

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING  
PLANNING COMMISSION AT ITS REGULAR MEETING OF NOVEMBER 18, 2014

PLANNING COMMISSION  
MINUTES OF OCTOBER 21, 2014  
CITY COUNCIL CHAMBERS  
CITY OF WYOMING, MICHIGAN

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

MEMBERS ABSENT: Goodheart, Weller

STAFF PRESENT: Rynbrandt, Director of Community Services  
Cochran, City Planner  
Lucar, Administrative Aide

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

Motion by Bueche, supported by Woodruff, to excuse Goodheart and Weller. Motion carried unanimously.

APPROVAL OF MINUTES

The minutes of August 19, 2014 were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

There were no public comments.

AGENDA ITEM NO. 1

Request for Special Use Approval for Dewey-Wedgwood House at Beckmaze Community Center. The property is located at 2551 Oaklane Drive, SW. (Section 21) (Beckmaze Historical Society) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. The Beckmaze Historical Society has obtained ownership of this property. The Society has provided information which promotes the historical significance of this site. These assertions include a log cabin and sawmill built in 1834, a possible under-ground railroad station, a stage coach station, a late 1800's artist colony (Beckmaze), home of Dr. Wedgwood from 1928-1949, and its use for

Wedgwood Christian Home for Boys from 1959 until the service was relocated to larger facilities.

The Society desires to have this site authorized as a Community Center for regional cultural and recreational education purposes. A Community Center is defined within the Zoning Ordinance as:

“A government or nonprofit facility used for recreational, social, educational, cultural services and activities. Services may be targeted to certain populations (e.g. youth, seniors) but membership is available to the general public. Examples of services include: tax assistance, fitness training, senior meals, after school tutoring sessions, food pantries, and public assemblies. This use does not include schools, places of worship, banquet facilities, social or service club, or counseling services. A community center is different than a neighborhood center, which is a use that is accessory to a residential development.”

To support their proposal, the Society has provided the following information:

1. The Beckmaze Historical Society is a non-profit 501-(c)-3 charitable organization.
2. Statement of proposed use, which includes a teaching center for hand-crafts from the 1900-1925 era, with local artist demonstrations involving blacksmithing, bee keeping, candle making, weaving, wood carving, drawing, painting, etc...

Development Review Team Concerns:

The property is located several hundred feet from Byron Center Avenue and is accessed by the private Oaklane Drive. This drive is not maintained by the City, has effectively one lane of pavement, and has shared ownership. At this time, staff is unaware of a private road easement which would prescribe the rights entitled to each owner. The question is, if access rights are prescriptive based on historical use of the properties, can those rights be expanded without having a binding consent agreement with all the property owners. Staff asserts that they will need all available information regarding the ownership rights of Oaklane Drive prior to making a final recommendation.

In addition, the site is a 3.2 acre parcel. Patrons to the Community Center would primarily park along the driveway and the edge of Oaklane Drive. The adjoining property owner, and Abundant Life Church, has provided written consent to use their properties for parking if needed. There is no intent to construct a parking lot on the Beckmaze property at this time.

The residence is not built for public accessibility. Allowing public use brings ADA requirements. Having the residence designated officially as a Historic Structure may alleviate some of those requirements, but it is uncertain whether that is a possibility given the renovations. Bathroom facilities are limited to that within the residence. Large gatherings would need the use of temporary port-a-johns.

The DRT believes these concerns, and perhaps unknown others, should be discussed at the

public hearing with the benefit of adjoining property owner input. Staff is unable to make a recommendation until a greater understanding of these concerns is obtained.

Three letters were received from adjoining residents who share the same concerns noted.

Planning Commission Action:

The Development Review Team recommended the Planning Commission table the request for the Dewey-Wedgwood House at Beckmaze Community Center in order to obtain clarification of the concerns raised.

Chair Spencer opened the public hearing

Kelly White, 2551 Oaklane, is a member of the Beckmaze Historical Society and the current property manager. She pointed out there would be limited use of this property, mostly likely one or two days per week. They are in need of obtaining historical site recognition for this property from the City.

