



AGENDA
CITY OF KENTWOOD PLANNING COMMISSION
TUESDAY, JUNE 25, 2024
KENTWOOD COMMISSION CHAMBERS
4900 BRETON AVENUE, SE
7:00 P.M.

- A. Call to Order
- B. Pledge of Allegiance (VanderMeer)
- C. Roll Call
- D. Declaration of Conflict of Interest
- E. Approval of the Minutes of June 11, 2024 and Findings of Fact for: **Case#13-24** – Weiss Technik – Rezone 9.8 acres of land from R1-C Single family Residential to IPUD Industrial Planned unit Development and Preliminary Site Plan Approval located at 4375 and 4401 36th Street SE
- F. Approval of the Agenda for June 25, 2024
- G. Acknowledge visitors and those wishing to speak to non- agenda items.
- H. Old Business

Case#3-24 – Breton Ravines RPUD – Rezoning and Preliminary PUD Approval for a Residential Planned Unit Development Located at 2720 52nd Street, 2854 52nd Street and 5491 Wing Avenue SE (**Applicant has requested tabling to the August 13, 2024**)

- I. Public Hearing

Case#14-24 – 3119 – 52nd Street – Rezoning of 15.96 acres of land from R1-A Estate Residential and R1-C Single family Residential to R1-D Single Family Residential located at 3119 52nd Street SE

Case#15-24 – Third Coast 4301 60th Street – Site Plan Review and Major Change to a PUD located at 4175 -60th Street SE; (**Staff has requested tabling to July 9, 2024**)

Case#16- 24 – Bethel Hispanic 7th Day Adventist Church – Special Land Use and Site Plan Review for a Place of Worship located at 4430 Potter Ave SE

Case#17-24 – Zoning Ordinance Text Amendments – Residential Architectural Requirements and Short Term Rental Fines

J. Work Session

There are no Work Sessions

K. New Business

Set public hearing date of July 25, 2024, for: **Case#18-24** – Steelcase 60th Street Entrance – Site Plan Review and Major Change to a PUD located at 4301 60TH Street

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.



**CITY OF KENTWOOD
PLANNING COMMISSION
PROPOSED
FINDINGS OF FACT
JUNE 25, 2024**

Golder 6/5/24

PROJECT: Weiss Technik IPUD

APPLICATION: 13-24

REQUEST: Rezoning of 9.82 acres of land from R1-C Single Family Residential to IPUD Industrial Planned Unit Development

LOCATION: 4401 and 4375 36th Street SE

HEARING DATE: June 11, 2024

MOTION: **Motion by Jones, supported by Poyner, to recommend to the City Commission approval of the request for rezoning 9.82 acres of land located at 4401 and 4375 36th Street from R1-C to IPUD Industrial Planned Unit Development as described in Case No. 13-24. Approval is conditioned on additional points 1-3 and basis points 1-9 as described in Golder's memo dated June 5, 2024.**

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

1. Compliance with the PUD Statement dated 6/6/24 with the following amendment, to be approved by staff:
 - Applicant shall describe how the development meets the Performance Standards of Section 10.3F.
2. Review and approval by staff and the Kentwood City Attorney of the PUD Statement and the PUD Development Agreement for the project for compliance with the legal and related requirements.
3. Planning Commission and City Commission approval of the Preliminary PUD plan.

- BASIS:
1. The applicant has made an application for rezoning to an Industrial Planned Unit Development. The Kentwood 2020 Master Plan indicates that industrial is an appropriate use for this area provided that the industrial use is restricted to ensure that the impact on adjacent residential proposed can be minimized. The applicant needs to amend the PUD site plan to further minimize impact on the residential properties.
 2. The 36th Street corridor is intended for industrial use. Currently there is 1,205,262 square feet of existing industrial square footage along 36th Street between East Paris and Patterson Avenue, with an additional 20 acres of undeveloped industrial zoned property east of four of the homes on 36th Street. In addition, the city has approved 127,500 square feet of various commercial uses within a Commercial Planned Unit Development on 36th Street near Patterson Avenue.
 3. The 2020 Master Plan recommendation for the property is for industrial use with IPUD zoning to allow the city to assign additional requirements in light of the proximity to the existing homes along 36th Street.

The previous Master Plan recommendations for the site are as follows:

1980: Industrial

1988: Industrial

1995: Industrial

2005: Conservation Oriented Development*

2012: Conservation Oriented Development**

*2005 plan included a conceptual development plan proposes medium density residential and office mix, but the perception during that time that demand for industrial property was in decline.

**2012 plan included a conceptual plan that suggested mixed use, compact single family, senior apartments, and row houses for the 36th Street area.

4. Thirty-sixth (36th) Street is a 5-lane arterial street that connects to I-96 to the east in Cascade Township. The speed limit on 36th Street is 50 mph.
5. The Master Plan acknowledges that there are existing residential parcels along 36th Street. The Guiding Development Concepts for the area require that additional landscaping and setbacks may be required that exceed the IPUD ordinance requirements. In addition, the applicant must show how the development complies with the performance standards of Section 10F of Section 10.03.
6. The PUD plan is key to the determination of whether the Master Plan conditions are met. The PUD plan submitted will require amendments to ensure that the plan meets the intent of the Master Plan and the qualifying

conditions of Section 12.02 of the Zoning Ordinance. The applicant must also assure the city that the Performance Standards of Section 10.03F are met by the proposed development.

7. The applicant has adequate space to accommodate the screening requirements of the ordinance, although the landscaping plan falls short of the requirements to meet the ordinance. This must be addressed in the site plan approval.
8. The Master Plan indicates that the types of businesses permitted on the site could be restricted in order to ensure that the impact on adjacent properties is minimized. The applicant has provided information on the company that indicates that it is a relatively quiet operation.
9. Discussion during the work session and public hearing.



**CITY OF KENTWOOD
PLANNING COMMISSION
PROPOSED
FINDINGS OF FACT
JUNE 25, 2024**

Golder 6/5/24

PROJECT: Weiss Technik IPUUD

APPLICATION: 13-24

REQUEST: Preliminary Site Plan Approval of an Industrial Planned Unit Development

LOCATION: 4401 and 4375 36th Street SE

HEARING DATE: June 11, 2024

MOTION: **Motion by Jones, supported by Quinn, to recommend to the City Commission conditional approval of the preliminary site plan dated June 4, 2024 for the Weiss Technik Industrial Planned Unit Development as described in Case No. 13-24. Approval is conditioned on conditions 1-11 and basis points 1-12 as described in Golder's memo dated June 5, 2024.**

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

CONDITIONS:

1. Compliance with the PUD Statement dated 6/6/24 with the following amendments, to be approved by staff:
 - Applicant shall describe how the development meets the Performance Standards of Section 10.3F.
2. Review and approval by staff and the Kentwood City Attorney of the PUD Statement and the PUD Development Agreement for the project for compliance with legal and related requirements.
3. Staff approval of the location of the proposed 36th Street driveway.
4. Approval of the site plan by the Kentwood City Engineer.

5. Approval of the site plan by the Kentwood Fire Marshal.
6. Relocation of the fire lane within 35' of the building along the west side of the site.
7. Approval by the Planning and City Commissions of a waiver for the proposed building materials. Approval by the Zoning Board of Appeals for rear yard setback of the building from a residential district.
8. Relocation of the dumpster and loading to a location that is further north.
9. Approval of a final landscaping plan. Applicant shall indicate how the development meets and exceeds the requirements of Section 19.02.
10. Staff approval of a lighting plan that meets the requirements of Chapter 20 of the Kentwood Zoning Ordinance.
11. Approval of the IPUD Industrial Planned Unit Development rezoning.

BASIS:

1. Weiss Technik has made an application for rezoning to an Industrial Planned Unit Development. The Kentwood 2020 Master Plan indicates that industrial is an appropriate use for this area; however, the Master Plan also states that the industrial area should be restricted to ensure that the impact on adjacent residential proposed is minimized. The applicant needs to make amendments to the PUD site plan to minimize impact on the residential properties.
2. The PUD Development Agreement will ensure that the business (and any future business within the PUD) adheres to the standards and stipulations of the approval to mitigate the impact of the development on residents.
3. The driveway for Weiss Technik does not align with any of the driveways across 36th Street and creates issues with left turns in and out of the development. Section 17.10 requires that commercial/industrial driveway either align or are offset a minimum of 250 feet.
4. The applicant shows a fire lane that is 55 feet from the western side of the building; the Fire department generally requires fire lanes to be a maximum of 35' from the fire lane to the building. The movement of the fire lane closer to the building will move vehicular access further from the residential uses.

5. Section 12.08 5 set standards for building materials used in Industrial Planned Unit developments. The building is proposed to include more than 75% metal composite panel; this standard can be waived by the City Commission with recommendation from the Planning Commission.

The landscaping guidelines of Chapter 19 require a 100-foot setback between industrial buildings and a residential district boundary. The Weiss building is proposed 50' from the property to the north (Consumers Energy right of way). A variance from the Zoning Board of Appeals is required.

6. The loading dock and dumpster is located on the west side of the proposed Weiss building. Relocation of these functions further to the north will minimize their impact on the neighboring homes.
7. The Guiding Development Concepts for the north side of 36th Street in Section 13 state that industrial uses may be permitted within an Industrial PUD (IPUD). Further, the Master Plan states that additional setbacks and landscaping may be required that exceed the IPUD ordinance requirements. The site plan portrays a berm on one side, but no berm or fence on the other; additional information will need to be provided to ensure that adequate screening is provided and will be maintained.
8. While the applicant has made a statement regarding lighting, no additional information has been provided regarding the location of light poles, heights or illumination proposed for the building and parking area as required in Chapter 20.
9. The 36th Street corridor is intended for industrial use. Currently there is 1,205,262 square feet of existing industrial square footage along 36th Street between East Paris and Patterson Avenue, with an additional 20 acres of undeveloped industrial property east of four of the homes on 36th Street. In addition, the city has approved 127,500 square feet of various commercial uses within a Commercial Planned Unit Development on 36th Street near Patterson Avenue.
10. The PUD plan is key to the determination of whether the Master Plan conditions are met. The PUD plan submitted will require amendments to ensure that it meets the intent of the Master Plan and the meet the qualifying conditions of Section 12.02 of the Zoning Ordinance.
11. Discussion during the work session and public hearing.



