

March 10, 2016

Public Hearing Room, 2nd Floor

I. 12:00 p.m. - 12:30 p.m. - Lunch - Conference Room 327, 3rd Floor

II. Call to Order

The meeting was called to order at 12:30 PM by Board Member Kyle Van Strien

PRESENT: Curry VanEe, Koetsier, Rozeboom, Smith, Brame, Angelo, Van Strien, Treur

ABSENT: Ruis

STAFF PRESENT: Kristen Turkelson, Elizabeth Zeller, Landon Bartley, Assistant City Attorney Tom Forshee, and recording secretary Carol Gornowich

III. Approval of Minutes

A. Approval of Minutes from February 25, 2016

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Thomas H Koetsier, Board Member
SECONDER:	Rick Treur, Board Member
YEAS:	Curry VanEe, Koetsier, Rozeboom, Smith, Brame, Angelo, Van Strien, Treur
ABSENT:	Stephen Ruis

IV. Business

A. Planning Director's Report

- Agenda items were briefly reviewed
- Staff related that they had a metal siding presentation from Eikenhout that was very helpful. They learned that the gauge of the metal determines the profile and with a higher profile the fasteners are not as obvious. Staff is now working toward an amendment to the ordinance regarding metal siding and a question for the Planning Commission to consider is how much metal siding is appropriate and perhaps in which districts. Ms. Zeller explained that with Eikenhout's expansion they will be adding a showroom and it may be worth taking a Planning Commission field trip; she will look into it further. Ms. Turkelson added that Eikenhout will be sending them the presentation and it may be possible for staff to offer that to the Planning Commission as well.
- Ms. Turkelson advised the Commission that two meetings per month are likely for the next several months.
- Interviews will be conducted in March for the Grandville ASP. The time line for the work is approximately one year.

B. Conflict of Interest

Mr. Van Strien related that Sidecar Studios, the Bridge St. applicant, produced a brand video for his business approximately 6 months ago. He has no contractual relationship with them and doesn't feel he has a conflict.

Motion by Ms. Curry Van Ee, supported by Mr. Brame, finding that Mr. Van Strien does not have a conflict of interest. Motion carried unanimously.

V. Public Hearings beginning 1:00 p.m. or soon thereafter in the Public Hearing Room, 2nd Floor

A. (1:00 p.m.) 240 aka 200-300 Ottawa Ave NW Planned Sign Program

Address: 240 aka 200–300 Ottawa Avenue NW
(Postponed from February 10, 2016)

Applicant: Deep Creek Holdings, LLC
(Monica Sekulich)

Requesting: **Approval of a Planned Sign Program to permit signage exceeding the size, type, or number permitted by the underlying zone district.**

Zoning: TN-CC Traditional Neighborhoods – City Center

Requirements: Article 15 Signs
5.12.08. Standards for Site Plan Review
5.12.12. Special Land Use
5.13.07. Optional Plan Review
5.15.05. Planned Sign Program

Case Number: PC-SLU-2015-0104

Staff Assigned: Landon Bartley

Type of Case: Optional Plan Review for Planned Sign Program

Effective Date: March 26, 2016

Mr. Bartley presented the request for a Planned Sign Program. The site is zoned TN-CC and is surrounded by the CC zone district. The property occupies a full block face between Ottawa and Ionia just east of Calder Plaza. Located to the north is the State building and to the south the Kent County Courthouse. The site is occupied by two buildings. Over the past several years a number of different signs have been granted to the property; monument signs, upper level signs, and wall signs. The proposed Planned Sign Program is intended to supersede all of the previous sign plans and provide a unified sign program for the two buildings. Mr. Bartley recalled that this matter was originally on the February 11, 2016 agenda. The applicants requested that it be tabled to this meeting so that they could be in attendance.

Mr. Bartley identified the north building on the site as 300 Ottawa and the south building 200 Ottawa. He explained that the Planned Sign Program is intended to allow signage that may not conform to the underlying zone district through size, type and number for a building or complex that might be larger or unique in the district.

Mr. Bartley described proposed signage indicating that his focus would be on those signs that don't meet the ordinance. Address numbers are proposed on the 300 Ottawa building. The numbers are permitted by ordinance but the height of the numbers is limited to 36 inches. The proposed numbers are 84 inches in height. The intent is to create numbers of a size that would better match the size and scale of the entryway. Mr. Bartley displayed a rendering of the entryway and how the address numbers may better match the scale of the building. He compared the proposed 84 inch numbers to the Ionia side where much smaller address numbers are

proposed in relation to the smaller entry way. A rendering of that façade was also displayed. Mr. Bartley related that ground signs are proposed for both buildings; re-facing and reconfiguring the existing ground signs for the 200 building and new ground signs in planters along Ottawa and Ionia for the 300 building. Existing upper level signs are proposed to remain.

Mr. Bartley explained that the Planning Commission can approve the deviations from the ordinance if they feel it is warranted due to the building design, location, property size, uses and/or scale of the building in comparison to the proposed signage and if the applicant's property is unique when compared to other parcels in the same Zone District.

Mr. Treur noted that the large address numbers appear to be inside the building.

Mr. Bartley explained that it is a glass entry and the signs are behind the glass so it would be considered window signage and wouldn't be allowed to cover more than 25% of the window. The numbers are still too large however.

Sign Inspector Richard Garbrecht clarified that the large numbers are allowed by right as window signage because they do not exceed 25% of any single window opening. He clarified further that as proposed they would be permitted by right but are being proposed as part of the Planned Sign Program.

Steve Fry, Concept Design Group, was present to discuss the request. He explained that this is their third attempt at addressing signage for these buildings. He explained that in the Chase building that tenant previously occupied the entire building and now occupies only one or two floors thus making them a minor tenant in the building. In order to lease the other floors in the building they have to find a way to provide multi-tenant signage on the properties. They've suffered with an occupancy rate below 60% in the 300 building because tenants can find an alternative where they can get signage. As a consequence the large, vertical office buildings are suffering. Mr. Fry provided an example. In 2011 the Planning Commission approved an extensive signage program for the Fifth Third property totaling over 2,100 sq. ft. of signage. They are a competitor right across the street with the ability to offer a variety of signage to tenants. The subject buildings have always suffered from the fact that they couldn't get multi-tenant signage. What they have tried to do is design a tasteful package. There have been two cubes in front of the Chase building for quite some time. Chase would like to keep those so they suggested allowing them two faces and then on the side offer a face to another tenant. They also propose modernizing those signs. They suggested taking the same approach with the other building. In that case they have the ability to put four tenants on a sign in a tasteful manner. It provides visibility for them at the pedestrian walkable scale rather than at the upper level. The owner of the building is investing heavily into the façade of 300 Ottawa in an effort to attract interest. They purposely put the numbers inside the glass so that they wouldn't become a signage compliance issue. The numbers on the back are smaller and comply with the ordinance. The deviation from the ordinance really just relates to the number of signs, and some subtleties with where they are placed. Mr. Fry related that there are some existing signs on the first floor of the 300 building that are being removed as part of recreating the front entry. The sign plan is about trying to keep the buildings leased.

Mr. Treur noted that there is a Chase sign on the upper level of the building. He asked if that is being removed.

Mr. Fry replied no. They aren't asking for any rights for upper level signage that the buildings do not already have. The 200 building has two Chase signs; one on the north and one on the west side. They are allowed by right to put a second tenant on the other two faces of the building. They are reserving the right to those two additional signs as part of the Planned Sign Program. The 300 building doesn't have any upper level signs currently but they are entitled to the same four upper level signs for two tenants in the future if one becomes major enough to warrant that. They have been hesitant to let a tenant use it because the building then becomes known by that name. However, they wish to reserve the rights to what is allowed by right. It is really the vehicular and pedestrian level identification and way finding they are struggling with on these buildings.

Mr. Van Strien invited public comment; there was none.

Mr. Van Strien stated that, while the large address numbers don't appear to be an issue of consideration for the Commission, he feels they fit architecturally. Others agreed.

Mr. Rozeboom **MOVED, NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the request of Deep Creek Holdings (Monica Sekulich) for a Planned Sign Program for signs exceeding the size, type, or number permitted by the underlying zone district at 240 Ottawa Avenue NW (aka 200-300 Ottawa Ave NW) for the following reasons:**

- 1. The applicant has demonstrated that a deviation from the specific sign requirements of the Zone District is needed because the size of the property and character of the development is not conducive to strict adherence to the limits of the Zone District.**
- 2. The applicant has demonstrated that the property is unique when compared to other parcels in the same Zone District and in the same vicinity because of the vertical architecture and multiple tenants.**
- 3. The applicant has demonstrated that the proposed plan is consistent with the purposes and intent of the Zoning Ordinance and Article 15, Signs, because the proposed signage will be scaled and sited in a manner consistent with other development in the zone district and will be consistent with other signage already allowed by current sign permits and elsewhere in the district.**
- 4. The applicant has demonstrated that approval of the Planned Sign Program will not have an adverse impact on property in the vicinity because the proposed signage reinforces and supports the character of the surrounding commercial district by taking into account building scale and massing, and nearby travel speeds.**

BE IT FURTHER RESOLVED that the following conditions of approval shall apply to this project:

- 1. That the plans prepared by Concept Design Group, dated 10/21/15 and 11/18/15, and by Valley City Sign, dated 10/10/15, 11/10/15, 11/11/15 and 12/7/15 and signed, dated and**

stamped by the Planning Director, shall constitute the approved plans, except as amended in this resolution.

