

The applicant is requesting a one-year extension of the PRD amendment approval. Granting the extension as requested would give the applicant until April 14, 2026, to substantially commence work on this project.

Ms. Turkelson recalled that the Planning Commission approved a 5-story, 250-unit multi-family development within the Celebration PUD in January of 2023. The applicant is requesting a one-year extension due to market conditions.

The Commission engaged in general discussion regarding granting extensions.

**Motion by Ms. Shannon, supported by Mr. Jonker, to grant the requested 1-year extension. Motion carried unanimously.**

2. FY23 Annual Report &

3. FY24 Annual Report

Ms. Turkelson explained that the Annual Reports are a report out of the number of cases the Planning Commission and Board of Zoning Appeals have reviewed, and highlights of Zoning changes that may have occurred during that period. The reports are required by the Zoning Enabling Act. The next step is to submit the reports to the City Commission for their information.

Discussion occurred regarding available data related to approved projects such as the number of dwelling units developed, projects that come to fruition after approval, etc.

Ms. Turkelson explained that they could provide data on projects approved and those that moved forward. Making that data available is in process. The City Commission expressed a desire to have a tool to review what stage a project is in. Staff is working on a dashboard tool where the general public can go in and find out the status of a project. Ms. Turkelson advised the Commission on what data is currently available and that it can be provided to the Planning Commission if desired.

Discussion occurred regarding illegal Airbnb's and data that is available. Ms. Turkelson explained the enforcement challenges as well as the policy consideration.

4. Agenda items were briefly reviewed.

5. There will be no meeting on 2/27/25. The next meeting will be 3/13/25.

### **III. Public Hearings beginning 1:00 p.m. or soon thereafter in City Commission Chambers**

#### **A. Conflict of Interest**

None expressed.

#### **B. Zoning Ordinance Text Amendments - Various**

**Applicant:** The City of Grand Rapids Planning Department

**Requesting:** Amendment of various sections of the Zoning Ordinance (Chapter 61 of the City Code). The amendment would revise the Grand River Overlay District section to reincorporate text inadvertently eliminated, permit solar panels on the street-facing side of residential structures, and establish Administrative Departures for the location of egress window wells and the replacement of non-conforming front yard parking.

**Requirements:** 5.12.10. Zoning Ordinance Text and Map Amendments

**Case Number:** PC-TXT-2025-0002

**Staff Assigned:** Elizabeth Zeller [ezeller@grcity.us](mailto:ezeller@grcity.us)

**Type of Case:** Text Amendment

**Effective Date:** City Commission ordinance adoption

Ms. Zeller introduced the request and briefly explained the various proposed Zoning Ordinance text amendments.

**Basement Egress Window Wells** - Ms. Zeller explained that the amendment would allow a reduction in the minimum setback of a window well from a side or rear lot line through an Administrative Departure, provided certain conditions are met. She explained that this is a common review item for the Planning and Building Departments. The amendment would allow placement of an egress window well within three (3) feet of the property line. The current requirement is a three (3) foot setback from the side lot line. A window well is typically three (3) feet, meaning one would need six (6) feet between the structure and property line. Ms. Zeller explained that on properties with a five (5) foot side yard setback, installation of an egress window well would not be possible without a Variance by the BZA. The fact that the BZA has been approving these requests is a signal that the Zoning Ordinance should be addressed. Staff is proposing an amendment that allows a window well to go no closer than one (1) foot to the lot line, with conditions. The conditions that would have to be met for an Administrative Departure are showing that there is no other feasible location for a window well; that there be a clear path to the public way; adequate fall protection to the adjacent walking surface; and that the adjacent property is protected during excavation. Administrative approval of such requests would reduce both cost and time barriers for property owners seeking to install egress window wells.

**Nonconforming Site Elements - Front Yard Parking** - Ms. Zeller noted that this section appears to have a number of changes. However, the text in green simply indicates things have been moved around; the content hasn't changed. The content that is proposed for change relates to existing, nonconforming front yard parking. The proposed amendment would allow the replacement of nonconforming front yard parking with an Administrative Departure. Currently, someone wishing to replace the crumbling pavement must bring everything into conformity, which can be very difficult. The proposed amendment would allow someone to reinvest in their property and repave the parking lot. This would also be approved through an Administrative Departure, with conditions. Those conditions include that there is no practical alternative for the parking spaces in the front yard; that they not increase the nonconformities; that landscaping be brought closer to conformity; and to allow them to retain the number of spaces they have even if it exceeds the number of spaces permitted by the Ordinance. If they exceed the parking requirement by more than 20%, retaining those spaces will be considered following the submittal of a parking demand study. Ms. Zeller responded to the Commission indicating that this would typically apply to commercial properties.

