



**AGENDA**  
**CITY OF KENTWOOD PLANNING COMMISSION**  
**TUESDAY, MAY 23, 2023**  
**KENTWOOD COMMISSION CHAMBERS**  
**4900 BRETON AVENUE**  
**7:00 P.M.**

- A. Call to Order
- B. Pledge of Allegiance (Quinn)
- C. Roll Call
- D. Approval of the Minutes of May 9, 2023.
- E. Approval of the Agenda for May 23, 2023
- F. Acknowledge visitors and those wishing to speak to non- agenda items.
- G. Old Business

There is no Old Business

- H. Public Hearing

**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.

- I. Public Meeting

**Case# 12-23** - 2180-2186 44<sup>th</sup> Street Master Plan Amendment – Change in the Master Planned Land Use Designation from Commercial to High Density Residential

- J. Work Session

There are no Work Sessions

- K. New Business

Set a public hearing date of June 27, 2023 for: **Case#13-23** – Request of Bigg Architecture on behalf of Huntington Bank for a Special Land Use Freestanding Drive Through ATM at 2956 – 28<sup>th</sup> Street SE (Zoned C-2 Community Commercial)

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L. Other Business

1. Commissioners' Comments
2. Staff's Comments

M. 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  
MAY 9, 2023, 7:00 P.M.  
COMMISSION CHAMBERS

- A. Chair Jones called the meeting to order at 7:05 p.m.
- B. The Pledge of Allegiance was led by Commissioner Poyner.
- C. Roll Call:  
Members Present: Bill Benoit, Dan Holtrop, Sandra Jones, Ed Kape, Alex Porter, Ray Poyner, Darius Quinn, Doug VanderMeer, Sarah Weir  
Members Absent: None  
Others Present: City Attorney Dave Eberle, Community Development Director Terry Schweitzer, Senior Planner Joe Pung, Planning Assistant Monique Collier and the applicants.

- D. Approval of the Minutes and Findings of Fact

**Motion by Commissioner Benoit, supported by Commissioner Holtrop, to approve the Minutes of April 25, 2023.**

- Motion Carried (9-0) –

- E. Approval of the Agenda

Schweitzer noted that in Case#12-23 in a Master Plan Amendment it shouldn't reflect C4 Office to R4 High Density Residential but it should read Change in the Master Planned Land Use Designation from Commercial to High Density Residential

**Motion by Commissioner Holtrop, supported by Commissioner Poyner, to approve the agenda for the May 9, 2023, meeting with change noted.**

- Motion Carried (9-0) –

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

There was no public comment.

- G. Old Business

There was no Old Business

- H. Public Hearing

There were no public hearings.

**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.

Schweitzer stated that 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.

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.

Schweitzer stated the first action was taken by the City Commission to repeal our current animal control regulations. There were portions of it that they wanted to preserve so they put it in different chapters of our code of ordinances. There is a small section that pertains to our zoning ordinance.

1. Amending the definition of kennel
2. Kennels we treat as a Special Land Use in the industrial and Commercial retail zone there are a number of site designs standards associated with that. One deals with being in conformance with any State or Federal requirements. He stated staff has been recommends we also specify that it has to be in accord with the County regulations. Also adding in the licensing of kennels will continue to be handled by the County animal control services.
3. There were provisions in the City code to deal with vicious animals. Under this the County Animal Control Officer will be making a determination on our behalf whether an animal is a viscous. If they do then the owner of the animal would continue to have the right to house it on its property but with restrictions. They would have to have a sign up saying that they have a vicious animal on their property if they have an outside pen that too will need to have a sign posted on the pen.

VanderMeer questioned the vicious animal determination as it relates to The County team “menacing” and a “vicious” animal referenced in the Code of Ordinances. VanderMeer stated then we run into the legal issue whether it is a vicious animal versus a menacing animal. Schweitzer stated that is where we are leaving it up to the animal control service to make that determination. Schweitzer stated they can look at what we have in our code of ordinances, or they can look at the menacing animal provisions and make that determination. Attorney Dave Everly stated he will speak with City Attorney Sluggett to see if we can maintain consistency in the terms being used.

#### 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 44<sup>th</sup> 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.