2. That no additional signage may be permitted for this site unless the Planned Sign Program is amended by the Planning Commission.
3. That the proposed use will comply with all other applicable City ordinances and policies and all State laws.
4. That this approval shall take effect on March 26, 2016.

SUPPORTED by Mr. Koetsier. MOTION CARRIED UNANIMOUSLY.

RESULT:	APPROVED WITH CONDITIONS [UNANIMOUS]
MOVER:	Paul Rozeboom, Board Member
SECONDER:	Thomas H Koetsier, Board Member
YEAS:	Curry VanEe, Koetsier, Rozeboom, Smith, Brame, Angelo, Van Strien, Treur
ABSENT:	Stephen Ruis

B. (1:20 p.m.) 642-644 Bridge St NW Ground Floor Office

Address: 642-644 Bridge Street NW
Applicant: Sidecar Studios
(Joshua Tyron)
Requesting: Approval for office & photographic studio use on the ground floor of an existing building in a TN-TBA zone district.
Zoning: TN-TBA Traditional Neighborhoods – Traditional Business Area
Requirements: Article 6 Mixed-Use Commercial Zone Districts
5.12.08. Standards for Site Plan Review
5.12.12. Special Land Use
Case Number: PC-SLU-2016-0013
Staff Assigned: Landon Bartley
Type of Case: Special Land Use
Effective Date: March 27, 2016

Mr. Bartley introduced the Special Land Use request for approval of an office and photographic studio use on the ground floor of an existing building in a TN-TBA zone district. Surrounding properties are also zoned TBA. Ground floor office and photography studios in the TBA require Special Land Use approval. Mr. Bartley identified surrounding uses; Harmony Hall, Duthler's Foods, Konkle's bar and a former party store, and to the south is a parking lot, four spaces of which will be dedicated to the subject property. Renovations proposed as part of the project consist of interior modifications to add ADA features for the bathrooms, updates to the HVAC and electrical systems. Exterior renovations include removal of metal siding on the front and restoring the original brick. Windows would be opened up to restore it to a store front appearance. Transparency is proposed in the center of each of the front facades. At 644 they propose essentially a full storefront system. The former theater use of the building dates back to the 1930's. The most recent use was a church. The applicant is proposing a small banquet/event space but that is not being considered today as it wasn't clear when the application was submitted and was not noticed for that use. If the Planning Commission approves the requested

ground floor office and photo studio today then the applicant will return next month for the banquet use consideration, which will also be a Special Land Use.

Mr. Bartley indicated that the proposed use will have two full time employees as well as three to four independent contractors that would work on an occasional basis renting space in the studio for their work. The general business hours are 8 a.m. to 6 p.m. Staff has received a few letters and emails of support as well as a petition in support. Stockbridge Business Assoc., West Grand Neighborhood Organization and the Neighborhood Business Alliance are in support of the request. A letter of opposition was submitted by the John Ball Area Neighbors that cited the West Side Plan, which was adopted last year. The Future Land Use map shows this area as Village Center. A Village Center in the ASP talks about ground floor retail and higher density located at specific corners/primary intersections. The subject sight is fairly close to the Stocking/Bridge/Lexington intersection. Primarily retail uses are desired to create a vital place-making pedestrian experience. Retail is the preferred first floor use but not required outside the center. Mr. Bartley summarized that the subject request would not be supported because of the Village Center designation around this intersection. He pointed out that the Planning Commission approved a ground floor real estate office use last February a block away at the intersection of Bridge and Seward, which is at the outer edge of the Village Center designation. He noted that that use was approved before the ASP was adopted.

Mr. Koetsier observed in the ASP that Village Center also identifies higher density housing and goes on to say “residentially scaled offices”. He asked what was meant by that term.

Mr. Bartley wasn’t able to answer that. The Village Center doesn’t speak to where those offices would be located. It isn’t clear whether it would be permitted on the ground floor or not. Later in the document where it speaks to future land use types, the section that says Centers in Traditional Business Areas, it says primarily first floor retail use is required and then further down it talks about traditional business corridors and that the preferred first floor use would not be required outside the center.

Mr. Koetsier clarified then that they don’t know what is meant by “residentially scaled offices”.

Mr. Bartley speculated that it means a smaller office.

Mr. Koetsier feels it is clearly stated that that is appropriate in a village center area.

Mr. Bartley agreed that it says housing and residentially scaled office would be appropriate in the Village Center but it doesn’t specify where except on other pages where it encourages ground floor retail in the Village Center.

Ms. Turkelson suggested that it may also speak to the scale and massing of the proposed buildings. If it is a four story office building the plan doesn’t seem to support that as much as having smaller offices. She agreed with Mr. Bartley that the plan doesn’t specify whether it faces Bridge St. vs. just off of Bridge St. on one of the side streets.

Mr. Koetsier felt that was important because the Planning Commission’s decision should be based on the ASP.

Mr. Rozeboom asked why a photo studio on the ground floor requires Special Land Use; what is the potential detriment?

Mr. Bartley replied that a photo studio may not have the same amount of walk-in traffic that a retail use would. The intent is to create a pedestrian experience. Mr. Bartley deferred to the applicant to describe their operation. They may have ways to make it more of a retail experience. His understanding of the use is that they would not be selling photo related products from the space.

Mr. Koetsier felt that if they had an understanding of the definition of residential scaled offices it may be appropriate by right.

Mr. Bartley pointed out that Stockbridge Business Association, West Grand Neighborhood Organization and John Ball Area Neighbors all had a hand in the formation of the ASP, and the only opposition received was from JBAN.

Ms. Turkelson referred to page 83 of the packet, the bullet point breakdown, with retail shops and restaurants to be located at the intersection of the primary and secondary streets. The next bullet mentions the residentially scaled offices to support and within walking distance to the core. That may help to further refine where the plan intended those uses to be located.

Mr. Bartley continued his presentation reminding the Commission that at their last meeting they approved a ground floor office use at 500 Stocking, the corner of Stocking and First, just outside of the Village Center designation.

Mr. Van Strien invited the applicant forward to describe their request. He asked that they address whether the two individual buildings will be used for similar or different purposes. He also asked that they describe their photography studio operation.

Josh Tyron, Sidecar Studios, related that they are a production studio and it is a bit more than photography because they also do video. They do a lot of shooting in their current studio at 401 Hall St. The office portion is a smaller footprint than a traditional office. They have a computer station and they primarily use laptops. It won't be a case of using the main bulk of the building for office cubicles. They propose an open floor plan. The two buildings will be combined and the studio will span across to one retail outlet in the two story building. That building is currently split down the center. They wish to combine the storefront that is adjacent to the theater with their studio. The other storefront will be traditional retail space. They have a prospective tenant considering the space for a coffee shop. They will remove the metal siding from the theater building. They don't plan to use the bottom space as offices; they are adding a mezzanine inside the space that will house their editing station.

Mr. Van Strien clarified that the office portion of the use would be on the second floor of the theater.

Mr. Tyron explained that there isn't a second floor in the theater but there is space available to put in a mezzanine. It will be an open air mezzanine that will open up to the rest of the space.

The inside of the theater will remain completely open, which is key for their shooting area. They will often build a set or put up an infinity wall to shoot against. There will be a staircase going up to the mezzanine. The second story of the two story building will be micro-unit residential apartments. Based on the information provided by their architect he believes they will have four 365 sq. ft. units.

Mr. Rozeboom asked about traffic coming and going.

Mr. Tyron replied that they have clients that do come to the space. They work with a number of different local organizations such as Amway and law firms. They have creative meetings that take place in their space. A typical video shoot day would include the two employees, potentially an editor, and approximately 6 or 7 others that they hire for the day. The client would come in for the shoot. Typically they do a few of those per month. Some of their shoots also take place off-site.

Ms. Curry Van Ee clarified her understanding of the proposed use of the space. The theater/church building will be open space for their shoots with a mezzanine level used for their office purposes. The other building will be a retail space down and micro-units on the second floor.

Mr. Tyron clarified that half of the first floor of the two-story building will become part of their studio space. The other half, 900 sq. ft., will be retail space. They will be combining the two parcels and will also combine utilities.

