

## **AGENDA**

### **EAST GRAND RAPIDS PLANNING COMMISSION April 9, 2019 - 5:30 PM Community Center – Commission Chambers**

1. Call to Order
2. Approval of Minutes: March 12, 2019
3. Discussion on permitted ground floor uses in the C-1 Commercial District.
4. Public Comment
5. Report of the City Commission
6. Next Regular PC Meeting: May 14, 2019
7. Adjournment

PROCEEDINGS OF THE PLANNING COMMISSION  
CITY OF EAST GRAND RAPIDS

March 12, 2019  
East Grand Rapids Community Center – Commission Chambers

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

Absent: Commissioners Brian Miller & Michael Naltner

Also Present: Assistant 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 5:32 PM.

2. APPROVAL OF MINUTES – February 12, 2019

A motion was made by Commissioner Dills and supported by Commissioner Mapes to approve the minutes as written.

Yeas: Commissioners Arendshorst, Barbour, Brant, Dills, Getz, Mapes and Olsen - 7

Nays: -0-

3. PUBLIC HEARING AND CONSIDERATION OF THE SPECIAL LAND USE REQUEST OF BILL COLE FOR HIS STATE FARM INSURANCE BUSINESS TO OPERATE ON THE GROUND LEVEL AT SUITE #2169 OF 2179 WEALTHY STREET SE.

Zoning Administrator Alek Mizikar reported that there had been no changes to the request since the last Planning Commission meeting. The owner added a sign to the storefront which will require a variance because of the size.

Chairman Barbour opened the public hearing.

Bill Cole – owner of the State Farm Office at 2179 Wealthy, Suite 2169:

Stated that he wanted to continue to be a part of the Gaslight Village business community. He had been at the previous office location in Gaslight Village for ten years and had to move because of size constraints within the building and parking issues behind the building. He said he appreciated the Planning Commission's consideration.

No other public comment was received. Chairman Barbour closed the public hearing.

A motion was made by Commissioner Arendshorst and supported by Commissioner Getz to approve the Special Land Use request to locate an insurance business office on the ground level in the C1 district at 2170 Wealthy Street, Suite 2169.

- Chairman Barbour: What would have to be done to be able to bypass this type of land use request in accordance with the Master Plan?
- Commissioner Getz: Since the Master Plan suggests more mixed use, how could professional office services be made a permitted use?

- Acting City Manager Doug LaFave: This would come from the City Commission. He recommended that a communication from the Planning Commission Chairman to the Mayor would be helpful to get it moving.
- City Attorney John Huff: This would require a modification of the ordinance because it would need to be shown as an allowed use.

Yeas: Commissioners Arendshorst, Barbour, Brant, Dills, Getz, Mapes and Olsen – 7

Nays: -0-

#### 4. PUBLIC COMMENT

No public comment was received.

#### 5. REPORT OF THE CITY COMMISSION

City Attorney Huff reported that a land division at 2755 Hall Street was denied unanimously. He added that this property had recently been before the Planning Commission for a rezoning request which had also been denied.

#### ADDITIONAL DISCUSSION:

- Commissioner Olsen: Expressed concern about the empty retail store fronts in Gaslight Village and recommended that the Planning Commission look into bypassing the land use request for ground floor offices in the C1 district.
- Acting City Manager La Fave: Said he would pass the information if that was the consensus of the commissioners.
- Commissioner Brant: Having an extra review would make sense.
- Commissioner Dills: Not completely on board with the idea because of parking, particularly, employees taking up spaces during the business day.
- Commissioner Getz: Said it would be worth having the discussion to consider it because of the empty store fronts.
- Acting City Manager La Fave: Will provide an informational report from Howard Kohn of the Chesapeake Group which suggests possible uses in Gaslight Village.
- Bill Cole – Owner of State Farm Insurance: Said he has as many walk-in customers as the retail businesses and these customers are not just from East Grand Rapids. He agreed that there was a need for customer parking in the area.

