

AGENDA
WYOMING PLANNING COMMISSION
TUESDAY, SEPTEMBER 17, 2013
7:00 P.M.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF MINUTES:

APPROVAL OF AGENDA:

PUBLIC COMMENT ON NON- PUBLIC HEARING AGENDA ITEMS:

OLD BUSINESS:

1. Request to rezone 21.3 acres from ER Estate Residential to R-7 Special Multiple Family Residential. The property is located at the northwest corner of 56th Street and Canal Avenue. (Section 31) (Rivertown Homes By Design)
2. Request for building façade approval for Elite Training. The property is located at 5920 and 5930 Clyde Park Avenue. (Section 36) (Elite Training)

PUBLIC HEARINGS:

3. Request to amend Zoning Code Chapter 90 to establish Form Based Code provisions.
4. Request for Special Use Approval for the reconstruction and expansion of Speedway. The property is located at 3605 Burlingame Avenue, SW. (Section 22) (exp.) (Includes Site Plan Approval)
5. Request for Special Use Approval for DMR Transportation – truck terminal and repair facility. The property is located at 2450 – 28th Street, SW. (Section 16) (Semi Salja) (Includes Site Plan Approval)
6. Request for Special Use Approval for West Michigan Pawn. The property is located at 2290 – 28th Street, SW. (Section 15) (Michael Friend) (Includes Site Plan Approval)

NEW BUSINESS:

INFORMATIONAL ITEMS:

PUBLIC COMMENT:

ADJOURNMENT:

Mr. Tim Cochran
City of Wyoming
Planning & Development
1155 – 28th Street SW
Wyoming, MI 49509

September 3, 2013

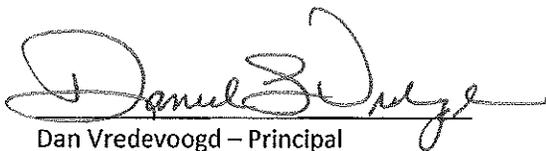
Re: Canal Ave Condominiums:

Mr. Tim Cochran,

We would request that the Planning Commission table our application until the next scheduled Planning Commission meeting. This will allow us an opportunity to address the concerns of the Planning Commission members and respond to the comments heard at the public hearing portion of the meeting.

We will use this time to obtain additional information on the wetland areas of this project and develop an alternate layout of the property as a single family per your request.

Respectfully Submitted,



Dan Vredevoogd – Principal



Rivertown Homes by Design, LLC.

4175 Parkway Place SW

Suite 104

Grandville, MI 49418

Office: 616-534-0466

Cell: 616-292-7563

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 2

DATE DISTRIBUTED: September 5, 2013
PLANNING COMMISSION DATE: September 17, 2013

ACTION REQUESTED: Request for a building façade approval for Elite Training

REQUESTED BY: Elite Training

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 5920 & 5930 Clyde Park Avenue, SW. (Section 36)

PROJECT INFORMATION:

This development project was reviewed and approved by the Planning Commission on June 18, 2013. The approval included the condition that an amended façade plan be provided that would comply with Zoning Code Section 90-59, which requires the fronts of buildings in commercial districts to be of such material and design to be in keeping with character of the area.

The petitioner and their consultant have been working with staff to develop the amended façade plan. It now includes a 10 foot high masonry treatment that extends the length of the front wall. There are also several windows added that will be glazed with spandrel glass. These will look like the entry door windows but will not allow light into the building or be exposed from the inside. Accent bands are also included.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant building façade approval for Elite Training.

DEVELOPMENT REVIEW TEAM:

Barb VanDuren, Deputy City Manager
Rebecca Rynbrandt, Director of Community Services
William Dooley, Director of Public Works
Jim DeLange, Chief Building Official
Bob Austin, Fire Chief
James Carmody, Police Chief
Tim Cochran, City Planner

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 3

DATE DISTRIBUTED: September 5, 2013
PLANNING COMMISSION DATE: September 17, 2013

ACTION REQUESTED: Request to amend Zoning Code Chapter 90 to establish Form Based Code provisions.

REQUESTED BY: Wyoming Planning Department

REPORT PREPARED BY: Timothy Cochran, City Planner

FORM BASED CODE HISTORY:

On March 5, 2012, the City Council approved the Turn On 28th Street Corridor Sub Area Plan as an amendment to the City of Wyoming Land Use Plan 2020. The Sub Area Plan was the culmination of a two year transparent and inclusive community effort to re-imagine a one mile section of 28th Street between Clyde Park Avenue and Burlingame Avenue. The Sub Area Plan strives to guide the City by establishing a practical strategy to transform the aged commercial corridor into a vibrant, inviting, and sustainable mixed use district.

In order to implement the Sub Area Plan, new zoning provisions were required to establish a built environment that matched the vision. Conventional zoning codes were recognized as being inadequate to properly articulate the placement of buildings, their appearance and the mixture of uses necessary for place making and being a suitable economic development tool. A City Council appointed Steering Committee was established to work with the consulting firms of Nederveld and Williams & Works and City staff to develop an appropriate Form Based Code (FBC) to establish, under law, these requirements.

