

AGENDA

EAST GRAND RAPIDS PLANNING COMMISSION June 11, 2019 - 5:30 PM Community Center – Commission Chambers

1. Call to Order
2. Approval of Minutes: May 14, 2019
3. Review of draft zoning ordinance amendments to the C-1 schedule of uses and associated zoning ordinances.
4. Public Comment
5. Report of the City Commission
6. Next Regular PC Meeting: July 9, 2019
7. Adjournment

PROCEEDINGS OF THE PLANNING COMMISSION
CITY OF EAST GRAND RAPIDS
May 14, 2019
East Grand Rapids Community Center – Commission Chambers

Present: Chairman John Barbour, Commissioners John Arendshorst, Kevin Brant, Tom Getz, Mary Mapes and Jeff Olsen

Absent: Commissioners Jeff Dills, Brian Miller and Michael Naultner

Also Present: Interim City Manager Doug LaFave, City Zoning Administrator Alek Mizikar, City Attorney John Huff and Recording Secretary Lynda Taylor

1. CALL TO ORDER

Chairman Barbour called the meeting to order at 5:34 PM

2. APPROVAL OF MINUTES – April 9, 2019

A motion was made by Commissioner Getz and supported by Commissioner Arendshorst to approve the minutes as written.

Yeas: Commissioners Arendshorst, Barbour, Brant, Getz and Mapes

Nays: -0-

3. CONTINUED DISCUSSION ON PERMITTED GROUND FLOOR USES IN THE C-1 COMMERCIAL DISTRICT AND THE SPECIAL LAND USE APPROVAL PROCESS

Zoning Administrator Mizikar reviewed items of the draft amendment of Table 5.36 Schedule of Uses: Commercial District that were suggested at the April 10, 2019 meeting.

- New Item: Residential dwellings on the ground floor of a commercial building – Special Land Use (S)
 - Commissioners approved the addition of this item with the following requirement:
 - Any front entry would need to have a hallway or small lobby so the living area would not be seen.
 - No dedicated parking spaces would be required.
- Health clubs and fitness centers, ***and private sports and recreation instructional facilities****, not including physical therapy clinics staffed by medical professionals – Permitted Use by Right (P).
 - *Additional language
 - Commissioners approved this language.

Commissioner Jeff Olsen arrived at 5:45 PM.

- New item: Hotels, including Bed and Breakfasts - Permitted Use by Right (P).
 - Commissioner Olsen felt strongly that a parking requirement needed to be added. He expressed concern about neighborhood parking issues. After discussion, Commissioners agreed to a requirement of 75% of a parking space per room.
- Personal service establishments, including small electronics/appliance repair, shoe repair, dressmakers/tailors, tanning salons, ***barber or beauty salon****, decorating and upholstery shops, ***and other similar repair shops****.
 - *Additional uses/language
 - Commissioners approved these uses and language.

- Medical/dental offices and clinics of physicians, dentists, psychologists, chiropractors, optometrists, physical therapists and similar or allied professions, **and non-boarding veterinary services with no outside uses***.
 - *Additional use
 - Commissioners approved the addition of non-boarding veterinary services and requested revising the wording "outside uses".
 - Change from Special Land Use on ground floor to Permitted Use by Right (P)
 - Commissioners approved this change
- Professional office services such as: insurance, real estate, legal, sales and similar or allied professions.
 - Change from Special Land Use (S) to Permitted Use by Right (P).
 - Commissioners approved this change.
- New item: Product Showrooms and similar mixed office with product display uses – Permitted Use by Right (P) above ground floor. Determine use designation for ground floor.
 - Commissioners approved Permitted Use by Right (P) for first floor show rooms with the following requirements:
 - Regular business hours
 - Must allow walk in customers
 - Require display windows
 - Limit parking of fleet/service vehicles
 - Second floor – Permitted Use by Right (P): Commissioners approved with one requirement:
 - Limit parking of fleet/service vehicles
- Serviced offices (shared office space)-above ground floor: Change from Special Land Use (S) to Permitted Use by Right (P).
 - Commissioners approved this change.
- Radio and television broadcasting stations:
 - Change from Special Land Use (S) to Permitted Use by Right (P)
 - Commissioners approved this change.