Mr. Van Strien asked if they will be increasing transparency on the theater building.

Mr. Tyron agreed that they will. He circulated a 1933 photo of the building relating that they are using that photo as reference in an effort to bring the buildings back as close to original as possible. The theater ran from 1914 to 1978. He also circulated a photo from the '70's when it was last used as a theater. The glass block windows still exist and they found the frames. They aren't huge windows but they will be gaining some light from that.

Ms. Curry Van Ee asked that Mr. Tyron speak to how their use fits the spirit and intent of the ASP.

Mr. Tyron replied that the micro-unit apartments providing some residential works well, as does the retail. With respect to the studio, they wanted an area that is walkable and closer to downtown so that their space was more vibrant. They have had a number of photographers contact them for space to lease because there aren't a lot of spaces like this. He understands that they aren't a traditional retail outlet but they do have a lot of interest that would bring people in and out of the space. They don't want a quiet stagnant space where they block the windows off. That is what it once was to be a photographer but they are a production studio, a creative studio that works with a number of local businesses. They are selling more of their creative idea then just executing shoots in a blocked off space.

Mr. Tyron clarified for Mr. Koetsier that the coffee shop is not a locked in deal. The prospective tenant owns an existing coffee shop in town and she is currently securing funding. There is a small courtyard at the back that they would utilize as well.

Mr. Van Strien invited public comment; there was none.

Mr. Bartley clarified for the Planning Commission that the coffee shop/retail use and micro-units would be permitted outright. Special Land Use approval is only needed for the ground floor office and photo studio.

Mr. Van Strien appreciates that they propose restoring an existing building to one of its original facades.

Ms. Angelo is pleased that the applicant has taken time to look into the history of the building and that he appreciates its history and will be incorporating it into their plans.

Mr. Rozeboom stated that from a use perspective it seems to fit very much with the idea of a Village Center. You wouldn't have a number of these same uses back to back so it is likely that there will be retail around it and it wouldn't deter other retail from coming. It could also enhance other retail. It is creative activity vs. a traditional office.

Mr. Treur stated that the creative use and the coffee shop make him feel better about the request. He recalled approving the real estate office on the corner last year and shortly thereafter approving the ASP. He wasn't particularly supportive of more office space in this corridor given all of the other development occurring. This is a unique use that makes him somewhat more comfortable but the level of activity may not be what you would typically experience with a retail use. They've also received support from the neighborhood organizations.

Ms. Curry Van Ee argued that JBAN is opposed and is the only letter that cites the intent of the ASP. She also recognized however that others that participated in the creation of the ASP have submitted letters of support. This is a fairly significant parcel and she doesn't feel the proposed use meets the spirit and intent of the plan. She likes the micro-units and coffee shop portion but that isn't what they are approving.

Mr. Van Strien agreed but it is part of the overall plan and can be part of their consideration.

Ms. Turkelson agreed. She added that if the office/studio portion of the operation wished to grow into those spaces they would have to come back for approval.

Mr. Koetsier agreed with Mr. Rozeboom that a photography studio does fit with the area and the walkability of it. He likes the coffee shop idea also. On the other hand he feels there is a disconnect between how some interpret what is written in the ASP and how others interpret it. There isn't much more room in the Village Center area for other retail, although there is a grocery store. He wishes the ASP was better defined so that they could make a decision based on the plan rather than having to try to interpret the plan.

Mr. Rozeboom recalled a trip to Austin. It is a city defined by creativity yet the development trends there have pushed creative activities out of the city and they are lamenting that. This is a good counter to that and, per the applicant's testimony, there is a demand for these services in the city.

Ms. Angelo **MOVED, NOW, THEREFORE BE IT RESOLVED that the Planning Commission approves the request of Sidecar Studios (Joshua Tyron) for approval of a ground floor office & photography studio use in a TN-TBA (Traditional Neighborhood-Traditional Business Area) district, in an existing building at 642-644 Bridge Street NW, for the following reasons:**

- 1. The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the Zone District, because the proposed use will provide a mix of uses in a commercial area, support the vitality of the business district by occupying an otherwise vacant storefront, and put an existing building on an underutilized parcel into productive use.**
- 2. The proposed use will be compatible, harmonious and appropriate with the character and uses of the neighborhood, adjacent properties, and the natural environment because the proposed use will be consistent with the mixed use nature of the neighborhood.**
- 3. The proposed use will not adversely affect the walkability of the neighborhood, impair pedestrian circulation patterns, disrupt the continuity of the urban street wall or otherwise hinder the creation of a pedestrian-oriented environment because the building is currently located close to the sidewalk, creating a character conducive to a pedestrian-oriented environment and no change is proposed to the building's placement or orientation and the applicant is proposing to make appealing exterior changes, including increasing the transparency.**
- 4. The proposed use will not have potentially adverse effects on the neighborhood because buildings, structures and entrances are appropriately oriented on the site.**
- 5. The proposed use will not be detrimental to the financial stability or economic welfare of the City because the use will encourage other investment in the area and will enhance property values.**

BE IT FURTHER RESOLVED that the following conditions of approval shall apply:

- 1. That the submitted application and plans, signed, dated and stamped by the Planning Director, shall constitute the approved plans, except as amended in this resolution.**
- 2. That the operation of the proposed use shall be as described in the application and during testimony, specifically that the west half of the west building shall be devoted to a retail use on the ground floor and residential use on the second floor, or other permitted uses.**
- 3. That the use shall comply with Section 5.6.08.H.4.d., which requires that no window covering or screening shall cover more than twenty-five (25) percent of windows or doors that are used to meet transparency requirements.**
- 4. That development compliance/LUDS and building permits shall be obtained for the change of use and alterations, prior to occupancy of the building.**

5. That a shared parking agreement for parking spaces in a nearby lot be submitted for the review and approval of the Planning Director in order to meet the parking requirements of Section 5.10.04.
6. That the proposed use will comply with all other applicable City ordinances and policies and all State laws.
7. That this approval shall take effect on March 26, 2016.
8. The assembly use proposed is not part of this approval.

SUPPORTED by Mr. Smith.

Ms. Curry Van Ee again referred to the letter submitted by JBAN. The letter states that during the recent updates of the City's Master Plan and Zoning Ordinance they lobbied successfully to get commercial photography studios added to the list of uses not permitted in primary street storefronts in TBAs and other retail areas targeted in the Master Plan. Ms. Curry Van Ee related that she continues to struggle with that and what the implications are.

Ms. Angelo noticed from the JBAN letter that their great concern was that as a photography studio they would be bringing people in and taking photos of them in the space and that there would be nothing happening out front. Mr. Van Strien added that examples were given of lack of transparency, dark rooms, and things of that nature. Ms. Angelo stated that that doesn't seem to be at all what this use is proposing. She can understand JBAN's argument but she doesn't feel it applies to this.

Ms. Curry Van Ee wonders if it sets precedent. Photography studios are listed as not permitted in primary street storefronts and this sounds counter to that.

Mr. Van Strien pointed out that it is a Special Land Use and that is what this hearing is for.

The question was called. **YEAS: 6. NAYS: 2. (Curry Van Ee & Koetsier). MOTION CARRIED.**

RESULT:	APPROVED WITH CONDITIONS [6 TO 2]
MOVER:	Mary Angelo, Board Member
SECONDER:	Reginald Smith, Board Member
YEAS:	Rozeboom, Smith, Brame, Angelo, Van Strien, Treur
NAYS:	Erica Curry VanEe, Thomas H Koetsier
ABSENT:	Stephen Ruis

C. (1:40 p.m.) 33 Carlton Ave SE Surface Parking Lot

Address: 33 Carlton Ave SE
Applicant: One Carlton, LLC
(Ryan Wheeler)
Requesting: Approval to demolish an existing single-family residential house to construct 15 parking spaces in association with the approved mixed-use project at 1 Carlton SE.
Zoning: TN-LDR Traditional Neighborhoods – Low-Density Residential

Requirements:	Article 5	Residential Zone Districts
	5.10.04.	Parking Requirements
	5.11.07.	Parking Lot Landscaping Requirements
	5.11.11.	Landscape Buffers
	5.12.08.	Standards for Site Plan Review
	5.12.12.	Special Land Use
Case Number:	PC-SLU-2016-0010	
Staff Assigned:	Elizabeth Zeller	
Type of Case:	Special Land Use	
Effective Date:	March 26, 2016	

Ms. Zeller presented the Special Land Use request for approval to demolish an existing single-family residential house to construct 15 parking spaces in association with the approved mixed-use project at 1 Carlton SE. The subject property is located in the TN-LDR zone district and surface parking lots in this district require Special Land Use approval. Ms. Zeller clarified that while this is not an amendment to the previously-approved mixed-use project to the north at Fulton and Carlton, this parking lot is intended to supplement the parking available for the project. She provided some history recalling that, to facilitate the development, the public alley that bisected the development properties is being relocated immediately south of the development and will provide vehicular access to the development's parking lot as well as continue to serve the residences that use the alley. The alley was required to be wider than typical to accommodate landscaping to buffer the development's parking lot and alley traffic from the residential use to the south; the property under consideration today. The developer now has control of the property that the landscaping was intended to buffer. This proposal would demolish the single family home on the property to be replaced with a 15 space parking lot restricted to use by residents of the mixed-use project to the north. A 21.7' side setback, which exceeds the required 10' minimum landscape buffer, will be provided between the proposed parking and the residential uses to the south. The required landscaping will be reviewed at LUDS permitting. A 20' setback from Carlton is proposed, which is generally consistent with the setback of the adjacent residence. The front will also be appropriately landscaped.