After a year of development, the draft FBC was completed and adopted by the Steering Committee. In order to present it to the community for consideration, two public outreach meetings were held at the Wyoming Library on August 27. The first meeting was held with area developers, commercial real estate agents, and financial interests. The second meeting was with corridor property owners and interested citizens. The feedback from both meetings was supportive of the FBC. Comments were obtained from those participating, and have been attached to this report for further deliberation by the Planning Commission. Other than typographical errors, the draft FBC has not been amended to date. Those amendments will occur after the Planning Commission deliberations and before it is provided for adoption by the City Council. In addition to the two public meetings, the FBC has been widely announced and has been posted on the City website under the 28 West marketing link. Specific individual meetings with key property owners and City representatives have also occurred.

PROPOSED ORDINANCE AMENDMENTS:

Although proposed as a part of the Zoning Code, the FBC's provisions are unique and will serve as a distinctive section. Rather than utilize text almost exclusively, the FBC uses extensive graphics and pictures along with the text to articulate the requirements. The result is a user friendly and well-crafted code. The FBC is intended to be applied initially to the targeted 28th Street corridor area, but may have other future applicability in established commercial areas of the City that are in need of revitalization. The FBC identifies six context zones within the 28th Street corridor, each with specific building types, uses, and frontages. The FBC permits a wide range of land uses typical of a traditional downtown, including: retail, office, educational, multifamily and single family residences. The FBC is structured to streamline the approval process by providing administrative approvals for projects meeting the specified project design options.

The FBC also establishes specific street design standards to properly connect the public realm of streets and sidewalks with the buildings fronting upon them. This connectivity of buildings, mixed uses and public spaces is what creates vibrant place making. The FBC goes further by establishing maximum parking and shared parking standards. The combination of building and parking alternatives allows developers to achieve greater use of their properties.

Some additional sign provisions are included that allow projecting signage from building faces into the public right-of-ways and also temporary sidewalk signs. Definitions have been included to help explain the FBC provisions and expand upon those existing within the existing City Zoning Code.

Upon adoption of the Form Based Code, the City will initiate the rezoning of the 28th Street corridor between Clyde Park Avenue and Burlingame Avenue. Those properties are currently a mixture of DC Downtown Center, B-2 General Business, B-3 Planned Business and R-2 Single Family Residential zoning.

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 FBC is the zoning code necessary to revitalize an aged commercial corridor. The implementation of the FBC will substantially contribute to the city's economic strength and improve social equity. The redevelopment of properties will address best management practices for storm water to improve environmental quality. The proposed FBC 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 subject Zoning Code amendments to establish Form Based Code provisions, including any modifications determined by the Planning Commission.

DEVELOPMENT REVIEW TEAM:

Barb VanDuren, Deputy City Manager
Rebecca Rynbrandt, Director of Community Services
Bill Dooley, Director of Public Works
James E. Carmody, Director of Police & Fire Services
Bob Austin, Fire Chief
Jim DeLange, Chief Building Official
Tim Cochran, City Planner

FORM BASED CODE COMMENTS

| # | Comment | Response |
|----|--|--|
| 1 | Consider the application of the applicability requirement, the 5,000 threshold. Perhaps a percent of the total building would be better and equal the playing field. | With the 5,000 rule, a large building of 100,000 sq. ft. would have this standard triggered with a small change to the building, whereas a smaller building could make small changes and still fall under the threshold. The Planning Commission should consider how best to trigger the application of the code for redevelopment of existing structures. |
| 2 | Division 2 and 3 referencing edits | Edits should be made to clarify referencing in Division 2. Referencing in Division 3 related to non-conforming uses is correct. |
| 3 | LEED certification can take longer than the 90 days allowed in the Code. This should be extended or have a provision allowing extension. | The PC may wish to consider amending the text to allow up to 120 days with a 60 day extension upon a finding that the applicant has applied for certification and that the Green Building Council is actively reviewing the request. |
| 4 | Consider accessibility requirements for buildings greater than 2 stories where the building code does not require elevator | The building code does not require elevator access on building between 2-3 stories. It can be required through local ordinance, should the Planning Commission recommend the requirement. |
| 5 | Formatting adjustments need to be made to 90-1301 Bonuses and Incentives | Agreed. The format will be adjusted. Also, parking deck should be renamed to parking structure. |
| 6 | Penalties for LEED incentive fraud could be very large. How would these be collected? | To be determined |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| 11 | | |

Comments
FBC Meetings August 27, 2013
Wyoming Public Library

Comments from Developers/Investors, 3:00 p.m. meeting:

1. Would like a promotional video. A well organized meeting.
2. Semi traffic for deliveries? Long ways for handicap people to enter stores.
3. Informative presentation.
4. How will the City create the new crescent street through existing properties? Will existing buildings and properties become undevelopable in certain circumstances?
5. Please send me a copy of the materials.

