

AGENDA  
WYOMING PLANNING COMMISSION  
TUESDAY, APRIL 19, 2016  
7:00 P.M.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF MINUTES:

APPROVAL OF AGENDA:

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS:

PUBLIC HEARINGS:

1. Request to assign an I-I Light Industrial zoning to 60 acres of land obtained from Byron Township through a PA 425 agreement. The properties are located at the southeast corner of Burlingame Avenue and 60<sup>th</sup> Street, SW. (City of Wyoming Planning Department)
2. Request to vacate Laville Avenue and Stanton Street (paper only streets) extending south from Chicago Drive, SW. (Section 3) (Atonne Group, LLC)
3. Request for Special Use Approval for Chick-fil-A drive through restaurant. The property is located at the southwest corner of 54<sup>th</sup> Street and U.S. 131, SW. (Section 36) (Progressive AE) (Includes Site Plan Approval)

NEW BUSINESS:

INFORMATIONAL ITEMS:

PUBLIC COMMENT:

ADJOURNMENT:

WYOMING PLANNING COMMISSION  
AGENDA ITEM  
NO. 1

DATE DISTRIBUTED: April 11, 2016  
PLANNING COMMISSION DATE: April 19, 2016

ACTION REQUESTED: Request to assign an I-1 Light Industrial zoning to 60 acres of land obtained from Byron Township through a PA 425 agreement.

REQUESTED BY: City of Wyoming Planning Department

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The properties are located at the southeast corner of Burlingame Avenue and 60<sup>th</sup> Street, SW.

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site was zoned R-R Rural Residential in Byron Township. Zoning surrounding the property follows:

North: I-3 Planned Industrial (across 60<sup>th</sup> Street)  
South: R-R Rural Residential (Byron Township)  
East: R-S Residential Suburban (Byron Township)  
West: R-R (across Burlingame Avenue - Byron Township)

EXISTING LAND USE:

The site is undeveloped agricultural fields. The surrounding land uses are as follows:

North: Gordon Foods and Jasper Weller (across 60<sup>th</sup> Street)  
South: Undeveloped agricultural fields and M-6 (Byron Township)  
East: Undeveloped agricultural fields (Byron Township)  
West: Single family residence (across Burlingame Avenue – Byron Township)

**PROPOSED ZONING:**

The City of Wyoming has entered into a Public Act 425 agreement with Byron Township to transfer 60 acres of land into the City. A tax sharing between the two communities will occur for 50 years. The property is unable to be serviced by public utilities from Byron Township, but can be serviced from those within the City. The terms of the PA 425 agreement specify that the property shall be used for industrial purposes. The property was zoned Rural Residential in Byron Township which is not transferable. The City and Township have previously entered into several PA 425 agreements for properties on the north side of M-6.

The surrounding properties in the City of Wyoming are used for industrial purposes and are zoned I-3 Planned Industrial. The City of Wyoming Land Use Plan 2020 identifies the properties under consideration as being suitable for industrial purposes (see attached). The I-3 zoning is effectively I-1 Light Industrial zoning for allowable uses, but has a greater requirement for landscaping and building façade treatments along Gezon Parkway. The properties will only have access to 60<sup>th</sup> Street due to the elevated ramp on Burlingame Avenue to cross over M-6. 60<sup>th</sup> Street only extends between Burlingame Avenue and Clyde Park Avenue and is not a major thoroughfare. In addition, due to the properties having a depth of only 250 feet from 60<sup>th</sup> Street to the transmission line corridor, the viable lot sizes (see attached) along the frontage will be substantially less than 2 acres required in an I-3 district, but would comply with the I-1 Light Industrial minimum requirement of one acre. For these reasons, the I-1 Light Industrial zoning is considered by staff and the property owners to be more suitable than the nearby I-3 Planned Industrial zoning.

It is noted that these properties surround a 1.1 acre property that is not included in the PA 425 agreement. That property is currently being used as a residence and will remain in Byron Township for the foreseeable future.

**CONFORMANCE WITH THE CITY OF WYOMING SUSTAINABILITY PRINCIPLES:**

**Sustainability:** The advancement and promotion, with equal priority, of environmental quality, economic strength, and social equity so that a stable and vibrant community can be assured for current and future generations.