Ms. Zeller related that a couple of letters of support were submitted by nearby residents and the Eastown Community Association also submitted a letter supporting the additional parking.

Ms. Zeller clarified for Mr. Rozeboom that the parking lot is not being connected to the PRD but it will serve the PRD. There were two options for pursuing approval of this project. There could have been a major amendment to the PRD, which would have required Planning Commission and City Commission approval to include this property. The second option is the Special Land Use process.

Mr. Koetsier asked if the addition of the 15 spaces brings the project to the north into compliance.

Ms. Zeller recalled that there were 47 dwelling units in the PRD. The proposed parking lot would have approximately 77 spaces with 47 of those spaces being for the use of residents; one space per dwelling unit. The Zoning Ordinance requires 1.5 spaces so this brings the project closer to conformance.

Mr. Koetsier asked if the alley remains in the same location.

Ms. Zeller clarified that it will not remain in the location it is in now but it will be in the location that was approved as part of the PRD.

Mr. Koetsier asked if there are any pedestrian pathway lines from the proposed parking spaces to the development.

Ms. Turkelson replied that there will be sidewalk along the south side of the residential building to the north but there is no striping proposed to connect the proposed spaces to the residential building. Ms. Zeller added that those spaces will back out directly into the public alley.

Ryan Wheeler, Orion Real Estate Solutions, related that they were able to purchase the dilapidated house and it is essentially allowing them to get the project up to one parking space per bed, which has been a concern for the project.

Mr. Rozeboom asked if the property will be combined with the other properties.

Ms. Turkelson replied no because the alley will bisect the parcels. If the Planning Commission feels strongly about having a more formal tie then an easement arrangement may work to tie them together; that the parking serves the development to the north.

Mr. Koetsier asked Mr. Rozeboom if that was a concern.

Mr. Rozeboom recognized that they are basing an approval on the idea that there is a project next door. The only real connection is the common ownership. He doesn't doubt their intentions but feels it should all be part of the same project. If not then it is parking encroaching into a residential neighborhood which they are typically opposed to. The reason for not being opposed is that it benefits the project.

Ms. Turkelson suggested a shared parking agreement rather than an easement.

Mr. Forshee advised that that isn't permanent. Mr. Van Strien added that the onus would then be on the PRD rather than on the parking lot. Mr. Rozeboom's intent was to tie the parking to the project to the north. Mr. Forshee suggested it may be able to be accomplished with a deed restriction but he would not typically recommend that the Planning Commission impose that.

Ms. Turkelson asked if it would be enough that it is a Special Land Use and the narrative describes it as supporting the PRD development to the north.

Mr. Forshee felt it may be difficult to enforce but it is a factor. Whether it is tied to that or not, the use remains the same; a parking lot.

Mr. Wheeler explained that they will have signage at each parking space and allocate them to specific apartments. It is their intention that it goes with the project.

Mr. Rozeboom suggested a letter of intent to operate them together may be sufficient.

Mr. Van Strien invited public comment.

Molly Bohaus related that she is the resident right next to the proposed parking lot. She expressed concern for her property values. When she bought the property there was another house next to her. She asked how she will be compensated for the value of her home once this becomes a parking lot.

Mr. Van Strien pointed out that the setback/buffer being provided is twice as much as what is required. Landscaping will be required as part of the LUDS process. That covers his main concern of buffering the parking from the street and from neighboring properties.

Mr. Koetsier asked if they wish to consider adding a berm or something more substantial than just landscaping.

Mr. Van Strien wasn't familiar with whether 20' was enough room to do a berm.

Mr. Wheeler suggested that through the LUDS permit they can work to determine what is best for the adjacent neighbor. He believes that a berm is part of their plan. There is an existing fence now and there will be considerable landscaping to shield headlights. He isn't certain whether a berm or fence would be better for the screening. Their intent would be to landscape it in a fashion that would make it as acceptable as possible. There is a lot of earth work taking place on the site so creating a berm would not be a significant issue. Mr. Wheeler felt they could get a 3' berm in the 20' span.

Jack from Nederveld stated that they don't do a lot of berms in the city. Typically they put a screen fence up with some evergreens or some other type of landscape as a buffer vs. a berm. Three feet is about the highest they could get in 20' and he isn't certain that would effectively screen the headlights. Landscaping would likely do a better job.

Mr. Koetsier **MOVED, NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the request of One Carlton, LLC (Ryan Wheeler) for Special Land Use approval to demolish an existing single-family residential house and construct a +/-15 space surface parking lot at 33 Carlton Avenue SE, for the following reasons:**

- 1. The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the Zone District, because the proposed use will provide additional parking for the residences in the adjacent mixed use development.**
- 2. The proposed use will be compatible, harmonious and appropriate with the character and uses of the neighborhood, adjacent properties and the natural environment because the parking lot will be appropriately landscaped and buffered from the adjacent residential use and will support the desired future character of the neighborhood.**
- 3. The proposed use will not adversely affect the walkability of the neighborhood, impair pedestrian circulation patterns, disrupt the continuity of the urban street wall or otherwise hinder the creation of a pedestrian-oriented environment because the proposed parking lot is relatively narrow due to its use of the alley for access.**

4. **The proposed use will not have potentially adverse effects on the neighborhood because the proposed use will keep overflow parking off the residential street, where parking is already limited, and residents have previously expressed concern about parking availability.**
5. **The proposed use will not be detrimental to the financial stability or the economic welfare of the City because the use will ensure the viability of the commercial uses in the adjacent mixed-use development by keeping adequate parking available for their use.**

BE IT FURTHER RESOLVED that the following conditions of approval shall apply:

1. **That the submitted application and the site layout plan prepared by Nederveld, dated 2/4/2016, signed, dated and stamped by the Planning Director, shall constitute the approved plans, except as amended in this resolution.**
2. **That the parking shall be reserved and signed for residential use.**
3. **That a LUDS permit, including site and landscaping plans meeting the landscaping and screening requirements of Article 11, shall be obtained for the site improvements.**
4. **That the proposed use will comply with all other applicable City ordinances and policies and all State laws.**
5. **That this approval shall take effect on March 26, 2016.**

SUPPORTED by Ms. Curry Van Ee. MOTION CARRIED UNANIMOUSLY.

RESULT:	APPROVED WITH CONDITIONS [UNANIMOUS]
MOVER:	Thomas H Koetsier, Board Member
SECONDER:	Erica Curry VanEe, Board Member
YEAS:	Curry VanEe, Koetsier, Rozeboom, Smith, Brame, Angelo, Van Strien, Treur
ABSENT:	Stephen Ruis

D. (2:00 p.m.) 975 Cherry St. SE Ground Floor Office

Address: 975 Cherry Street SE
Applicant: Thoughtfull
(Tom DeVries)
Requesting: Approval of a ground floor office use in the TN-TBA
(Traditional Neighborhoods – Traditional Business Area) zone
district.
Zoning: TN-TBA Traditional Neighborhoods – Traditional Business Area
Requirements: Article 6 Mixed-Use Commercial Zone Districts
5.12.08. Site Plan Review
5.12.12. Special Land Use
Case Number: PC-SLU-2016-0011
Staff Assigned: Elizabeth Zeller
Type of Case: Special Land Use
Effective Date: March 26, 2016

Ms. Zeller introduced the request for Special Land Use approval of a ground floor office use in a TN-TBA zone district. The applicant, Thoughtfull, is a strategic visioning and business planning firm with offices currently located on the second floor of the subject property. The business is seeking additional work space and desires to use the ground floor space previously occupied by Pristine stained glass studio. Ground floor office use is a Special Land Use in the TBA zone district.

Ms. Zeller identified the location of the property at the intersection of Cherry, Diamond and Lake Dr. There is no on-site parking. The building occupies the entire property. The exterior was last updated in 2003. No changes were made at that time to window openings, which had likely been modified much earlier. While there are a number of windows on all sides of the structure, the ground floor does not meet the 60% transparency requirement on any side.

