

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

PLANNING COMMISSION
MINUTES OF DECEMBER 15, 2015
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

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

MEMBERS ABSENT: Woodruff

STAFF PRESENT: Rynbrandt, Director of Community Services
Cochran, City Planner
Lucar, Planning & Development Department

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

Motion by Hegyi, supported by Micele, to excuse Woodruff. Motion carried unanimously.

APPROVAL OF MINUTES

The minutes of October 20, 2015 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 CARite of Wyoming used auto sales and car wash. The property is located at 155 – 28th Street, SW. (Section 12) (CARite Realty LLC) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. This property has recently been rezoned from B-3 Planned Business to B-2 General Business for the purpose of accommodating this development. A voluntarily submitted Development Agreement was also entered into by the City Council to ensure the property would be developed as proposed by the petitioner. The proposed uses require Special Use Approval from the Planning

Commission with the review of a detailed site plan. 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 and car wash 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. Both 28th Street and the nearby Division Avenue have numerous used car businesses and several car wash facilities. The proposed uses are 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 and Buchanan 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 and car wash business will occupy and substantially upgrade a long-time vacant and deteriorating property. No blighting influence will occur to neighboring properties.

- e. The economic feasibility for the area.

The uses appear 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 Engineering Department requires the driveway on Buchanan Avenue to align with the opposing drive. A permit shall be required. The proposed driveway onto 28th Street shall be approved by MDOT and will require a separate permit.
2. Detailed engineering for site utilities, grading and storm water management shall be approved by the Engineering Department. Storm water calculations shall be provided.
3. A five foot wide sidewalk easement shall be provided along Buchanan Avenue for the future construction of a 10 foot wide shared use path.
4. An ADA accessible pedestrian route shall be provided from the 28th Street sidewalk to the front entrance to the business.
5. The four parking spaces at the exit to the car wash shall be angled conforming to the one-way traffic flow.
6. The proposed landscape plan is adopted as part of this site plan approval.
7. The proposed façade plans are adopted as part of this site plan approval.

Cochran highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed development would be beneficial to the long range community vision for this neglected area. The development would clean a blighted property and will encourage the redevelopment of nearby properties to enhance the overall economic strength of the 28th Street corridor. The proposed development conforms to the City of Wyoming Sustainability Principles.

Staff Recommendation:

The Development Review Team suggested the Planning Commission grant Special Use Approval to the proposed CARite used car sales and carwash per the findings of fact. The DRT also recommended the Planning Commission grant Site Plan Approval through a separate motion subject to conditions 1 - 7 noted.

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

Petitioner Steve Bailey of CARite Realty said they are looking forward to opening their flagship location here in Wyoming. He met with the surrounding businesses and they are very positive about their proposal. CARite is planning to open seven stores in West Michigan.

Motion by Micele, supported by Arnoys, to grant Special Use Approval for the proposed CARite used car sales and carwash per the findings of fact. Discussion followed.

Hegyí asked the type of signage they will use. The petitioner replied the sign will be an LED, motion sign on a short pole. They prefer a raised sign, but will work with the City and comply with the sign ordinance. It will be a nice-looking sign. Hegyí asked Cochran the type of sign allowed. Cochran responded they are entitled to a 30 foot high pole sign. They are allowed up to two signs, one on each street frontage, and one can be larger than the other. Most 28th Street properties are limited to a 100 sq. ft. standing free sign. There are many pole signs along 28th Street. The petitioner indicated they are proposing a sign approximately 15 feet in height. He showed a photo of the sign at their Kalamazoo location which is this height. Cochran pointed out they are allowed a 40% maximum moving image display.

Micele asked, when developers come in for a project on 28th Street, does Cochran share the Form Based Code and its concepts with them. Cochran responded affirmatively. Even though this particular project is located outside the Form Based Code area, he advised the developer early in the process the City's vision and the type of quality the City is looking for. Staff is pleased with the proposed appearance of the 28th Street frontage for this project. The petitioner willingly moved the buildings closer to the street upon Staff's request and is providing high quality building facades. There will be 25 feet of greenbelt constructed on both street frontages and landscaping also. Micele asked if they were required to have underground sprinkling. Cochran replied yes.