Petitioner Dorothy Simon-Tibbe, 4354 Michael Avenue, SW, also a member of the Beckmaze Historical Society, said she has been trying to establish a historical site for Wyoming since 1961. In 2008 when she was serving on the Wyoming Historical Commission this property became available, but the City was not in a financial position to buy it for a historical site. Since that time they established the Beckmaze Historical Society and a benefactor has purchased the property. In order to hold fundraising and other events, they were informed a Special Use is needed. This is the most historical house in the entire Grand River valley and their plans are to restore it. She thanked Cochran for his excellent presentation. Chair Spencer informed her that she would have the opportunity to continue speaking after the public hearing was closed.

Amy Landheer, 3969 Wedgewood Drive, said her back yard abuts this property. She was concerned about the number of people attending these events, the hours of operation and the effects to her property.

Ron Simon, 3140 Stonewood Lane in Hudsonville, representing the Beckmaze Historical Society, indicated the house does have a fire suppression system and rear accessibility. It also has an alarm and security system that can be activated. The church next door is willing to let them use their parking lot.

Chair Spencer closed the public hearing.

Petitioner Dorothy Simon-Tibbe explained the history of the house and property. Their goal is to restore the house to its original state. They want to teach children historical arts and crafts and conduct school tours here. They have all the educators and crafts people lined up to teach the crafts and conduct demonstrations. There are two drives out to Byron Center that can be utilized.

Motion by Woodruff, supported by Hegyi, to table the request for the Dewey-Wedgwood House

at Beckmaze Community Center in order to obtain clarification of the concerns raised. Discussion followed.

Micele asked how long the Beckmaze Historical Society has been in existence. Kelly White responded since May 2011. They have no ties to the Wyoming Historical Commission, but the Commission has given them a letter of endorsement.

Postema asked if anyone would be living in the house. White responded that they do not know at this time. Right now for security reasons there is someone on the property at all times. Postema asked the number of persons that will be attending events there. White replied they would like to host school field trips one day per week, lasting about two to three hours. They would also like to host three to four Saturday events per year and one to two fundraising events per year. Their July event drew about 75 people in inclement weather, so they hope to have 200-300 people at an event.

Bueche asked if the private easement is for the use of the property owners. Dorothy Simon-Tibbe replied they have access to either of the drives out to Byron Center Avenue, and will make sure the agreement is in writing from the church.

Woodruff thought their project is a good idea, but they need to clarify whether it is to be used as a house or a museum. Bueche pointed out one statement says museum and another says learning center. Chair Spencer asked if there were any restrictions on what the City defines as a learning center. Cochran referred to the definition of a community center stated in the staff report. The definition is broad.

Cochran noted one of staff's main concerns is the property owners need to agree to public use of the private drive. If Abundant Life Church signs an agreement with Beckmaze, this could solve the access and parking concerns. A variance for signage may be needed. Also, an architect has not looked at the building to see what structural improvements are needed.

Hegyí thought there were too many unanswered questions at this point. Safety is a major concern, since it would be difficult for emergency vehicles to access the site during a large event.

Chair Spencer asked the parking capacity at the church. Cochran replied they have a significant amount of parking.

Micele thought Beckmaze should first have a project or business plan in place outlining steps to accomplish their goals. It is premature to consider this request at this time with so many open holes.

A vote on the motion carried unanimously.

## AGENDA ITEM NO. 2

Request for Special Use Approval for Chateau Center Drive Through Restaurant. The

property is located at 1740 – 44<sup>th</sup> Street, SW (Section 27) (Chateau Village Partners)  
(Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. The petitioner is experiencing some difficulty in filling the tenant spaces within this retail center. They request approval for a drive through restaurant on an end tenant space in order to attract a tenant. The drive through would not be constructed until such a tenant is obtained. Special Use Approvals expire after one year if they are not implemented. This property is zoned B-3 Planned Business. The Zoning Code was amended earlier this year to potentially allow drive through restaurants in this, and all other, commercial districts.

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 proposed drive through tenant space is located in the center of a multi-tenant commercial property. The drive through lane would be located a considerable distance from adjoining properties. There will be no adverse effects on 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 Zoning Ordinance was recently amended to allow drive through restaurants in all commercial districts to provide opportunities for business development.