Ms. Zeller clarified that the office use is proposed in Suite B and would not occupy Suite A. Suite B is the interior space, not the space at the corner. It is a typical office use with 5 to 7 employees. Hours of operation are 8 to 5:30 Monday through Friday. Client groups of 1 to 5 people are hosted several times a week.

The applicant contacted the neighborhood and business associations. Letters from individual business owners express support for this use although there were some concerns about parking in the district. Some expressed this may be an appropriate use because it doesn't generate a lot of traffic. A letter from the East Hills Business Association expressed opposition to office use in this location. Ms. Zeller isn't sure that they were clear that the use would occupy only half of the space. She related that there are a number of long-standing ground floor office uses on the south side of Cherry, west of the subject property.

Mr. Van Strien invited the applicant's presentation. He asked that he speak to what will occupy Suite A of the space.

Tom Blackburn related that he has owned the building for 40 years and operated his business there. He recently sold the business and they are rehabbing the space that the business occupied. They are presently in negotiation with a retail operation for the front area. Thoughtfull has been located upstairs for approximately a year. They are a great tenant, they bring good energy, and they need additional space.

Tom DeVries, applicant, explained that they are a strategic innovation and design firm working with many of the largest businesses in the area helping them build out their growth strategies in this community and globally. Most of these businesses are located in the suburbs. Thoughtfull has a small staff that works intimately on-site with the clients most of the time or out in the field helping them get to know and study their customers and their customer experiences. The office is essentially a hub for workshops and collaborative work flows where they invite their clients to come into the space for ½ day intervals. Mr. DeVries stated that they chose this community because they love being there and they love inviting people there. Staff numbers fluctuate a bit and currently there are 7 on staff. They use contract labor for some things but they don't anticipate getting much larger. They focus on being intimate with the clients and communities so the most likely scenario for expansion would be to open a studio in Detroit or Lansing. They want to remain small and intimate with the organizations they work with. Mr. DeVries stated

that they love being part of the community. He identified the location they currently occupy directly above the space they would like to use. That space is chopped up into a few office spaces and they prefer to have a more open space. They thought that the idea may be acceptable given the view from the other side of the building with the high windows, the current status of the building, and the fact that it has been there for a long time. It isn't ideal for retail and most of the foot traffic is on the Cherry St. side. They have agreed to add a bicycle parking area in the basement because most of the staff live on this side of town and prefer to take their bicycles when they can. They would have 2-3 cars there on any given day and don't anticipate that growing.

Mr. Van Strien asked if the stained glass studio occupied the entire first floor.

Mr. DeVries replied that it did.

Mr. Van Strien invited public comment; there was none.

Mr. Treur asked about transparency on the Cherry St. side.

Ms. Turkelson advised that it doesn't meet the transparency requirements.

Mr. Treur asked if that could be improved upon.

Ms. Turkelson replied that as long as the lack of transparency isn't part of the justification for an approval of a ground floor office use it could be a condition of approval.

Mr. Van Strien asked if an approval would apply to the entire first floor as it is written or, based on testimony, would an approval of ground floor office be limited to Suite B.

Ms. Turkelson replied that per testimony it would only apply to Suite B. That should be clarified in the resolution.

Mr. Koetsier agreed with Mr. Treur that when you go through the intersection Cherry and Lake Dr. don't feel connected; it isn't a comfortable walking experience. The building design is the issue.

Mr. Van Strien would hope that with the consideration of retail in Suite A that there will be some consideration given to opening that up a bit.

Ms. Turkelson recalled that the Commission added a similar condition to the realtor approval along Bridge St.; that some windows be added. She asked the applicant if there are existing window openings that are covered.

Mr. Blackburn clarified that the Commission was referring to the south side of the building. Originally there were windows on that side; 38 years ago. They were changed at that time and it has been that way since. They just finished the reconstruction of Suite B and the economics became somewhat difficult. They reached a limit because they had structural issues to address in

the basement. They entertained the thought of opening those windows but it just wasn't in the budget. It may be possible in the future.

Mr. Koetsier stated that he is less concerned about an office use in Suite B than he would be in Suite A. Others agreed.

Mr. Koetsier **MOVED, NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the request of Thoughtfull (Tom DeVries) for a ground floor office use in the TN-TBA Traditional Neighborhood - Traditional Business Area in an existing building at 975 Cherry Street SE, Suite B, for the following reasons:**

- 1. The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the Zone District, because the proposed use will provide a mix of uses in a commercial area.**
- 2. The proposed use will be compatible, harmonious and appropriate with the character and uses of the neighborhood, adjacent properties and the natural environment because the proposed use will be consistent with the mixed use nature of the neighborhood and will support the desired future character of the neighborhood.**
- 3. The proposed use will not adversely affect the walkability of the neighborhood, impair pedestrian circulation patterns, disrupt the continuity of the urban street wall or otherwise hinder the creation of a pedestrian-oriented environment because the use of the building as proposed will bring vitality to this area of the neighborhood, creating a character conducive to a pedestrian-oriented environment.**
- 4. The proposed use will not have potentially adverse effects on the neighborhood because the proposed use is not expected to create excessive parking demand.**
- 5. The proposed use will not be detrimental to the financial stability or the economic welfare of the City because the use will encourage other investment in the area and will enhance property values.**

BE IT FURTHER RESOLVED that the following conditions of approval shall apply:

- 1. That the submitted application and plans, signed, dated and stamped by the Planning Director, shall constitute the approved plans, except as amended in this resolution.**
- 2. That the operation of the proposed use shall be as described in the application and during testimony.**
- 3. That the use shall comply with Section 5.6.08.H.4.d., which requires that no window covering or screening shall cover more than twenty-five (25) percent of windows or doors that are used to meet transparency requirements.**
- 4. That a building permit shall be obtained for the change of use and alterations, prior to occupancy of the building.**
- 5. That the proposed use will comply with all other applicable City ordinances and policies and all State laws.**
- 6. That this approval shall take effect on March 26, 2016.**

SUPPORTED by Mr. Smith. MOTION CARRIED UNANIMOUSLY.

RESULT:	APPROVED WITH CONDITIONS [UNANIMOUS]
MOVER:	Thomas H Koetsier, Board Member
SECONDER:	Reginald Smith, Board Member
YEAS:	Curry VanEe, Koetsier, Rozeboom, Smith, Brame, Angelo, Van Strien, Treur
ABSENT:	Stephen Ruis

E. (2:20 p.m.) 608-644 Coit Ave NE et al.

Address: 608, 614, 618, 622, 626, 628, 636, 638, & 644 Coit Ave NE and 210 Fairbanks St. NE

Applicant: Artesian-Orion
(Angel Gonzales / John Wheeler)

Requesting: Approval of a Planned Redevelopment District consisting of up to 39 multiple-family residential dwelling units.

Zoning: TN-LDR Traditional Neighborhoods – Low-Density Residential

Requirements: Article 5 Residential Zone Districts
5.7.06. Planned Redevelopment Districts
5.12.08. Site Plan Review
5.12.14. Planned Redevelopment District

Case Number: PC-ZON-2016-0015

Staff Assigned: Elizabeth Zeller

Type of Case: Zone Change

Effective Date: Upon City Commission Approval

Ms. Zeller presented the request for approval to rezone ten parcels from TN-LDR to Planned Redevelopment District to facilitate a multiple-family project. The eleven residential structures on the subject properties will be demolished for the construction of the new development. The subject property is located in the Belknap neighborhood and is adjacent and nearby to two recently approved development projects. Clancy Lofts is on the other side of the alley from the proposed project. That development is currently under construction. The Gateway project was approved with residential along Clancy and at the corner of Coit and Hastings there is some mixed-use incorporated.

Ms. Zeller presented an aerial view of current conditions; typical low density residential. She identified Coit School across the street to the west of the subject properties.

Ms. Zeller recalled that the Belknap ASP was adopted in February 2010. The subject properties are designated as Context District Mixed Housing District. The proposed development generally complies with the type of development envisioned for this area. The key considerations are in the details of the development.

Ms. Zeller presented a Google Image tour of the neighborhood. She identified the existing houses at the corner of Fairbanks and Trowbridge and the corner of Fairbanks and Coit that will not be part of the project; they will remain. Ms. Zeller also identified and described the grade issues present in the neighborhood. She noted that Coit School is raised up from the street and the same thing occurs on both sides of the street. The homes being elevated from the street is typical for residential construction for privacy purposes.

Ms. Zeller briefly displayed the proposed landscape plan indicating that the proposed green space complies with the Ordinance requirements.