PLANNING STAFF RECOMMENDATION

Pung 06/18/2024

PROJECT: 3119 – 52nd Street Rezoning

APPLICATION: 14-24

LOCATION: 3119 – 52nd Street

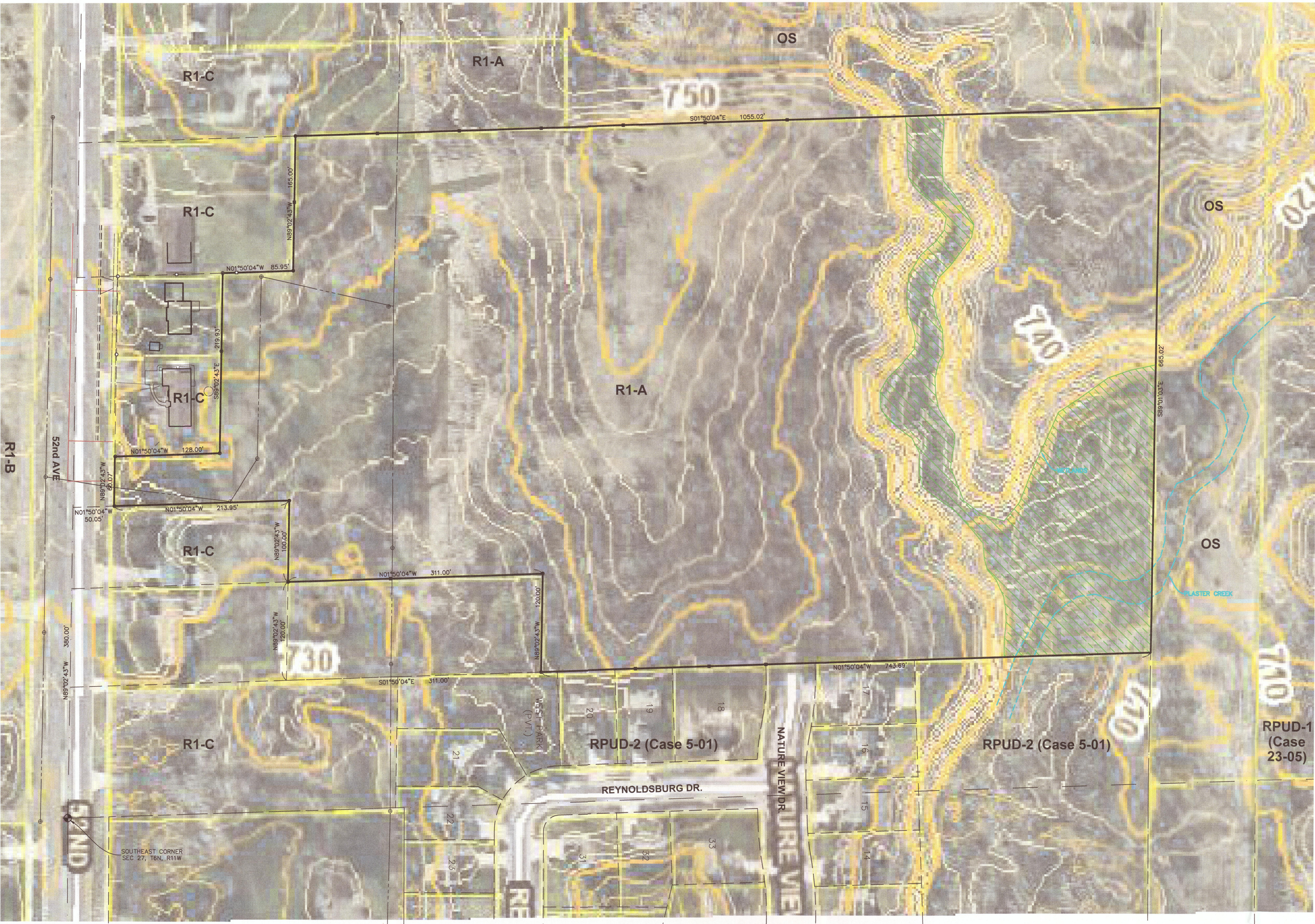
HEARING DATE: June 25, 2024

REVIEW TYPE: Rezoning of 15.96 acres from R1-A Estate Residential & R1-C Single Family Residential to R1-D Single Family Residential

RECOMMENDATION: Recommend to the City Commission approval of the request to rezone 15.96 acres from R1-A Estate Residential & R1-C Single Family Residential to R1-D Single Family Residential.

BASIS:

1. The Master Plan recommends low density residential development for this site. Residential development under the R1-D zoning district would be low density.
2. The City's infrastructure and services are sufficient to accommodate development of the property under the R1-D Single Family Residential district.
3. The rezoning is not anticipated to have a substantial and permanent adverse impact on neighboring property.
4. The rezoning would not tend to create any type of blight within the area and would allow for reasonable use of the property.
5. Development under the R1-D district would be compatible with the surrounding uses
6. Applicant's presentation at the Planning Commission work session and public hearing.
7. Discussion at the Planning Commission work session and public hearing.



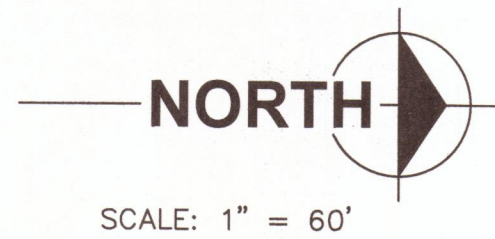
PROPERTY DESCRIPTION:

PPN# 41-18-27-476-033
3129 52ND ST SE, KENTWOOD

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 27, T6N, R11W, CITY OF KENTWOOD, KENT COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION; THENCE N89°02'43"W 380.00 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 TO THE WEST LINE OF THE EAST 380 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE N01°50'04"W 50.05 FEET TO THE NORTH LINE OF THE SOUTH 50.05 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION AND THE POINT OF BEGINNING; THENCE N89°02'43"W 60.07 FEET ALONG SAID NORTH LINE; THENCE N01°50'04"W 128.00 FEET; THENCE N89°02'43"W 219.93 FEET TO THE EAST LINE OF THE WEST 165 FEET OF THE EAST 825 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE N01°50'04"W 85.95 FEET TO THE NORTH LINE OF THE SOUTH 264 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE N89°02'43"W 165.00 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 825 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE N01°50'04"W 1055.02 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE S89°01'03"E 665.02 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 160 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE S01°50'04"E 743.69 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTH 575 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE N89°02'43"W 120.00 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 280 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE S01°50'04"E 311.00 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTH 264 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE N89°02'43"W 100.00 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 380 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE S01°50'04"E 213.95 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING. CONTAINS 15.96 ACRES.

**REQUEST REZONE FROM R1-A TO R1-D
PROPOSED ZONING REQUIREMENTS:**

R1-D ZONING	
MIN. AREA	5500 SF
MIN. WIDTH	50 FEET (AT FRONT YARD SETBACK)
SETBACKS	
FRONT YARD	25 FEET
SIDE YARD	5 FEET
REAR YARD	30 FEET



LOCATION MAP
NOT TO SCALE

LEGEND

T	TOWN	SECTION CORNER
R	RANGE	SET CAPPED IRON
N	NORTH	FOUND IRON OR NAIL
S	SOUTH	STORM SEWER MANHOLE
E	EAST	SANITARY SEWER MANHOLE
W	WEST	CATCH BASIN
SEC.	SECTION	HYDRANT
POB	POINT OF BEGINNING	VALVE
	PROPOSED BLACKTOP	UTILITY POLE
	PROPOSED CONCRETE	GUY WIRE
	EXISTING BLACKTOP	LIGHT POLE
	EXISTING CONCRETE	WALL MOUNTED LIGHT
	BUILDING	PEDESTAL
		TRANSFORMER
		SIGN

REVISIONS

**REZONE REQUEST
3129 52nd St SE, Kentwood**

FOR: Chris VanderHoff
Bosco Properties LLC.
4910 68th St
Caledonia, MI 49316
PHONE: 616-485-5430

PART OF THE SW 1/4, SECTION 27, T6N, R11W,
CITY OF KENTWOOD, KENT COUNTY, MICHIGAN

Feenstra
& Associates, Inc.
CIVIL ENGINEERS & SURVEYORS
3145 Prairie St SW
Grandville, MI 49418
Phone: 616-457-7050
www.feenstrainc.com

Proj JEFFERSON W
File 1247
Date 05/06/2024

PLANNING STAFF RECOMMENDATION

Golder 6/18/24

PROJECT: 4175 60th Street SE

APPLICATION: 15-24

REQUEST: Major Change to an Approved PUD Site Plan

LOCATION: 4175 60th Street SE

HEARING DATE: 6/25/24

RECOMMENDATION:

Recommend tabling action until July 9, 2024 of the request for a Major Change to an Approved PUD Site Plan for 4175 60th Street (Steelcase PUD) as described in Case No. 15-24.

BASIS:

1. The site plan submitted for review proposes a fire lane along the east side of the building that is intended to be used as an internal access road serving the property to the north of the proposed 600,000 square foot building. It is the preference of the Fire Department and Steelcase that the fire lane is separate from the access road. However, due to the increased size of the building from the approved PUD, there is no room for both.
2. The applicant has not submitted traffic projections for the proposed East Paris driveway. These projections may determine whether the level of service will decline in the coming years.



PLANNING STAFF RECOMMENDATION

Pung 06/18/2024

PROJECT: Bethel Hispanic 7th Day Adventist Church

APPLICATION: 16-24

LOCATION: 4424 & 4448 Potter Avenue & 4435 Eastern Avenue

HEARING DATE: June 25, 2024

REVIEW TYPE: Special Land Use Place of Worship

RECOMMENDATION: Recommend conditional approval of the Special Land Use Place of Worship as described in Case 16-24 Bethel Hispanic 7th Day Adventist Church. Approval is conditioned on the following:

CONDITION: 1. Installation of a pedestrian connection from the building entrance to the public sidewalk along Potter Avenue.

BASIS: 1. The proposed use is consistent with both the Master Plan and the zoning district in which it is located.

2. To provide pedestrian access to the building entrance from the public sidewalk.

3. The use otherwise meets the special land use standards of Sections 15.02 and 15.04 of the Kentwood Zoning Ordinance.

4. Applicant's representation at the work session and public hearing.

5. Discussion at the work session and public hearing.



PLANNING STAFF RECOMMENDATION

Pung 06/18/2024

PROJECT: Bethel Hispanic 7th Day Adventist Church

APPLICATION: 16-24

LOCATION: 4424 & 4448 Potter Avenue & 4435 Eastern Avenue

HEARING DATE: June 25, 2024

REVIEW TYPE: Site Plan Review for a Special Land Use Place of Worship

RECOMMENDATION: Recommend conditional approval of the site plan dated May 28, 2024, as described in Case 16-24 Bethel Hispanic 7th Day Adventist Church. Approval is conditioned on the following:

CONDITION: 1. Planning Commission approval of the special land use Place of Worship.

2. Planning staff review and approval of an exterior photometric plan.

3. Planning staff review and approval of a landscape plan..

4. Planning staff approval of exterior building elevations.

5. Install pedestrian connection from the building entrance to the public sidewalk along Potter Avenue.

6. The location of any external refuse containers to be reviewed and approved by planning staff.

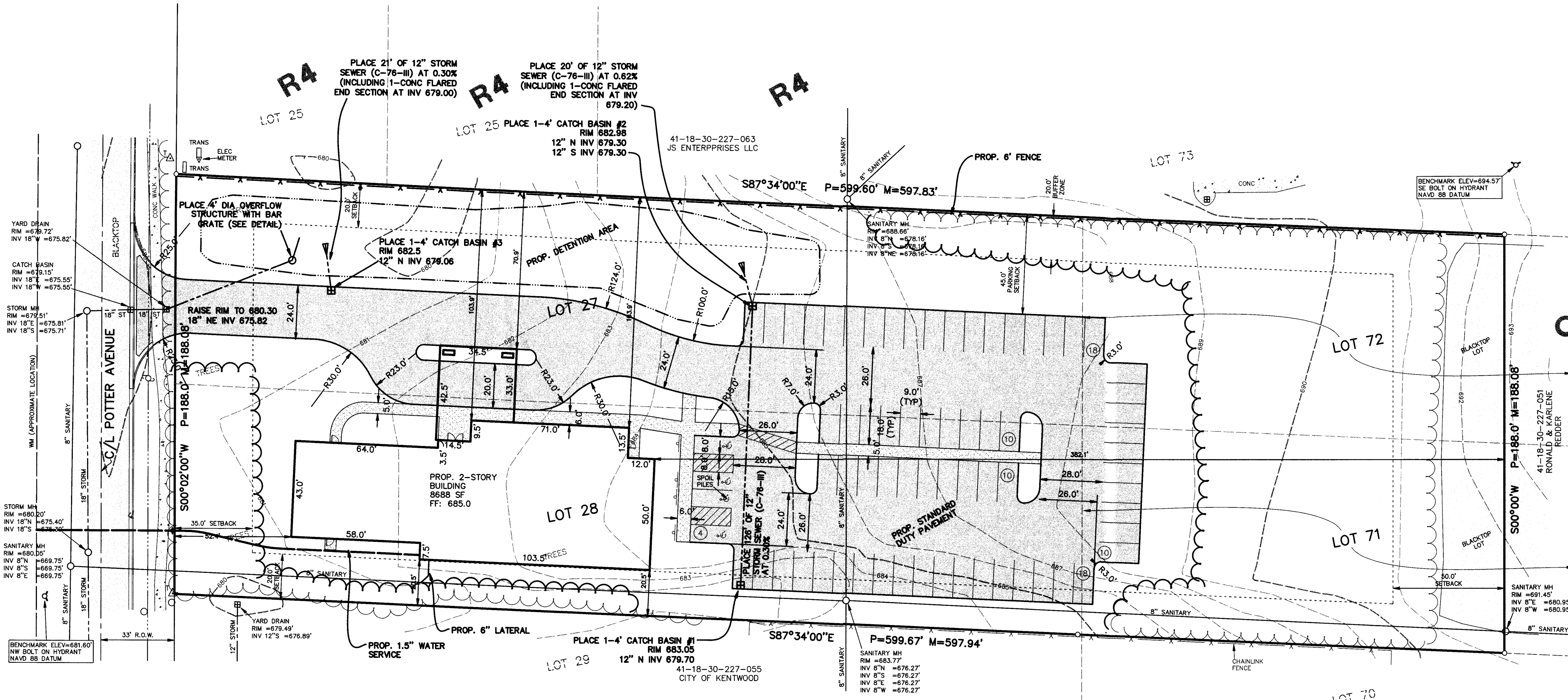
7. Compliance with all applicable standards and requirements of the Kentwood Engineering Department.