Comments from Citizens, 6:00 p.m. meeting:

1. Great idea but, how is it going to be paid for?
2. Please keep in mind an area that can be used for community enrichment such as concerts, dances, and special events. Rosa Park Circle has enriched downtown GR. No parking meters please.
3. Great vision!!
4. It has been a long time since the "City of Vision and Progress" lived up to its motto. I am pleased that a proposed project of this caliber is finally in our future. Thank you for all of the work you have done to get to this point.
5. I am not up on the most recent plans but, did not care for the past ideas. I do not think this is an area for homes or apartments.
6. Would like to see where the crescent street will be and new businesses.
7. Metro Cruise? What is the timeline for developing each section? What will the City investment be?
8. Currently, local zoning covers most accessibility requirements above ground level for buildings between two and four stories.
9. Who is responsible for building the public streets?
10. Improve communication with residents. I did not receive a mailing notice.
11. I would like to see the residences directly behind Rogers Plaza be notified via letter for any further meetings. We found out about this via Fox 17.

12. When will the crescent street be built?
How will outdoor eating impact sidewalk use?
13. Love the concept. I lived in GR when Rogers Plaza was built and the last 41 years in Wyoming. I hope to see this realized. What is the timeline?
14. Nice video! Wyoming needs to develop this area and I like the ideas expressed here.
15. I am truly excited at the prospect of revitalizing the Wyoming Community (FYI, many people miss Studio 28). Without this project our community seems likely to deteriorate.
16. What is the short term plan, 3-5 years?
17. GM & 44th & Clyde Park areas empty, build here? Is there any rear entrances proposed?
18. My major concern is on-street parking and bike lane interaction. I also need a safe route back and forth to GR on a bicycle.
19. The plan looks good to me but, I am concerned about funding. If it's going to raise taxes, I am opposed to the plan.
20. More information. Please consider the seniors. Easy Access, etc. You will always have seniors too. Will this stop all other development in Wyoming?
21. I shop and bank in the area as it is now. Will many of the same stores (Family Fare, Max 10, Radio Shack, Payless) stay after the rebuilding is done? I would like to start a bookstore where I can live and work in the same building, can this be done?
22. It is great to be a part of the City and this fantastic project. Please emphasize the importance of a large size community space (similar to Rosa Park in GR). They really become the hub/center of events and define a city.

Additional Comments (website feedback, email, phone calls, etc)

1. My husband and I really like this idea and appreciate all of the hard work that went into this plan thus far. Brings excitement and hope to the "City of Vision and progress".
2. Love the plan!

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 4

DATE DISTRIBUTED: September 5, 2013
PLANNING COMMISSION DATE: September 17, 2013

ACTION REQUESTED: Request for Special Use Approval for the reconstruction and expansion of Speedway (Includes Site Plan Approval)

REQUESTED BY: exp.

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 3605 Burlingame Avenue, SW. (Section 22)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned B-2 General Business. Zoning surrounding the property follows:

North: B-1 Local Business and R-2 Single family Residential (across 36th Street)
South: R-2 Single Family Residential
East: B-1 Local Business (across Burlingame Avenue)
West: R-2 Single Family Residential

EXISTING LAND USE:

The property is developed with a service station/convenience store and a single family residence. Land use surrounding the property follows:

North: Ice cream business and single family residence (across 36th Street)
South: Single family residence
East: Walgreen's (across Burlingame Avenue)
West: Single family residences

PROPOSED LAND USE:

This property has been used as a service station / convenience store (c-store) for over 50 years. In April 2009, the existing Speedway facility and an adjoining residence was rezoned from B-1

Local Business and R-2 Single Family Residential to B-2 General Business to accommodate this proposed redevelopment. Speedway proposes to demolish the existing store, pump island area, and an adjoining residence to facilitate a new 4,000 s.f. c-store. The Special Use Approval standards are being applied to this request as the overall site is being expanded.

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.

This property has been used as a c-store for many decades. The redevelopment plans provide for a better overall and safer design. No adverse effects will occur to neighboring properties.

- 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 request is for an expansion of an existing Special Use. The proposed use is consistent with the intent of the chapter.

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

The property has direct access to both Burlingame Avenue and 36th Street. The redesign adds an additional driveway west on 36th Street allowing access to the property farther from the intersection. The relocated tanks allow for better fuel delivery truck movements through the property and on to the public streets. New greenbelts along both streets provide for more controlled on-site traffic movements. The reconstruction of the Speedway provides for safer traffic movements. No adverse traffic impacts are anticipated with this reconstruction.

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

The proposed reconstruction will upgrade an aged commercial building and property. No blighting influence will occur to neighboring properties.

- e. The economic feasibility for the area.

The 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 concerns.

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

All other provisions are met.

