

AGENDA

EAST GRAND RAPIDS PLANNING COMMISSION February 12, 2019 - 5:30 PM Community Center – Commission Chambers

1. Call to Order
2. Approval of Minutes: January 8, 2019
3. Introduction and review 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.
4. Public Comment
5. Report of the City Commission
6. Next Regular PC Meeting: March 12, 2019
7. Adjournment

PROCEEDINGS OF THE PLANNING COMMISSION
CITY OF EAST GRAND RAPIDS

January 8, 2019
East Grand Rapids Community Center – Commission Chambers

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

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 5:31 PM.

2. APPROVAL OF MINUTES

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

Yeas: Commissioners Arendshorst, Barbour, Dills, Getz, Mapes, Miller, Naltner and Olsen – 8

Nays: -0-

Commissioner Brant arrived at 5:35 PM.

3. REVIEW AND APPROVE THE 2018 PLANNING COMMISSION ANNUAL REPORT

Zoning Administrator Mizikar explained that the Michigan Planning Enabling Act requires that a Planning Commission prepare an annual report of their activities for the legislative body. The Planning Commission in the past has not prepared an annual report because they only act as a recommendation body to the City Commission, and Planning Commission meeting minutes are always forwarded on to the City Commission after each meeting.

Commissioners thanked Zoning Administrator Alek Mizikar for the report.

A motion was made by Commissioner Arendshorst and supported by Commissioner Getz to approve the annual report as submitted.

Yeas: Commissioners Arendshorst, Barbour, Brant, Dills, Getz, Mapes, Miller, Naltner and Olsen – 9

Nays: -0-

4. DISCUSSION AND PUBLIC HEARING ON COVERED FRONT PORCH YARD SETBACK REQUIREMENTS

Zoning Administrator Mizikar reviewed his memo of December 26, 2018 and a summary of discussion from the Planning Commission meeting held on December 11, 2018.

Commissioners discussed the setback measurements and stipulations regarding porch width, wall height and opacity, railings, glass and screens. Mr. Mizikar suggested contacting City Planner Paul LeBlanc for wording recommendation before the recommendation is forwarded on to the City Commission.

A motion was made by Commissioner Getz and supported by Commissioner Mapes to recommend to the City Commission approval of the following front porch setback encroachment requirements:

- Allowed encroachment would be the lesser of 6' or 20% of required setback, measured per Alek's recommendation of the front property line to the nearest wall of the principal structure,
- No width restrictions,
- Railings and knee walls up to minimal building code requirements,
- No screens or glass can enclose the porch
- No more than 50% opacity requirement for railings.

5. REPORT OF THE CITY COMMISSION

Commissioner Miller reported the following:

- City Manager Brian Donovan's retirement is coming soon.
- A task force was put together by the Mayor has been looking at candidates
- Community open house the evening of Thursday, January 10 to meet all candidates
- Friday, January 11 - public interviews, discussion, make a recommendation of a finalist and authorize the Michigan Municipal League to negotiate on the City's behalf with the finalist.

6. NEXT REGULAR PLANNING COMMISSION MEETING: February 12, 2019

7. ADJOURNMENT

The meeting was adjourned at 6:09 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: January 29, 2019

RE: **Special Land Use Request – Insurance business on ground level in C-1 District
2179 Wealthy Street SE (Suite #2169) (PPN: 41-14-33-276-031)**

Action Requested:

That the Planning Commission be introduced to a special land use request from the applicant, Bill Cole, to allow his State Farm insurance business to operate on the ground level within the C-1 Commercial District. A public hearing must then be set for the March 12th Planning Commission meeting. The Planning Commission may then consider action after the public hearing with respect to a recommendation that would be forwarded on to the City Commission for final approval/denial.

Background:

State Farm has operated at its current location of 2143 Wealthy Street SE for the past 10 years. They now wish to move their operations to Suite #2169 at 2179 Wealthy Street. This is the area previously occupied by Studio Smooth right next to D&W Fresh Market.

The C-1 schedule of uses (Section 5.36) requires that a professional office such as an insurance office must obtain a special land use permit if they wish to operate on the ground floor of a building. The C-1 schedule of uses also lists Section 5.72(A) as additional requirements for this specific special land use. Both Sections 5.36 and 5.72(A) are included with this memo for your reference.