8. Compliance with all applicable standards and requirements of the Kentwood Fire Department.

9. Applicant's representation at the work session and public hearing.
10. Discussion at the work session and public hearing.

BASIS:

1. To ensure building elevations, landscaping, and exterior lighting comply with zoning ordinance requirements.
2. To provide pedestrian access to the building entrance from the public sidewalk.
3. The use otherwise meets the requirements of the Kentwood Zoning Ordinance.
4. Applicant's representation at the work session and public hearing.
5. Discussion at the work session and public hearing.



- GENERAL NOTES:**
- EXISTING PARCEL NUMBER 41-18-30-227-009, 41-18-30-227-010, 41-18-30-227-034, AND ADDRESS 4430 POTTER AVE. SE, KENTWOOD, MI 49548.
- PROPOSED BUILDING USE: NEW BUILDING TO BE USED AS PLACE OF WORSHIP
 - EXISTING ZONING DISTRICT IS R1-C
 - SPECIAL LAND USE (SEC. 15.02, 15.03.N)
 - SETBACKS:
FRONT = 35'
SIDE = 20' FOR NONRESIDENTIAL PRINCIPLE USE BUILDINGS
REAR = 50' FOR NONRESIDENTIAL MAIN BUILDING
 - MINIMUM LOT AREA = 10,000 SF SERVED BY PUBLIC WATER/SANITARY
MINIMUM LOT WIDTH = 150' (SLU)
 - MAXIMUM LOT COVERAGE = 25%
PROPOSED LOT COVERAGE = 8%
 - MAXIMUM BUILDING HEIGHT = 2 STORIES OR 25'
PROPOSED BUILDING HEIGHT = 2 STORIES
 - PERVIOUS/IMPERVIOUS CALCULATIONS:
EXISTING SITE:
PERVIOUS AREA: 2.47 AC
IMPERVIOUS AREA: 0.11 AC
PROPOSED SITE:
PERVIOUS AREA: 1.40 AC
IMPERVIOUS AREA: 1.07 AC
 - PARKING REQUIREMENT:
CHURCHES: = 2 SPACES PER 5 SEATS (BASED ON MAX SEATING CAPACITY OF MAIN ASSEMBLY UP TO 2,500 PERSONS)
TOTAL REQUIRED PARKING SPACES = 175 SEATS / 5 SEATS * 2 SPACES = 70 SPACES
TOTAL PROVIDED PARKING SPACES = 70 SPACES. (4 BF)
 - NO WETLANDS EXIST ON SITE

Property Description:

Land situated in the City of Kentwood, Kent County, Michigan:
Lots 27 and 28, and Lots 71 and 72 EXCEPT the East 217 feet, Pine Hill, City of Kentwood, Kent County, Michigan.

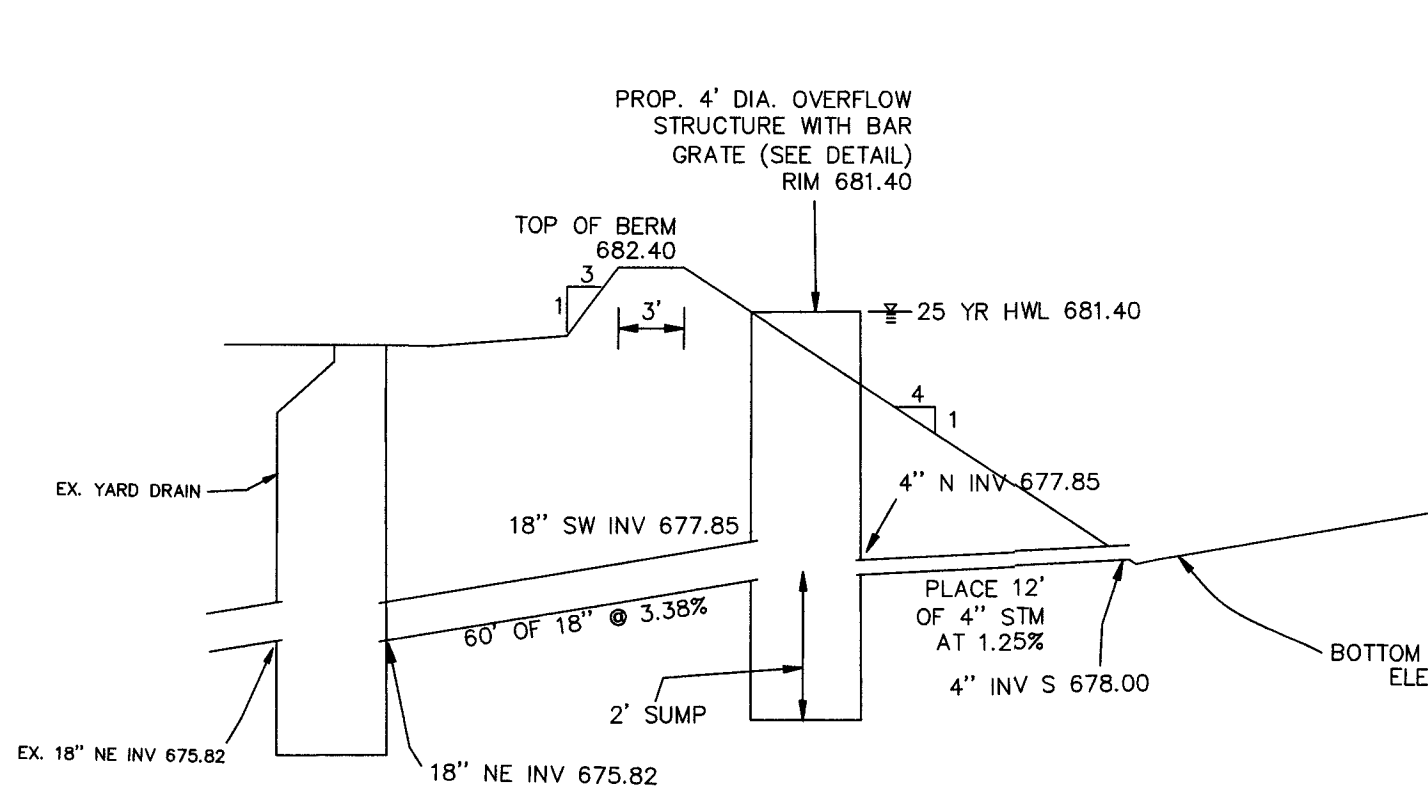
(for informational purposes only)
Tax Parcel ID: 41-18-30-227-009
41-18-30-227-010
41-18-30-227-034
Commonly known as: 4430 Potter Ave. SE, Kentwood, MI 49548

Notes:

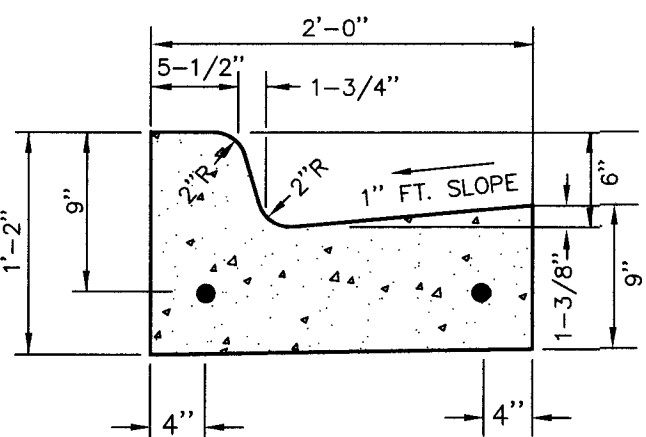
- Elevations shown hereon are based on the North American Vertical Datum of 1988 (NAVD 88) per GPS observation using MDOT CORS.
- Dimensions shown hereon are based on the recorded plat of Pine Hill.
- This property contains 2.58 Acres.
- This survey was made from the property description shown above. No title work was furnished for this survey. A commitment for title insurance should be obtained in order to determine easements, restrictions and other covenants which may affect this property.
- This property has direct access to Potter Avenue, which is a public right of way.

KENTWOOD GENERAL NOTES

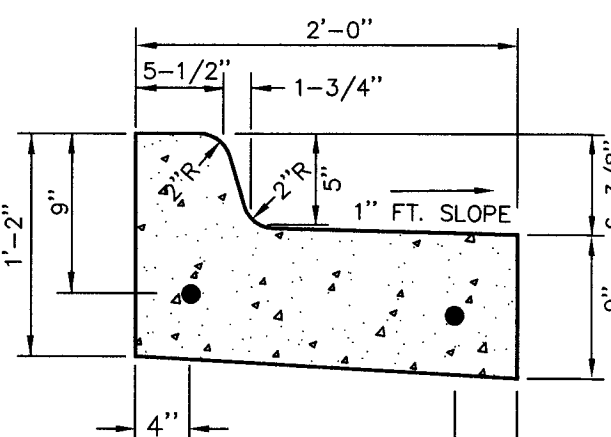
- All workmanship and materials shall be according to the current Michigan Department of Transportation (M.D.O.T) Standard Specifications for Construction.
 - Driveway approach to be 6" thick concrete.
 - Concrete curb and gutter to be F-4 Modified or as approved by the Kentwood Engineer.
 - Where poor soil conditions exist, the depth of the gravel and sand subbase between the new curb and existing pavement, shall be determined by the Engineer.
 - No advertising sign or device shall be placed in, or overhang into the existing highway right of way.
 - City of Kentwood Engineering/Inspections is to be notified 48 hours prior to the start of construction; excluding Saturdays, Sundays, and Holidays. This agency will inspect all work within the highway right of way.
 - Prior to the start of construction, it will be mandatory for the applicant or contractor to have in place the necessary safety traffic sign, cones, barricades and any other safety device to insure safety to the public.
 - All disturbed areas are to be leveled and restored with topsoil; and seeded to a mowable condition so as to prevent future erosion or maintenance problems. Slopes that are 1 on 2 or steeper shall be sodded.
 - The highway right of way shall not be used for private business purposes.
 - No parking of vehicles, equipment, or material storage permitted within the highway right of way.
 - The owner must provide for adequate drainage from parking areas, and clear same with the City of Kentwood. Issuance of a permit does not alleviate owner of this responsibility.
 - Culverts, storm sewers, or other drainage structures shall be inspected by the City of Kentwood Inspector before backfill is placed.
 - Water from this property shall not drain onto City, County or State Highway right of way.
 - Resurface existing public roadway as necessary to fit drive approach, correct crown, correct drainage, or repair damage by construction. Sawcut remove all curb, concrete, and bituminous as required by the City of Kentwood.
 - Property owner is responsible for obtaining a Soil Erosion & Sedimentation Control Permit for any earth change greater than one acre, adjacent to a public road, or within 500 feet of the "Waters of the State".
 - A utility permit must be obtained for placement of hookup of utilities (i.e. water, gas, oil, sewer, telephone, electric, cable TV) in the highway right of way.
 - Contact "MISS DIG" toll free at 1-800-482-7171 three (3) days prior to the start of construction, excluding Saturdays, Sundays, and Holidays.
 - Additional work (bituminous paving, grading, etc.) may be required by the City of Kentwood Inspector to correct poor workmanship and/or alleviate drainage problems.
 - All work in the highway right of way approved by a commercial drive/private street approach permit must be completed within one (1) year of permit issuance date.
- (Revised Sept-03)



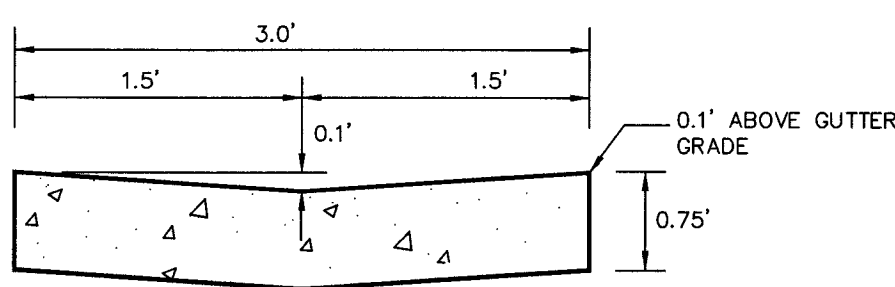
STORM WATER DETENTION POND OUTLET DETAIL