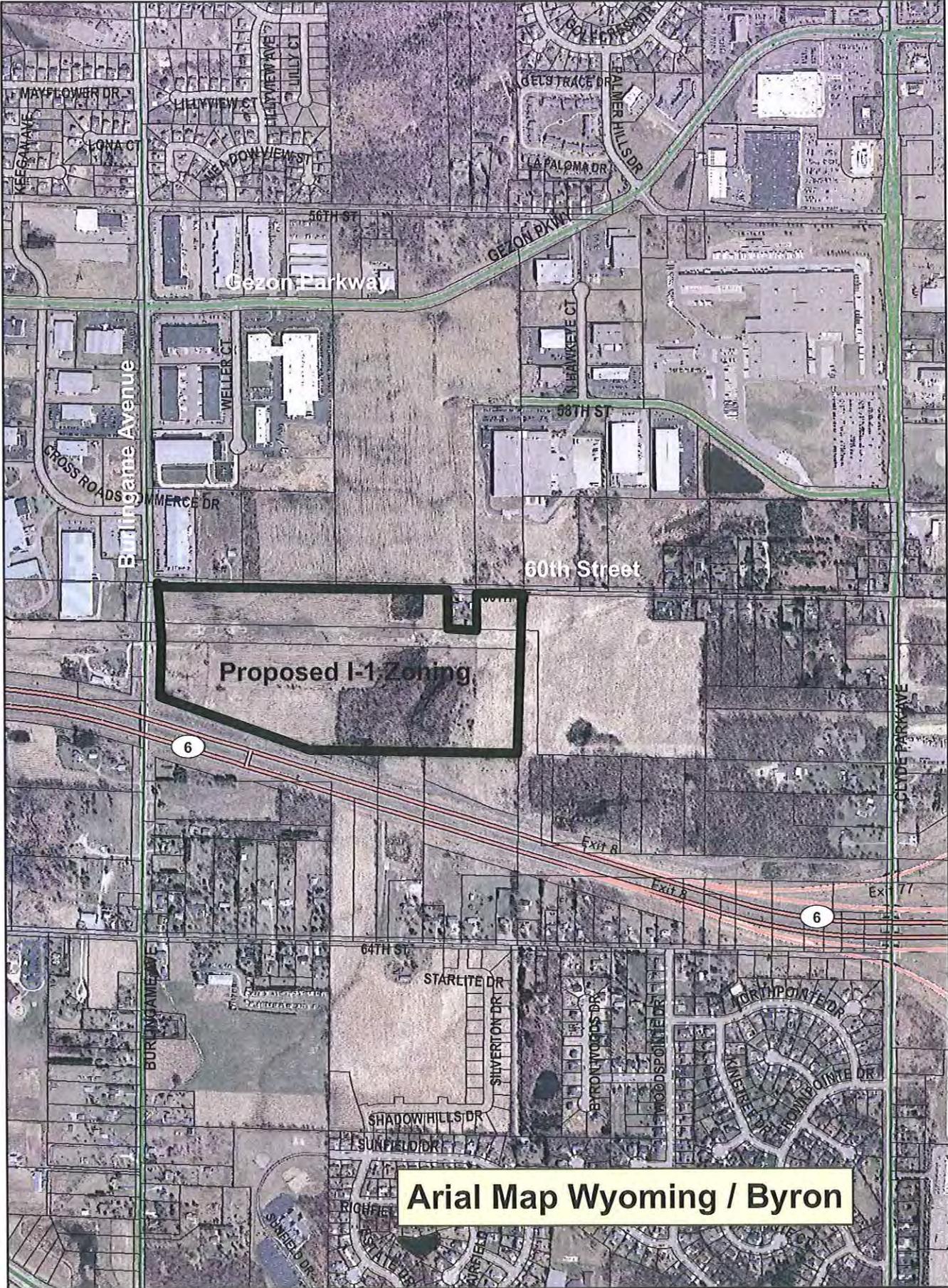
The proposed I-1 Light Industrial zoning will provide for the 60 acres to be developed to substantially enhance the City tax base and provide for significant employment. Such development will contribute to the city's economic and social strength. The proposed zoning conforms to the City of Wyoming sustainability principals.