Staff has the following added site plan comments:

1. Final utility, grading and storm water management plans shall be approved by the Engineering Department. Storm water calculations shall be provided. A driveway permit from the City is required. Burlingame Avenue drive entrances require a deceleration taper to be incorporated with the drives. A 25' by 25' clear vision easement is required at the corner of Burlingame Avenue and 36th Street.
2. The proposed project shows 26 parking spaces (including pump island allowance) with 19 spaces required. A maximum 20% increase beyond that required (23 spaces) is set by Zoning Code Section 90-646-7-e, except as approved by the planning commission based on documented evidence. Documentation must be provided to justify to the planning commission the additional three spaces, or they must be removed and converted into a landscaped area.
3. The attached landscape plan shows extensive plantings throughout the redevelopment. However, additional street trees are required to meet City code. An amended landscape plan meeting City requirements shall be approved by the Planning Department prior to installation.
4. The proposed façade plan shows a shingled, split faced masonry building, in keeping with other Speedway developments in the area. The proposed façade plan is acceptable.
5. Site lighting shall be designed to be directed downward and not cast into the adjoining neighborhood. Fuel pump canopy lights shall be recessed.

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 Speedway rebuild will enhance an aged property and provide for a more aesthetic and safer development. The improved storm water management promotes environmental quality. As such, the redevelopment contribute to the city's environmental, economic and social strength. The proposed Speedway reconstruction conforms to the City of Wyoming sustainability principals.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant Special Use Approval for Speedway per staff's Findings of Fact. In a separate motion, staff also recommends granting Site Plan Approval subject to conditions 1 - 5 noted

DEVELOPMENT REVIEW TEAM:

Barb VanDuren, Deputy City Manager
Rebecca Rynbrandt, Director of Community Services
William Dooley, Director of Public Works
Jim DeLange, Chief Building Official
Bob Austin, Fire Chief
James Carmody, Director of Police and Fire Services
Tim Cochran, City Planner

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

| | | | |
|---|-------------------------|---------------------------------|------------|
| Project: <i>Speedway</i> | | Reviewed By: <i>TIM COCHRAN</i> | |
| | | Date: <i>August 27, 2013</i> | |
| Required Site Plan Data: | Waiver Requested | Reviewer Comments: | Y/N |
| (a) Application Form: The application form provided by the Planning Department shall be completed in full with the following information: | | | |
| Name, address and phone number of the applicant and property owner | | | |
| Address and property identification number of all properties | | | |
| Name, address and phone number of firm or individual who prepared the site plan | | | |
| Description of proposed project or use, type of building or structures, and name of proposed development, if applicable | | | |
| Date of application | | | |
| (b) Site Plan Descriptive and Identification Data: | | | |
| Site plans shall consist of a plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size. | | | |
| Sheet size shall be a maximum of 24 x 36 inches and collated according to sheet number. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included | | | |
| Title block with sheet number/title; name, professional seal, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year) | | | |
| Scale and north-point | | | |

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

| | | | |
|--|--|---------------------------|------------|
| Project: <i>Speedway</i> | Reviewed By: <i>Tim Cochran</i> | | |
| | Date: <i>August 27, 2013</i> | | |
| Required Site Plan Data: | Waiver Requested | Reviewer Comments: | Y/N |
| Location map drawn to a separate scale with north-point, showing surrounding land, and streets, within a quarter mile | | | |
| Dimensions of land and total acreage, with boundary survey and improvements | | | |
| Zoning classification of petitioner's parcel and all abutting parcels | ✓ | <i>R-2 Surrounding</i> | Y |
| Proximity to section corner and Major Thoroughfare | | | |
| Net acreage (minus rights-of-way) and total acreage | | | |
| Proposed number of employees, if applicable | | | |
| (c) Site Data: | | | |
| Existing lot lines, building lines, structures, parking areas and other improvements on the site | | | |
| Building footprints | | | |
| Finished floor elevation of all proposed buildings | | | |
| On parcels of more than one (1) acre, topography on the site and within 100 feet of the site at two-foot contour intervals | | | |
| Proposed lot lines, lot dimensions, property lines, required and proposed setback dimensions, structures, and other improvements on the site | | | |
| Location of existing drainage courses, floodplains, lakes and streams, wetlands with elevations, and woodlands | | | |
| All existing and proposed easements | | | |

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

| | | | |
|--|--|-----------------------------------|------------|
| Project: <i>Speedway</i> | Reviewed By: <i>Tim Cochran</i> | | |
| | Date: <i>August 27, 2013</i> | | |
| Required Site Plan Data: | Waiver Requested | Reviewer Comments: | Y/N |
| Location of waste receptacle(s), transformer pad(s), ground mounted mechanical equipment, and method of screening | | | |
| Dimensions and area of any outdoor sales display or storage area | | | |
| (d) Access and Circulation: | | | |
| Existing and planned right-of-way for all streets | | | |
| Dimensions, curve radii and centerlines of existing and proposed access points, road rights-of-way, private roads or access easements | | | |
| Opposing driveways and intersections within 100 feet of site | | | |
| Dimensions and location of existing and proposed driveways, parking lots, sidewalks and non-motorized paths | | | |
| Dimensions of acceleration, deceleration, and passing lanes | | | |
| Dimensions of parking spaces including barrier free, islands, circulation aisles and loading zones (including loading dock/door orientation and screening) | | | |
| Dimension and location of all clear vision areas | ✓ | <i>Clear vision area REQUIRED</i> | N |
| Calculations for required number of parking and loading spaces | | | |
| Access easements, if shared access is proposed | | | |
| Designation of fire lanes | | | |
| Truck circulation plan showing turning templates for delivery trucks and emergency vehicles | | | |