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

The potential drive through lane would be located on an end tenant space and well within the interior of the commercial center. It is far removed from the 44<sup>th</sup> Street frontage and would thereby not be attractive to national franchises that require greater exposure. The potential exists for a more local business that does not require an on street presence. The drive through would have limited stacking space depth, which would be sufficient for such uses as coffee, pizza or sub sandwich businesses. The minimum five stacking spaces as required by the Zoning Ordinance are proposed. No adverse traffic impacts are anticipated from the proposed use.

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

The potential drive through restaurant 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 had no additional comments.

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

City staff had no other concerns.

Staff had the following added site plan comments:

1. Due to the property being fully developed, staff had no conditions for site plan approval.

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed drive through restaurant would allow the property owner the ability to attract a tenant in this commercial center. Such a business would contribute to the city's economic and social strength. The proposed Chateau Center Drive Through Restaurant conforms to the City of Wyoming sustainability principles.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Special Use Approval for Chateau Center Drive Through Restaurant per the findings of fact. In a separate motion, Staff recommended granting Site Plan Approval.

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

Petitioner Todd Stuve of Exxel Engineering, representing Chateau Village Partners, said they wish to revitalize this property, with the hopes of filling a building vacancy with approval of a drive through use.

Motion by Postema, supported by Hegyi, to grant Special Use Approval for Chateau Center Drive Through Restaurant per the findings of fact. Motion carried unanimously.

Motion by Postema, supported by Bueche, to grant Site Plan Approval. Motion carried unanimously.

AGENDA ITEM NO. 3

Request for Special Use Approval for Car City Supercenter expansion. The properties are located at 1409 - 28<sup>th</sup> Street, 1425 – 28<sup>th</sup> Street and 2701 Hook Avenue, SW (Section 11) (Integrated Architecture) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. The petitioner proposes to expand Car City onto adjoining parcels to the east. The expansion area would be used for vehicle storage with an 18,000 square foot detail building. Access to the expansion area would be primarily through the existing facility, with additional drive access to Hook Avenue. The property is zoned Form Based Code within the Corridor Edge context area. The CE context area allows auto sales by Special Use Approval. Because this is an expansion of the auto sales use onto new property, it must be authorized by 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.

This proposed expansion will occupy undeveloped property. The remnants of the parcels, which are the two obsolete buildings fronting onto 28<sup>th</sup> Street, are excluded from this development proposal. The owner intends to demolish those buildings to promote their redevelopment. There will be no adverse effects on neighboring properties with the expansion of the Car City use.

- 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. Auto sales is an established land use in this area of 28<sup>th</sup> Street.

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

The site has direct access to 28<sup>th</sup> Street with additional access to Hook Avenue. Users of the site will be primarily employees of the company. No adverse traffic impacts are anticipated from the proposed use.

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

The expansion of Car City will not have a 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 had no additional comments.

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

There are concerns regarding the proposed building facades and site lighting. These will be addressed under the site plan comments.

Staff had the following added site plan comments:

1. Final utility, grading and storm water management plans shall be approved by the Engineering Department. A driveway permit is required.
2. The paving area shall be delineated with parking spaces, including barrier free, around the building and vehicle storage defined. A fire lane, meeting Fire Department requirements, shall be designated.
3. The façade plan for the detail building shows a frontage wall oriented to 28<sup>th</sup> Street that is generally in conformance with that required by the FBC under Section 90-1706. The other three walls would be primarily metal, which is permitted under Section 90-1714 only for beams, trim and ornamentation. A variance from the Board of Zoning Appeals would be required to allow the proposed facades. Staff has been working with the petitioner to move the primary building façade toward the FBC requirements. It is suggested that the facades may be reasonable given the proposed business use requirements, it's remoteness from 28th Street (460 feet), the intended construction of FBC buildings in front along 28<sup>th</sup> Street, and it's adjacency to the existing metal building for the City of Wyoming Public Works facility. Staff is supportive of this request, but seeks a recommendation from the Planning Commission on this matter. Façade composition departures are not permitted to be waived by staff or the Planning Commission.
4. The site lighting plan shows 25 foot poles to be implemented. FBC Section 90-1311-3 requires poles to be no higher than 15 feet. A variance from the Board of Appeals would be required. Staff does not support this variance, as additional pole lighting can be provided.
5. The proposed landscaping plan is generally acceptable. An additional 3 trees of 2½ caliper are required along the Hook Avenue frontage. The final landscape plan

shall be reviewed and approved by the Planning Department prior to installation.