**PLANNING COMMISSION ACTION:**

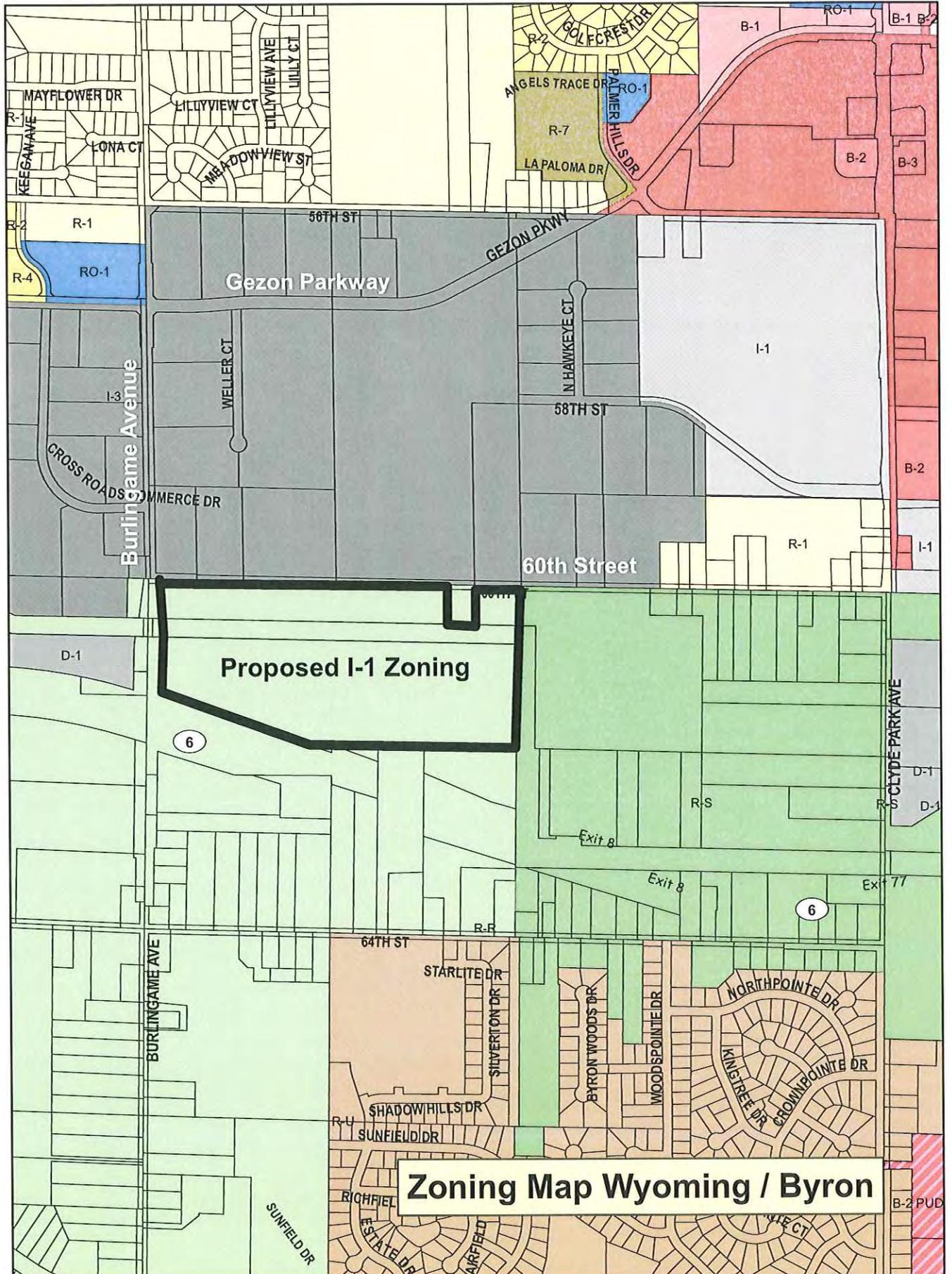
The Development Review Team suggests the Planning Commission recommend to the City Council the proposed zoning to I-1 Light Industrial.