#### 6. NEXT REGULAR PC MEETING: April 9, 2019

#### 7. ADJOURNMENT

Chairman Barbour adjourned the meeting at 5:48 PM.

Respectfully submitted,

Lynda Taylor  
Recording Secretary



CITY OF  
EAST GRAND RAPIDS

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ALEKSANDER P. MIZIKAR  
ZONING ADMINISTRATOR

**MEMORANDUM**

TO: Planning Commissioners  
FROM: Alek Mizikar, Zoning Administrator  
DATE: April 2, 2019  
  
RE: **Discussion on C-1 Permitted Ground Floor Uses**

Action Requested: That the Planning Commission conduct a discussion on permitted ground floor uses in the C-1 Commercial zoning district (Gaslight Village).

Background:

At the March 12<sup>th</sup> Planning Commission meeting the Planning Commission expressed interest in starting the review process for ground floor permitted uses in the C-1 Commercial zoning district. This action is listed as a goal in the recently approved 2018 Master Plan. This was discussed with the City Commission at the March 25, 2019, meeting during the goals session to note moving forward.

In order for the C-1 Schedule of Uses to be amended, the following process will need to take place:

1. Introduction of zoning ordinance amendment to Planning Commission.
2. Public hearing on zoning ordinance amendment at Planning Commission.
3. Vote by Planning Commission to recommend zoning ordinance amendment to City Commission.
4. Introduction of zoning ordinance amendment to City Commission.
5. Public hearing on zoning ordinance amendment at City Commission.
6. Vote by City Commission to approve zoning ordinance amendment.

Additional steps may also be considered:

- Solicit feedback and comments from the Gaslight Village Business Association. Staff could present at a GVBA meeting.
- Conduct an invitational meeting with business owners and property owners within Gaslight Village to solicit feedback. Digital surveys could also be used in place of a physical meeting.

Included in this memo are the following:

- Current C-1 Schedule of Uses (Section 5.36) and Other Uses (Section 5.75)
- Data on existing businesses
- Graphs representing existing land use
- Information from Howard Kohn, economist with the Chesapeake Group, who participated in the Master Plan update process in 2018.
- External Research on Commercial District Trends

**Section 3.36**

**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)*.

<b>Table 5.36 Schedule of Uses: Commercial District</b>		
P = Permitted use by right S = Special Land Use	<b>C-1</b>	<b>Additional Requirements</b>
<b>Accessory</b>		
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>
<b>Dining and Entertainment</b>		
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	
<b>Recreation/Cultural</b>		
Art gallery/studio	P	
Parks and recreational facilities, publicly owned	P	
Public facilities (government buildings, public museums, public galleries, public libraries, etc.)	S	
<b>Residential</b>		
Residential dwellings above the ground floor of a commercial building	S	<i>Section 5.74(B)</i>
<b>Retail</b>		
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	
<b>Services</b>		
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	
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, not including physical therapy clinics staffed by medical professionals	P	