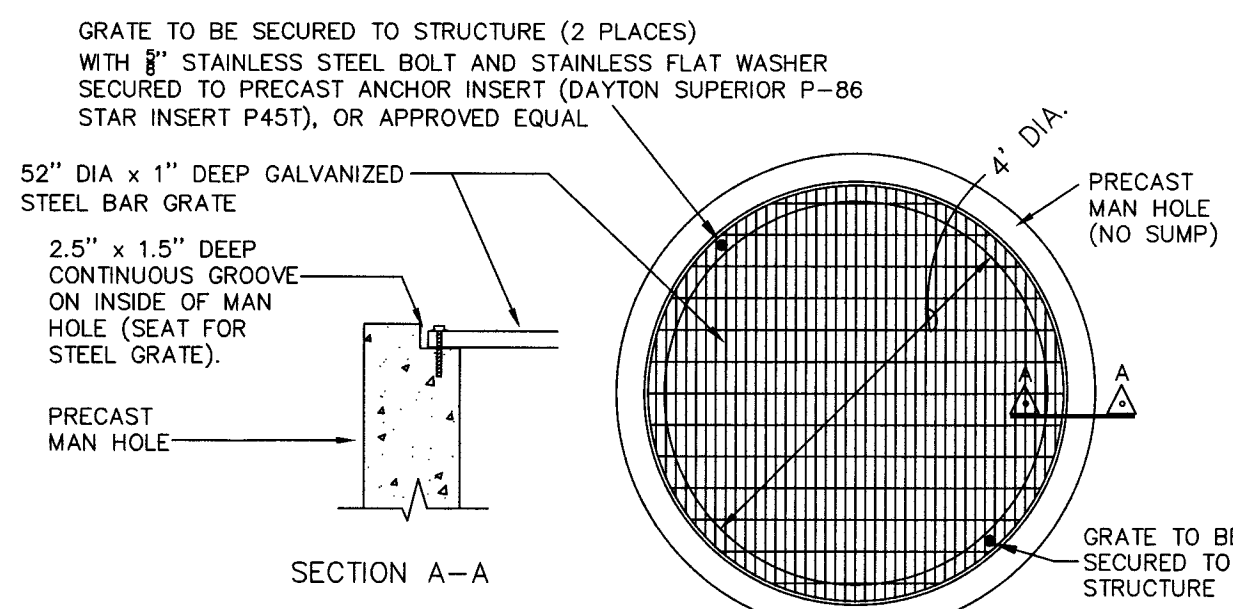
**F-4 CONC CURB DETAIL
(PITCHED IN)**



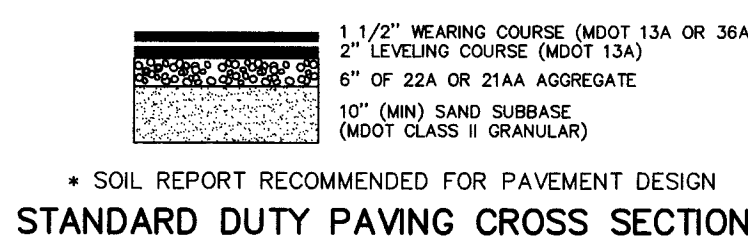
**F-4 CONC CURB DETAIL
(PITCHED OUT)**



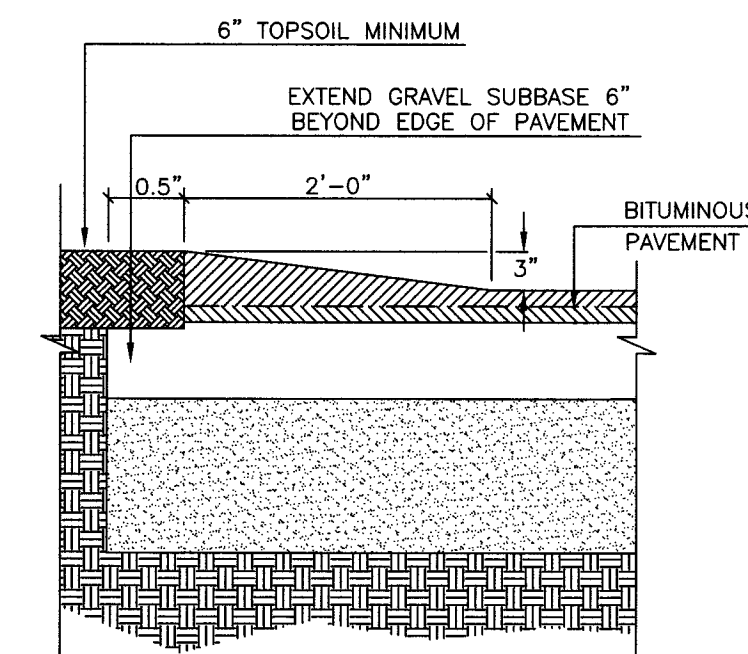
**36" CONC GUTTER PAN
AT APPROACH**



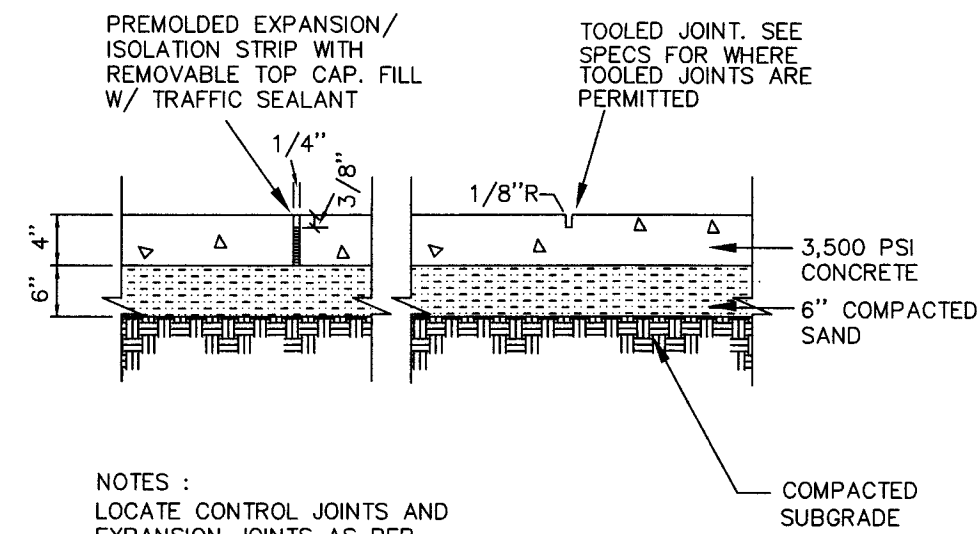
BAR GRATE DETAIL



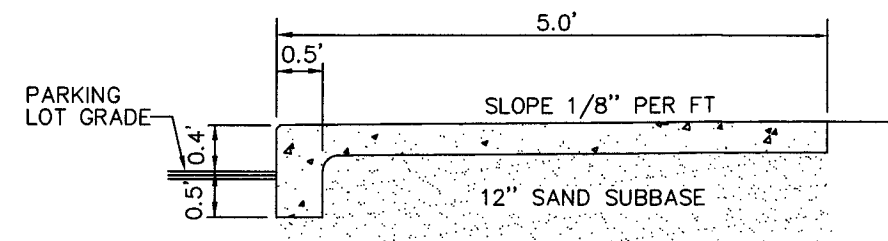
STANDARD DUTY PAVING CROSS SECTION



BITUMINOUS VALLEY GUTTER



4" CONCRETE WALKWAY DETAIL

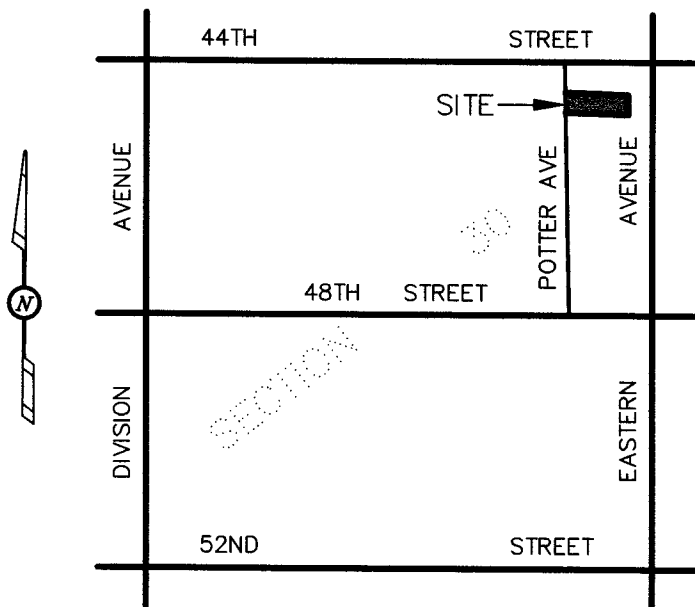
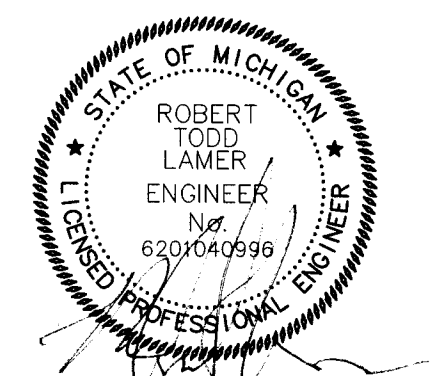


RAISED WALK DETAIL

1' CONTOUR INTERVAL
SCALE: 1" = 30'

LEGEND

- UTILITY POLE & GUY WIRE
- LIGHT POLE
- SIGN
- HYDRANT
- VALVE
- CATCH BASIN
- MANHOLE
- BURIED GAS LINE MARKER
- TELEPHONE BOX
- FENCE LINE
- OVERHEAD WIRES



**LOCATION MAP
(NOT TO SCALE)**

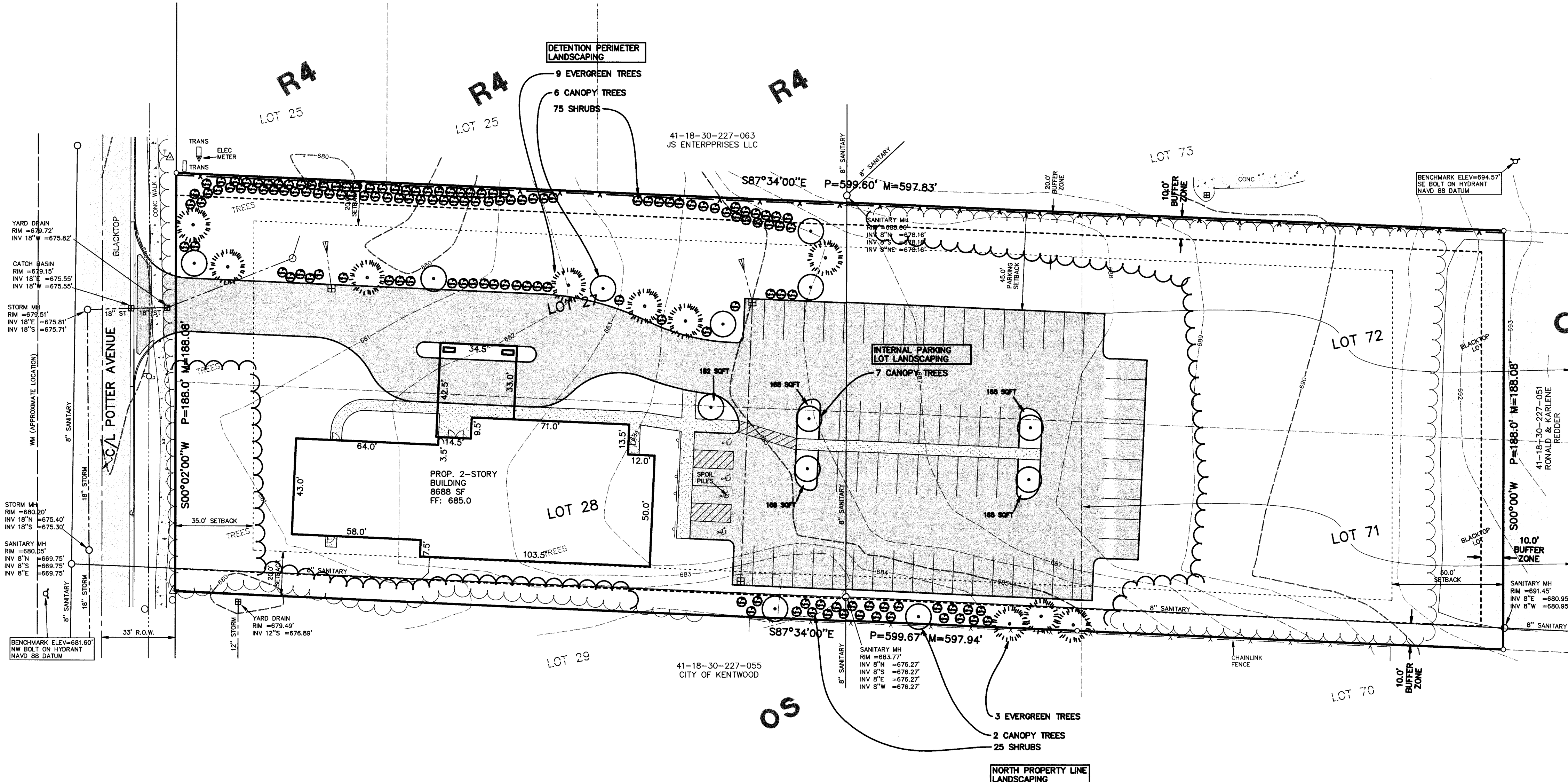
SITE DEVELOPMENT PLAN

RE: 4430 POTTER AVE SE
FOR: BETHEL HISPANIC 7TH DAY ADVENTIST CHURCH
ATTN: LANDY SOSA
3527 POINSETTIA AVE SE
GRAND RAPIDS, MI 49508