Grand River Overlay District (OD-GR) - Ms. Zeller explained that the proposed amendment reinstates building elements, parking, and landscaping requirements that were inadvertently eliminated in a 2023 amendment that allowed additional building height in the TN-TCC and TN-CC Zone Districts, eliminated the height bonus structure in the Downtown Height Overlay District, and simplified the height bonus structure within the Grand River Overlay. The amendment also modifies the permitted uses in the OD-GR District from the TN-TCC to the use regulations of the underlying Zone District of the property. Currently in the Grand River Overlay Section it says that all uses in the Transitional City Center Zone District are allowed. The proposed amendment would allow only the uses of the underlying Zone District.

Alternative Energy - Solar Energy Systems - Ms. Zeller explained that currently solar panels are allowed on the street facing sides of structures with an Administrative Departure. The preference is that solar panels are not located facing the street. However, at times there is no other alternative. There have been several requests for Administrative Departures over the years that have been approved, which demonstrates that the Ordinance should be modified to reduce the barrier to homeowners who want to add solar panels. Staff has received two letters of support for this proposed amendment.

Ms. Shannon feels the proposed amendment aligns nicely with the environmental things within the Master Plan.

Ms. Joseph opened the public hearing and invited public comment; there was none. The public hearing was closed.

Ms. Shannon recognized that the amendments clean some things up. She is happy to see staff bringing forward items that are repetitive and generally approved.

Mr. Swem feels the proposed amendments have been well thought out. He appreciates the changes occurring when a need for it is recognized.

Ms. Joseph agreed. The amendments are in alignment with the Master Plan. She appreciates the thoughtfulness of reducing barriers for citizens.

Ms. Shannon **MOVED, NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Commission approve the proposed Text Amendments to the Zoning Ordinance for the following reasons:

- 1. The proposed amendments are consistent with the purpose and intent of the Master Plan and Zoning Ordinance because the amendments support a number of recommendations and objectives of the 2024 Community Master Plan, including: 1.A.8 Provide adequate resources to meet community needs; 1.B.4 Assess and reduce barriers to innovative housing solutions; 1.C.8 Continue to promote the use of green infrastructure on individual home sites; 3.C Balance economic growth with priorities for the environment.**
- 2. The proposed amendments will enhance the functionality or character of the future development in the City because much of the property along the Grand River has been**

rezoned from TN-TCC to the TN-CC Zone District, and many TN-TCC uses are no longer appropriate; the proposed administrative departures will facilitate property owners' ability to make investments in their properties; and subjecting properties in the Grand River Overlay District to the uses of the base zone district will result in development consistent with surrounding properties.

3. The proposed amendments will enhance the natural features and environmental integrity of the city because the amendment to Section 5.11.15. Alternative Energy will allow for rooftop solar panels to be located on the street-facing sides of a structure, supporting green initiatives and alternative energy systems.
4. The proposed amendments will protect the health, safety, and general welfare of the public because the amendments to allow administrative departures for egress window wells and front yard parking, as well as street facing solar panels, will reduce cost and time barriers for property owners.
5. The proposed amendments are needed to correct an error or omission in the original text because the amendment to the Grand River Overlay District will reinstate text that was inadvertently eliminated during a 2023 text amendment.
6. The proposed amendments will address a community need in physical or economic conditions or development practices because the egress window well amendment will allow for existing housing stock to be more fully utilized and the amendment will allow for the placement of rooftop solar panels in the location best suited for energy collection.
7. The proposed amendments would not result in the creation of significant nonconformities in the city because replacement of front yard parking lots would be limited to situations where no other practical alternative exists, the parking lot is not expanded, and landscaping is brought closer to current requirements.

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

<b>RESULT:</b>	<b>RECOMMENDED TO CITY COMMISSION [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Shannon, Board Member
<b>SECONDER:</b>	Aaron Jonker, Vice Chairperson
<b>YEAS:</b>	Swem, Joseph, Shannon, Williams, Jonker, Schottke, Helm
<b>ABSENT:</b>	Kristine Bersche, Arlen-Dean Gaddy

**C. Downtown Height Overlay District DH-2(a) Amendment**

**Address:** 748, 750, 830, 936, 942, 954, 1010, 1060, 1116, & 1155 Front Ave. NW; 260 & 282 Leonard St. NW; and 800, 832, 902, 934, 960, 1000, 1014, 1030, 1044, 1058 Scribner Ave. NW

**Applicant:** City of Grand Rapids Planning Department

**Requesting:** **Approval to amend Map A, Downtown Height Overlay District, to include the subject properties in the DH-2(a) subarea.**

**This amendment will correct an omission from February 20, 2024 when the subject properties were rezoned to the TN-CC (Traditional Neighborhood–City Center Zone District without**