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

| Project: <i>Speedway</i> | Reviewed By: <i>TIM COCHRAN</i> Date: <i>August 27, 2013</i> | | |
|--|---|---------------------------|------------|
| Required Site Plan Data: | Waiver Requested | Reviewer Comments: | Y/N |
| Traffic impact analysis meeting the requirements of Section 90-1003 (3), if applicable | | | |
| (e) Landscape Plans: | | | |
| General location of existing plant materials, with an identification of materials to be removed and materials to be preserved | | | |
| Calculations of all landscape requirements, as set forth in Section 90-64 | | | |
| Landscape plan, including location and type of all existing and proposed shrubs, trees, and other live plant material | | | |
| Location, size, height and material of construction for all obscuring wall(s) or berm(s) with cross-sections, where required | | | |
| Planting list for proposed landscape materials with container size, caliper size or height of material, botanical and common names, and quantity | | | |
| (f) Building and Structure Details: | | | |
| Building elevations for all facades. Elevation drawings shall indicate the height of building, materials, and architectural quality, and shall detail any rooftop or building mounted screening. | | | |
| Location, height, and outside dimensions of all proposed buildings or structures | | | |
| Building floor plans for multiple-family buildings and gross floor area | | | |

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

| | | | |
|---|-------------------------|--|------------|
| Project: <i>Speedway</i> | | Reviewed By: <i>Tim Cochran</i> | |
| | | Date: <i>August 27, 2013</i> | |
| Required Site Plan Data: | Waiver Requested | Reviewer Comments: | Y/N |
| Details on accessory structures and any screening | | | |
| (g) Information Concerning Existing and Proposed Utilities, Drainage and Related Issues: | | | |
| Location of existing and proposed sanitary sewers, water mains, fire hydrants, storm sewers and other utilities that are proposed to serve the project | | | |
| Location of existing above and below ground gas, electric and telephone lines | | | |
| Storm water retention and detention ponds, including grading, side slopes, depth, high water elevation, volume and outfalls with calculations (for details refer to Wyoming's storm water ordinance Sec.86-351 through 436) | | | |
| Indication of site grading, drainage patterns and other storm water management | | | |
| (h) Additional information required for Residential Development | | | |
| The number and location of each type of residential unit | | | |
| Density calculations by type of residential unit (dwelling units per acre) | | | |
| Garage or carport locations and details, if proposed | | | |
| Location and design of mailbox clusters, if applicable | | | |
| Location, dimensions, and elevations of common building(s), if applicable | | | |
| Location, size and facilities within, of recreation and open space areas, if applicable | | | |
| (i) Other Requirements | | | |
| Applicable fees, as set by the City Council | | | |

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 5

DATE DISTRIBUTED: September 5, 2013
PLANNING COMMISSION DATE: September 17, 2013

ACTION REQUESTED: Request for Special Use Approval for DMR
Transportation – truck terminal and repair facility
(Includes Site Plan Approval)

REQUESTED BY: Semsi Salja

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 2450 – 28th Street, SW. (Section 16)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned I-1 Light Industrial. Zoning surrounding the property follows:

North: B-2 General Business (across 28th Street)
South: I-1 Light Industrial
East: B-2 General Business
West: I-1 Light Industrial

EXISTING LAND USE:

The property is developed with a truck repair facility, but is currently vacant. Land use surrounding the property follows:

North: Mixed commercial (across 28th Street)
South: Metal fabrication
East: Johnson Construction
West: Industrial

PROPOSED LAND USE:

The petitioner proposes to renovate the existing 23,115 square foot building to establish a truck dispatch and repair facility on this 3.4 acre property (see attached). This property was initially

developed in 1966 and was used as a truck repair facility. In November 2006, this property was rezoned from B-2 General Business to I-1 Light Industrial. The rezoning was to potentially accommodate its reuse as a bus terminal for Dean Transportation. On March 20, 2007 the Planning Commission granted Special Use and Site Plan Approval to Dean Transportation (see attached minutes). Dean Transportation subsequently decided to not utilize the property. Most recently, a landscape supply business operated from the site, but it is now vacant.

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.