PART OF THE NE 1/4, SECTION 30, T6N, R11W, CITY OF GRAND RAPIDS, KENT COUNTY, MICHIGAN

DATE	REVISION	BY	DRAWN BY: JUB	PROJ. ENG.: RTL	SHEET
			APPROVED BY: RTL	PROJ. SURV.: VAO	1 of 3
			FILE NO.:	DATE: 5/28/2024	

excel engineering, inc.
planners • engineers • surveyors
5232 Clyde Park, S.W. • Grand Rapids, MI 49509
Phone: (616) 531-3660 www.excelengineering.com



- LANDSCAPING NOTES:
- LANDSCAPING REQUIREMENTS:
- GREENBELT: N/A (R1-C ZONE)
- STREET TREES IN RESIDENTIAL PROJECTS: N/A (NOT RESIDENTIAL USE)
- BUFFER ZONES: COMMUNITY COMMERCIAL USE
- ADJACENT TO C2: BUFFER ZONE C
- ADJACENT TO R4: BUFFER ZONE C
- ADJACENT TO OS: BUFFER ZONE C
- BUFFER ZONE C: 10 FT MIN WIDTH
- NO SCREEN REQUIRED
- 1 CANOPY OR EVERGREEN AND 5 SHRUBS PER 40 LFT ALONG PROPERTY LINE
- REQUIRED:
- NORTH PROPERTY LINE:
- EXISTING VEGETATION AND DETENTION LANDSCAPING REQUIREMENTS (SEE BELOW) TO SERVE LANDSCAPING REQUIREMENT
- EAST PROPERTY LINE:
- EXISTING VEGETATION TO SERVE LANDSCAPING REQUIREMENT
- SOUTH PROPERTY LINE:
- EXISTING VEGETATION TO SERVE LANDSCAPING REQUIREMENT
- FOR 200 LFT WITHOUT VEGETATION: 200 LFT/40 = 5
- 5 * 1 CANOPY/EVERGREEN TREES = 5 CANOPY/EVERGREEN TREES
- 5 * 5 SHRUBS = 25 SHRUBS
- PROPOSED:
- NORTH PROPERTY LINE:
- EXISTING VEGETATION AND DETENTION LANDSCAPING REQUIREMENTS (SEE BELOW) TO SERVE LANDSCAPING REQUIREMENT
- EAST PROPERTY LINE:
- EXISTING VEGETATION TO SERVE LANDSCAPING REQUIREMENT
- SOUTH PROPERTY LINE:
- 2 CANOPY
- 3 EVERGREEN TREES
- 25 SHRUBS
- PARKING AREA: 10-100 SPACES REQUIRE 1 CANOPY TREE AND 100 SQFT OF LANDSCAPED AREA PER 10 SPACES
- MIN 1/3 OF TREES REQUIRED ABOVE SHALL BE PLACED INTERIOR OF THE PARKING AREA.
- FOR NON-RESIDENTIAL USE COMMON TO AN ADJACENT RESIDENTIAL USE/DISTRICT, THE PARKING SETBACK SHALL BE 45 FT OF WHICH 20 FT NEAREST TO PROPERTY LINE SHALL BE A BUFFER ZONE, EXTENDING FULL PROPERTY LINE LENGTH WITH 6 FT HIGH VERTICAL SCREEN.
- REQUIRED: 70 SPACES/10 = 7
- 7 * 100 SQFT = 700 SQFT LANDSCAPED AREA
- 7 * 1 TREE = 7 CANOPY TREES
- PROVIDED: 854 SQFT LANDSCAPED AREA
- 7 CANOPY TREES
- DETENTION POND LANDSCAPING:
- REQUIRED: 1 CANOPY OR EVERGREEN TREE AND 9 SHRUBS PER 50 FT OF POND PERIMETER
- 612 FT / 50 FT = 12.3
- 12.3 * 1 = 13 CANOPY/EVERGREEN TREES
- 12.3 * 9 = 111 SHRUBS
- PROVIDED: 6 CANOPY TREES, 7 EVERGREEN TREES, 111 SHRUBS

Property Description:

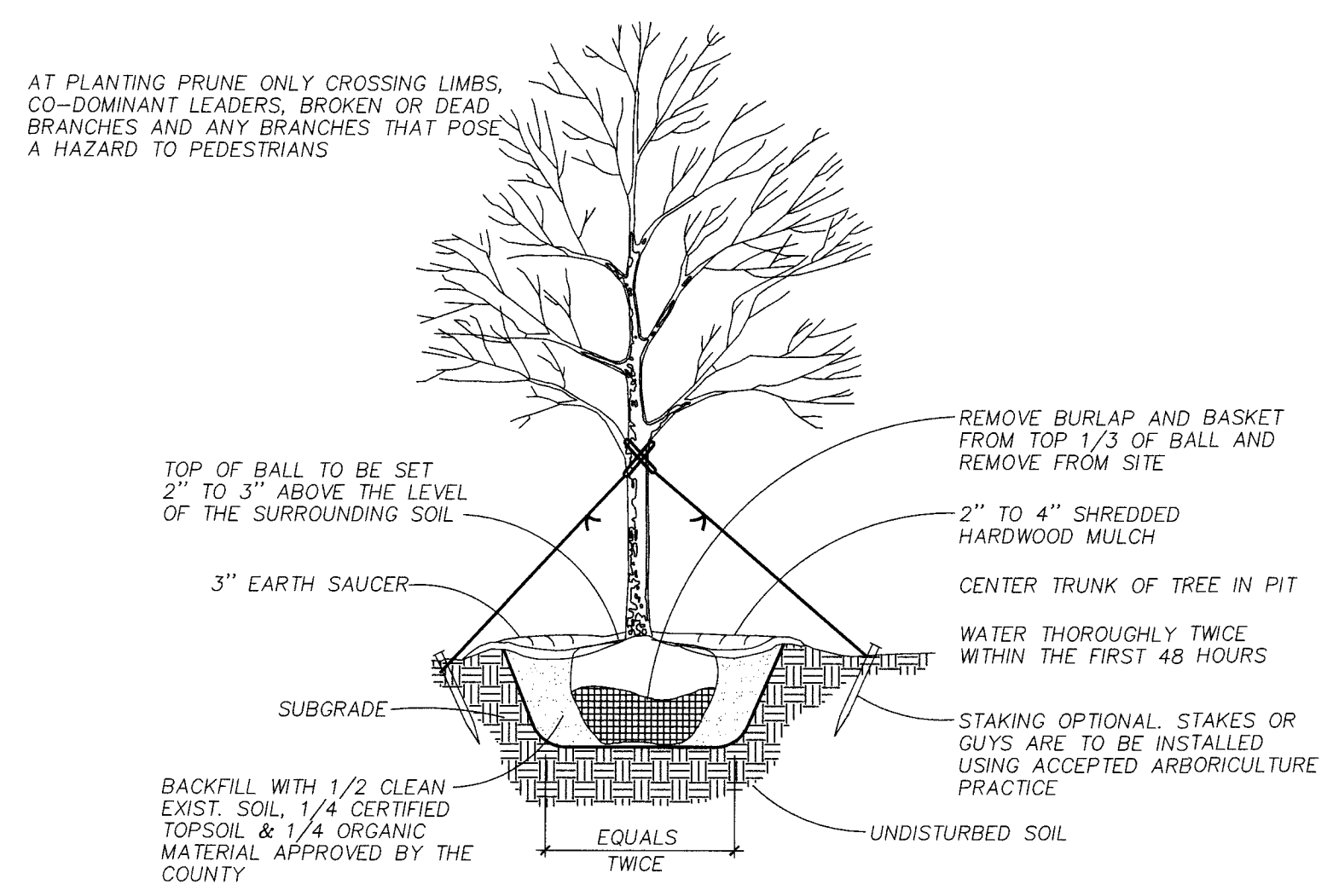
Land situated in the City of Kentwood, Kent County, Michigan:
Lots 27 and 28, and Lots 71 and 72 EXCEPT the East 217 feet, Pine Hill, City of Kentwood, Kent County, Michigan.

(for informational purposes only)

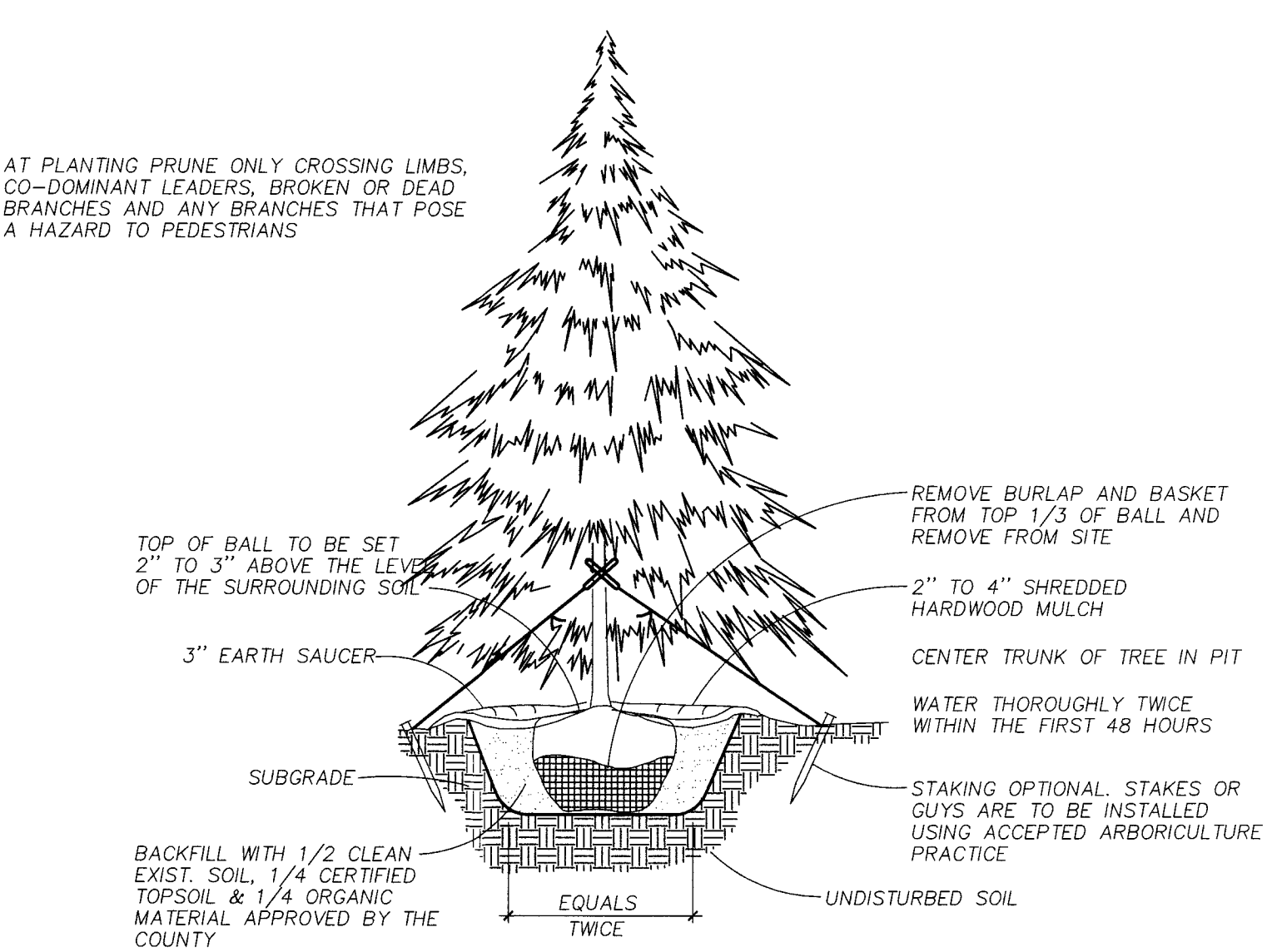
Tax Parcel ID: 41-18-30-227-009
41-18-30-227-010
41-18-30-227-034

Commonly known as: 4430 Potter Ave. SE, Kentwood, MI 49548

- Notes:
- Elevations shown hereon are based on the North American Vertical Datum of 1988 (NAVD 88) per GPS observation using MDOT CORRS.
 - Dimensions shown hereon are based on the recorded plat of Pine Hill.
 - This property contains 2.58 Acres.
 - This survey was made from the property description shown above. No title work was furnished for this survey. A commitment for title insurance should be obtained in order to determine easements, restrictions and other covenants which may affect this property.
 - This property has direct access to Potter Avenue, which is a public right of way.