Schweitzer stated in FBC we allow for residential buildings now along the Division Avenue frontages. He stated it can be a freestanding residential building or a mixed use where you have commercial on the ground floor and the upper levels have housing units. He stated we have requirements for location. The buildings are being pulled closer to the street and the composition of the façade is a big part of the consideration with the FBC not only where it is located, but how it looks and how much glass and how much transparency it has.

- Sign band signs are currently only allowed to be externally illuminated. Consider internal illumination since internal illumination and neon are otherwise allowed in all other zone districts.

Schweitzer stated from staff perspective we feel it is reasonable to allow for 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 maximum 12 square foot ground sign is limited to 4 and 3 feet respectively and the height and width of the 24 square foot ground sign limited to 5 feet. In Corridor General there is no allowance for any type of freestanding signs. Staff originally suggested consideration of allowances for larger and higher ground signs in both context areas. Buildings within FBC are permitted to have as many as seven different signs attached to the building, much more than allowed in any of the other zone districts in the community, and the FBC build to line or build to zone requirements often leaves very little area between the building and the sidewalk to place ground signs. Therefore, it may be reasonable to merely make the 24 square foot ground sign allowance, with up to 5-foot height and width dimensions, available for both single and multi-tenant buildings in only the Corridor Edge context area.

- The FBC only allows pitched roofs for small multiplex and flex buildings. The large multiplex currently must be a flat roof with parapet. Based on the initial work session review, the Planning Commission appears to support allowing 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. Staff suggest a greater allowance of 160 feet along public street frontages. He stated the main body building width non-public street frontage recommendation is a 220 feet maximum.

The FBC requires Flex buildings to have a horizontal expression line from 24 to 42 inches in height along the entire width of the façade as well as 16" to 32" pilasters every 20 to 50 feet along primary and secondary building walls. City Staff suggested the elimination of these requirements if the building is exclusively residential.

Schweitzer stated staff is suggesting if it is a residential building that there is no need for that expression line. Also, there is a requirement for pilasters and if it is mixed use building maintain the requirements for expression lines as well as the pilasters. But, if it is all residential staff is suggesting that requirement be waived.

Holtrop questioned the rationale for waiving the requirements for an all residential building. Benoit stated the horizontal expression line is really supposed to let you know it is a mixed-use building by looking at the building. It is not mixed use if it is all residential. Holtrop stated the look of the side of a multi-story residential building is all going to be the same, there is no break in it. Jones stated she agrees she would rather keep the expression line and pilaster requirements and allow the developer seek for a variance request based on the project rather than change the current zoning provision. Jones stated she likes the look of having that differentiation between the floors. Porter stated he agrees and mentioned the homes on 52<sup>nd</sup> Street facing the interior street. Porter stated you see the back of the houses where they have one window and all siding for 3 stories and it doesn't look good. The commissioners stated we need those provisions.

Benoit stated his only concern with that is what would be the criteria to prove that they are eligible for a variance. He stated he doesn't think any of them would fit you have to comply with all non-use variance standards and if you don't comply with one of them they can't get a variance. Schweitzer stated there is a mechanism that we can consider if you want to have some flexibility on how that is addressed. Schweitzer stated you have within the FBC allowance for administrative departures. He stated you could make allowance but there are still standards, but they are not as strict as the zoning board of appeals. The commissioners expressed a desire to pursue that approach.

- 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. The Characteristics of this use are like microbreweries which are allowed subject to special land use and site plan review. The existing special land use site design standards limiting the number of merchandise production employees, production impact on adjacent occupied premises and on-site retail sale of product are important to these reviews.

Schweitzer stated between special land use general standards as well as the specific standards it should be a reasonable way to expand the allowance. The commissioners appeared to be in support of this change.

- The minimum first floor ceiling height for Flex and Mixed-Use buildings is 14 feet. Consider removing or reducing this requirement to 10 feet. The minimum 10-foot requirement will reasonably provide the desired flexibility for either residential or commercial use of ground floor space.

Schweitzer stated mixed-use buildings are designed to have retail on the 1<sup>st</sup> floor and the provision for pilasters and expression line would come into play then along with the 14ft. He stated with the flex buildings we had a variance request for the Annex project where they wanted a 10 foot first floor height level. They were going with residential on the 1<sup>st</sup> floor, but they felt it would be better to go with the 10 foot ceiling height and he feels that it seems to be a reasonable compromise to make allowance for that in the flex because it is more likely that it will all be residential as opposed to a mixed use building.