This property has had difficulty retaining tenants for several years. The proposed business activity is comparable to the prior truck repair use of the site, but would have more open storage of tractor trailers. The area west of Byron Center in both Wyoming and Grandville is primarily industrial. The use of the property for a truck terminal and repair facility should be restricted to allow truck access only from 28th Street and prohibit access south to 29th Street. This restriction would prevent truck movement conflicts and mitigate tractor noise to the residential developments located 240 feet to the south.

- 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. There are numerous industrial facilities in this area of 28th Street, although it is acknowledged that none would have the visual trucking presence that this use would have on 28th Street. It is important to screen the trailers as much as practical to diminish this visual impact. Truck and trailer storage should be restricted to behind the front of the building in the enclosed storage yard. Slats should also be placed within the existing fence paralleling 28th Street to screen the trailer storage. With the proposed conditions, the use is consistent with the intent of the chapter.

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

The property has direct access to 28th Street. Prohibition of truck access to 29th Street is recommended. With this restriction, no adverse traffic impacts are anticipated from this business use.

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

The proposed business will occupy and renovate a vacant building. No blighting influence will occur to neighboring properties.

- e. The economic feasibility for the area.

The use appears financially viable.

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

The storage of tractor trailers on unpaved surfaces is permitted. However, to minimize dust on to adjoining properties, dust control measures shall be periodically undertaken. The tracking of mud on to 28th Street is prohibited.

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

All other provisions are met.

Staff has the following added site plan comments:

1. The property has a neglected front yard greenbelt. To meet City requirements, the unpaved areas within 25 feet of the right-of-way must be reclaimed as a greenbelt with lawn and landscaping provided. A minimum of four trees, 2 ½ inch caliper shall be included. The landscape plan shall approved by the Planning Department prior to installation. Irrigation is encouraged.
2. Parking spaces meeting City requirements, including barrier free, shall be striped within the parking area.
3. The petitioner identified that part sales would be included with the business. Because this is an Industrial district, part sales is limited to a maximum of 10% of the building area. (Informational)

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 trucking business will occupy an under utilized property and will provide employment. As such, it will contribute to the city's economic strength. The proposed DMR Transportation conforms to the City of Wyoming sustainability principals.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant Special Use Approval for DMR Transportation per staff's Findings of Fact, subject to the following conditions:

1. Truck ingress and egress is restricted to 28th Street.
2. Truck storage is restricted to behind the front building wall and within the enclosed storage yard. Slats shall be provided within the fence paralleling 28th Street.
3. Dust control measures shall be periodically undertaken.
4. The tracking of mud on to 28th Street is prohibited.

In a separate motion, staff also recommends granting Site Plan Approval subject to conditions 1 and 2 noted

DEVELOPMENT REVIEW TEAM:

Barb VanDuren, Deputy City Manager
Rebecca Rynbrandt, Director of Community Services
William Dooley, Director of Public Works
Jim DeLange, Chief Building Official
Bob Austin, Fire Chief
James Carmody, Director of Police and Fire Services
Tim Cochran, City Planner

August 14, 2013

City of Wyoming Planning Commission
Attention: Tim Cochran
1155 28th St. SW
Box 905
Wyoming MI, 49509

Dear Mr. Cochran,

DMR Transportation which is currently located at 3390 Broadmoor Ste D. Kentwood MI 49512, is requesting a special use permit in order to purchase and occupy the building located at 2450 28th St. SW. This property has 3.43 acres and includes a 23,115 square foot building that contains a showroom, offices, and a service garage that includes 2, 5 ton bridge cranes, 11 16' drive through doors, trench drains, and a washroom. Historically the subject property has been used as a truck service garage and a sales lot.

DMR's intended use is for truck repair, dispatch, parts sales and service, and back office operations. Currently DMR has a total fleet size of approximately 60 tractors and trailers. On average there are 10-15 trucks on site that are either being serviced or are parked awaiting drivers for future business. The subject site has the potential to work extremely well for DMR given the infrastructure that is in place and the size of the yard. Furthermore there are 2 curb cuts off of 28th St. that give access into the site as well as access from the side street on the east side of the property, commonly known as Daisy St. DMR would propose not to use Daisy St. for anything other than deliveries to the building as that is where the exterior truck dock is. All dispatch traffic would have ingress and egress onto 28th St. from the western most curb cut.

The subject property is currently the only property, in the greater Grand Rapids area, that has the ability to service DMR's needs without major renovations. DMR has been searching for a new location for the last 15 months in attempt to grow their business and operate more efficiently. Unfortunately there have not been any sites that can compare to the functionality of the subject site for the same cost. As such, DMR would ask the planning commission to take into account current real estate market conditions when considering the special use permit.

