. Rostov's plan is to convert the buildings to as many as 24 residential condominium units. The committee felt the concept had some merit, while pointing out that it would require a change in the office Master Plan land use designation and that the city's high density residential land use designation tops out at 12 units per acre.

In September of 2022 Mr. Rostov met with the Master Plan Committee seeking feedback on a proposed Master Plan land use change from office to high density residential. The concept was premised upon conversion of the 2 existing office buildings to 16 residential condominium units. The committee expressed favor for the amendment if the use is condominium ownership. The Committee also expressed concern whether the conversion was economically feasible.

Earlier this past week Mr. Rostov formally filed his request to change the future land use designation of the property at 2180-2186 44th Street, SE from office to high density residential. Therefore, staff recommend passing a motion to initiate the review of the proposed land use change requested by Mr. Vince Rostov.