**Table 5.36 Schedule of Uses: Commercial District**

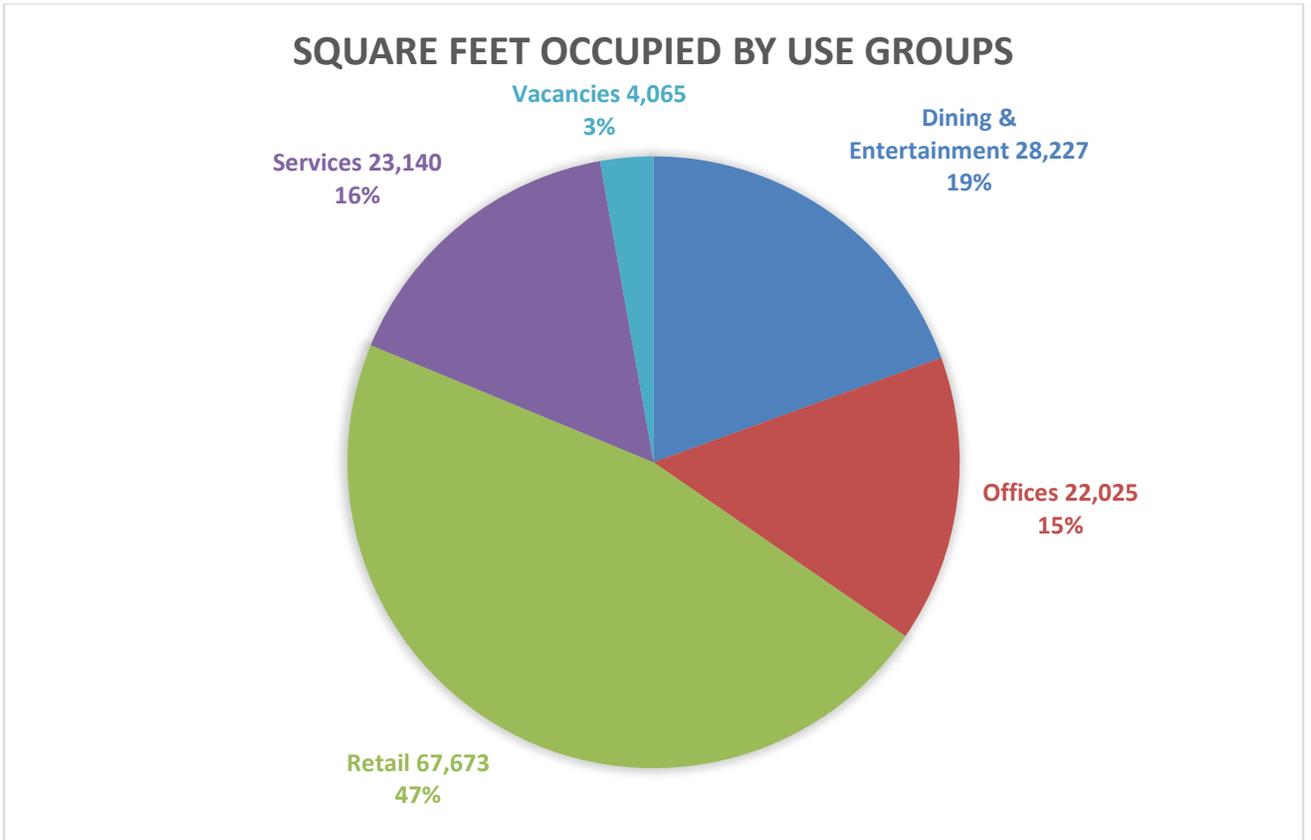
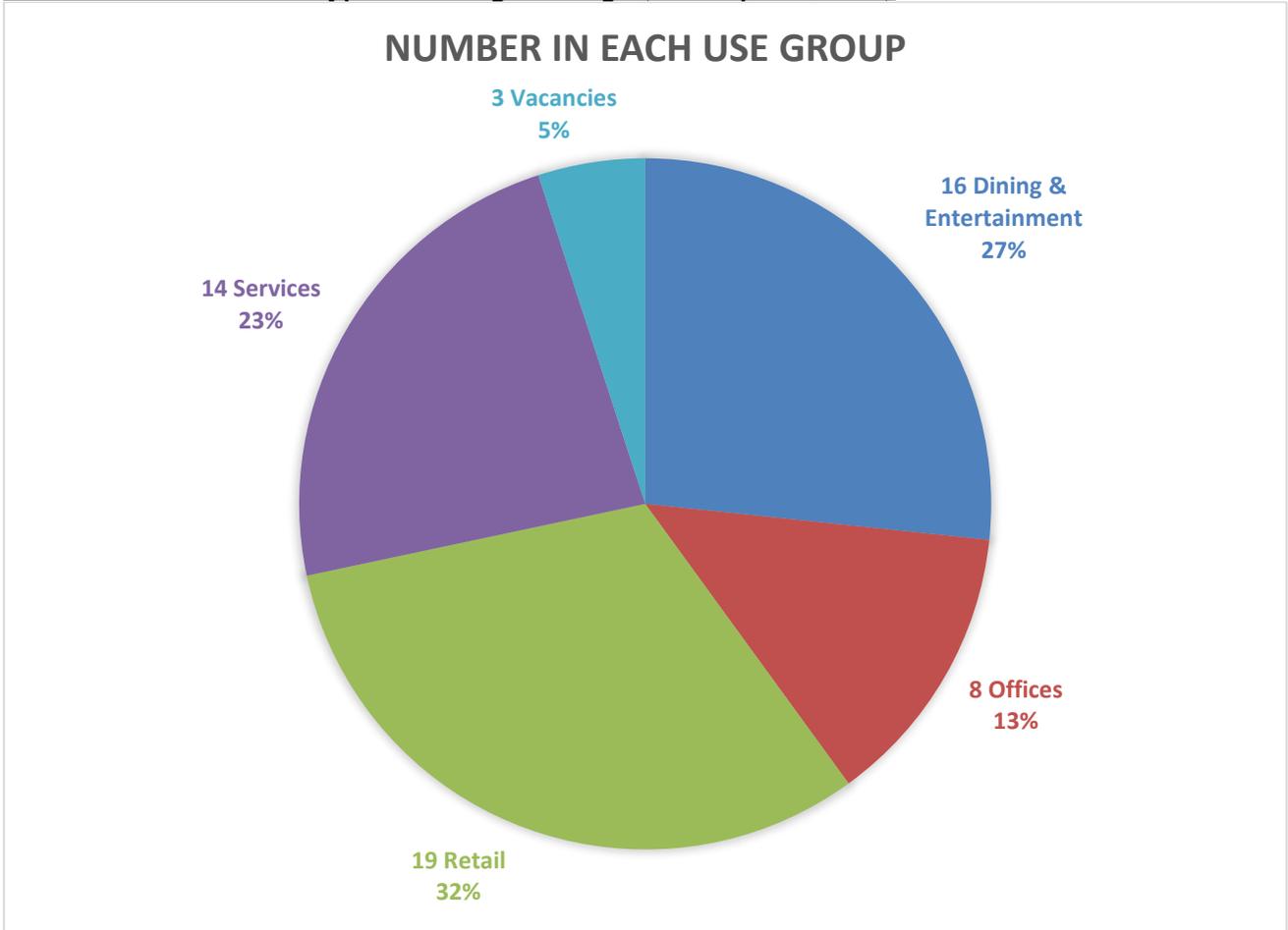
P = Permitted use by right S = Special Land Use	C-1		Additional Requirements
Personal service establishments, including small electronics/ appliance repair, shoe repair, dressmakers/tailors, tanning salons, decorating and upholstery shops	P		
Photographer	P		
<b>Other Uses</b>			
Essential services	P		<i>Section 5.59</i>
Radio and television broadcasting stations	S		
Similar uses	P/S		<i>Section 5.75(A)</i>
Wireless telecommunications systems	S		<i>Section 5.75(D)</i>
<b>Offices</b>	<b>On ground floor</b>	<b>Above ground floor</b>	<b>Specific Requirements (special land uses only)</b>
Medical/dental offices and clinics of physicians, dentists, psychologists, chiropractors, optometrists, physical therapists and similar or allied professions (not including veterinary establishments)	S	P	<i>Section 5.72(A)</i>
Non-profit professional, civic, social, fraternal, political and religious organizations	S	P	<i>Section 5.72(A)</i>
Professional office services such as: insurance, real estate, legal, sales and similar or allied professions	S	P	<i>Section 5.72(A)</i>
Serviced offices		S	<i>Section 5.72(B)</i>