DEVELOPMENT REVIEW TEAM:

Heidi Isakson, Deputy City Manager  
Rebecca Rynbrandt, Director of Community Services  
William Dooley, Director of Public Works  
Jeff Keppel, Building Official  
James Carmody, Director of Police and Fire Services  
Tim Cochran, City Planner

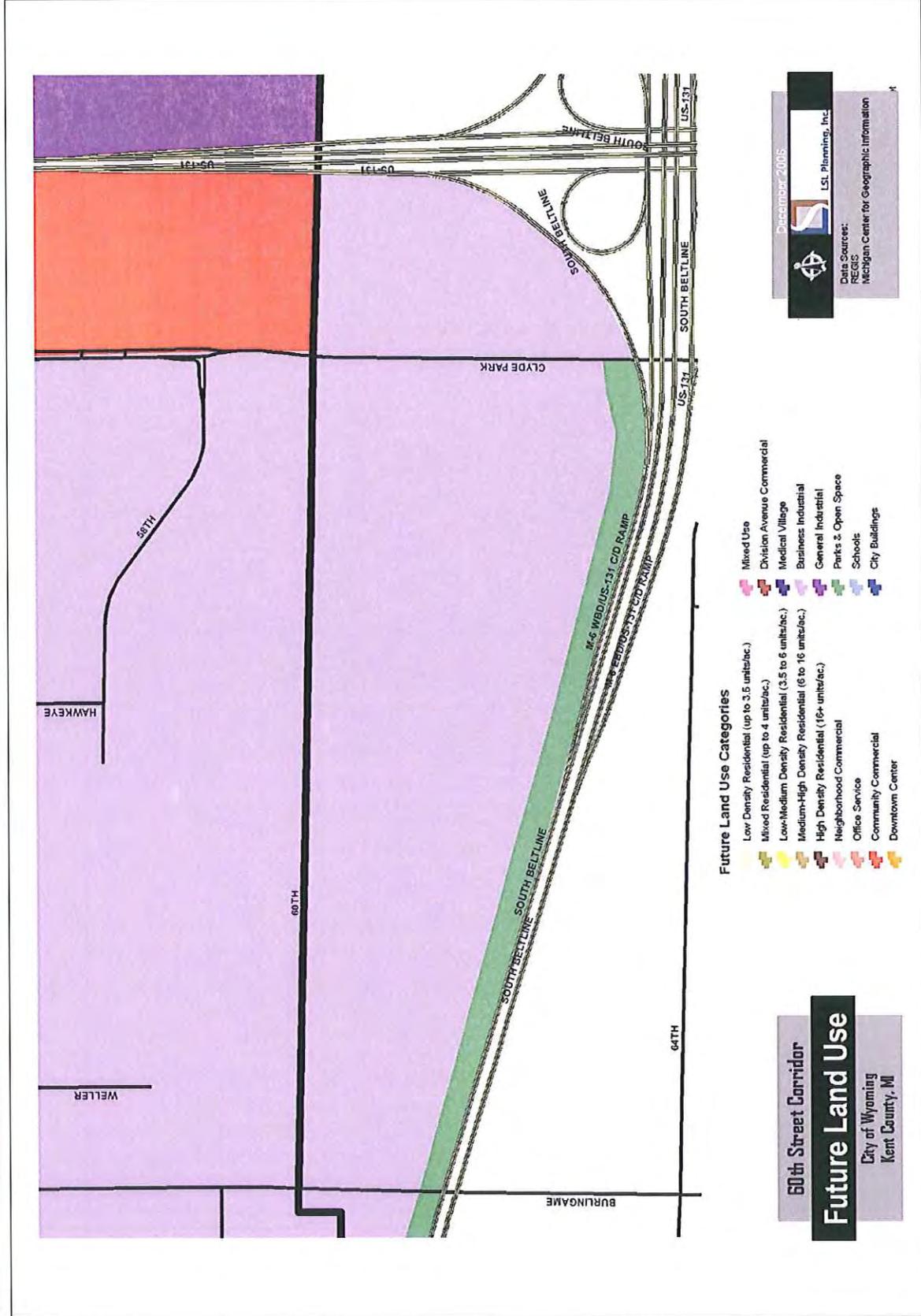


Aerial Map Wyoming / Byron



**Zoning Map Wyoming / Byron**

FUTURE LAND USE  
CITY OF WYOMING LAND USE PLAN 2020



WYOMING PLANNING COMMISSION  
AGENDA ITEM  
NO. 2

DATE DISTRIBUTED: April 11, 2016

PLANNING COMMISSION DATE: April 19, 2016

ACTION REQUESTED: Request to vacate Laville Avenue and Stanton Street (paper only streets)

REQUESTED BY: Atonne Group LLC, adjoining property owner

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The streets are located south of Chicago Drive and west of Burlingame Avenue, SW. (Section 3)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

The streets are zoned I-2 General Industrial. Zoning surrounding the streets follows:

North: I-2 General Industrial  
South: R-2 Single Family Residential  
East: I-2 General Industrial  
West: I-2 General Industrial

EXISTING LAND USE:

The streets are undeveloped. The right-of-way serves for vehicle access and circulation to adjoining businesses. The surrounding land uses are as follows:

North: Industrial  
South: Baatjes Park  
East: Industrial  
West: Industrial

PROPOSED STREET VACATION:

The petitioner owns all the surrounding properties with the exception of Baatjes Park to the south. The street right-of-ways were never developed as public streets, and have for several decades served just the adjoining industrial businesses for vehicular and truck access to Chicago

Drive. The streets have no general public purpose. The petitioner requests the City vacate the paper streets so the land can be incorporated into three adjoining parcels, which will then be consolidated into more desirable and functional parcels (see attached parcel combination plan). One building was also constructed partially within the right-of-way.

A 0.03 acre portion of the Stanton Street vacation borders Baatjes Park. The vacation process assigns ½ of the adjoining right-of-way to each side. A separate action will be required to transfer the additional vacated property to be normally assigned to Baatjes Park to the adjoining properties (0.01 and 0.02 acres respectively).

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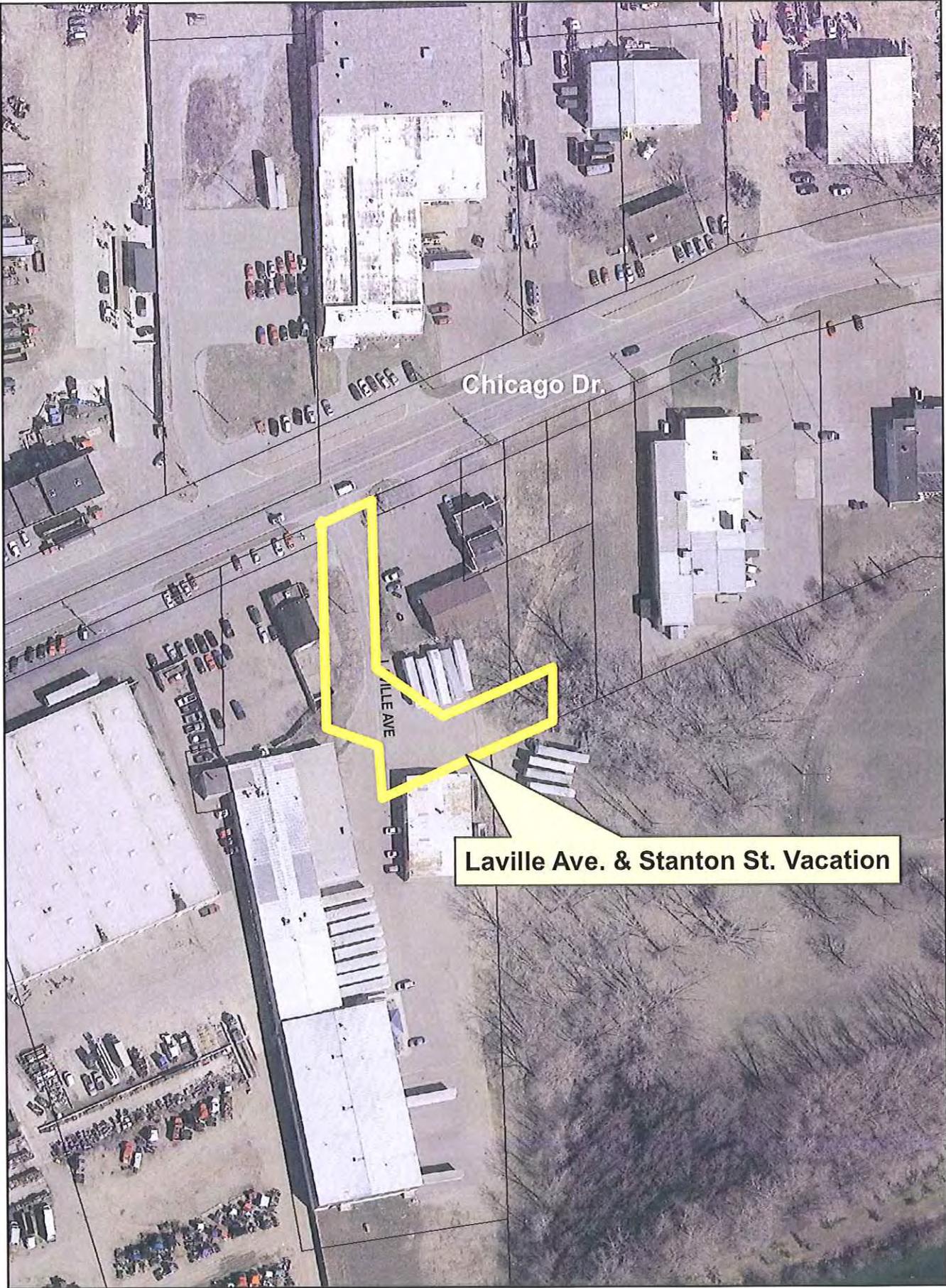
The proposed street vacations will provide for the adjoining industrial properties to consolidate into three properties and allow for their more efficient use and future expansion opportunities. This will provide for future economic growth. The proposed vacations conform to the City of Wyoming sustainability principals.

