

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF APRIL 19, 2016

PLANNING COMMISSION
MINUTES OF MARCH 15, 2016
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Arnoys, Bueche, Goodheart, Hegyi, Micele, Postema, Spencer,
Weller, Woodruff

MEMBERS ABSENT: None

STAFF PRESENT: Cochran, City Planner
Lucar, Planning & Development Department

Chair Spencer called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

The minutes of February 16, 2016 were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

There was no public comment.

AGENDA ITEM NO. 1

Request for Special Use Approval for Cedar Creek outdoor building material storage.
The property is located at 1701 Porter Street SW. (Section 10) (Cedar Creek, LLC)
(Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. This property has been used for numerous industrial businesses since before 1940. Cedar Creek has leased over 250,000 square feet of the building to establish their wholesale building material business. The majority of the building materials will be within the building. However, some will be placed outside. This outdoor storage requires 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 establishment of a large, clean and notable business on this site will halt the periodic rotation of businesses from this site. The outdoor storage area along Beverly Avenue is partially shielded from the residences by a solid wall along the property line. The building materials will be stacked above this wall, but the overall appearance will be an improvement over the tractor trailers and other items that have been stored in this area. The outdoor storage plan has been reviewed and approved by the Fire Department to insure acceptable fire protection measures.

- 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. This area of Burlingame Avenue has other outdoor storage industrial businesses. 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 Burlingame Avenue and Porter 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 Cedar Creek will improve the property by establishing a desirable wholesale building material business. 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 had no additional comments.

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

Staff had no additional concerns pertaining to the Special Use Approval.

Staff Comments:

1. The site is fully developed. Outdoor building material placement and stacking shall comply with the requirements of the Fire Department. Storage shall not occur along Porter Street.

Cochran highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed use will establish a viable and desirable business on this older industrial property. This will stabilize the majority of the site and provide significant benefit to the area economy. The proposed development conforms to the City of Wyoming Sustainability Principles.

Planning Commission Action:

The Development Review Team suggested the Planning Commission grant Special Use Approval to the proposed Cedar Creek outdoor building material storage per the Findings of Fact. The DRT also recommended the Planning Commission grant Site Plan Approval through a separate motion subject to condition 1 noted.

Chair Spencer opened the public hearing

Sid Ellens, 1794 Porter St SW, favored the proposal, but was concerned the wrapping around the bundled lumber may blow off into his yard.

Vern Bekkering, 2221 Beverly, was concerned about the height of the stacked lumber. If the stacks are too high, then they will block the sunlight going into his house. They park along the wall that abuts the stacked lumber and he questioned how sturdy the wall is if the stacks fell down on it.

Chair Spencer closed the public hearing.

Vince Palmer, General Manager of the Cedar Creek distribution center, is excited to move their operation to Wyoming. They have 26 distribution centers around the country. He proceeded to answer the questions brought up at the public hearing. The wrappings around the bundles are air tight and they are designed to hold even when traveling down the highway at high speeds. The height of the bundles is 14-15 feet maximum. They will also be stacked about 10 feet away from the wall so the height will have a lesser impact.

Goodheart requested an abstention from voting due to a conflict of interest. His company would financially benefit from the project.

Motion by Hegyi, supported by Micele, to grant an abstention from voting to Goodheart. Motion carried 8 – 0.

Motion by Postema, supported by Micele, to grant Special Use Approval to the proposed Cedar Creek outdoor building material storage per Staff's Findings of Fact. Discussion followed.

Weller asked if the gravel portion on Beverly is part of the right-of-way. Cochran responded affirmatively. The neighbors have been parking here.

Micele asked if they will distribute their product by both truck and rail. The petitioner responded affirmatively. He added that their hours of operation will be from 7 a.m. to 5 p.m..

A vote on the motion carried 8 – 0, with Goodheart abstaining.

Motion by Postema, supported by Arnoys, to grant Site Plan Approval subject to condition 1 noted. Motion carried 8 – 0, with Goodheart abstaining.

AGENDA ITEM NO. 2

Request for Special Use Approval for West Michigan auto House used auto sales. The property is located at 5873 Division Avenue SW. (Section 36) (Jason Music) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. This property has been used for numerous outdoor sales businesses in the past, but has been vacated for several years, and has evolved into a storage yard. Outdoor sales businesses have been viable as the property had been served only by a septic field, with sanitary sewer access recently provided with the widening of Division Avenue. Because the property was vacant for over a year, the re-establishment of an open air sales lot (car sales) must be authorized by the Planning Commission. The proposed use requires 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.

There are several auto sales related uses in this area. The establishment of a viable auto sales business on this vacated and deteriorating site will have a positive effect on neighboring properties. The petitioner has identified that the building façade will be remodeled, the parking lot will be repaired and seal coated, and professional landscaping shall be installed.

- 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. Division Avenue has numerous used car businesses. 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 Division Avenue. 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 used car sales business will occupy a long-time vacant and deteriorating 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 had no additional comments.

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

Staff had no additional concerns pertaining to the Special Use Approval.

Staff Comments:

1. The property is fully developed. However, all parking spaces have faded. The parking spaces must be striped to meet City requirements. A detailed parking plan, including ADA required, shall be submitted to the Planning Department for approval. The parking plan shall be installed prior to establishment of the proposed business.
2. The existing greenbelt area along Division Avenue shall be retained and enhanced to meet City requirements. (Note that the site plan is not current in that 17 feet of ROW was acquired for the widening of Division Ave.) A landscape plan for the implementation of trees (10 required) along the frontage shall be submitted to the Planning Department for approval prior to installation. Irrigation of this greenbelt is also required.
3. In the event the septic field fails, the building shall be connected to the available sanitary sewer.
4. Any dumpsters shall be enclosed and located behind the building.
5. All outdoor storage, other than cars, shall be located in the rear yard and completely enclosed by a solid fence six feet in height as required under Zoning Ordinance section

90-60.