**Jade Pig PUD Permitted Uses**

Section 3, Subsection (q): Within the commercial area of the PUD, all first floor space in Building 1 and Building 2A shall be used for permitted C-1 uses other than business or professional offices and ancillary group uses. Business and professional offices shall be located on the second floor of Buildings 1 and 2A. All other C-1 uses area also permitted on second floor of Building 1 and 2A other than ancillary group uses. While Building 2B uses are contemplated to be primarily medical offices or retail space related to medical offices and Building 2C is contemplated to be occupied by a bank or other financial organization, any use permitted in the C-1 zone is approved for those buildings other than ancillary group uses. In addition, business or professional offices are not permitted in the first floor of Building 2C. Developer will use its best efforts to utilize the bank façade it has acquired on the front of Building 2C if such use is commercially reasonable. Nonresidential portions of the first floor of Building 3 shall be used for permitted C-1 uses other than ancillary group uses, including a fitness center. While this paragraph specifies allowed uses in specific buildings, this paragraph is subject to the conditions of Section 3(o) (and Exhibit E) that only specified uses are allowed without additional review and approval for parking space compliance.

- A. Similar Uses.** Since every potential use cannot be addressed in this ordinance, each district provides for similar uses, referencing this section. All applications for a use not specifically listed in any zoning district shall be submitted to the Director of Public Works for review and decision, based on the following standards:
1. The Director of Public Works shall find that the proposed use is not listed as a named permitted or special land use in any zoning district.
  2. If the use is not addressed in any district, the Director of Public Works shall review the uses listed as permitted and special land uses in the zoning district in which the use is proposed and determine if a use listed in the district closely resembles the proposed use. This determination shall be based upon criteria such as potential impact on property values, nature of use, traffic generated, aesthetics, noise, vibration, dust, smoke, odor, glare, and other objectionable impacts on the health, safety, and welfare in the city.
  3. If a use is determined to be similar to a named use within the district, the proposed use shall comply with any specific standards or other ordinance requirements that apply to the named use. If the named use is a special land use, the similar use may only be approved according to the requirements of Section 5.94.
  4. The Director of Public Works may, at his/her discretion, submit the proposed use to the Planning Commission for determination of the appropriateness of the use.
  5. Where the Director of Public Works or Planning Commission determines a proposed use is not similar to any named use addressed within the district, the applicant may petition for an amendment to this ordinance.
  6. The determination as to whether a proposed use is similar in nature and class to another named permitted or special land use within a district shall be considered as an interpretation of the use regulations, and not as a use variance; this determination may be appealed as provided in Article 12.
  7. Upon determination by the Director of Public Works or Planning Commission that a use is similar to a named use, the Director of Public Works shall initiate an amendment to this chapter to list the similar use in the schedule of uses for the zoning district.

Breakdown of Business Types in Gaslight Village (as of April 1, 2019)



### Howard Kohn Recommendations

During our most recent master planning process, economist Howard Kohn from the Chesapeake Group was asked to consult on the future of Gaslight Village. He proposed the following uses that, while they may not all be desirable, would provide for increased foot traffic. Some of these uses are already permitted under the current schedule of uses.