The development area consists of approximately 50,000 sq. ft. (1.14 acres). Between 32 and 39 dwelling units are proposed. The final number will be determined by buyer preferences; they may wish to combine units, which would decrease the number of units. For consideration purposes Ms. Zeller will refer to the 39 units because that is the maximum density being proposed. The project basically consists of two rows of dwelling units. Larger units front on Coit with smaller cottages at the rear of the site abutting the alley. The street fronting residences will have slab on grade construction. Alley units will be constructed atop the garages. Thirty-seven garage spaces are proposed with the cottages atop those. Visible from the alley, at the Fairbanks side, a recreational area/deck will also be atop the garages.

Ms. Zeller commented on density relating that at 39 dwelling units the density is similar to the TN-MDR zone district. In terms of setbacks, the residences are located approximately 28 ft. from back of curb, which is generally consistent with the 27 ft. required building line in the TN-LDR district. That RBL is used when there is no established RBL. Two residences on Coit will remain and the setback of the proposed buildings is similar to the setback of the house if the porch is included. The actual existing home setback is 37-40 ft. The Planning Commission should consider the appropriateness of the proposed setback.

Ms. Zeller commented on parking. 37 garage spaces accessed from the alley are proposed. Multi-family developments require 1.5 spaces per unit. With 39 units, 59 spaces are required. Therefore, the project would be considered parking deficient. The Planning Commission has the discretion to reduce the parking requirements based on the presence of mass transit, bike parking, and the availability of on-street parking. Public transit is available within walking distance. Additionally, six curb cuts will be eliminated on Coit increasing the number of on-street spaces from approximately 10 to 19. The ASP recommends that sufficient off-street parking be provided for new development wherever feasible.

Ms. Zeller explained that new buildings in PRDs shall generally respect existing building heights within the area. The ASP recommends height of approximately 35 ft. for this neighborhood. The Clancy Lofts project exceeds that height. The proposed buildings are generally within the range of 35 ft. On the Fairbanks side, to the mid-point of the roof of the cottages from the alley, the height is approximately 37 ft. At the other side of the block, on the Trowbridge side, it is approximately 34 ft. An example of a residence facing Coit was provided. The height of that building, measured at the mid-point of the roof, is 26 ft. Because staff has recommended the building be elevated from the street that may be higher from the street. From the Coit side the cottage buildings are approximately 24 ft. from grade.

Materials proposed include high quality materials. The elevations are not labeled but the applicant proposes a mixture of brick, fiber cement siding, board and batten siding, flat metal canopies, and a minimal amount of EIFS. EIFS is not a surface generally desired in this zone district but the proposed use of the material is minimal. Ms. Zeller stated that her understanding is that the only use of vinyl siding will be on the alley façade of the cottage units.

Ms. Zeller related that staff has received a couple of letters. A letter submitted today did not object to the development but expressed some concern that the properties at the corners are not included. Neighbors of Belknap Lookout Neighborhood Association has offered their support for this project.

Ms. Zeller presented building elevations. She noted that the buildings do not include porches, which is an element often seen in the TN neighborhood classification. The recreational/outdoor private space is proposed as balconies. Staff has discussed with the applicant that they would like to see a bit more articulation of some of the building facades and the applicant is generally in agreement.

Ms. Turkelson added that she and Ms. Schulz met with the architect and Mr. Gonzalez to discuss that issue and understanding what the articulation was. Both she and Ms. Schulz felt comfortable that the applicant understands and agrees. That was the applicant's intent but the plans don't give the feel of what the articulation is. A condition of approval has been included to ensure the articulation is there.

Ms. Zeller played a flyover prepared by the applicant.

Angel Gonzalez, Artesian Group, was present along with Ryan Wheeler, Orion Construction, Chris Markum, RJM Design, and Jim Brody from Create3Architecture to discuss the project. Mr. Gonzalez related that they had three meetings with the development committee knowing from the beginning that it would be challenging to design the site. It is one of the most difficult sites in the neighborhood with respect to grades. They came up with a site plan they thought made sense. The goal was to utilize the alley as much as possible. Currently the homes present don't use the alley and don't have access from the alley; they park at the front. By utilizing the alley they will be able to remove 6 existing curb cuts. Mr. Gonzalez feels that the interior spaces are important to provide a sense of community rather than having a row of parking and driveway behind your space. The proposed solution utilizes the alley. The cottages are atop the garages but the garages are somewhat buried from the front. The garages have no interior walls and there are two interior staircases that bring residents up to the units. Mr. Gonzalez related that they took these ideas and concepts to the neighborhood. All of the buildings are different at the front because providing architectural character is important. Each of the cottage units will have a private balcony on the side. The buildings fronting Coit have rear patios and decks.

Mr. Gonzalez agreed that he met with staff to discuss the question of dimension. The images may not provide a clear understanding. However, there are architectural features present. One idea that came out of the meeting with staff is to widen the front stoops and make them functional. Mr. Gonzalez provided one example relating that they would elevate the building somewhat, as suggested by staff, and widen the stoop and add ornamental newel posts on the edges to provide more of a defined presence. He feels that there are some things they can do with landscaping as well to buffer edges and better define the public and private property.

Mr. Gonzalez commented on the proposed density. The property is in the Belknap MH district. The Clancy Lofts project and the Gateway at Coit are both in the same district and are extremely dense in comparison. Mr. Gonzalez related that they attempted to mimic the Belknap TR, which is the least intense density in the neighborhood.

Mr. Gonzalez stated that by eliminating the curb cuts they can increase the on-street parking adding up to 9 spaces. It will also aid in walkability along the street. Currently the 10 parcels have 22 units. Of those units there are only ten legitimate off-street parking spaces.

Mr. Rozeboom asked how they anticipate the common deck above the garages being used.

Mr. Gonzalez related that they decided to do the deck in that area rather than more units because of the existing home at the front. They will help her with some landscaping and retaining walls on her property. The deck will be a common deck available for use by anyone within the development. At this point only a 3' rail is shown but he would like to screen it more, perhaps adding privacy fence or a trellis along the back where vines can be grown to make it feel more private than what it appears to be now. The size of the deck is fairly generous for the use of the residents, in addition to the private space that each unit will have.

Ms. Turkelson observed that it appears to be a 10 ft. wall facing Fairbanks for the width of the deck. She asked how the wall is sheathed.

Mr. Gonzalez replied that it is currently proposed with fiber cement siding. He suggested they could get creative with landscaping. They had a similar situation on Fairview with the brownstones. They have a five-stall garage at the alley but also the side street along Trowbridge. They planted some ornamental grass and that looks nice. If there is something else that staff would recommend they don't have an issue with that.

Ms. Turkelson clarified that the landscape plan doesn't propose anything except seed along that area. She asked if they are willing to add some landscaping.

Mr. Gonzalez replied absolutely. He agrees it will probably need something. Arborvitae may be appropriate there. Landscaping can make a project and it isn't something you should cut corners on because people respond to that.

Mr. Gonzalez commented on the on-site parking. They are providing 37 spaces for a maximum of 39 units. They anticipate that there may be a greater demand for the townhome style units and they have a floor plan where they can combine two units to create that. In the event that that does happen they may go from being deficient in parking spaces to having a gain of several spaces. Mr. Gonzalez related that another goal for them in this project was to create two affordable housing units. There has been some conversation with a local non-profit who may potentially partner with them to make that happen. They will experience a net gain in parking along the street with the elimination of the curb cuts.

Ms. Curry Van Ee asked that Mr. Gonzalez address the concern raised in the letter about the houses remaining at each corner.

Mr. Gonzalez explained that they had an opportunity to purchase the home at the south end. The existing homes on Coit have outlived their useful life and there is nothing architecturally significant about any of the homes to be removed. He was willing to sell the property but it didn't make sense to the development. They felt that it created a good transition from the

traditional neighborhood in the 500 block of Coit to the new project. There is another house behind the house at the south corner located at the alley on Trowbridge. Those two homes are nice. The house on the north end is owned by his sister. She is rehabilitating the house. It has been her dream for a long time and they are going to assist her in that rehabilitation.

Mr. Treur commented on the alley noting that the representation in the fly-over view looked like a big wall. Mr. Treur didn't recall how the buildings on the other side of the alley would relate to that.

Mr. Gonzalez replied that the project to the east is more massive in scale than what they propose here. What they have done with this project is provide space between each building breaking things up. The project to the east doesn't have garage parking; they have surface parking off of the alley. Because the subject project is providing garages they had to be sure to provide the turn radius so the building is set back 5-8 ft. Mr. Gonzalez explained that the alley was changed to one-way travel at the time of the 600 Clancy project. He feels that it is an alley and that people should be able to use it the way they want. They have had conversations with Traffic Safety about returning to the two-way traffic pattern and they are willing to look at it again.

Mr. Gonzalez clarified an element shown on the back elevation as trash receptacle areas. He also clarified that there are no stairs that go directly to the alley from the residential units; the stairs are within the garages. The garage floor plan allows for some storage area in front of the parked cars.