Cochran highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed use and site improvements would clean a neglected property. The use as a car lot would not inhibit the long range redevelopment potential of the site. This area is under consideration for rezoning to Form Based Code. Under the context area being considered, a car lot on this site would remain a Special Approval Use. The proposed development conforms to the City of Wyoming Sustainability Principles.

Planning Commission Action:

The Development Review Team suggested the Planning Commission grant Special Use Approval to the proposed West Michigan Auto House used auto sales per the Findings of Fact. The DRT also recommended the Planning Commission grant Site Plan Approval through a separated motion subject to conditions 1-5 noted.

Chair Spencer opened the public hearing. There was no public comment and the public hearing was closed.

Motion by Woodruff, supported by Hegyi, to grant Special Use Approval to the proposed West Michigan Auto House used auto sales per Staff's Findings of Fact. Motion carried unanimously.

Motion by Bueche, supported by Woodruff, to grant Site Plan Approval subject to conditions 1 – 5 noted. Discussion followed.

Hegyi asked how many trees are required. Cochran replied ten along the Division Avenue frontage. Hegyi asked if the trees are to be grouped a certain way. Cochran said this will be up to the discretion of the petitioner. Hegyi asked if the trailers will be removed from the site. Petitioner Jason Music, 5568 Quest Drive, replied they will be removed. He intends to clean up the site and only display cars for sale.

Chair Spencer asked about the fencing. The petitioner indicated there is a fence currently there, but he would make sure it is solid, providing full screening.

Micele asked the hours of operation. The petitioner replied Monday – Saturday, 10 a.m. – 6 p.m. Micele asked if the operation would be strictly auto sales. The petitioner responded affirmatively.

Goodheart thought now would be a good time to connect to the sewer. Cochran said the Engineering Department has reviewed this and left it to the discretion of the owner until it fails. Goodheart asked about signage. Cochran indicated they will need to apply for a sign permit through the Inspections Department.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 3

Request for Site Plan Approval for Gillis Chiropractic Office. The property is located at 5675 Burlingame Avenue SW. (Section 34) (First Companies, Inc.)

Cochran described the location, existing land use and current zoning around the area. This 2.1 acre site is part of an overall 6.3 acre property fronting Gezon Parkway. The proposed Gillis Chiropractic Office is the first phase of a potential three phase development. The overall property is being master planned for shared access, utilities, and storm water management. The office building comprises 10,777 sq. ft. into a one story building of residential character.

Staff had the following added site plan comments:

1. Final site grading, storm water and utility plans shall be approved by the Engineering Department. Participation in the Regional Storm Sewer cost sharing is required.
2. All easements for utilities and access shall be provided to the Engineering Department.
3. Sidewalk to be constructed from the proposed office building entrance to the existing sidewalk to the east.
4. A landscape plan, meeting City requirements, shall be provided to the Planning Department for review and approval prior to installation. Irrigation is requested.
5. The proposed façade plans incorporate a single family residence style with sloping roofs, and vinyl siding. The façade plans are acceptable and are adopted as part of this Site Plan approval.
6. The Engineering Department requests the developer widen the sidewalk along Gezon Parkway by 2 feet, and provide a 3 foot highway easement, to bring the sidewalk into compliance with standards for a bike path. In addition, it is requested that the developer extend the Burlingame Avenue right-of-way 134.83 feet to accommodate a future bike path along the street. (Informational)
7. The property has a portion of a parking lot serving the adjoining Home School for event parking. Both of these sites were once owned by the same person. The parking lot was constructed prior to the property split. Staff is of the understanding that this parking area can be removed without confrontation. (Informational)

Cochran highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed Gillis Chiropractic Office will provide quality medical assistance in this region. The facility will be a quality development at this prominent intersection. Significant employment will occur short term with construction and long term with the business operation. The proposed Gillis Chiropractic Office conforms to the City of Wyoming Sustainability Principles.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Site Plan Approval for Gillis Chiropractic office subject to conditions 1-5 noted.

Motion by Woodruff, supported by Hegyi, to grant Site Plan Approval for Gillis Chiropractic office subject to conditions 1-5 noted. Discussion followed.

Bueche asked if there should be an easement agreement between the two parties related to parking. Petitioner Todd Stuive of Exxel Engineering indicated both parties are aware of the situation and they anticipate no problems. The easement will not be needed as the parking will be removed.

Hegyi asked if there would be access to Gezon Parkway in the first phase of development. Cochran said no, not during the first phase.

A vote on the motion carried unanimously.

PUBLIC COMMENT

There was no public comment.

Chair Spencer referred to an article in the latest Planning & Zoning News publication regarding place making as an economic tool. She suggested the Commissioners look it over.

Micele asked for an update on 28 West Place. Cochran said there has been quite a bit of activity. Goodheart said things are moving along. They are working with Wyoming Village Mall regarding removal of a portion of their building. The development agreements will still need to happen.

Micele thought the area of 28th Street between Burlingame and Byron Center Avenues looks like a carnival with so many banners and signs. It does not represent the City very well. Cochran noted that City enforcement is on a complaint basis. Weller mentioned a few new businesses in this area that may have extra signage temporarily.

ADJOURNMENT

The meeting was adjourned at 7:47 p.m.

Anthony Woodruff, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Aide
Wyoming Planning Commission