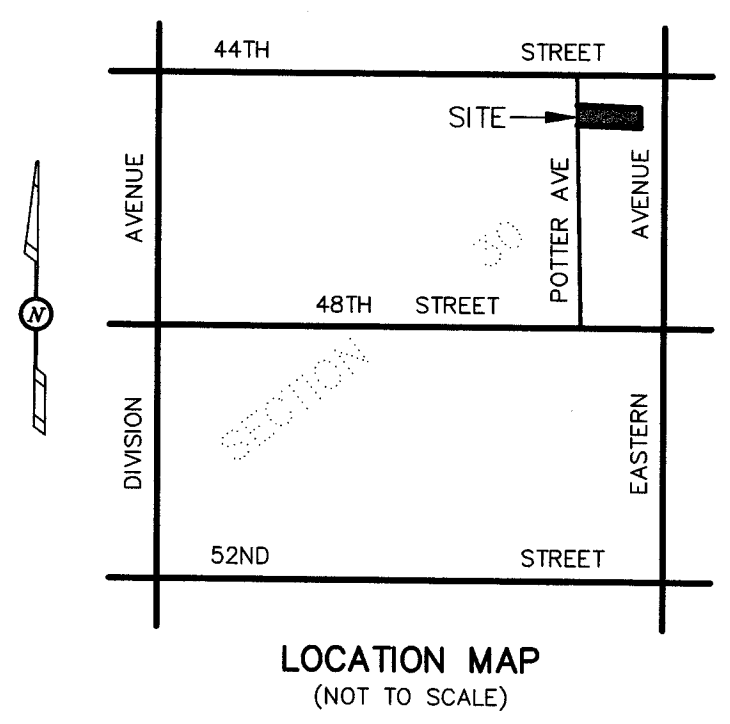
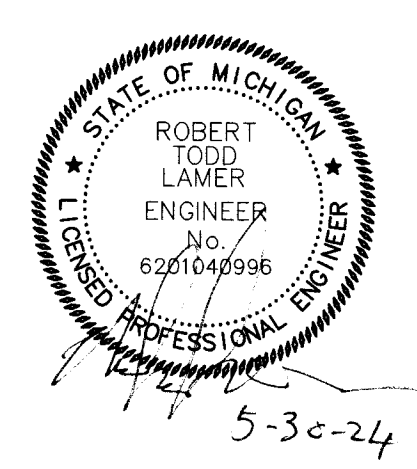


TYPICAL TREE PLANTING DETAIL
NO SCALE



TYPICAL TREE PLANTING DETAIL
NO SCALE

- 0' 15' 30'
- 1' CONTOUR INTERVAL
- SCALE: 1" = 30'
- LEGEND**
- UTILITY POLE & GUY WIRE
 - LIGHT POLE
 - SIGN
 - HYDRANT
 - VALVE
 - CATCH BASIN
 - MANHOLE
 - BURIED GAS LINE MARKER
 - TELEPHONE BOX
 - FENCE LINE
 - OVERHEAD WIRES
 - CANOPY TREE
 - EVERGREEN TREE
 - SHRUB



LANDSCAPING PLAN

RE: 4430 POTTER AVE SE

FOR: BETHEL HISPANIC 7TH DAY ADVENTIST CHURCH

ATTN: LANDY SOSA

3527 POINSETTIA AVE SE

GRAND RAPIDS, MI 49508

PART OF THE NE 1/4, SECTION 30, T6N, R11W, CITY OF GRAND RAPIDS, KENT COUNTY, MICHIGAN

DATE	REVISION	BY

exxel engineering, inc.
planners • engineers • surveyors
5252 Clyde Park, S.W. • Grand Rapids, MI 49509
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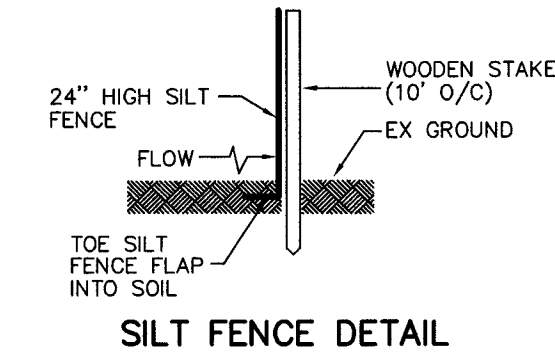
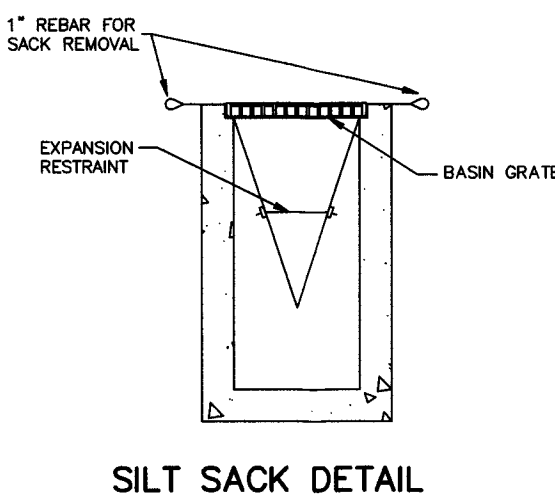
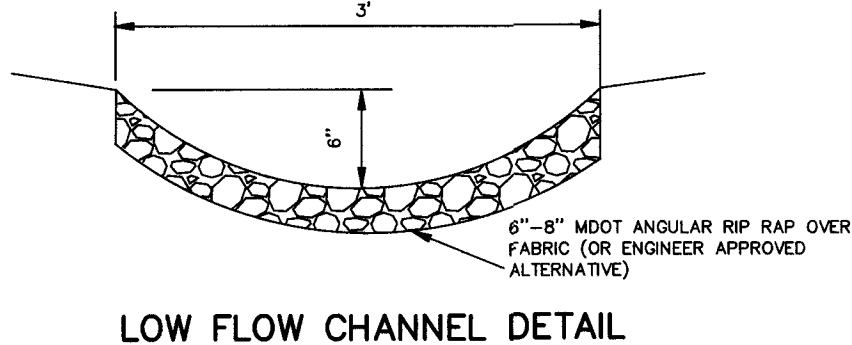
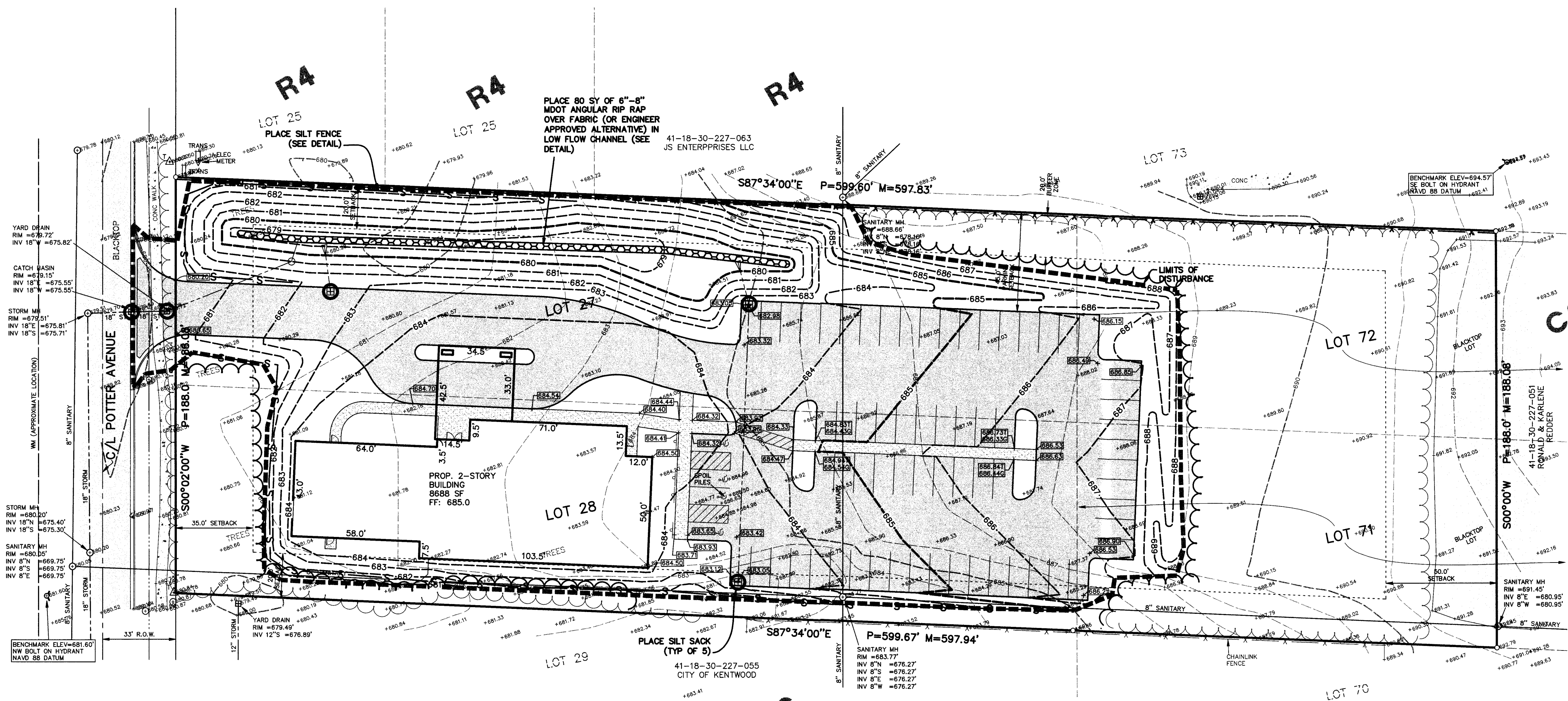
DRAWN BY: JUB
APPROVED BY: RTL
FILE NO.: 241149E
DATE: 5/28/2024

PROJ. ENG.: RTL
PROJ. SURV.: VAD
DATE: 5/28/2024

SHEET 2 of 3

SOIL EROSION CONTROL NOTES:

1. TOTAL AREA OF DISTURBANCE = 1.70 ACRES
2. THE OWNER SHALL OBTAIN THE SOIL EROSION CONTROL PERMIT. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE SOIL EROSION CONTROL PERMIT.
3. ALL SOIL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY OTHER CONSTRUCTION AND MAINTAINED, AS NECESSARY, UNTIL THE SITE HAS BEEN PERMANENTLY STABILIZED.
4. ALL DISTURBED NON-PAVED AREAS SHALL BE PERMANENTLY STABILIZED WITH AT LEAST 4" OF TOPSOIL AND BE SEEDED.
5. THE CONSTRUCTION ENTRANCE WILL UTILIZE POTTER AVENUE. PREVENT TRACKING SOIL OFF-SITE. IF TRACKING OCCURS, SWEEP SOIL IMMEDIATELY.
6. INSPECT AND MAINTAIN ALL TEMPORARY SOIL EROSION CONTROLS DAILY AND AFTER EACH SIGNIFICANT RAINFALL EVENT.
7. PLACE SILT SACKS ON CATCH BASINS AFFECTED BY SITE CONSTRUCTION AND REMOVE WHEN SITE IS STABILIZED. INSTALL SILT SACKS PER MANUFACTURERS RECOMMENDATIONS.
8. CLEAN OUT CATCH BASIN SUMPS AND DETENTION BASIN AREAS UPON PROJECT COMPLETION.
9. PLACE SILT FENCE AS SHOWN ON PLAN AND PER DETAIL AND ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.
10. THE MAINTENANCE NECESSARY FOR THE PERMANENT SOIL EROSION CONTROL MEASURES IS THE RESPONSIBILITY OF THE OWNER.
11. ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL COMPLY WITH ARTICLE 2 OF CITY OF KENTWOOD ORDINANCE 78 AND PART 91 OFF PUBLIC ACT 451.
12. ALL EXCESS SPOILS ARE TO BE REMOVED FROM THE SITE. OTHERWISE, STOCKPILES MUST BE PROVIDED WITH TEMPORARY AND PERMANENT STABILIZATION MEASURES.
13. EXCESS DIRT IS NOT TO BE PLACED ON ANY AREAS ON OR ADJACENT TO THE SITE WHERE THE PLAN DOES NOT SHOW THE AREA BEING DISTURBED.
14. SILT FENCING IS REQUIRED ALONG ALL DOWNSTREAM EDGES OF THE GRADING LIMITS AND MUST REMAIN IN PLACE UNTIL VEGETATION IS UNIFORMLY RE-ESTABLISHED. THE SILT FENCE MUST BE TOED A MINIMUM OF 6 INCHES ALONG ITS BASE.
15. ALL DISTURBED BANKS EQUAL TO OR STEEPER THAN 4:1 AND THE DETENTION BASIN BANKS AND BOTTOM MUST BE COVERED WITH TOPSOIL, SEED AND NORTH AMERICAN GREEN S-150 (OR APPROVED EQUAL) EROSION CONTROL BLANKET. THIS BLANKET, ALONG WITH THE NECESSARY STAPLES OR WOOD PEGS, SHALL BE PLACED PER MANUFACTURER'S RECOMMENDATIONS. SEAMS SHALL BE PLACED PARALLEL TO THE DIRECTION OF SURFACE RUNOFF.
16. THE STORMWATER DETENTION BASIN IS TO BE THE FIRST ITEM OF EARTH MOVING, AND SHALL BE CONSTRUCTED IN CONJUNCTION WITH THE INSTALLATION OF SOIL EROSION CONTROL MEASURES.
17. NO 100-YR FLOODPLAIN EXISTS ON THIS SITE.
18. ON SITE SOILS ARE ASSUMED TO BE A MIX OF SAND, GRAVEL, AND URBAN SOILS

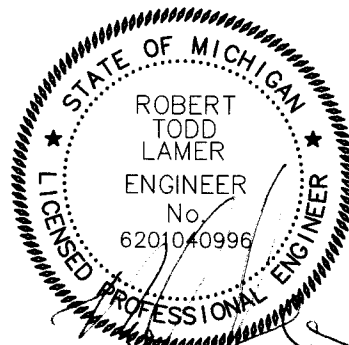
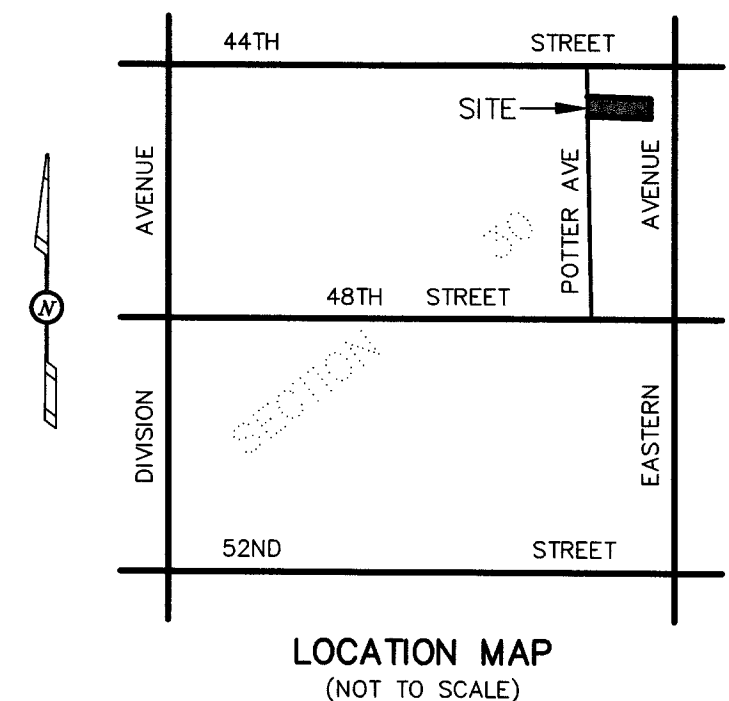


CONSTRUCTION SCHEDULE
JULY 2024 THROUGH DECEMBER 2024

WORK ITEMS	JULY	SEP	OCT	NOV	DEC
INSTALL EROSION CONTROL					
SITE GRADING					
BUILDING CONSTRUCTION					
INSTALL UTILITIES					
FINAL RESTORATION					

LEGEND

- UTILITY POLE & GUY WIRE
- LIGHT POLE
- SIGN
- HYDRANT
- VALVE
- CATCH BASIN
- MANHOLE
- BURIED GAS LINE MARKER
- TELEPHONE BOX
- FENCE LINE
- OVERHEAD WIRES
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- SILT FENCE
- SILT SACK
- S-150 MATTING



GRADING AND SESC PLAN

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DRAWN BY: JUB	PROJ. ENG.: RTL	SHEET 3 of 3
APPROVED BY: RTL	PROJ. SURV.: VAD	
FILE NO.: 241149E	DATE: 5/28/2024	



MEMO TO: Kentwood Planning Commission
FROM: Kentwood Planning Staff
RE: Zoning ordinance amendments related to housing
DATE: June 20, 2024

Attached please find the proposed revisions to Sections 1.02 and 3.22 of the Zoning Ordinance related to housing design elements and garage placement. While we have started to put the information in ordinance form for the eventual adoption, I was able to get some feedback on the ordinance from an architect from Integrated Architecture. His comments are in red and should be considered. I have posed some additional follow-up questions and hope to have some additional feedback soon.

Please contact Planning staff if you have any questions regarding the proposed zoning amendments.

PLANNING STAFF RECOMMENDATION

Golder 6-17-2024

PROJECT: Zoning Ordinance Amendments-Residential Architectural Standards

APPLICATION: 17-24

HEARING DATE: June 25, 2024

REVIEW TYPE: Zoning Ordinance Text Amendments

RECOMMENDATION: Recommend to the City Commission amendment of the Zoning Ordinance to amend Section 1.02 and 3.22 to require architectural standards and guidelines to residential dwellings within the city.

RECOMMENDED ORDINANCE AMENDMENT LANGUAGE:

AN ORDINANCE TO AMEND SECTION 1.02 PURPOSE AND SECTION 3.22 REGULATIONS APPLICABLE TO ALL RESIDENTIAL DWELLINGS

Section 1. Amendment to Section 1.02 Purpose
Section 1.02 is hereby amended to read as follows:

SECTION 1.02 PURPOSE

The fundamental purpose of this ordinance is to promote and safeguard the public health, safety, prosperity and general welfare of the people of this City. The provisions of this Ordinance are intended, among other things, to encourage the use of lands, waters, and other natural resources in the City in accordance with their character and in a reasonable manner; to limit the improper use of lands and resources; to eliminate nonconforming uses; to reduce hazards to life and property; to provide for orderly development within the City; to avoid overcrowding of land with structures or buildings; to provide adequate light, air and health conditions within dwellings and buildings hereafter erected or altered; to protect the prosperity and economic interests of the city, taxpayers, and property owners; to ensure that the built environment in the city is durable and sustainable; to encourage redevelopment efforts within the city; to manage the impact on the public roads and streets resulting from development; to protect and conserve natural recreational areas, residential and other areas naturally suited to particular uses; to facilitate the establishment of an adequate and economic system of transportation; sewage

disposal, safe water supply, education, recreation and other public requirements; to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties.

This Ordinance is enacted under the authority of the City and Village Zoning Act and Section 6.14 (c) of the Charter of the City of Kentwood.

Section 2 Amendment to Section 3.22 Regulations Applicable to all Residential Dwellings.

Section 3.22 is hereby amended to read as follows:

SECTION 3.22 REGULATIONS APPLICABLE TO ALL RESIDENTIAL DWELLINGS

The following provisions shall not apply to dwellings located in manufactured home communities or Form Based Code districts. Provisions specific to a particular housing type shall apply in addition to the general provisions applicable to all housing types contained in Part B.

A. The purpose and intent of these provisions is:

1. To create neighborhoods that are safe, livable, attainable, and sustainable, and create a sense of community for Kentwood's varied households. Each home will contribute to a neighborhood's context. Building placement, design, and parking location are all components that affect how walkable and safe a neighborhood is for children, the elderly, and the general community. Front porches, windows, and entries provide "eyes on the street" that contributes to the safety and security of a neighborhood.
2. Many of the following provisions have been used within residential Planned Unit Developments but were not formally codified as general provisions. The intent of codifying these rules is to increase transparency in the development process, provide greater predictability for the development community, and increase consistency in decision-making.
3. It is recognized that not every home and building site is the same. To that end, these provisions seek to provide flexibility for builders, homeowners, and City staff by instructing where administrative departures may be granted in lieu of the need for a zoning variance process.
4. It is recognized that the Building Code regulates appropriate construction materials to be used in residential construction. That Code, however, does not consider how all the various components contribute to building a neighborhood and a community. It is expected that materials will be compatible in character and scale with the structure on which it is being installed, have no visible fasteners, and be uniform in type and appearance. Building materials shall be durable and installed in simple configurations with solid craftsmanship, according to the manufacturer's specifications such that no warping or buckling, cracking, molding, fading, or oil canning is expected.

B. All housing types. These general provisions are applicable to all housing types.

1. Transparency.

a. Residential dwellings shall have windows on the front walls and side walls of the structure that face a street. The size and placement of windows on the facade shall be generally consistent.

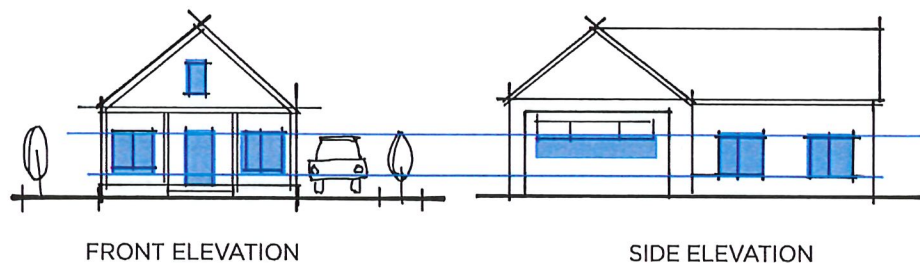
- i. For all residential dwellings at least twelve percent (12%) of the area of the front façade shall consist of clear glass windows and may include the primary entrance door, which permits a view from the dwelling to the street. Garage door windows may count towards the percentage.

If the front façade of the residential dwelling has between 10%-12% clear glass windows, an additional design element must be provided from the list provided in Section 2.22 B. The design element shall be specific to the façade of the house and provided in addition to that required in Section 3.22 B 3.

If the front facade of a residential dwelling has less than 10% clear glass windows, an additional two design elements must be provided, specific to the façade of the house, and selected from the list outlined in Section 3.22 B. The 2 design elements shall be specific to the façade of the house and provided in addition to the 4 design elements required in Section 3.22 B 3.

- ii. At least three (3) windows with a minimum of six (6) square feet each are required on side walls (those adjoining the front façade) that face a street.

M.C.: Feels too prescriptive, not sure about requiring 3 windows in addition to the 6 sq. ft. of window area.