Sincerely,

Semsi Salja *Semsi S. 08-15-13*
President
DMR Transportation
3390 Broadmoor Ste D
Kentwood, MI 49512
616-443-2093

CHAIRMAN HARLETT PRESENTED AGENDA ITEM NO. 3

Request for Special Use Approval for Dean Transportation Bus Terminal. The property is located at 2450 – 28th Street. (Section 16) (Dean Transportation) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. On January 16, the Planning Commission opened, then closed the public hearing, and deferred action on the Special Use pending submittal of a traffic study. In February, a revised site plan was submitted with the required traffic study and easement for access to 29th Street and Byron Center Avenue. City staff determined that additional traffic information was required and the project was subsequently deferred at the February 20 Planning Commission meeting. The requested information has since been obtained. Engineering staff concurs with the traffic study in that the proposed Dean Transportation facility will not negatively impact the adjacent street system.

The Code allows a bus terminal in this I-1 district if it complies with the Special Use Approval standards. The following standards for Special Use Approval shall be used 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.

Staff is somewhat concerned about the planned 61 buses exiting the site at Byron Center Avenue. As the buses idle to exit on to Byron Center there is the potential to create a noise nuisance to the nearby residents of Arbor Lake Condominiums. This concern does not rise to the level to prohibit the proposed bus facility. However, the petitioners must be made aware of the potential for a negative impact, and to consider mitigation alternatives if a nuisance is created. In addition, staff is also concerned about the appearance of a number of buses within close proximity to 28th Street. The storage of buses behind the existing security fence, with screening slats installed in the fence, would adequately address this concern.

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

The Special Use provisions of the Ordinance allows the Planning Commission discretion in whether to establish land uses within a particular area of a Zoning District. The traffic study confirms the proposed bus terminal use is consistent with the chapter intent.

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

Verification has been provided for the rights for Dean Transportation to utilize the adjoining internal private roads to access 29th Street and Byron Center Avenue. The traffic study demonstrates that the proposed facility will not detriment adjoining streets or the immediate area.

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

The proposed use will not create any type of blight.

- e. The economic feasibility for the area.

The use appears financially viable for this area.

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

Staff has no additional concerns with this standard.

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

The provisions of chapter 90-761 are met with this request.

Staff had the following added site plan comments:

1. A few months ago the petitioners obtained site plan approval from staff for the additional paving and storm water utilities to improve the property. The improvements benefit the property and City regardless of the use. The resubmitted site plan now shows adequate parking for the bus drivers and building staff.
(Informational)
2. The Fire Department had requested an additional fire hydrant in the back area. After further review this request has been dropped by the Fire Department.
(Informational)
3. Bus screening from 28th Street must be provided by slats placed within the existing chain link fence. No buses are permitted to be parked between the fence /

building and 28th Street. This will reduce the bus parking to 88 spaces.

4. The site has 300 feet of frontage on 28th Street. Six trees in the front lawn area are required to meet City standards, with two present. Four trees, a minimum of 2 ½ inch caliper, must be placed in the lawn area. No trees are requested in the bus parking lot. The landscape plan shall be approved by the Planning Department prior to installation.

Staff recommended the Planning Commission grant Special Approval Use for Dean Transportation Bus Terminal per the Findings of Fact. Staff also recommends granting Site Plan Approval subject to conditions 3 and 4.

Goodheart announced he would abstain due to a conflict of interest.

Motion by Dieterman, supported by Weller, to grant Special Use Approval as per Staff's Findings of Fact. Motion carried 8 – 0, with Goodheart abstaining.

Motion by Dieterman, supported by Staal, to grant Site Plan Approval subject to conditions 3 and 4. Motion carried 8 – 0, with Goodheart abstaining.

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

| | | | |
|---|-------------------------|--|------------|
| Project: DMR <i>Transportation</i> | | Reviewed By: <i>Tim Cochran</i> | |
| | | Date: <i>August 27, 2013</i> | |
| Required Site Plan Data: | Waiver Requested | Reviewer Comments: | Y/N |
| (a) Application Form: The application form provided by the Planning Department shall be completed in full with the following information: | | | |
| Name, address and phone number of the applicant and property owner | ✓ | <i>Project entails occupying an existing property with no new construction. Plan and application details provided are sufficient to evaluate the proposed use.</i> | Y |
| Address and property identification number of all properties | | | |
| Name, address and phone number of firm or individual who prepared the site plan | | | |
| Description of proposed project or use, type of building or structures, and name of proposed development, if applicable | | | |
| Date of application | | | |
| (b) Site Plan Descriptive and Identification Data: | | | |
| Site plans shall consist of a plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size. | | | |
| Sheet size shall be a maximum of 24 x 36 inches and collated according to sheet number. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included | | | |
| Title block with sheet number/title; name, professional seal, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year) | | | |
| Scale and north-point | | | |

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 6

DATE DISTRIBUTED: September 5, 2013
PLANNING COMMISSION DATE: September 17, 2013

ACTION REQUESTED: Request for Special Use Approval for West Michigan Pawn (Includes Site Plan Approval)

REQUESTED BY: Michael Friend

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 2290 – 28th Street, SW. (Section 15)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned B-2 General Business. Zoning surrounding the property follows:

North: B-2 General Business (across 28th Street)
South: R-4 Multifamily Residential
East: B-2 General Business
West: B-2 General Business

EXISTING LAND USE:

The property is a retail lease center. Land use surrounding the property follows:

North: Mixed use (across 28th Street)
South: Single family residences
East: Commercial
West: Restaurant

PROPOSED LAND USE:

The petitioner proposes to renovate a 1900 square foot lease space into a pawn shop (see attached). The City Council, upon recommendation from the Planning Commission and DDA, amended the Zoning Code in May 2011 to allow secondhand businesses and pawn shops in this DDA district with Special Use Approval. 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.