Discussion of Special Land Use Approval Process:

Chairman Barbour asked if making changes to Section 5.36 was a sufficient change or if commissioners were interested in changing Article 11 Special Land Uses to condense the approval process.

Commissioner Getz commented that changing some of the items in Section 5.36 from Special Land Use to Permitted Use will reduce the number of things that need approval. He added that it would be more appropriate if the City Commission asked the Planning Commission to do things rather than the Planning Commission asking to take over their duties since they are elected officials and the Planning Commissioners are appointed as an advisory board.

Commissioner Olsen asked about reasoning for changing the process and if the change would benefit the City.

Commissioner Brant said that it would be great to continue to streamline and bring the approval process to the Planning Commission, but also agrees with the sentiment that it isn't the Planning Commission's place to ask.

Commissioner Arendshorst agreed with the comments made and suggested recommending that the City Commission consider giving the Planning Commission more power. Delegating some of their responsibilities would streamline the special land use approval process.

Commissioner Olsen added that at the present time the City Commission can handle the workload that comes through. If the case load would ramp up it would make sense to make a change.

Interim City Manager La Fave suggested making the changes to the Schedule of Uses for the next meeting and make possible changes to the approval process a discussion point for the City Commission. All commissioners agreed with this.

4. PUBLIC COMMENT

No public comment was received.

5. REPORT OF THE CITY COMMISSION

Mr. La Fave reported that road construction projects were well under way. The road preventative maintenance work and mill and fill projects will be wrapped up by the end of June.

Commissioner Mapes asked about the Master Plan and if there was anything the Planning Commission could do to help with it. Mr. La Fave responded that the City Commission packet for the next meeting contains an update on the goals so people can see the progress that is being made.

6. NEXT REGULAR PLANNING COMMISSION MEETING: June 11, 2019

7. ADJOURNMENT

Chairman Barbour adjourned the meeting at 6:22 PM

Respectfully submitted,

Lynda Taylor
Recording Secretary



CITY OF
EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506
(616) 949-2110 www.eastgr.org

ALEKSANDER P. MIZIKAR
ZONING ADMINISTRATOR

MEMORANDUM

TO: Planning Commissioners
FROM: Alek Mizikar, Zoning Administrator
DATE: May 30, 2019

RE: **C-1 Schedule of Uses – Draft Zoning Amendments**

Action Requested:

That the Planning Commission review the draft amendments to the C-1 Schedule of Uses (Section 5.36) and the associated zoning ordinance sections (Sections 5.72 and 5.74). If all is in order, a public hearing should be scheduled for the next available Planning Commission meeting so that public comment can be heard, and a vote can be had by the Planning Commission on a recommendation to the City Commission.

Background:

Attached with this memo are draft zoning ordinance amendments to the C-1 Schedule of Uses (Section 5.36) and to the associated zoning ordinance sections (Sections 5.72 and 5.74). These amendments are based on discussion had at the previous two Planning Commission meetings (April 9th and May 14th).

Remaining Discussion Points:

1. If other office uses are being permitted on the ground level in the C-1, should “Non-profit professional, civic, social, fraternal, political and religious organizations” also be permitted, instead of needing a Special Land Use approval?
2. Should Hotels and Bed and Breakfast’s be separated? A bed and breakfast usually needs to be in a single family home, which there are none currently in the C-1 district. Should Bed and Breakfasts be moved to the Residential schedule of uses, leaving hotels in the Commercial schedule of uses?

Doug LaFave, Interim City Manager

Section 5.36 Schedule of Uses

Uses permitted in the nonresidential districts are listed in **Table 5.36**. Additional requirements related to a specific use, if any, are referenced in the “Specific Requirements” column. Any use not specifically listed shall be prohibited, unless the use is determined to be a similar use according to *Section 5.75(A)*.