#### PLANNING COMMISSION ACTION:

The Development Review Team suggests the Planning Commission recommend to the City Council the proposed vacation of Laville Avenue and Stanton Street.

#### DEVELOPMENT REVIEW TEAM:

Heidi Isakson, Deputy City Manager  
Rebecca Rynbrandt, Director of Community Services  
William Dooley, Director of Public Works  
Jeff Keppel, Building Official  
James Carmody, Director of Police and Fire Services  
Tim Cochran, City Planner



Chicago Dr.

LAVELLE AVE

**Lavelle Ave. & Stanton St. Vacation**

WYOMING PLANNING COMMISSION  
AGENDA ITEM  
NO. 3

DATE DISTRIBUTED: April 11, 2016

PLANNING COMMISSION DATE: April 19, 2016

ACTION REQUESTED: Request for Special Use Approval for Chick-fil-A Drive Through Restaurant (Includes Site Plan Approval)

REQUESTED BY: Progressive AE, project consultant

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at the southwest corner of 54<sup>th</sup> Street and US 131, SW. (Section 36)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned B-3 Planned Business. Zoning surrounding the property follows:

North: B-2 General Business (across 54<sup>th</sup> Street)

South: B-3 Planned Business

East: I-2 General Industrial (across US 131)

West: B-3 Planned Business

EXISTING LAND USE:

The site is the north parking lot for Meijers. The surrounding land uses are as follows:

North: Hampton Inn hotel (across 54<sup>th</sup> Street)

South: Meijers

East: US 131

West: Chili's restaurant

PROPOSED LAND USE:

The petitioner proposes to to develop a 4,971 square foot Chick-fil-A Restaurant with drive through service within a underutilized parking area for Meijers. If approved, it would become the fifth stand-alone business adjoined with Meijers. Drive through restaurants require Special Use

Approval from the Planning Commission. The following standards for Special Use Approval shall be considered by the Planning Commission, as described within Section 90-761 (3) of the Zoning Ordinance:

- a. The possible substantial and adverse effect on neighboring property.

The proposed location is within the north parking lot of Meijers. Chick-fil-A is a regionally new franchise, but with national notoriety, and would be an enhancement to the City of Wyoming.

- b. The consistency with the spirit, purpose and intent of this chapter.

The Special Use provisions of the ordinance allow the Planning Commission discretion in whether to establish land uses within a particular area of a zoning district. The Meijer's out lots include a Panera with drive through service. Also in the immediate area is a Steak n' Shake with drive through service and a Sonic with drive-in service. The proposed use is consistent with the Zoning Ordinance.

- c. The possible adverse effect upon traffic as related to the streets, churches, schools and any buildings within the immediate area.

This project will obtain access through the existing driveways serving Meijers and it's out lots. The application includes a Traffic Impact Analysis (attached) which identifies the significant traffic congestion that occurs along the 54<sup>th</sup> Street corridor. This congestion is primarily due to the close convergence with US 131, the high employment areas to the west along Gezon Parkway, and the numerous major retailers in the immediate area. The addition of a Chick-fil-A restaurant at this location would further contribute to this congestion.