This retail center has had difficulty retaining tenants for several years. The proposed pawn shop business would occupy a vacant space. The proposed business activity is anticipated to have a minimal effect on neighboring properties due to its location within the middle of the center and its relative size. The recent market analysis prepared by LandUse USA for the Turn-on 28th Street Subarea Plan strongly recommends a retail strategy that focuses on fostering small business growth.

- 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. There are other used goods businesses along this area of 28th Street. The proposed use is consistent with the intent of the chapter.

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

The property has direct access to 28th Street. No adverse traffic impacts are anticipated from this business use.

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

The proposed pawn shop will occupy and renovate an under utilized building. No blighting influence will occur to neighboring properties.

- e. The economic feasibility for the area.

The pawn shop 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.

All other provisions are met. By Zoning Code, pawn shops must be minimum of 500 feet from another pawn shop or secondhand business.

Staff has the following added site plan comments:

- 1. There are no changes to the exterior of the property with this use. No conditions of approval are recommended.

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.

Although small in size, the proposed pawn shop business will occupy a lease space within an under utilized property. As such, it will contribute to the city's economic strength. The proposed West Michigan Pawn conforms to the City of Wyoming sustainability principals.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant Special Use Approval for West Michigan Pawn per Staff's Findings of Fact. In a separate motion, staff also recommends granting Site Plan Approval.

DEVELOPMENT REVIEW TEAM:

Barb VanDuren, Deputy City Manager
Rebecca Rynbrandt, Director of Community Services
William Dooley, Director of Public Works
Jim DeLange, Chief Building Official
Bob Austin, Fire Chief
James Carmody, Director of Police and Fire Services
Tim Cochran, City Planner

August 12, 2013

To the Members of the Planning Board
1155 28th Street S.W. Box 905
Wyoming, MI 49509

This letter is our introduction to you and the City of Wyoming. We come before you asking for a special use zoning approval for a new retail store located in your city. It is currently zoned B2 (new retail only).

We are a small family owned company in the business of buying new/used items, selling new/used items including guns and offering collateral loans at a low rate. The storefront located at 2290 28th Street SW, Suite D, Wyoming, MI 49509, with your approval will become our second location.

Our first location, "West Michigan Pawn Allendale, LLC" is located on Lake Michigan Dr. in Allendale. When you enter our store you will be pleasantly surprised with a clean, bright and organized atmosphere. In Allendale, we have helped the Ottawa Co Sheriff Dept catch home invasion suspects by purchasing an item from one of the suspects, getting his information and passing it on to them. Whenever an item is purchased the seller's picture, right thumb print, driver's license number, and home address information is inputted into the pawn software. This information is downloaded once a week to the Sheriff's Dept. along with the information on whatever we took in from the customer.

It is a great source of pride in being able to help those in the community make it in between paychecks, emergencies, get rid of items no longer needed or find something they need. By opening a second store we will be adding two new jobs in the community (one full time and one part time). We would rather be a positive part of the community vs. a taker of the community. You will find in our store that prices are reasonable and fair for all. The two rules in our store are 1. Honesty and 2. Be a Positive Member of the Community.

Thank you for taking the time and consideration to review our zoning request. We are looking forward to being part of your community.

Sincerely,



Michael Friend

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

| | | | |
|---|---------------------------------|---|-----|
| Project: <i>West MI Pawn</i> | Reviewed By: <i>Tim Cochran</i> | | |
| | Date: <i>August 27, 2013</i> | | |
| Required Site Plan Data: | Waiver Requested | Reviewer Comments: | Y/N |
| (a) Application Form: The application form provided by the Planning Department shall be completed in full with the following information: | | | |
| Name, address and phone number of the applicant and property owner | ✓ | <i>Project is contained within an existing</i> | Y |
| Address and property identification number of all properties | | <i>Retail tenant space. No exterior construction is planned. Plan details</i> | |
| Name, address and phone number of firm or individual who prepared the site plan | | <i>and application is sufficient to conduct review. All missing</i> | |
| Description of proposed project or use, type of building or structures, and name of proposed development, if applicable | | <i>information not relative to the consideration.</i> | |
| Date of application | | | |
| (b) Site Plan Descriptive and Identification Data: | | | |
| Site plans shall consist of a plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size. | | | |
| Sheet size shall be a maximum of 24 x 36 inches and collated according to sheet number. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included | | | |
| Title block with sheet number/title; name, professional seal, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year) | | | |
| Scale and north-point | | | |