Table 5.36 Schedule of Uses: Commercial District

P = Permitted use by right S = Special Land Use	C-1	Additional Requirements
Accessory		
Accessory uses clearly ancillary to the principal use (accessory structures are not permitted)	P	
Accessory outdoor customer service activities such as delivery of products to customers’ vehicles, grocery cart use, escorting of customers and home delivery	P	<i>Section 5.70(C)</i>
Accessory outdoor dining	P	<i>Section 5.70(C)</i>
Accessory outdoor sales and display (including temporary sales)	P	<i>Section 5.70(C)</i>
Accessory outdoor storage	S	<i>Section 5.70(C)</i>
Dining and Entertainment		
Microbrewery or brew pub	S	<i>Section 5.71(A)</i>
Restaurants, including standard service and carry-out, excluding drive-through service and entertainment/floor shows	P	
Soda fountain, ice cream shop or candy store	P	
Recreation/Cultural		
Art gallery/studio	P	
Parks and recreational facilities, publicly owned	P	
Public facilities (government buildings, public museums, public galleries, public libraries, etc.)	S	
Residential		
Residential dwellings above the ground floor of a commercial building	P	<i>Section 5.74(B)</i>
Residential dwellings on the ground floor of a commercial building	S	<i>Section 5.74(C)</i>
Retail		
Retail sales other than food/groceries, up to 10,000 sq. ft. gross floor area	P	
Retail food/grocery, up to 50,000 sq. ft. gross floor area, which may also include food items prepared on site for sale on the premises	P	
Services		
Automatic teller machines, walk-up only, accessory to or separate from a bank or similar financial institution	P	
Banks and similar financial institutions, without drive-through facilities	P	
Barber or beauty salon	P	

Table 5.36 Schedule of Uses: Commercial District

P = Permitted use by right S = Special Land Use	C-1		Additional Requirements
Business service establishments, including printing/copy centers, postal centers, travel agents, graphics services	P		
Dance or music studio	P		
Drive-through facilities for banks and pharmacies, but not including any other uses	S		
Dry cleaner/laundry (including pick-up stations and self-service laundries)	P		
Health clubs and fitness centers, and Private Sports and Recreation Instructional Facilities not including physical therapy clinics staffed by medical professionals	P		
Hotels, including Bed and Breakfasts	S		Section 5.74(D)
Personal service establishments, including small electronics/ appliance repair, shoe repair, dressmakers/tailors, tanning salons, barber or beauty salon , decorating and upholstery shops, and other similar repair shops	P		
Photographer	P		
Other Uses			
Essential services	P		Section 5.59
Radio and television broadcasting stations	P		
Similar uses	P/S		Section 5.75(A)
Wireless telecommunications systems	S		Section 5.75(D)
Offices	On ground floor	Above ground floor	Specific Requirements (special land uses only)
Medical/dental offices and clinics of physicians, dentists, psychologists, chiropractors, optometrists, physical therapists and similar or allied professions, and non-boarding veterinary services with no outside uses (not including veterinary establishments)	P	P	Section 5.72(A)
Non-profit professional, civic, social, fraternal, political and religious organizations	S	P	Section 5.72(A)
Professional office services such as: insurance, real estate, legal, sales and similar or allied professions	P	P	Section 5.72(A)
Product Showrooms and similar mixed office with product display uses	P	P	Section 5.74(C)
Serviced offices		P	Section 5.72(B)
Other Uses			
Essential services	P		Section 5.59
Radio and television broadcasting stations	P		
Similar uses	P/S		Section 5.75(A)
Wireless telecommunications systems	S		Section 5.75(D)

Section 5.72 Office Uses

A. **Professional Offices on the Ground Floor.** In approving an ~~special use for an~~ office use on the ground floor, the ~~Planning Commission shall find that all the~~ following standards ~~are shall be~~ met:

1. ~~A special use may be granted to a property that does not provide the required off-street parking, if the Planning Commission finds that there are no opportunities to meet the off street parking requirement on or nearby the site and patrons have adequate parking choices elsewhere within the C 1 District that are reasonably accessible and convenient, especially during the expected peak times of the use, without a negative impact to parking spaces serving retail and entertainment uses.~~ Professional offices on the ground floor of a commercial building are subject to the off-street parking requirements in Article 9 of this Zoning Ordinance; provided, the required parking may be permitted to be located off site if the following requirements are met:
 - a. The required parking spaces are located off-street within 300 feet of the entrance to the dwelling unit;
 - b. The parking area meets all applicable requirements of this ordinance for off-street parking;
 - c. The owner provides written assurance that the spaces will be permanently available; and
 - d. A maintenance agreement is provided to ensure the continued upkeep of the parking area.
2. If a building has both retail/service/entertainment uses and office uses on the ground floor, the retail/service/entertainment use(s) shall be located in the storefront, adjacent to the public sidewalk; however, a single entry door in the façade that leads to the office use shall be permitted.
3. The structure containing the office use shall maintain a retail character, with ground floor display windows, facades, signs and lighting similar in nature to and compatible with that provided by retail uses.
 - a. For existing structures, existing windows, doors or other wall openings shall not be eliminated or enclosed, unless the Planning Commission finds that any eliminated windows/doors are compensated by new windows, doors or other wall openings and that the retail character and nature of the building is retained.
 - b. For new structures, any ground floor wall facing a street shall have transparent areas, equal to at least seventy percent (70%) of its portion of the facade, between one (1) and eight (8) feet from the ground. Walls on

upper floors facing a street shall have transparent areas equal to at least thirty-five percent (35%) of its portion of the façade.

- c. Glass shall be clear or lightly tinted only. Opaque applications shall not be applied to the glass surface, except for window signs as permitted in Chapter 81, Signs.

~~4. The special use shall be limited to the floor area of office space approved via the site plan review process. Any expansion (except for an expansion into a floor above the ground floor) shall be considered an amendment to the special use and shall be approved via the same process as for the original approval.~~

B. Serviced Offices (drop-in office).

1. Parking shall be provided at the ratio required for professional offices.

~~2. The serviced office shall not be located on the street level.~~

C. Product Showrooms and Similar Mixed Office with Product Display Uses

1. Must be open during regular business hours (9am to 5pm Monday through Friday)
2. Must allow walk-in customers (not just by appointment)
3. A minimum of 60% of the street facing façade must contain display windows that allow outside pedestrians to see into the building.
4. If associated fleet/service vehicles are to be parked onsite, they must either be parked inside a building or must be screened so that they are not visible from the street right-of-way.
5. The square footage of office space must be equal to or lesser than the square footage of display and storage areas.

Section 5.74 Residential Uses

A. Independent and Assisted Living.

1. The minimum required lot size shall be five acres or 2,500 square feet per dwelling unit, whichever is greater.
2. Parking shall be provided at a ratio of one space per employee, plus one space per dwelling unit.
3. The building shall be at least 25 feet from all side and rear property lines for one story buildings and 40 feet for all buildings or portions of buildings two or more stories in height. A front setback of at least 25 feet shall be provided.

B. Residential Dwellings Above the Ground Floor in a Commercial Building.

- ~~1. Dwelling units shall not be located on the street level.~~
2. Nonresidential uses, including storage, shall not be located on the same floor as a dwelling unit.
- ~~3. One on-site parking space shall be provided for each dwelling unit; provided, the required parking may be permitted to be located off-site if the following requirements are met:~~
 - ~~a. The required parking spaces are located off-street within 300 feet of the entrance to the dwelling unit;~~
 - ~~b. The parking area meets all applicable requirements of this ordinance for off-street parking;~~
 - ~~c. The owner provides written assurance that the spaces will be permanently available; and~~
 - ~~d. A maintenance agreement is provided to ensure the continued upkeep of the parking area.~~

C. Residential Dwellings on the Ground Floor in a Commercial Building.

1. Dwelling unit shall not occupy any space along the front of a commercial building, except for the entry door and hallway leading towards dwelling.
2. The entire width of the building, except for the entry door and associated hallway of a dwelling, along any street frontage must be occupied by a nonresidential use otherwise allowed in the C-1 district.

D. Hotels and Bed and Breakfast Establishments

1. A parking plan must be submitted with the applicant's site plan during the Special Land Use approval process. This parking plan shall include at the minimum at least 1 dedicated parking spot for 75% of the available rooms, plus two (2) spaces for the owner of the dwelling.