- iii. Lightwell facades shall have twelve percent (12%) minimum clear glass between the finish floor line of the lightwell and the finish floor line of the first floor.
- iv. Administrative Departures. The following shall be eligible for an administrative departure request:
 - a. Side wall transparency for single-story dwellings where it is determined that the standard cannot be met due to the interior design of the dwelling.
M.C.: Not sure what this means—can examples be used? For example, windows may not be required for mechanical room.
 - b. Placement is limited by the presence of a garage. If the garage is facing the street, a departure cannot be provided to the facade.
 - c. Building code requirements make adherence to this requirement infeasible.

2. Exterior Materials.

- a. Exterior cladding may consist of brick, stone, vinyl or aluminum siding, glass, fiber cement siding, wood lap, stucco, or decorative split-faced block.
M.C.: Suggest or require trim (casings around windows/doors, skirt boards, rake trim). Trim contributes more to the overall look than the type of material.
- b. EIFS shall only be used for building accents.
M.C. suggest not using at grade level EIFS.
- c. Where more than one (1) façade material is proposed, the heavier material in appearance shall be incorporated below the lighter material (e.g. masonry below siding).
- d. Administrative Departure. Other materials of equivalent or better quality, including high quality synthetic material, may be approved, if determined appropriate for the building, site, and area with an approved sample and examples of successful, high quality local installations.

- 3. Design Elements. The intent of this Section is to encourage the use of various design elements on residential lots and structures to create visual interest and support walkable neighborhoods. The menu of design elements is intended to provide a variety of choices for potential design compositions. A number of the design elements represent a standard of quality and durability that can decrease future maintenance responsibilities for the homeowner or limit deterioration of the exterior of the home(s). It is also the

intent of this Section to maintain the affordability, livability, and safety of housing in the City. A minimum of four (4) elements or sub-elements from the menu are required. Implementation of these design elements should demonstrate thoughtful design; considering scale, symmetry, balance and compatibility.

A minimum of one (1) design element must be different among adjacent detached dwelling units, or for each multi-family building. Landscaping and front porches shall be exempted from this requirement.

- a. Landscaping.
 - i. Three (3) trees measuring 2.5" caliper or greater on the lot. A minimum of five hundred (500) cubic feet of soil volume shall be provided per tree. Retained trees on the property can be credited towards this option.
 - ii. Planted landscape area/s of a minimum of one hundred fifty (150) square feet in the front yard.
 - iii. A sod grass lawn provided in the front, back, and side lawn.
- b. Front Porch.

Front porch, as defined in Chapter 2, not including steps, that is at least five (5) feet in depth to provide for usable seating and circulation and is at least one-third (1/3) the width of the front façade of the residential structure (not including the garage) but in no case is it less than nine (9) feet wide.
- c. Structural Modifications.
 - i. Dormers, the placement of which is balanced with the dwelling's façade.
 - ii. Room bump-out (e.g. sunroom, bay window, etc.) on the façade of the building with minimum depth of two (2) feet.
 - iii. Dwelling is designed and constructed to meet the Type B Unit accessibility requirement of the ANSI A117.1 standard.
- d. Windows and Window Detailing.
 - i. Increased percentage of clear glass windows on the front facade of fifteen percent (15%) or higher on front façade.
 - ii. Exterior trim not less than three (3) inches in width.
 - iii. Shutters that are one-half the width of the window on each side and of a high-quality material that will not fade or peel.
 - iv. Other enhancements, such as awnings.
- e. Roof Detailing.
 - i. Eaves with a minimum of twelve-inch (12") overhang on all eaves.
 - ii. Exterior soffit detailing such as brackets, moldings, or changes in materials.

- iii. Gable end (rakes) with a minimum eight-inch (8") overhang on all gable ends.
 - iv. Eavestroughs with downspouts.
 - f. Materials.
 - i. Brick, stone, or other decorative materials used on the façade of the building and wrap the sides of the structure with the same materials for a depth of at least two (2) feet.
 - ii. Hardie Plank/fiber cement siding.
 - iii. Metal siding, roofing, or paneling of 24 gauge or better with no visible fasteners. Any change in profile is non-corrugated and has a minimum rib depth of 1-inch.
 - iv. A change in exterior building materials used as an accent on the façade of the building.
 - g. Columns
 - i. Porch columns of 8 inches or more with a substantial base and capital.
M.C. does not like this requirement because for a certain style of home, a narrow porch column is appropriate.
 - ii. Administrative Departures: The Zoning Administrator may accept alternative options that meet the intent of this provision to increase the visual diversity of residential structures within a neighborhood.
- C. Detached single-family. A detached single-family dwelling and any additions or alterations thereto, shall meet the requirements of this Section in addition to all other regulations of this Chapter.
1. Garages. The following provisions shall apply to provide safe, unobstructed pedestrian through-movement on sidewalks, encourage the visibility of street activities from dwellings, ensure sufficient space for the parking of vehicles to avoid front-yard parking and street congestion, and reduce the visual dominance of garages and parking in neighborhoods.
- a. For the purposes of this Section, the garage setback shall be considered independently from that of the residential dwelling.
 - b. Garages that are accessed through the front yard shall be placed a minimum of thirty-five (35) feet from the front lot line or from the edge of the right-of-way easement for private streets. Administrative departures for private roads may be approved by the Zoning Administrator.
 - c. Where garages are rear loaded, off an alley or common drive through a rear yard, the minimum distance from the face of the garage to the edge of pavement is fifteen (15) feet.
M.C. Suggested 18' or more to fit a vehicle in driveway off an alley.

- d. The placement and size of attached garages shall be determined by the following:
 - i. Attached garages cannot exceed 50% of the total width of the front façade of a dwelling unit. Attached garages that are set back at least 15 feet behind the front of the dwelling unit are permitted and shall not be counted against front façade calculations.
 - ii. Garages that comprise 50% or less of the front façade of the dwelling may align with the front façade.
 - iii. Attached garages comprising 35% to 50% of the total width of the front facade may project up to 8 feet forward of the front of the dwelling unit, or up to 10 feet forward of the front of the dwelling unit if a front porch is provided in compliance with Section 3.22.B.3.b. Front yard setbacks still apply.
 - iv. Attached garages that are 33% or less of a dwelling unit's front facade may be placed fully forward of the dwelling unit.
- e. Where a third, single garage stall is desired, it shall be located at least two (2) feet behind the main façade of a two-stall garage. A third, single garage stall set back more than 5' shall not count toward the width of garage for the for the purposes of determining compliance with Section 3.22 C.1.d.
- f. Administrative Departure. An administrative departure may be granted where seventy-five percent (75%) of existing dwelling units within three hundred (300) feet on the same block have a dwelling to garage façade ratio that does not meet the above requirements.

- 2. If the dwelling unit was transported to the building site, all wheels, axles, and towing devices shall be removed from the dwelling unit once placed on the lot.

D. Attached single-family, duplexes, and multi-family. Attached single-family dwellings, duplexes, and multi-family dwellings (3 or more units) and any additions or alterations thereto, shall meet the requirements of this Section in addition to all other regulations of this Chapter.

1. Parking Areas, Garages, and Carports.

- a. Garages for duplexes are not allowed to be placed in the center of the front façade. Drive areas shall be separated to allow for a common green. A circular drive may be permitted for access management purposes.

- b. For multi-family developments unenclosed parking areas and freestanding parking structures (detached garages or carports) shall not occupy more than thirty percent (30%) of any public street frontage.
- c. For multi-family developments parking areas visible from the public street shall be sited to be perpendicular to the street to reduce visual impacts on the streetscape.
M.C.: understands the intent but not practical to accomplish.
- d. Administrative Departure. An administrative departure may be granted to allow up to fifty percent (50%) of unenclosed parking areas or to adjust parking area orientation along a street frontage when a dense year-round landscape screen is provided.

PLANNING STAFF RECOMMENDATION

Schweitzer 6-14-2024

PROJECT: Zoning Ordinance Amendments-Violations and Penalties

APPLICATION: 17-24

HEARING DATE: June 25, 2024

REVIEW TYPE: Zoning Ordinance Text Amendments

RECOMMENDATION: Recommend to the City Commission amendment of the Zoning Ordinance to amend the violation and penalties provisions to increase the fine schedule for short-term rental violations and reduce the fine schedule for violation of special land use outdoor storage of Recreational Vehicles in the industrial zone districts.

RECOMMENDED ORDINANCE AMENDMENT LANGUAGE:

AN ORDINANCE TO AMEND APPENDIX A, CHAPTER 22, SECTION 22.07 ENTITLED “VIOLATIONS AND PENALTIES” OF THE CODE OF ORDINANCES FOR THE CITY OF KENTWOOD

Section 1. Amendment to Appendix A, Chapter 22, Section 22.07. Appendix A, Chapter 22, Section 22.07 of the Code of Ordinances of Kentwood is hereby amended to read as follows:

Sec. 22.07. – Violations and penalties.

- A. Unless a section of this ordinance specifically provides otherwise, any person, firm, corporation, trust, partnership or other legal entity which violates any provision of the zoning ordinance or violates any provision or condition imposed by the planning commission, city commission, or zoning board of appeals in pursuance of any ordinance provision or assigned condition, shall be responsible for a municipal civil infraction and shall be subject to fines, costs and orders as provided by law.
- B. Each day a violation occurs or continues shall constitute a separate offense, and shall make the violator liable for the imposition of a fine and other penalties for each day of violation.
- C. The owner and co-owner of any building, structure or premises which is in violation of this ordinance shall be responsible for a municipal civil infraction and shall be subject to the fines, costs and orders as provided by law.
- D. Any building or structure which is erected, altered or converted, or any use of any premises or land which is begun or changed subsequent to the effective date of this ordinance that is in violation of any of this ordinance is declared to be a public nuisance per se, and may be abated by order of a court of competent jurisdiction.

- E. Any person who violates any provision of Section 16.05.D. is responsible for a civil infraction and shall be fined not less than \$2,500.00 for each violation. Any person who, after having been determined to be responsible for a violation of this article or the act, commits and is found responsible for a subsequent violation within a two-year period, shall be fined double the amount assessed for the immediate preceding violation.
- F. The rights and remedies provided are cumulative and are in addition to any other remedies provided by law.
- G. Nothing herein shall be interpreted to limit the authority of the city to revoke an approval previously granted for a violation of this ordinance, which right is expressly reserved.
- H. Any person who violates Section 3.32(a) is responsible for a municipal civil infraction and shall be fined \$500.00 for a first violation, \$2,500.00 for a second violation, and \$5,000.00 for a third or subsequent violation, as well as such other costs, damages, expenses, and sanctions as provided by Section 1-7.

Section 2. Conflict.

- A. Nothing in this Ordinance is to be construed to conflict with existing City ordinances except as otherwise stated herein.
- B. Nothing in this Ordinance is to be construed to conflict with any other law of the State of Michigan.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are repealed.

Section 4. Savings Clause. The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason, such declaration does not void any or render inoperable other part or portion of this Ordinance.

Section 5. Effective Date. This Ordinance is effective ten (10) days following its publication in the manner required by law.

Basis:

1. In November and December of 2022, the City Commission approved amendments to the Rental Dwelling Inspection Program of the Code of Ordinances and the Zoning Ordinance to regulate short term residential rentals. The purpose of these amendments was to protect the general health, safety and welfare of the community, retain existing long term housing stock, and preserve the unique character of the diverse residential neighborhood within the city.

2. Over the past one and a half years city staff and the City Attorney's office have pursued prosecution of several homeowners whose "short term renters" were found to have created disturbances in the surrounding neighborhoods. While the city has been able to sufficiently document violations and assess fines, it has come after a great deal of time and effort. Despite these efforts to date, several of the illegal short-term rentals continue to rent and are willing to pay the fines.

3. During the June 4 City Commission Committee of the Whole meeting, the City Commission initiated the process to formally amend the short-term rental violations and penalties provisions of the Rental Dwelling Inspection Program of the Code of Ordinances. The City Commission would also like to consider a similar amendment of the short-term rental violations and penalties provisions of the Zoning Ordinance

4. A review of Section 22.07, subsection E, revealed that a \$2500.00 fee would be assessed for violations of the city's special land use provisions for outdoor storage of recreational vehicles in industrial areas. The amount of the fine for these provisions is more appropriately the standard fines of \$65 for a first offense, \$130 for a second offense and \$250 for a third and subsequent offense.