

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF DECEMBER 17, 2013

PLANNING COMMISSION
MINUTES OF NOVEMBER 19, 2013
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

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

MEMBERS ABSENT: Spencer

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

Vice-Chairman Postema called the meeting to order at 7:00 PM.

Motion by Hegyi, supported by Woodruff, to excuse Chair Spencer. Motion carried
unanimously.

APPROVAL OF MINUTES

The minutes of October 15, 2013 were approved as written.

APPROVAL OF AGENDA

Cochran suggested adding Agenda Item No. 4 – Public meeting December 10, 2013 – Rivertown
Park development.

Motion by Hegyi, supported by Woodruff, to approve the agenda as revised. Motion carried
unanimously.

(Arnoys arrived at this time.)

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

Greg Markvlower of the Grainger Group said he has been involved with the development of
Metro Health Village since the original PUD was drafted. They have set high standards for this
development and some amendments have been made through the years as needs and the business
climate changed. He thought the requested parking reduction for the proposed Metro Health

POB No. 2 expansion far exceeds the parking reduction granted for the VA outpatient clinic, and should not be used as a comparison.

Attorney Jim Ens of Law, Weathers and Richardson at 333 Bridge, NW, Grand Rapids, legal counsel for the Grainger Group, thought the Metro Health POB No. 2 expansion is an excellent addition to the campus, but the design should not be ruined by parking overflow onto neighboring property. The reasoning for the requested parking reduction is the availability of transit, but this Rapid bus route has low ridership counts. He presented an aerial photo showing parking lot areas at almost full capacity.

AGENDA ITEM NO. 1

Request for Special Use Approval for Fusion Used Auto Sales. The property is located at 2615 – 28th St, SW (Section 9) (Uzo Iwuagwu) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. He noted this property was previously used as Nationwide Auto Exchange, a used car sales lot, but has been vacant for several years. The petitioner proposes to renovate the building and grounds and re-establish a used car lot. Under Zoning Code Section 90-761 (5), if a property functioning as a Special Use Approval ceases for more than one year, the Special Use is void. The re-authorization of the Special Use Approval for the property is required. 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 is an auto service station adjacent to this property, with other warehousing and industrial uses nearby. The re-establishment of a viable auto sales business on this vacated and deteriorating site will have a positive effect 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. There are other used car sales businesses in this area to the west in the City of Grandville. 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 used car sales business will occupy and renovate a vacant and deteriorating 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.

Staff had no additional comments.

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

Under Zoning Code Section 90-895, car sales lots are required to provide a seven foot wide greenbelt in the front yard where existing buildings on the lot are devoted to the business. This is shown on the site plan as a planned grass easement.

Staff had the following added site plan comments:

1. The required seven foot wide grassed greenbelt in the front yard shall be installed. A minimum of two trees, 2 ½ inch caliper shall be included. Trees to be planted shall be approved by the Planning Department prior to installation. Irrigation is recommended.
2. Site parking, including the required handicap accessible, shall be striped and signed.
3. Any dumpsters on site shall be placed behind the building and screened.

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 auto sales business will occupy a vacant and declining property. Employment will occur with the business use. As such, it will contribute to the city's economic strength. The proposed Fusion Used Auto Sales conforms to the City of Wyoming sustainability principals.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Special Use Approval for Fusion Used Auto Sales per Staff's Findings of Fact. In a separate motion, Staff also recommended granting Site Plan Approval subject to conditions 1-3 noted.

Vice-Chairman Postema opened the public hearing. There were no comments and the public hearing was closed.

Petitioner Uzo Iwuagwu, 27 Library, Grand Rapids, MI, indicated he owns several properties on 28th Street in Wyoming, and has been a property owner in Wyoming since 2005. The property at 2615 – 28th Street has been vacant since 2006. They want to fill this vacant building with a strong business, hire additional employees and improve the overall site. Their business is not a traditional dealership in that it includes internet automotive sales.

Motion by Woodruff, supported by Micele, to grant Special Use Approval for Fusion Used Auto Sales per Staff's Findings of Fact. Discussion followed.

Woodruff thought a new business on 28th Street is a great thing. Postema agreed; it is good to fill a vacant building.

Hegyí asked if there was a sign on the property currently. The petitioner replied there is a pole sign there now, but they will talk to City Planner Cochran about changing it.

Weller was also enthused about filling a vacant building and there being improvements made to the site.

A vote on the motion carried unanimously.

Motion by Micele, supported by Woodruff, to grant Site Plan Approval subject to conditions 1 – 3 noted. Discussion followed.

Goodheart pointed out the plan shows a sales lot with 70 vehicles on display. He did not think the size of this lot could accommodate that many vehicles. Also, are they going to submit a plan for striping the parking lot? Cochran responded affirmatively. He would approve the plan as long as it meets the 9' x 18' space standard, shows a proper fire lane and customer parking. The petitioner indicated the 70 vehicles noted were in error. The number would be less because they want a neat looking lot that meets Code. Goodheart thought there should be an added condition that the vehicle display area on the plan needed to be submitted for staff approval.