Mr. Gonzalez related that the reaction they have received from the neighborhood has been positive. These units are for sale and will increase home ownership in the area. There have been a total of 38 parcels purchased for redevelopment, including the subject parcels. There were only five owner-occupied dwellings in that mix.

Ms. Turkelson asked about the retaining wall between his sister's property and the subject development. The fly-over looked taller but the grading plan shows a retaining wall of approximately 5 ft.

Mr. Gonzalez referred to the plans and identified where the retaining wall will be and where the garage comes out above grade. The idea is to provide the retaining wall as well as some type of privacy fence. She has a severe grade change on her property and the yard drops off to the sidewalk. They will be assisting her with that situation as well. The height of the retaining wall between the single family home and the development is approximately 3' at the front and 5' at the corner.

Ms. Turkelson noted that there will be a 5' retaining wall with a 4' fence atop that. She asked if the fence will be open picket style or solid.

Mr. Gonzalez suggested that the homeowner may prefer a solid fence so that others aren't looking down into her back yard. He suggested they can work with the homeowner and staff on an appropriate solution.

Ms. Turkelson advised caution on how it transitions. The treatment of that edge will be important. Personally she wouldn't want to be next to a 9 ft. wall in her back yard.

Mr. Gonzalez suggested that doing some landscaping with vines/trellis may also improve that situation.

Ms. Turkelson asked if they are open to working with Planning staff on that transition and appropriate treatment.

Mr. Gonzalez agreed.

Mr. Van Strien invited public comment; there was none.

Mr. Koetsier asked if there was any consideration given to three new developments very close together. Is it more density than was desired or is it what was envisioned? There will be 191 units in a 3 block area.

Mr. Van Strien feels it is a nice mix of styles of density. This project accomplishes density in a different way than the project to the east, which is more of an apartment complex model. The ASP foresaw this and he doesn't believe this is out of line with what they anticipated happening here. It meets a need for the nearby Michigan corridor in different housing types in new development.

Ms. Curry Van Ee appreciates that it is a home ownership opportunity. They've done a nice job with a new way of thinking about density.

Mr. Van Strien stated that he likes the cottage approach in the back.

Ms. Curry Van Ee agreed with Mr. Treur that it seems somewhat severe on the alley side.

Mr. Koetsier suggested it won't ever be seen as depicted because of the development to the east.

Ms. Curry Van Ee appreciates the model of working with the neighborhood organization and reaching consensus. It speaks volumes that they have the support of the neighborhood organization.

Mr. Treur added that there was no public comment.

Mr. Koetsier suggested adding conditions to address the things they discussed where modifications should be made; retaining wall, landscaping, the transition between the development and remaining residences on each corner, etc.

Mr. Rozeboom asked how other Planning Commissioners felt about the proposed setback from the street relative to the setback of the remaining houses.

Mr. Van Strien feels that it seems to be in line. He likes that they will make changes to the elevation, as recommended by staff, to make it more consistent. The porch details add a lot to the walkability from the pedestrian scale.

Ms. Angelo appreciates the fact that each one looks very different yet they all work nicely together.

Ms. Curry Van Ee **MOVED, NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends approval of the request of Artesian-Orion (Angel Gonzales/John Wheeler) for a Planned Redevelopment District consisting of 39 multiple-family dwelling units at 608, 614, 618, 622, 626, 628, 636, 638, & 644 Coit Ave NE and 210 Fairbanks St. NE, for the following reasons:

1. **The proposed Zone Change will be consistent with the purpose and intent of the Master Plan, including the Future Land Use Map because it will provide a range of housing choices; the development is consistent with the Belknap Area Specific Plan's recommendations for development in this part of the neighborhood; will enhance the character of the residential neighborhood; and the PRD will ensure efficient development on the property and will result in a logical and orderly development pattern in the neighborhood.**
2. **The property to be rezoned can accommodate the requirements of the proposed Zone District because the proposed development will support the desired future character of the neighborhood and the SD-PRD zone district provides flexibility relative to density, setbacks, and height.**
3. **The proposed Zone District will be compatible with the Zone Districts and Neighborhood Classifications in the neighborhood because the proposed buildings will be scaled, massed, oriented, sited and architecturally designed in a manner consistent with other development in the TN neighborhood classification.**
4. **The proposed use will not have potentially adverse effects on the neighborhood because adequate parking will be provided on-site and on the adjacent streets and buildings, structures and entrances will be appropriately oriented on the site.**
5. **The physical, geological, hydrological and other environmental features of the property to be re-zoned will be compatible with the full range of uses in the proposed Zone District because the proposed PRD Zone District will allow consideration of development that is sensitive to the grade changes on the site and adequate greenspace and storm water detention will be provided.**
6. **Adequate public facilities already exist at the site as the subject property is located in close proximity to public transit and major streets and is currently served by public utilities.**
7. **The proposed Zone Change will not be detrimental to the financial stability of the City because the proposed Zone Change may encourage future development in the area.**
8. **The proposed Zone District is consistent with the trend of development in the neighborhood because new and approved development in the area consists of multiple-family development.**

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the request of the applicant for waivers of the following requirements:

1. **The maximum density requirements of Section 5.7.06.C.6., which requires densities to match that of the underlying future land use district, unless unusual costs would be incurred in the project at a lesser density, which the Planning Commission has found.**
2. **The minimum setback requirements of Section 5.7.06.D., which require a minimum setback of twenty feet from any property line, unless it would be appropriate to reduce the setback, which the Planning Commission has found.**
3. **The requirements of Section 5.10.04.E., which require a minimum of 59 parking spaces for the proposed 39 dwelling units, unless transit, bicycle parking and sufficient on-street parking are available, which the Planning Commission has found.**

BE IT FURTHER RESOLVED that the following conditions of approval shall apply to this project:

1. **That the application and the following plans, signed, dated and stamped by the Planning Director, shall constitute the approved plans, except as amended in this resolution:**
 - a. **Civil engineering plans prepared by Roosien and Associates, dated 3/7/2016.**
 - b. **Architectural plans prepared by Create3Architecture.**
2. **That the proposed materials and architectural details and features of the buildings in the development are integral to this approval. Changes shall require Planning Commission review and approval.**
3. **The project shall otherwise meet all the requirements of the Zoning Ordinance for lighting and landscaping and is subject to applicable regulations and required permits, as necessary.**
4. **That the applicant shall work with the Planning Director to make modifications to the building elevations to ensure that the buildings will be massed, scaled, and architecturally designed in a manner consistent with other development on the block.**
5. **That the grade from the sidewalk shall be slightly raised to provide residential privacy and consistency with residential design in the vicinity.**
6. **That the area between the garages and Fairbanks be landscaped to mitigate the impacts of the deck/garage wall.**
7. **That the applicant shall work with City staff to consider appropriate transitions between the existing single-family properties and the proposed development.**
8. **That this approval shall take effect subject to City Commission approval of this proposal.**

Mr. Brame referred to condition #2 noting that there will be some modifications to the plan based on staff's discussions with the applicant and the discussion held today. The developer expressed agreement with the recommendations of staff as well as those clarifications made today. Is it intended that they will return for approval of those items discussed or would it be appropriate for the Commission to grant staff the authority to approve those changes.

Ms. Turkelson felt that condition #2 was intended to address any changes not in keeping with the intent of what was presented and discussed today.

SUPPORTED by Mr. Brame. **MOTION CARRIED UNANIMOUSLY.**

Mr. Smith left the meeting.

RESULT:	APPROVED WITH CONDITIONS [UNANIMOUS]
MOVER:	Erica Curry VanEe, Board Member
SECONDER:	Walter M Brame, Board Member
YEAS:	Curry VanEe, Koetsier, Rozeboom, Smith, Brame, Angelo, Van Strien, Treur
ABSENT:	Stephen Ruis

F. (2:40 p.m.) Clancy, Matilda, Lafayette Rezoning

Address: 57, 126, & 128 Coldbrook St NE, 915, 1025 & 1027 Clancy Ave NE, 201 Matilda St NE, and 904 Lafayette Ave NE

Applicant: City of Grand Rapids

Requesting: To rezone the subject properties from SD-IT Special Districts – Industrial Transportation and TN-LDR Traditional Neighborhoods – Low-Density Residential to TN-TCC Traditional Neighborhoods – Transitional City Center to facilitate future mixed-use development.