The applicant was unaware of this special land use requirement, and was just made aware by myself on Monday, January 21, 2019. I gave Bill Cole's office a call on Friday, January 18, 2019, once I noticed an availability sign in the front of the business to see what their intentions were. I then scheduled a meeting with Mr. Cole for the morning of Monday, January 21, 2019. I knew that other locations were available within the C-1 district, and I wanted to make sure that Mr. Cole was aware of any specific zoning regulations that would be of importance to his business if he planned on moving somewhere in Gaslight Village. It was at this meeting that Mr. Cole told me that they were planning on moving into their new location by early February. I gave Mr. Cole all the necessary ordinances and paperwork, and told him that if he submitted his application by Friday, January 25, 2019, that his request could be introduced at the February 12, 2019, Planning Commission meeting.

Mr. Cole has been informed that he may move his operations into this new space while he is going through the special land use process, albeit at his own discretion.

Section 5.72(A) Requirements:

Staff comments on the requirements listed in Section 5.72(A) are as follows:

1. This standard is not applicable due to the applicant meeting the off-street parking requirements.
2. This standard is not completely applicable as the store front that this proposed use would be in does not open up on to a public sidewalk. When looking at all of the store fronts within this specific commercial strip, this proposed location would be most ideal for an insurance office out of all of them. The location is tucked away in the corner and does not have a large window store front.
3. No exterior work is to be done at the new proposed location, besides the installation of a new business sign. This sign will be approved through the normal sign permitting process.
4. This standard is understood by the applicant.

Parking Requirements:

Section 5.77.B (Minimum Parking Requirements) states that the required parking spaces for a business, professional, or service office (such as an insurance office) is one (1) space for each three hundred and thirty (330) square feet of usable floor area.

The floor plan submitted with the application shows approximately 1,010 square feet of usable floor area. This results in a total of 3 parking spots needed.

There is no shortage of existing parking spots located at 2179 Wealthy Street. The parking study that was included in our recent Master Plan states that:

“The Jade Pig parking structure and the D&W lot are the two largest facilities in the district, accounting for 426 total parking spaces, or 43% of the total parking in Gaslight Village. The D&W lot typically fills more than the Jade Pig structure (it is about half the size of the structure), but both facilities were consistently under-utilized (less than 60% occupied).” (p. 21)

The off-street parking requirements for this request are met.

Special Land Use Standards:

Section 5.94 of the zoning ordinance outlines seven (7) review standards that need to be met. These standards are as follows (the applicant has also addressed these standards in their narrative):

- A. The proposed use will comply with the general objectives and land use policies of the City of East Grand Rapids Master Plan.

Staff Comments: *This proposed use complies with the Master Plan’s intent to promote more variety of uses in Gaslight Village such as ground floor offices.*

- B. The proposed use will be designed, constructed, operated, and maintained so it is appropriate and harmonious with the intended character and appearance of the surrounding area; will be compatible with the intent of the zone district; and will not change the essential character of the surrounding area.

Staff Comments: *This proposed use will only consist of an interior remodel, and will not alter the design or appearance of the location.*

- C. The establishment, maintenance, location, or operation of the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in that zone district.

Staff Comments: *This proposed special use will not impede the normal and orderly development and improvement of surrounding property for permitted uses.*

- D. The establishment, maintenance, location, or operation of the proposed use will not be detrimental to or endanger the health, safety, or general welfare of any persons; will not be injurious to or conflict with the use or enjoyment of neighboring property for the purposes permitted; and will not result in any significant adverse impact on the natural environment.

Staff Comments: *This proposed use will not endanger any nearby person or property.*

- E. The proposed use will not involve activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Staff Comments: *This proposed use will not result in increased or excessive traffic, noise, smoke, fumes, glare, or odors.*

- F. Adequate utilities, highways, streets, access, drainage structures, police and fire protection, refuse disposal, schools, and other necessary services or facilities have been or will be provided to serve the proposed use; the proposed use will not place undue demands on public services or facilities that result in exceeding their capacity.

Staff Comments: *This proposed use will not place undue demands on public services or facilities.*

- G. The proposed use will, in all other respects, conform to the applicable regulations of the zone district in which it is located, specific requirements of Article 8, all conditions of approval, and all other applicable provisions of law, ordinance, or statute.

Staff Comments: *All applicable regulations have been met.*

Brian Donovan, City Manager