Micele amended his motion to revise condition 2:

2. Site parking, including the required handicap accessible, shall be striped and signed. *A plan shall be submitted to the City showing the proposed parking configuration, as well as showing vehicles in the display area for City review and approval.*

A vote on the motion carried unanimously.

AGENDA ITEM NO. 2

Request for Site Plan Approval for Metro Health POB No. 2 Expansion. The property is located at 2122 Health Drive, SW. (Section 34) (Metro PB2, LLC)

Cochran described the location, existing land use and current zoning around the area. He noted the site plan for Metro Health POB No. 1 was approved by the Planning Commission in May 2006. Phase 1 was for a 67,000 sq. ft. medical and general office building. Phase 2 is for a second building of 99,413 sq. ft., also intended for both medical and general office use. Last month, Staff approved a plan to expand the existing parking lot on the overall property and construct a new parking lot on the adjoining property to the south. The purpose was to construct additional parking and place the necessary utility infrastructure in advance of this development. The construction of phase 2 will eliminate some of the existing parking and require additional space for construction related activities.

The site plan was submitted with parking calculations that do not comply with Zoning Code requirements. There were also inaccuracies in the parking calculations. Parking needs are calculated using gross floor area for office uses that do not deduct connectors, stairwells or lobbies. A detailed parking analysis was later provided by the petitioner's architect, Integrated Architecture. The two buildings use a mix of general office and medical offices, which results in a total parking requirement of 616 spaces. There are 463 parking spaces provided. The petitioner is requesting the Planning Commission grant a reduction of 25% to the parking as potentially allowed under Section 90-646(4)(c) of the Zoning Code. The requested 25% reduction is due to the availability of transit. This is the same request as granted to the adjacent VA Outpatient Clinic. Even though the Rapid ridership numbers are low on this route, they are expected to go up because overall ridership has increased significantly throughout the Rapid transit system. As an additional consideration, the POB buildings share direct corridor connectivity and staffing with the Metro Health Hospital. The hospital has 957 parking spaces.

Staff had the following added site plan comments:

1. Final site grading and utility plans shall be approved by the Engineering Department.
2. The addition will attach to both the existing POB No. 1 building and Metro Health Hospital. This results in a zero rear yard setback. Typically, a minimum 30 foot rear yard setback is required in this district. Under Zoning Code Section 90-894-11 b., the Planning Commission may waive either side or rear yard setbacks when deemed appropriate. This setback was waived by the Commission with phase 1. The rear yard setback is also waived for this addition.
3. The proposed landscape plan is acceptable and is adopted as part of this Site Plan Approval.
4. The proposed façade plans are acceptable and are adopted as part of this Site Plan Approval.

5. A parking reduction of 25% of the required parking is acceptable, as per Section 90-646(4)(c) of the Zoning Code, due to the availability of transit in this area.

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 Metro Health POB No. 2 building will expand upon a medical office facility. This will contribute to the City's economic and social strength. Substantial employment will occur at the facility and short term with construction. The proposed Metro Health POB No. 2 conforms to the City of Wyoming sustainability principals.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Site Plan Approval for Metro Health POB No. 2 Expansion subject to conditions 1 - 5 noted.

Mike Corby of Integrated Architecture indicated he was also involved with the original drafting of the PUD, which was developed with sustainable and responsible principles. They made sure all buildings were LEED certified. Metro Health continues to operate this way. They are sensitive to the concerns about parking. They will have plenty of parking since half the building will be for medical offices and half for administrative offices.

Robert VanRees, Facilities Director at Metro Health, 5900 Byron Center Avenue, said the parking analysis has been done, and on average the parking lot is about 60% occupied. They currently have 1,212 parking spaces available on the hospital site and nearby.

Motion by Micele, supported by Woodruff, to grant Site Plan Approval for Metro Health POB No. 2 Expansion subject to conditions 1 – 5 noted. Discussion followed.

Hegy thought, when the PUD was first developed, only one building was allowed per parcel. Cochran replied it is not uncommon to have more than one building on a parcel. There is physically one building on this property, as it is an addition to the existing building.

Woodruff questioned the request for a parking reduction. Cochran referenced the parking analysis, which he thought to be reliable data.

Goodheart asked who owns the parcel to the east. Mr. Corby replied the same owners as the POB. Goodheart thought 25% was quite a large reduction of parking. If they need more parking in the future, have they thought of alternatives, such as a parking ramp? Mary Marks, Director of Special Projects for Metro Health, noted that when they experience that much growth and

increased need for parking, they will build a parking ramp. Currently there is not a need. Their primary commitment is accessibility for patients, while staying within the zoning requirements.