Zoning: SD-IT Special Districts – Industrial Transportation
TN-LDR Traditional Neighborhoods – Low-Density Residential
TN-TCC Traditional Neighborhoods – Transitional City Center

Requirements: Article 5 Residential Zone Districts
Article 6 Mixed-Use Commercial Zone Districts
5.12.13. Zoning Ordinance Text and Map Amendments

Case Number: PC-ZON-2016-0018

Staff Assigned: Suzanne Schulz

Type of Case: Zone Change

Effective Date: Upon City Commission approval

Mr. Bartley presented the request of the City for rezoning several properties in the Belknap neighborhood currently zoned SD-IT to TCC. Essentially it is a rezoning of the IT district between Coldbrook on the north, following along Clancy, Matilda on the south and the park on the west. The rezoning would also include one parcel at the northeast corner currently zoned LDR at Lafayette and Matilda. Mr. Bartley identified the location of the former Oliver Manufacturing building that burned down. He explained that the reason for proposing the rezoning of this section is because the TCC district is more flexible. It allows for some light industrial uses as Special Land Uses but is more flexible in terms of allowing commercial uses, upper floor offices and residential and tends to be less intense than the current IT district. Staff feels the TCC zone district may be more appropriate given the proximity to residential uses immediately surrounding to the south and east. The Master Plan Future Land Use map shows this area as Medium-Low Density Residential. The Belknap ASP Future Land Use map shows this area as industrial. Staff doesn't feel the proposed rezoning is in conflict with the ASP because the TCC zoned areas, such as Thierica, is also shown as industrial and the TCC still allows for some of the industrial uses as Special Land Uses.

Mr. Bartley clarified that an original draft of the public notice was in error and mentioned residentially zoned properties between Matilda and Bradford. They are zoned LDR and were originally noticed that they would also be changed. Those are not proposed to be changed at this point, although the Belknap Future Land Use map identifies them for change to commercial in the future. Mr. Bartley also clarified that the railroad right-of-way, the long parcel, carries one address of 53 Coldbrook.

Mr. Bartley identified current land uses. The triangular piece at the south end along Matilda is currently a tent rental company. The warehouse would be considered non-conforming or a Special Land Use in the TCC but the office uses associated with that are permitted outright. The larger parcel that was formerly Oliver Manufacturing is currently vacant. The smaller parcel along Coldbrook, at Coldbrook and Clancy, is currently an office furniture builder. The parcel at Lafayette and Matilda is a parking lot for Thierica.

Mr. Bartley related that his understanding is that the Neighbors of Belknap Lookout wrote a letter of support but staff has not received it. Ms. Turkelson related that she had several conversations with Ms. Dekraker about the rezoning. They are aware of it and in support.

Mr. Van Strien invited public comment.

Mr. Katerburg related that he owns Grapids Irrigation and several other parcels in the immediate area. He wondered why the specific parcels were chosen. He is not opposed but would like to know why the parcels selected were chosen.

Mr. Bartley explained that the reason for the proposed rezoning now is to facilitate future development. Staff felt that the TCC was more flexible and generally more permissive in terms of what they have been seeing as development trends for the area. Mr. Bartley identified the location of 57 Coldbrook noting that it is a tiny remnant parcel of the railroad. The main rail grade is addressed as 53 Coldbrook.

Mr. Van Strien clarified that the catalyst for the zone change was the fire at the Oliver plant.

Mr. Bartley agreed.

Ms. Turkelson related that they had had conversations with the owner of the Oliver property prior to the fire. The types of uses they were looking at were more appropriate for the TCC. The IT district wouldn't have allowed him to use the property as he was thinking. In light of the development trends in the neighborhood, the redevelopment of the housing complex, and everything they are seeing to the south it didn't feel like the IT, heavy industry, was necessarily appropriate or compatible with what was happening in the neighborhood. The TCC still allows for industrial uses as Special Land Uses but also opens up a wider array of land uses for that area that are felt to be more appropriate. When the fire occurred that spawned the conversation and the owner was interested in the TCC district. It seemed short-sighted, in light of the Belknap Master Plan, to simply rezone that property because of the few parcels that were around it. Staff invited all of the owners of the subject parcels to a meeting to explain what is proposed and there has been no expressed opposition.

Ms. Angelo **MOVED, NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends approval of the request of the City of Grand Rapids to rezone the following properties from SD-IT Special Districts-Industrial Transportation and TN-LDR Traditional Neighborhoods-Low Density Residential to TN-TCC Traditional Neighborhoods-Transitional City Center to facilitate future mixed-use developments on the subject properties: 57, 126 & 128 Coldbrook St NE, 915, 1025 & 1027 Clancy Ave NE, 201 Matilda St. NE and 904 Lafayette Ave NE, for the following reasons:

1. The proposed Zone District or Neighborhood Classification designation will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the Future Land Use map because areas zoned TN-TCC are located immediately adjacent to the subject property and the Future Land Use map illustrates general development patterns and is not intended to define land use on a lot-by-lot basis.
2. The proposed Zone District or Neighborhood Classification designation will further the themes and objectives of the Master Plan, as well as any relevant adopted Area Specific Plans because Objective SE7 of the “Strong Economy” section of the Master Plan encourages business investment while balancing economic growth with priorities for neighborhoods and Section 10.6. of the Master Plan encourages the development of complementary office, retail, and housing uses as part of an industrial mixed-use district.
3. The property to be rezoned can accommodate the requirements of the proposed Zone District because it meets the minimum lot area and width requirements.
4. The proposed Zone District designation is compatible with the proposed Zone Districts in the neighborhood because other properties with TN-TCC zoning are located immediately adjacent to the subject parcels and the TN-TCC zone district is meant as a transition between residential and higher intensity uses, and still allows limited industrial uses.
5. The physical, geological, hydrological and other environmental features of the property to be rezoned are compatible with the full range of uses in the proposed Zone District because there are no apparent environmental features on the properties that would inhibit the full range of uses on the property as proposed to be zoned.

SUPPORTED by Mr. Rozeboom. **MOTION CARRIED UNANIMOUSLY.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary Angelo, Board Member
SECONDER:	Paul Rozeboom, Board Member
YEAS:	Curry VanEe, Koetsier, Rozeboom, Brame, Angelo, Van Strien, Treur
ABSENT:	Reginald Smith, Stephen Ruis

VI. Planning Commission Discussion

- **Ground floor office in the TBA zone districts** - Mr. Rozeboom asked if there are changes proposed. He doesn't feel there is any real basis for the decisions made.

Mr. Koetsier feels they need a better definition for the residentially scaled office from the West Side Plan. Ms. Curry Van Ee suggested more specificity in terms of what neighborhoods desire block by block would be helpful.

Mr. Rozeboom related that he is looking at it similar to the way alcohol uses are considered; a little is okay but if you have too much it is a problem. The difficulty can lie in defining “too much”.

Mr. Forshee advised that that is also why it is a Special Land Use. The Commission considers the Master Plan and Zoning Ordinance as well as other factors such as detriment.

Mr. Van Strien asked if current vacancy rates can be considered in making their decision.

Mr. Forshee agreed that the current state of the neighborhood can be taken into account.

Mr. Treur suggested that the point of the Special Land Use consideration is to take individual circumstances into account and make a judgement.

Ms. Turkelson suggested a possible training session to identify key considerations during the Special Land Use process.

Mr. Koetsier asked if they could possibly add some bullet points to the “residentially scaled office” term to help the Commission understand it.

Mr. Forshee advised that the Plan is what was submitted by the neighborhood and was legislatively approved as their ASP. It would be necessary to take any amendments back to the City Commission.

Mr. Rozeboom suggested that a “key considerations” bullet list would be great for their review process in trying to apply the Standards.

Ms. Turkelson suggested that staff could put something together to reflect why, in general, ground floor office is not desired in a TBA, and what does it do to the long term viability of the district.

Mr. Rozeboom noted that the changing nature of retail is also a consideration. The premise behind the need for walkability and retail of 14 years ago is different now with the presence of the internet; retail doesn’t mean the same thing as it did.

Mr. Bartley related that the intent of the TBA district is linear. Generally TBAs are going to be linear business districts, which is the main difference between the TBA and the TOD districts. The TBA zone district is designed to reinforce a pedestrian and transit friendly environment in a compact area characterized by a mix of uses, small lot sizes, storefront windows, visible building entrances, structures that abut the sidewalk and on-street or hidden off-street parking all contribute to the establishment of a pedestrian oriented zone district. A mix of small scale retail, service, entertainment, civic and upper level office and residential uses are encouraged to enhance the vitality of the areas.

Mr. Bartley advised the Commission that vacancy is a consideration for rezoning. He related that there is a new tool available called Metro Edge. It is a profile of neighborhoods and

business districts and is meant for business district analysis. It talks about the current market and potential future market trends in the districts. Mr. Bartley suggested the Commissioners explore it. It may be something they can utilize as a review Standard for requests similar to what they had today. Mr. Bartley suggested using caution when considering market rates/per sq. ft. rates because that is a difficult standard to apply a land use to. He also cautioned the Commission against saying that “something is better than nothing”.

VII. Public Comment

VIII. Adjournment

The meeting was closed at 4:20 PM

IX. Staff Reports