Hegyí asked if they meet the parking requirements. Cochran responded affirmatively.

A vote on the motion carried unanimously.

Motion by Hegyí, supported by Micele, to grant Site Plan Approval subject to conditions 1 – 7 noted. Discussion followed.

Postema was concerned that there was no access to Buchanan Avenue from the car wash. The petitioner said they will adjust the site plan to provide a Buchanan Avenue access.

Hegyí amended his motion, supported by Micele, to add condition 8:

8. Drive access from Buchanan Avenue to the car wash to be provided.

Weller did not see how cars for sale could be brought in unless they came in off 28th Street.

Goodheart pointed out that MDOT will make the ultimate decision on whether to allow two drives so close together on 28th Street. Cochran said the Engineering Department did not have a concern regarding the MDOT permit. Goodheart noted the MDOT decision might change the design of the site plan. If it was a substantial change, they might have to come back to the Planning Commission. Goodheart also asked the petitioner to explain the extinguished easements. The petitioner noted the major easement that was extinguished was the one running north-south connecting Richwood Industries to 28th Street, which is no longer needed. The others involved surrounding properties where the easements are also not needed. Goodheart

questioned the storm water system design. The petitioner noted their engineers are working directly with the City engineers. They will comply with City standards in this regard, as stated in the Development Agreement.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 2

Request for Special Use Approval for Acare Human Services Community Center. The property is located at 3203 Eastern Avenue, SE. (Section 18) (Hans Giplaye) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. Acare Human Services proposes to provide acclimation and training services to West African refugees new to the metropolitan area. Acare has obtained 501(c)3 tax exempt status. The facility would occupy the front portion of the commercial building. The rear portion of the building, previously used for auto repair, does not have an intended use at this time. The proposed Acare service area is limited in both area and occupancy, with approximately 12 people accommodated at any one time. The proposed Community Center use requires Special Use Approval from the Planning Commission with the review of a site plan. The following standards for Special Use Approval shall be considered by the Planning Commission, as described within Section 90-761(3) of the Zoning Ordinance:

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

The proposed service use would be low impact and would provide a viable activity on this vacated and deteriorating site. This would 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. Although there are no Community Centers in the immediate area, there is a church which provides community services directly across Eastern Avenue. 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 32nd Street and Eastern Avenue. No adverse traffic impacts are anticipated from this service use.

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

The proposed use will occupy and renovate a 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 Comment:

- 1. The proposed use will occupy an existing developed, but neglected, property. No site plan changes to the property are proposed with this use. However, parking spaces need to be repainted, including an ADA accessible space.

Cochran highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed service use would be beneficial in acclimating refugees to this region which promotes social equity. The use would also provide a viable use on this neglected property which will promote economic strength for the area. The proposed Community Center use conforms to the City of Wyoming Sustainability Principles.

Staff Recommendation:

The Development Review Team suggested the Planning Commission grant Special Use Approval to the proposed Acare Human Services Community Center 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. There were no comments and the public hearing was closed.

Petitioner Hans Giplaye, representing Acare Human Services, said the community center will serve the needs of refugee children from West Africa. The back of the building is used for storage of donated items and the front will be used as a welcome center for refugees, providing needed resources and education services.

Motion by Arnoys, supported by Hegyi, to grant Special Use Approval to the proposed Acare

Human Services Community Center per the findings of fact. Discussion followed. Micele asked how many refugees would come through in a year's time. The petitioner replied approximately 300. Micele asked if there are trained educators and staff that work with the refugees. The petitioner responded there are licensed educators and also volunteers from GVSU and Calvin College.

A vote on the motion carried unanimously.

Motion by Arnoys, supported by Hegyi, to grant Site Plan Approval subject to condition 1 noted. Motion carried unanimously.

AGENDA ITEM NO. 3

City of Wyoming Land Use Plan 2020 amendment – Bikeway Plan. Initiation of amendment process.