- Cell phone service providers
  - This is already a permitted ground floor use.
- You broke it we fix it type of providers
  - This is already a permitted ground floor use (for the most part).
- Outpatient media service facilities
  - “Graphics services” are a permitted ground floor use.
- Urgent care facilities
  - This use would be a Special Land use.
- Imaging centers
  - This is already a permitted ground floor use.
- Performing and visual arts instruction
  - This is already a permitted ground floor use.
- Hotels
  - This use is not listed in the C-1 Schedule of Uses; however, it is mentioned in the Master Plan as a suggested use on the west side of Gaslight Village in order to “enhance the sense of arrival in Gaslight Village”, and “provide additional experiences in Gaslight Village...and an overnight stay option with dining and other experiences after work” (Master Plan, pg. 32). The type of hotel (ex. “boutique”), size (ex. Max. of 20 rooms) and location could be specified in the schedule of uses.
- Bed & breakfasts
  - This use is not listed in the C-1 Schedule of Uses; however, it could be viewed similarly to hotels.
- Mailing and printing services
  - This is already a permitted ground floor use.
- Banks and financial institutions serving the public
  - This is already a permitted ground floor use.
- Consumer goods rental
  - This use is not listed in the C-1 Schedule of Uses. Is this something that should be permitted or require a Special Land Use?
- Veterinary services
  - This use is not listed as being permitted; however, it is mentioned as not being included with “medical/dental offices and clinics of physicians” as needing a Special Land Use. Is this something that should be permitted or require a Special Land Use?
- Sports & recreation instructions
  - Publicly owned recreational facilities are permitted; however, privately owned sport and recreational instruction facilities are not explicitly listed. Is this something that should be permitted or require a Special Land Use?
- Temp employment services and training
  - This use is not explicitly listed in the C-1 Schedule of Uses. Is this something that should be permitted or require a Special Land Use?
- Fitness and rec training & facilities
  - This is already a permitted ground floor use.
- Hair, Nail & skin care service providers
  - This is already a permitted ground floor use.
- Diet & weight reducing centers
  - “Health clubs and fitness centers” are permitted; however, medical offices and physician clinics are Special Land Use.

### External Research on Commercial District Trends

Below is research gathered by *Strategic Economics* (as of 2018), a nationally recognized urban economics consulting firm, regarding national trends in retail, restaurant, and the personal services industry, and how these trends may affect the characteristics and businesses within “Neighborhood Commercial Districts” such as Gaslight Village.

#### National Trends:

- Major retailers are closing stores in record numbers, while discount stores and other variety stores are experiencing steady growth.
- Nationally, growth in retail and restaurant sales is concentrated primarily in online sales, food and beverage stores, restaurants and bars, building materials and home furnishings, and health and personal care stores.
- E-Commerce is continuing to have an increasing effect on brick-and-mortar stores, causing businesses to include more online sales, app-based delivery services, and online reservation services.
- E-Commerce is also causing brick-and-mortar stores to pivot their business models. While consumers are able to buy objects through the internet, they are not able to purchase “experiences” (yet...). Americans are increasingly spending their money on experiences, such as dining, entertainment, and personal care, causing retail stores to incorporate the sale of food and drinks, offer classes and events, and expand opportunities for customers to interact with products before purchasing.
- While some laws are aimed to protect traditional retail by limiting other uses, they may actually limit a retailer’s ability to adapt to changing market conditions and restrict complementary uses that might drive additional foot traffic.

#### Key factors that contribute to successful commercial districts:

- Healthy business mix that includes “anchors” to attract foot traffic, and a diverse mix of retail and non-retail businesses.
- Appealing physical environment such as attractive architectural character and street environment.
- Convenient, multi-modal access that is actively managed to allow access for different types of users.
- Drivers of demand, such as local spending power, employment concentrations, medical/educational institutions, and tourism.
- High-capacity district management organizations such as merchant associations and community development corporations.

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Doug LaFave, Interim City Manager

**Potential Types of Activity Not all may be desirable or appropriate for East Grand Rapids but all generate substantial foot traffic and are not considered "retail."**

Cell phone service providers  
You broke it we fix it type of providers  
Outpatient medical service facilities  
Urgent care facilities  
Imaging centers  
Performing and visual arts instruction  
Hotels  
Bed & breakfasts  
Mailing and printing services  
Banks and financial institutions serving the public  
Consumer goods rental  
Veterinary services  
Sports & recreation instructions  
Temp employment services and training  
Fitness and rec training & facilities  
Hair, Nail & skin care service providers  
Diet & weight reducing centers