- Awnings are currently required to be either cloth, canvas or similar materials. Consider making allowance for metal. Consider allowance for metal awnings. The commissioners appeared to be in support of this change.

**Case# 12-23** - 2180-2186 44<sup>th</sup> Street Master Plan Amendment – Change in the Master Planned Land Use Designation from Commercial to High Density Residential

Schweitzer stated the request is for a change in the Master Plan Land Use Designation from Commercial to High Density Residential.

Schweitzer stated the proposed condominium use is located at the corner of 44<sup>th</sup> Street and Applewood Drive. The property to the south of the development is a duplex and is

located 186 feet away from the existing office building and it is master planned for Medium Density Residential use. The property to the west is an office development of a similar design and era as 2180-86 44<sup>th</sup> Street. It is Master Planned for Office use. The subject property currently has 2 three story office buildings, connected by a common hallway. The applicant's plan is to convert the buildings into a high-density residential condominium development, with a total of 16 condominium units.

The office buildings proposed for redesignation to High Density Residential use were constructed in 1971 and is 13,416 square feet in area. The applicant indicates that the buildings are not suitable for a modern office space and demand for office space is limited. In addition, demand for housing is currently high. If the Master Plan is amended to High Density Residential for this site, the applicant has committed that the site will be developed as a condominium site. However, individual owners could rent their own condominium units.

According to the Institute of Traffic Engineers report Trip Generation, 11<sup>th</sup> Edition, office developments of approximately 18,000 square feet can generate approximately 267 trips per day. A 16-unit condominium development can generate approximately 108 trips per day.

The site has 87 parking spaces; if the applicant constructs 16 units, only 32 parking spaces are required for the residents. If the Master Plan amendment is approved, and the applicant successfully rezones the property to allow the 16 condominium units, the applicant will need to provide detail regarding the removal of the excess parking, and the use of the additional greenspace.

If the amendment to the Master Plan designation is approved, it is recommended that PUD zoning is pursued in order to ensure the City that the features of the development represented by the applicant are incorporated into the site plan.

The LUZ Committee thought that the idea had some merit but would require changing the designation of the Master Plan from the current Commercial designation to High Density Residential designation. In addition, the Committee expressed concern regarding the economic feasibility of converting an office building into residences.

The applicant met later with the Master Plan Committee. The Committee was generally in favor, but expressed concern that the residential units would be condominiums, rather than rental units. The Committee also expressed concern as to whether the conversion was economically feasible.

The applicant has indicated that he has secured bank financing for the project and has hired an architect to assist in the planning for the conversion to condominium use.



Schweitzer stated staff suggested to the applicant to hold off on the demolition of the building office suites and seeking a formal change to the Master Plan Land Use classification. If that goes according to his request he would then be in a position to ask for a rezoning to allow him to move forward. He needs to work out with his architect and building inspector on whether or not those garden level office suites can be converted and meet a residential code.

Vince Rostov, 2180-2186 44<sup>th</sup> Street was present. He stated he has owned the buildings for the past 3 years. He stated they are older and need to be updated. He stated it has been difficult to find long term office tenants. He stated he decided to explore the option to convert the buildings into a high-density residential condominium development, with a total of 16 condominium units. He stated the only thing that he doesn't like is that it has a really large parking space. He stated they were thinking about reducing the size of the parking lot and putting a playground with grass. He stated overall there is a housing shortage and people need an affordable place to live. He stated the office tenants that are there now would go to other office buildings.

Porter questioned if the condominiums will be owner occupied. Rostov stated once they are done with construction, they would sell them. Porter questioned if they will be rentals. Rostov stated he would like the commissioners opinion since he could put it in the bylaws. Rostov stated they addressed it with the bank and got the loan pre-approved but the final would be in September. The bank stated the more rules and regulations they have the harder it will be to get approval and harder for them to sell.

Porter questioned the size of the smallest unit. Rostov stated 659 square feet and the biggest unit will be 1,217 square feet. Rostov stated the building has an elevator and handicap ramp, which will give the opportunity for older people to purchase.

Benoit stated he doesn't want this to turn into apartment buildings. He stated he wants to be comfortable and wants the commissioners to be comfortable that it is not going to turn into an apartment. He stated as condominium units they will all have a different owner. Benoit stated there are investors that will buy the condominiums up and want to rent them out and keep it as rental property.