Cochran noted in March 2012 the Land Use Plan 2020 was amended to incorporate the 2035 Thoroughfare Plan. That Plan recommended expanding the comprehensiveness, and inclusiveness, of the use of the City thoroughfares by initiating a planning process to identify the corridors that would best serve the non-motorized needs of the community. Subsequently, the Engineering Department contracted with Progressive AE to evaluate the City. This evaluation considered roadway capacities, traffic volumes and speeds, adjoining community non-motorized connectivity and regional network plans. Mechanisms at the City, Regional, State and Federal levels are in place to fund viable bikeway projects. The incorporation of the Bikeway Plan into the Land Use Plan 2020 provides a long range vision, commitment to the community, and establishes credibility to those funding sources. The 2015 on-street bike lane improvements to Porter Street and Division Avenue are examples of the implementation of the Bikeway Plan.

Requested Action:

The Development Review Team requests the Planning Commission authorize the initiation of the amendment process to the Land Use Plan 2020 to incorporate the Bikeway Plan. Discussion followed.

Motion by Hegyi, supported by Arnoys, to authorize the initiation of the amendment process to the Land Use Plan 2020 to incorporate the Bikeway Plan. Discussion followed.

Bueche asked where the City would obtain the funding for these bikeway improvements. Cochran replied there are currently federal funds available, among other possible funding sources, but communities should have a plan in place to provide regional credibility before applying for the funds. The Transportation Act calls for a portion of federal funds to be reserved for bikeways.

Weller favored biking for recreational use, but not for transportation purposes. Michigan has long winters and there are problems with snow removal. He thought more bike paths should be

developed using abandoned railways and not on main thoroughfares. The bikeways seem to work alright on Porter Street, but the ones on Burton Street sometimes impede traffic flow.

Bueche noted the plan identifies Cleveland, DeHoop and Michael streets. He knew there would be problems within sections of these streets that are not wide enough to accommodate bikeways.

Cochran explained that their action tonight only called for initiation of the conversation. The plan will be back for Planning Commission deliberation at least twice in the future. Chair Spencer pointed out that bikeways are a growing trend nationally. It would benefit the City to be more progressive in this regard.

Goodheart was glad a traffic engineer had developed the plan. He would be interested to hear the opinions of the Kent County Road Commission. He asked the Engineering Department's thoughts on the plan. Cochran explained the Engineering Department initiated the bikeway planning process. He noted, just because a street is in the plan, doesn't necessarily mean that a bikeway will be built there. There are many factors involving when a bike facility is constructed. Postema asked if the plan could be changed during the review process. Cochran responded affirmatively. There will be public hearings and much discussion during this process.

A vote on the motion carried 7 – 1, with Bueche opposed.

AGENDA ITEM NO. 4

January 11, 2016 @ 5:30 p.m. joint presentation to the City Council, Planning Commission and Board of Zoning Appeals – Reformatted Zoning Ordinance.

Cochran noted consultants will be giving a presentation at this joint meeting on the Reformatted Zoning Ordinance. It could possibly come before the Planning Commission in February as a public hearing with a requested recommendation to the City Council for adoption. Food will be provided. He asked them to respond back to him soon whether or not they will be in attendance. If they wished a printed copy, they could request one. Otherwise, only electronic copies would be provided.

Hegyí recommended the date be printed on the cover of future Zoning Ordinance books. Cochran said this will be done in the future.

Arnoys asked if the agenda packets could be sent electronically instead of by mail. Rynbrandt indicated it has been the preference in the past to mail the agenda packets due to the large size of the site plans. If the plans were 11" x 17", they could be sent electronically. Postema said the BZA receives everything electronically, but he preferred to review the large scale drawings for Planning Commission review. Goodheart agreed. The majority of Commissioners wished to continue receiving the agenda packets by mail.

Micele asked what has happened to the 28West project. Cochran replied the connector street construction is on hold, even though the City currently has the funding. Since Wyoming Village

Mall's redevelopment project fell through, they feel it is not in their best interest at present to tear down the north wing of the mall, which would allow the crescent street project to proceed. This is a true public/private partnership with a high level of cooperation.

PUBLIC COMMENT

Brian Walquist, owner of the Alger Bike Shop on 28th Street, said he was in favor of the Bikeway Plan, but could understand some of the concerns raised. There needs to be an education component for both the cyclists and the motorists. He would be willing to serve as a resource throughout the planning process.

ADJOURNMENT

The meeting was adjourned at 8:30 P.M.

Anthony Woodruff, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Aide
Wyoming Planning Commission