Postema asked if cross parking agreements could be required. Ms. Marks did not think it would be necessary since there is one owner and Metro Health has lease agreements with tenants that address parking. Cochran said Staff considers POB Nos. 1 and 2 as one use and part of the hospital. Staff is not concerned about ownership, only how the properties are used.

Attorney Tim Stoepker of Dickenson Wright, 200 Ottawa NW, Suite 1000, Grand Rapids, MI, legal counsel for Metro Health, clarified the hospital and POB Nos. 1 and 2 are all related uses with shared parking. He referenced Sec. 90-646(2)(a) "Off-street parking facilities required for all uses shall be located on the same lot or within 300 feet of the use(s) they are intended to serve, as measured from the nearest point of the parking facility to the nearest entry of the building(s) served." If necessary, they can submit a conditional cross parking agreement for Staff's review.

Postema thought there should be a parking overflow option in place. Ms. Marks indicated they have explored possibilities. She said Metro Health owns Unit 33, so they could expand onto this lot for additional parking (approximately 250 spaces). If they build a parking ramp, it could go on Unit 28. Cochran remarked that parking is one of the easiest things to move.

Weller said he drove through this area that day around 3 p.m. and the parking lots were pretty full. It is a very nice building, but he thought the parking would be too tight. He did not agree with the 25% parking reduction.

Cochran pointed out that any parking problems are expected to be resolved by the property owners, such as moving employee parking elsewhere, adding a parking deck, changing service hours, etc.

Ms. Marks explained how the POB buildings would be used. The existing building is administrative support and the new building is a mix of medical and administrative support. If the uses change, they are not opposed to coming back to the Planning Commission for another review.

Woodruff asked about the possibility of tabling this item until the parking calculations can be clarified. Ms. Marks assured Metro Health will provide enough parking to support its proposal. They have spent much effort in making sure the numbers are correct. They want to utilize the land in the best way possible, with the necessary amount of parking.

Goodheart thought a cross parking arrangement should be in place in case there is a problem with parking. Cochran noted this item could be deferred one month so the petitioner could submit a revised site plan that shows the overflow parking on Unit 33. Postema asked the petitioner if the project could be delayed one month. Mr. Corby said it does not make sense to tie up land for parking that they may or may not need. They would like to move forward with the

project without delay. They could work with Staff to show a future parking arrangement where a parking structure would be positioned on the lot.

Hegyí asked if they could go before the Board of Zoning Appeals for a parking variance. Cochran said yes, but the likelihood of approval is slim.

Bueche asked for clarification regarding the parking calculations. Ms. Marks explained there are 616 parking spaces required, and they can provide 463 parking spaces. The remaining 153 can be allocated to existing hospital parking space. The hospital has 1,212 parking spaces and is currently using 853 parking spaces, so that leaves an excess of 359 parking spaces. Attorney Stoepker said they are willing to enter into a shared parking agreement.

Cochran cited three options: 1) Grant the 25% waiver for parking reduction; 2) Require a revised site plan showing off-site banked parking; or 3) Require a shared parking easement.

Micele wished to stay with his original motion.

A show of hands revealed that four Commissioners were concerned about granting the parking waiver.

Motion by Hegyí, supported by Arnoys, to amend the existing motion to replace condition 5, as follows:

5. The petitioner must provide shared parking easement agreements with the existing hospital parking lots and Unit 28 that satisfy the zoning requirement.

A vote on the amended motion carried 4 – 3, with Goodheart, Micele and Weller opposed.

A vote on the primary motion that is revised carried 6 – 2, with Goodheart and Weller opposed.

AGENDA ITEM NO. 3

Form Based Code Update

Cochran mentioned the Form Based Code Ordinance was adopted by the City Council last evening in first reading. They will consider it in second reading on December 16, 2013. The Planning Commission public hearing to consider the Form Based Code rezoning changes will be January 21, 2014. About 750 public hearing notices will be sent.

AGENDA ITEM NO. 4

Public Meeting December 10, 2013 – Rivertown Park Development

Cochran explained there is an adopted development agreement in place that requires only condominiums be built in this development. The owner is now proposing to development

apartments, so he is asking that the development agreement be amended. Mayor Poll has asked there be an outreach meeting to receive input from the condo owners in this development. Minutes will be taken and provided to the City Council. If the City Council decides to amend the development agreement, then the project will come back to the Planning Commission for a revised Site Plan Approval. The outreach meeting will be held on December 10th at 6:00 p.m. at the Wyoming Public Library. The Commissioners are welcome to attend.

Hegyí thought there were wetlands issues related to this development. Cochran replied the wetlands issues have been addressed and all the infrastructure is in.

PUBLIC COMMENT

There was no public comment.

Regarding the Metro Health POB No. 2 request, Postema thought confusion could have been avoided if Metro Health had combined the separate properties into one parcel. If there is one owner, then the properties should be combined.

ADJOURNMENT

The meeting was adjourned at 9:40 P.M.

Anthony Woodruff, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Aide
Wyoming Planning Commission