Holtrop questioned if staff had a suggestion for the rental ownership. Schweizer stated when Cobblestone came in we had had a zoning provision under the PUD putting a restrictions on rentals and would likely look at the same approach. Pung stated if you are going to allow the high density it can be high density single family attached. They still have to come in and rezone the property.

VanderMeer stated his only comment is the excessive parking. Has there been thought to garages or carports. Rostov stated he was thinking of getting rid of some of the parking and putting the grass and playground in. Porter stated a garage with plenty of storage space would be very helpful.

J. New Business

There was no new business.

K. Other Business

1. City Attorney Training for Planning Commissioners

Attorney Dave Eberle gave an approximate one and one half hour training to the commissioners on various City and State laws and policies relating to a variety of issues including but not limited to open meetings and freedom of information.

2. Commissioners' Comments

None were made

3. Staff's Comments

None were made

L. Adjournment

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

- Motion Carried (9-0) –

Meeting adjourned at 9:20pm

Respectfully submitted,

Ed Kape, Secretary

## PLANNING STAFF RECOMMENDATION

Schweitzer 5-16-2023

PROJECT: Zoning Ordinance Amendments-Animal Control

APPLICATION: 11-23

HEARING DATE: May 23, 2023

REVIEW TYPE: Zoning Ordinance Text Amendments

RECOMMENDATION: Recommend to the City Commission amendment of the Zoning Ordinance to amend the definition of a kennel; amend a special land use site design standard for kennels; and amend the animal keeping provisions to specify the required posting of a sign(s) for vicious animals

### RECOMMENDED ORDINANCE AMENDMENT LANGUAGE:

Amend Section 2.02.K to read in full as follows:

#### *K. Definitions "K."*

*Kennel.* Any lot or premises on which more than three dogs or cats, six months of age or older are kept.

Amend Section 15.04.R.15 Kennels to read in full as follows:

15. The applicant shall comply with applicable county, state, and/or federal requirements associated with kennels and animal care. Kennel licenses may be permitted as herein and under the requirements and licensing of the director of animal control of the county. Only under these circumstances will more than three dogs or cats six months of age or over be permitted in one person's care, custody, or control in the city. The applicant shall provide proof of licensure within a reasonable time.

GENERAL BASIS: 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.

On May 8, 2023, the Kentwood City Commission passed an ordinance to repeal Chapter 10 Animals in its entirety from the Code of Ordinances as well as relocated provisions relating to: defecation on public and private property; barking, yelping, and howling; and vicious animals. The Zoning Ordinance amendments align and supplement the amendments to the Code of Ordinance

## PLANNING STAFF RECOMMENDATION

Schweitzer 5-16-2023

PROJECT: Zoning Ordinance Amendments-Form Based Code

APPLICATION: 11-23

HEARING DATE: May 23, 2023

REVIEW TYPE: Zoning Ordinance Text Amendments

RECOMMENDATION: Recommend to the City Commission amendment of the Zoning Ordinance 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.

### RECOMMENDED ORDINANCE AMENDMENT LANGUAGE:

- Amend Section 23.02.04 SPECIFIC FORM -BASED CODE ADMINISTRATIVE DEPARTURES to add a new subsection 23.02.04.C 6.

An Administrative Departure from the horizontal expression line and/or pilaster/wall surface requirements may be granted where the design of the building façade provides a comparable distinction between the building base and the upper stories and/or provide comparable uniform vertical spaces or features.

BASIS: City staff originally recommended the waiver of the horizontal expression line and pilaster requirements for Flex and Mixed-Use Buildings if the entire building was devoted to residential use. The Planning Commission decided these requirements should be retained in the Mixed-Use Buildings to accommodate eventual commercial use more readily on the first floor. Regarding Flex Buildings, the Planning Commission preferred an administrative departure review as opposed to an automatic waiver to assure the design of the building façade provides a comparable distinction between the building base and the upper stories and/or provide comparable uniform vertical spaces or features.

- Amend Section 23.04.09, Table 4.01 PERMITTED USES to add:

Commercial Enterprise Producing Merchandise on Premise subject to Special Land Use and Site Plan Review in the Retail, Flex and Mixed-Use Building Types.