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. Car City will provide needed re-investment within the FBC district. This will promote economic strength and job creation which advances social equity. The proposal conforms to the City of Wyoming sustainability principals.

Cochran displayed an exhibit submitted by the petitioner that evening showing building elevations and evergreen screening.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Special Use Approval for Car City Supercenter expansion per the findings of fact. In a separate motion, Staff recommended granting Site Plan Approval subject to conditions 1 - 5.

Chair Spencer opened the public hearing.

Jeff Baker, owner of Car City Supercenter at 1515 – 28<sup>th</sup> Street SW, said they began their expansion plans about four years ago, gradually acquiring neighboring properties for development. He has been a proponent of the Form Based Code for 28<sup>th</sup> Street, and is trying to do his best to conform to it.

Chair Spencer closed the public hearing.

Petitioner Mike Corby of Integrated Architecture, representing Car City Supercenter, explained they are working with staff on the building façade plans to try to comply with the Form Based Code requirements, even though the building sits far back from 28<sup>th</sup> Street. Their only concern is obtaining the necessary Board of Zoning Appeals variance for the façade plan. Also, they would like to keep the same lighting as they have currently since the building is so far off the road, and intend to seek a variance in this regard.

Motion by Hegyi, supported by Arnoys, to grant Special Use Approval for Car City Supercenter expansion per the findings of fact. Discussion followed.

Hegyi thought the glass on the front side with the evergreen screening would be adequate since the building sits so far back from the road. Woodruff thought the Commission should be careful in making exceptions to the Form Based Code that could set precedence for future requests. Hegyi noted, if approving this building to have three sides of metal sets a precedence for future requests, he would be against it.

Arnoys agreed with the design. Since the building is 450 feet off the road, he thought the façade variance decision could be defensible in reviewing future requests. Chair Spencer agreed. Cochran did not think the Commission would be setting a particular benchmark if they approve this project as proposed.

Postema asked if it was Mr. Baker's intention to sell off the front of the property for future development. Mr. Baker responded affirmatively. Postema commented on the dark roof color. The architect replied the roof color will be lighter than in the rendering, matching the color of their existing buildings. Postema asked if there would be any mechanical equipment located on the roof. The architect replied all mechanical equipment will be stored inside the building.

A vote on the motion carried 6 – 1, with Woodruff opposed.

Motion by Hegyi, supported by Arnoys, to grant Site Plan Approval subject to conditions 1 – 5. Discussion followed.

Bueche clarified with the engineer that the survey for the project needs to be signed and sealed by a surveyor, not an engineer.

Hegyi amended his motion to revise condition 4 to require the lighting poles not be higher than 15 feet as per FBC Section 90-1311-3. There was no support for the amended motion; therefore, Hegyi withdrew his original motion.

Motion by Arnoys, supported by Micele, to grant Site Plan Approval subject to conditions 1 – 5. Motion carried unanimously.

#### AGENDA ITEM NO. 4

Request for Site Plan Approval for Allied Mechanical Services. The property is located at 5920 Clyde Park Avenue, SW. (Section 36) (Allied Mechanical Services)

Cochran described the location, existing land use and current zoning around the area. Allied Mechanical proposes to construct a two-story, 30,000 sq. ft. office/warehouse facility on this 7.75 acre site. The property had previously been used for Gortsema Greenhouses, but all structures have been removed. In September 2014, this and two adjoining properties were rezoned from B-2 General Business to I-1 Light Industrial. The motivation for the rezoning was mainly to accommodate this viable, and desirable, Industrial business use.

Staff had the following added site plan comments:

1. Final utility, grading and storm water management plans shall be approved by the Engineering Department.
2. This overall property was subdivided for Elite Training when it was zoned B-2 General Business. This division created a remnant parcel (proposed for Allied Mechanical) with a 68 foot lot width at Clyde Park Avenue which met the minimum 65 foot B-2 district requirement. Since that time, the properties have been rezoned to I-1 Light Industrial which has a 100 foot minimum lot width requirement under Zoning Code Section 90-893. A variance from the Board of

Zoning Appeals is required to develop a nonconforming parcel. The driveway serving Elite Training will also be used to access Allied Mechanical.