The City, as adopted within the Grand Valley Metro Council 2017-2020 Transportation Improvement Program, has reserved federal funding in 2019 to reconstruct 54<sup>th</sup> Street from Clyde Park Avenue to the eastern on-off ramps at US 131 (see attached exhibit). The two focal points of that plan are to provide direct ingress / egress at the Meijers property from the southbound off ramp with an additional east-bound lane between Clyde Park Avenue and US 131. This planned reconstruction would be accommodated with the proposed Chick-fil-A development. The street reconfigurations will improve overall traffic flow and reduce congestion through the 54<sup>th</sup> Street corridor. The Engineering Department will need to work cooperatively with MDOT, Federal Highway Administration, and Meijers to obtain approval. Additional right-of way for the third east-bound lane will be needed. The improvements will also require closure of the existing driveway to 54<sup>th</sup> Street. During this interim, it would also be beneficial for 54<sup>th</sup> Street traffic flow for Meijers to direct all entering and exiting tractor trailers to

Clyde Park Avenue.

- d. The tendency of the proposed use to create any type of blight within the immediate area.

The potential drive through restaurant will occupy an underutilized parking area and will have no blighting influence on neighboring properties.

- e. The economic feasibility for the area.

The proposed use appears financially viable.

- f. Any other factor as may relate to the public health, safety and welfare for persons and property.

Staff has no additional comments.

- g. That all other provisions of this chapter are met.

Staff has no other concerns.

Staff has the following added site plan comments:

1. Final grading, utility and storm water management plans shall be approved by the Engineering Department.
2. The applicants propose to split a 1.46 acre parcel, with 187 feet of width, from the Meijers parcel. The minimum parcel area is 5 acres, and the minimum parcel width is 300 feet, in this B-3 Planned Business district. Variances from the Board of Zoning Appeals are required to allow the parcel split. The nearby out lots for Chili's, Belle Tire and Panera are comparable in size and have previously obtained similar variances. Staff supports the desired variances.
3. The restaurant is shown to have a front yard setback of 55 feet from the 54<sup>th</sup> Street right-of-way. The minimum building setback in this B-3 Planned Business district is 65 feet. A variance from the Board of Zoning Appeals is required to allow the proposed setback. The right-of-way along 54<sup>th</sup> Street is staggered, with a much greater width near US 131. The proposed Chick-fil-A would be set back substantially farther from the pavement than the nearby Chili's restaurant, and the lawn area would exceed 140 feet between the 54<sup>th</sup> Street pavement and building. Staff supports the desired variance.

4. The proposed Chick-fil-A will remove 131 parking spaces from the Meijers store use. Prior parking removals from when the Meijers store was initially developed include accommodations for the Chili's, Belle Tire and Panera developments. The attached parking analysis identifies that with the development of Chick-fil-A, the remaining parking for Meijers will be 824 spaces, with 960 specified being needed under the Zoning Ordinance. The 136 space shortage is 14.2% below that required. Section 90-646 (4) of the Zoning Ordinance allows the Planning Commission to reduce the required parking by up to 25% when it can be demonstrated that a more appropriate parking number is justified. The analysis identifies that this older 226,700 sq. ft. store includes over 42,000 sq. ft. of storage, which is unusual given modern marketing operations within Meijer stores. In addition, the site is served by RAPID bus service. Meijers is confident that they can function appropriately with the reduced parking. Staff supports authorization of the requested 14.2% reduction in required parking.
5. The building façade incorporates extensive brick and windows. The buildings appearance will be an asset to the corridor. The proposed façade is adopted as part of this site plan approval.
6. A detailed landscape plan has been provided which exceeds City requirements. That landscape plan is adopted as part of this site plan approval. Irrigation in the front yard area shall be required.

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The proposed Chick-fil-A Drive Through Restaurant will be a quality addition to the 54<sup>th</sup> Street corridor. Such a business would contribute to the city's economic and social strength. The proposed Chick-fil-A Drive Through Restaurant conforms to the City of Wyoming sustainability principals.

**PLANNING COMMISSION ACTION:**

The Development Review Team recommends the Planning Commission grant Special Use Approval for Chick-fil-A Drive Through Restaurant per the findings of fact. Staff also recommends granting Site Plan Approval through a separate motion subject to conditions 1-6 noted.

DEVELOPMENT REVIEW TEAM:

Heidi Isakson, Deputy City Manager  
Rebecca Rynbrandt, Director of Community Services  
William Dooley, Director of Public Works  
Jeff Keppel, Building Official  
James Carmody, Director of Police and Fire Services  
Tim Cochran, City Planner



Chick-fil-A

54th Street

Clyde Park Avenue

US-131