Amend Section 23.04.10, Table 4.01 PERMITTED USES to add:

Commercial Enterprise Producing Merchandise on Premise subject to Special Land Use and Site Plan Review in the Retail and Flex Building Types

*BASIS: The Characteristics of this use are like microbreweries which are allowed subject to special land use and site plan review. The existing special land use site design standards limiting the number of merchandise production employees, production impact on adjacent occupied premises and on-site retail sale of product are important to these reviews.*

- Amend Section 23.05.08.O.1 BUILDING MATERIALS AND CONSTRUCTION REQUIREMENTS to read as follows:

Section 23.05.08.O.1 Awnings shall be cloth, canvas, metal, or similar material. Shiny or reflective surfaces are not permitted.

BASIS: There is otherwise no awning material restriction in any other zone district.

- Amend Section 23.05.10 MIXED USE BUILDING TYPE, BUILDING SIZE AND MASSING, Subsection C to read as follows:

C. Main body building width fronting a public street: 160 feet maximum and Main body building width non-public street frontage:220 feet maximum.

- Amend Section 23.05.12 FLEX BUILDING TYPE, BUILDING SIZE AND MASSING, Subsection C to read as follows:

C. Main body building width fronting a public street: 160 feet maximum and Main body building width non-public street frontage: 220 feet maximum.

*BASIS: The proposed changes is reflective of the characteristics of the buildings within the two apartment developments that have been approved by the city under the Division Avenue FBC zoning both in terms of frontage on public streets as well as non-public street frontages. The 160-foot building width fronting Division Avenue appears to be a reasonable scale to establish the "building wall". City staff has previously interpreted these building width restrictions to be less strict on non-public frontages.*

- Amend Section 23.05.12 FLEX BUILDING HEIGHT FLOOR REQUIREMENTS Subsection A to read as follows:

A. Ground floor: Floor to ceiling height shall be ten (10) feet minimum, measured from the finished floor to the finished ceiling or bottom of exposed structural elements.

*BASIS: The minimum 10-foot requirement will reasonably provide the desired flexibility for either residential or commercial use of ground floor space in a Flex Building. Mixed Use Building must continue to provide the minimum 14-foot first floor height.*

•Amend Section 23.05.14.A, FORECOURT: LARGE MULTI-PLEX BUILDING Subsection A to read as follows:

A. Building may have a flat roof with parapet or a pitched (sloped) roof.

•Amend Section 23.05.14.B, DOORYARD: LARGE MULTI-PLEX BUILDING Subsection A to read as follows:

A. Building may have a flat roof with parapet or a pitched (sloped) roof.

•Amend Section 23.05.14.C, STOOP: LARGE MULTI-PLEX BUILDING Subsection A to read as follows:

A. Building may have a flat roof with parapet or a pitched (sloped) roof.

•Amend Section 23.05.14.D, PROJECTING PORCH: LARGE MULTI-PLEX BUILDING Subsection A to read as follows:

A. Building may have a flat roof with parapet or a pitched (sloped) roof.

BASIS: The FBC only allows pitched roofs for small multiplex and flex buildings. It appears reasonable to make similar allowance for the large multiplex buildings.

•Amend Section 23.07.16, SIGN SIZE, PROPORTION AND LOCATION, Subsections C and D to read as follows:

C. The maximum height of ground signs shall be five (5) feet, measured from adjacent grade.

D. The Maximum width of ground signs to be six (6) feet.

• Amend Section 23.07.16, SIGN STANDARDS, Subsections A, B, C, and D to read as follows:

A. Masonry Base Required. All permanent ground signs must have a base that is equal or greater in width than the width of the sign. The base must be made of masonry or brick. The base must be at least 12 inches above the grade that lies adjacent to the sign. The Zoning Administrator may permit a material that replicates the appearance of masonry or brick in lieu of actual masonry or brick construction."

B. Ground sign shall be designed to be compatible with the character of the surrounding buildings and materials to promote a unified design which complements the buildings' massing, scale, and material.

C. Ground sign is not permitted to be changeable copy, except for gasoline price signs, directory signs listing more than one tenant, and signs advertising restaurant food specials, films and live entertainment, which change on a regular basis.

D. Ground signs may be double- or single-faced.

BASIS: *Buildings within FBC are permitted to have as many as seven different signs attached to the building, much more than allowed in any of the other zone districts in the community, and the FBC build to line or build to zone requirements often leaves very little area between the*

*building and the sidewalk to place ground signs. Therefore, it may be reasonable to merely make the 24 square foot ground sign allowance, with up to 5-foot height and width dimensions, available for both single and multi-tenant buildings in only the Corridor Edge context area.*

- Amend Section 27.07.09 Sign Band Sign, Sign Illumination, to delete Subsection B prohibitions on internal illumination and neon.