3. Allied Mechanical proposes to have a truck loading area in the front yard facing Clyde Park Avenue. Zoning Code Section 90-648 (4) requires overhead doors for truck loading areas to not face the front yard. A variance from the Board of Zoning Appeals is required to allow this design. The petitioners plan to construct a future 30,000 square foot addition that will extend significantly closer to Clyde Park Avenue. At such time the truck loading area will no longer be in the front yard. In addition, the proposed loading area will be setback approximately 790 feet from Clyde Park Avenue and will be screened from view by the Elite Training building.
4. The building façade plan incorporates primarily tan colored metal panels with windows facing U.S. 131. The building sets back 790 feet from Clyde Park Avenue and a future addition is planned to the west. No specific façade requirements are established for the I-I Light Industrial district. The proposed façade plan is adopted as part of this site plan approval.
5. The landscape plan provides for the retention of trees on the property and additional treatments near the building. The proposed landscape plan is adopted as part of this site plan approval.
6. The wall signage is limited to a maximum of 100 square feet per wall. Property signage is approved through permits by the Building Inspections Department. (Informational)

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed Allied Mechanical facility will consolidate their business operations in the greater Grand Rapids region. Employment of 50-60 people will occur at the facility with additional short term employment with construction. This will contribute to the City's economic and social strength. The proposed Allied Mechanical facility conforms to the City of Wyoming sustainability principals.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Site Plan Approval to Allied Mechanical Services subject to conditions 1 - 5.

Motion by Hegyi, supported by Micele, to grant Site Plan Approval to Allied Mechanical Services subject to conditions 1 – 5. Discussion followed.

Postema asked if there was a requirement that the front of the building cannot be metal. Cochran responded that requirement applies to the I-3 Industrial district.

Bueche pointed out their survey is not stamped by a surveyor. Eric Timmer of Allied Mechanical said he would make sure this is done.

A vote on the motion carried unanimously.

#### AGENDA ITEM NO. 5

Request for Final Plat Approval for Rivertown Valley III. The property is located along Nile Drive extended and Chestnut Ridge Drive extended. (Section 32) (TMBG Wilson)\

Bueche asked to abstain from voting on this item because of a business conflict of interest.

Motion by Postema, supported by Woodruff, to excuse Bueche from voting on this item. Motion carried unanimously.

Cochran described the location, existing land use and current zoning around the area. The petitioner has developed 38 lots on 14 acres developed to R-1 Residential standards. This project obtained Preliminary Plat Final Approval from the Planning Commission on April 15, 2014 and City Council approval on May 5, 2014. The prior two phases to the north have 93 lots, which are nearing build out.

Staff comment:

1. The required Letter of Credit and Work Agreement for any incomplete items will be provided to and approved by the Engineering Department by October 28, 2014. (Informational).

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed Rivertown Valley III subdivision will provide quality housing opportunities for residents in Wyoming. The construction of the plat, and the subsequent construction of the homes, will provide significant employment. These factors will contribute to the economic strength and social equity of the City. The proposed Rivertown Valley III plat conforms with the City of Wyoming sustainability principals.

#### Planning Commission Action:

The Development Review Team suggested the Planning Commission grant Final Plat Approval for Rivertown Valley III, and recommended the same to the City Council.

Motion by Woodruff, supported by Hegyi, to grant Final Plat Approval for Rivertown Valley III, and recommend the same to the City Council. Motion carried unanimously.

#### INFORMATIONAL

Zoning Ordinance consultant selection.

Cochran mentioned the firm of Wade Trim will be interviewed tomorrow as a possible consultant to rewrite the Zoning Code. The DRT will be involved with the consultant selection process, along with Planning Commissioners Bueche, Goodheart and Postema.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

The meeting was adjourned at 8:40 P.M.

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Anthony Woodruff, Secretary  
Wyoming Planning Commission

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Kimberly S. Lucar, Administrative Aide  
Wyoming Planning Commission