BASIS: Internal illumination and neon are otherwise allowed in all other zone districts.





# Memorandum

TO: Kentwood Planning Commission  
FROM: Lisa Golder, Economic Development Planner  
DATE: May 23, 2023  
RE: Case No. 12-23 2180 and 2186 44<sup>th</sup> Street SE

Case No. 12-23 is a proposed amendment to the Kentwood Master Plan that would amend the master plan recommendation for 2180-2186 44<sup>th</sup> Street from Commercial use to High Density Residential use. The Planning Commission has had a work session on the proposed Master Plan amendment at its meeting on May 9, 2023. The next step is the public meeting, scheduled for May 23, 2023. This meeting is intended to allow the public to hear about the proposed amendment, but no public comment is required to be taken. The public hearing for the amendment will occur at a future date, with new notices sent to the residents and other entities.

Therefore, the staff report has been provided again (attached) for your review. The comments from the May 9, 2023 Planning Commission meeting regarding the proposal have been highlighted in red in the staff report.

STAFF REPORT: May 9, 2023

PREPARED FOR: Kentwood Planning Commission

PREPARED BY: Lisa Golder

CASE NO.: 12-23 2180-2186 44<sup>th</sup> Street

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#### GENERAL INFORMATION

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APPLICANT: Vince Rostov  
2180 44<sup>th</sup> Street SE  
Kentwood MI 49508

STATUS OF  
APPLICANT: Owner

REQUESTED ACTION: Change in the Master Planned Land Use Designation from  
Commercial to High Density Residential

EXISTING ZONING OF  
SUBJECT PARCEL: C-4 Office

GENERAL LOCATION: 2180-2186 44<sup>th</sup> Street SE

PARCEL SIZE: 1.34 Acres

EXISTING LAND USE  
ON THE PARCEL: Existing office

ADJACENT AREA  
LAND USES: N- Duplex  
S- 44th Street ROW  
E- Commercial (restaurant)  
W:Office

ZONING ON ADJOINING  
PARCELS: N-NOS Neighborhood Office Service-City of Grand  
Rapids  
S: R-2 Two Family Residential  
E: C-2 Commercial  
W:C-4 Office

Compatibility with Master Plan:

The Kentwood 2020 Master Plan recommends Commercial use of this site.

Zoning and Land Use History:

The site has been zoned for Office use since at least 1980. The Kentwood Master Plan recommended Office use for this site until the 2005 Master Plan update that designated properties east of Applewood to Breton Avenue (including the subject property) as Commercial.

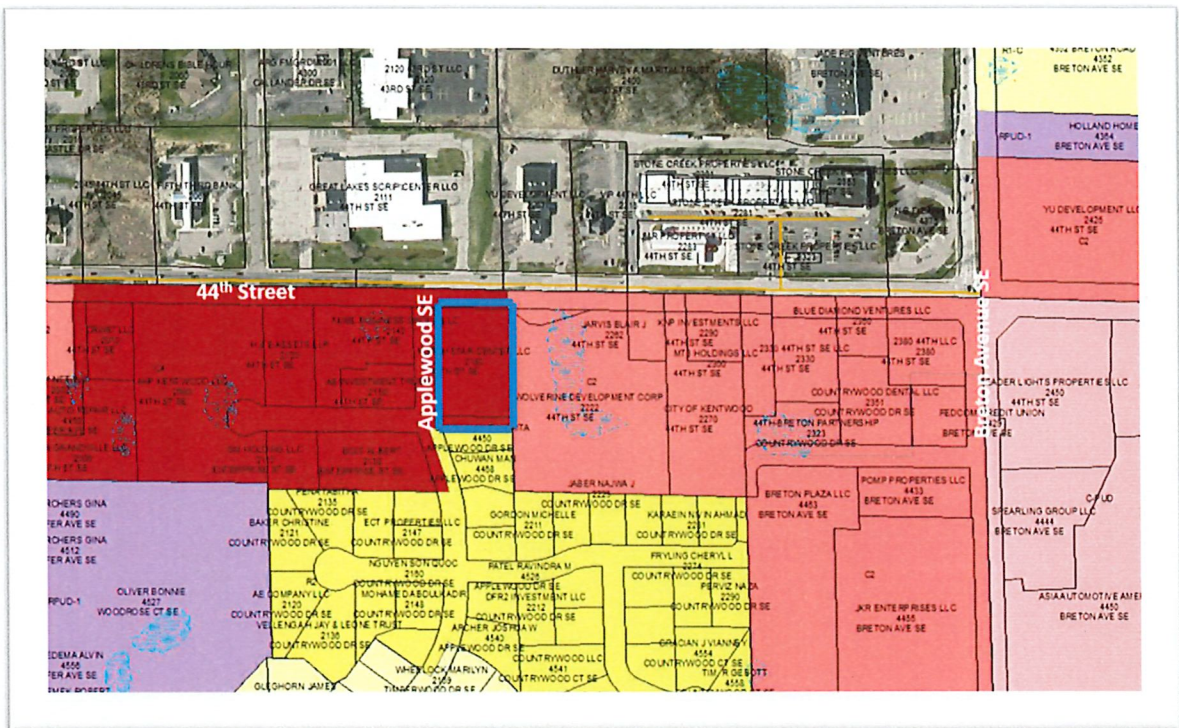
Staff Analysis:

1. In February of 2022, the applicant appeared before the Land Use and Zoning (LUZ) Subcommittee seeking feedback on the potential for rezoning 1.34 acres of property located at 2180-2186 44<sup>th</sup> Street from Office use to High Density Residential. The property currently has 2 three story office buildings, connected by a common hallway. The applicant's plan is to convert the buildings into a high-density residential condominium development, with a total of 16 condominiums units. The LUZ Committee thought that the idea had some merit but would require changing the designation of the Master Plan from the current Commercial designation to High Density Residential designation. In addition, the Committee expressed concern regarding the economic feasibility of converting an office building into residences. The applicant met later with the Master Plan Committee. The Committee was generally in favor, but expressed concern that the residential units would be condominiums, rather than rental units. The Committee also expressed concern as to whether the conversion was economically feasible.
2. The applicant has indicated that he has secured bank financing for the project and has hired an architect to assist in the planning for the conversion to condominium use.
3. The proposed condominium use is located at the corner of 44<sup>th</sup> Street and Applewood Drive. The property to the south of the development is a duplex and is located 186 feet away from the existing office building; it is master planned for Medium Density Residential use. The property to the west is an office development of a similar design and era as 2180-86 44<sup>th</sup> Street. It is Master Planned for Office use.
4. The office building proposed for redesignation to High Density Residential use was constructed in 1971 and is 13,416 square feet in area. The applicant indicates that the buildings are not suitable for a modern office space and demand for office space is limited. In addition, demand for housing is currently high. If the Master Plan is amended to High Density Residential for this site, the applicant has committed that the site will be developed as a condominium site. However, individual owners could rent their own condominium units.

5. According to the Institute of Traffic Engineers report Trip Generation, 11<sup>th</sup> Edition, office developments of approximately 18,000 square feet can generate approximately 267 trips per day. A 16-unit condominium development can generate approximately 108 trips per day.
6. The site has 87 parking spaces; if the applicant constructs 16 units, only 32 parking spaces are required for the residents. If the Master Plan amendment is approved, and the applicant successfully rezones the property to allow the 16 condominium units, the applicant will need to provide detail regarding the removal of the excess parking, and the use of the additional greenspace.
7. If the amendment to the Master Plan designation is approved, it is recommended that PUD zoning is pursued in order to ensure the City that the features of the development represented by the applicant are incorporated into the site plan.
8. At the May 9, 2023 work session, the Planning Commission discussed the proposed conversion of the office building to residential use. Concern was expressed regarding the assignment of restrictions to the Master Plan amendment. A PUD may be more likely to ensure that the development is not sold to a single owner and become rental units.
9. The Planning Commission asked whether the developer had considered covered parking to allow the units to have additional storage within. After review of the proposed three bedroom units, the Commissioners questioned whether one bathroom is appropriate for a three bedroom unit.
10. The owner said that some of the parking lot could be converted into open space and playground.







Zoning: 2180-2186 44<sup>th</sup> Street and vicinity



Master Plan 2020: 2180-2186 44<sup>th</sup> Street SE



2180-2186 44<sup>th</sup> Street SE