

AGENDA
WYOMING PLANNING COMMISSION
TUESDAY, MAY 20, 2014
7:00 P.M.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF MINUTES:

APPROVAL OF AGENDA:

PUBLIC COMMENT ON NON- PUBLIC HEARING AGENDA ITEMS:

PUBLIC HEARINGS:

1. Request to rezone 1.2 acres from DC Downtown Center and B-2 General Business to I-2 General Industrial. The property is located at 2660 Burlingame Avenue, SW. (Section 11) (Wyoming Planning and Public Works Departments)
2. Request to amend Zoning Code Section 90-31 Districts Enumerated, Section 90-65 DC Downtown Center District Intent, Section 90-799 Specific Sign Requirements: Nonresidential Districts, Section 90-891 Residential Districts, Section 90-892 Conditions Applicable to Section 90-891, Section 90-893 Nonresidential Districts, Section 90-894 Conditions Applicable to Section 90-893, Section 895 Requirements for Permitted Uses After Special Approval, and Article XXVIII DC Downtown Center District to remove the Downtown Center Zoning District and its requirements. (Wyoming Planning Department)

OLD BUSINESS:

3. Request to amend Zoning Code Section 90-44 Distance Requirement for Mechanical Appurtenances. (Wyoming Planning Department)

NEW BUSINESS:

4. Request for Site Plan Approval for Rieth-Riley Batch Plant reconstruction. The property is located at 2020 Chicago Drive. (Section 3) (Rieth-Riley Construction Co.)

INFORMATIONAL ITEMS:

5. FBC Division Avenue update
6. MAP Training perspectives

PUBLIC COMMENT:

ADJOURNMENT:

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 1

DATE DISTRIBUTED: May 8, 2014
PLANNING COMMISSION DATE: May 20, 2014

ACTION REQUESTED: Request to rezone 1.2 acres from DC Downtown Center and B-2 General Business to I-2 General Industrial

REQUESTED BY: Wyoming Planning and Public Works Departments

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION:

The property is located at 2660 Burlingame Avenue, SW. (Section 11)

EXISTING ZONING CHARACTERISTICS:

North: I-2 General Industrial
South: Form Based Code
East: Form Based Code and I-2 General Industrial
West: Form Based Code

EXISTING LAND USE: The site is part of the City of Wyoming Public Works Facility. Land use surrounding the property follows:

North: DPW Facility
South: Car City
East: DPW Facility and woodlot
West: U-Haul

PROPOSED REZONING:

On March 3, 2014, the City Council approved the rezoning of the 28th Street corridor from Clyde Park Avenue to Burlingame Avenue to the Form Based Code (FBC) District. The currently proposed rezoning is for a portion of the City of Wyoming Public Works Facility that primarily contains a storage building and outdoor storage yard (see attached exhibits). Storage of this nature is an industrial use and not a commercial use. This property was held out of the prior rezoning so as to not detract from the overall importance and focus of the FBC consideration. This proposed rezoning will bring the DPW Facility into conformance with the I-2 General Industrial zoning, and will remove the last property zoned DC Downtown Center in the City.

This rezoning will then allow for the associated Zoning Code amendments which will remove all references to the Downtown Center Zoning District.

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 rezoning to I-2 General Industrial will bring this portion of the DPW Facility into conformance with the balance of the site. The overall DPW site functions as an industrial use and not a commercial use. Conformance of land uses with the underlying zoning district promotes social equity. The proposed rezoning 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 rezoning.

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
Jim DeLange, Chief Building Official
Tim Cochran, City Planner

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 2

DATE DISTRIBUTED: May 8, 2014
PLANNING COMMISSION DATE: May 20, 2014

ACTION REQUESTED: Request to amend Zoning Code Section 90-31 Districts Enumerated, Section 90-65 DC Downtown Center District Intent, Section 90-799 Specific Sign Requirements: Nonresidential Districts, Section 90-891 Residential Districts, Section 90-892 Conditions Applicable to Section 90-891, Section 90-893 Nonresidential Districts, Section 90-894 Conditions Applicable to Section 90-893, Section 895 Requirements for Permitted Uses after Special Approval, and Article XXVIII DC Downtown Center District to remove the Downtown Center Zoning District and its requirements.

REQUESTED BY: Wyoming Planning Department

REPORT PREPARED BY: Timothy Cochran, City Planner

PROPOSED AMENDMENTS:

The DC Downtown Center Zoning District was created in 2002. The DC District replaced the zoning of properties along 28th Street from Clyde Park Avenue to Burlingame Avenue. It's regulations were designed to implement the vision of the Downtown Plan, that also adopted in 2002. The Downtown Plan was an attempt to halt the decline of this iconic and essential commercial center of the City. Although there were a few successful developments in this area since 2002, ultimately the market forces contributing to the decline of 28th Street proved to be too great for the Downtown Plan and DC Downtown Center to overcome. Subsequently, the Wyoming community undertook an exhaustive and comprehensive master planning process to identify, and address, the issues limiting the redevelopment of the area. This process resulted in the Turn on 28th Street Sub Area Plan. This Plan then led to the creation of new innovative land use regulations established by a Form Based Code. This FBC subsequently has, or will, replace all properties in this corridor zoned DC Downtown Center. As such, there is no merit in maintaining the district within the Zoning Code. The proposed amendments will remove all references to the DC Downtown Center from the Zoning Code.

PROPOSED ORDINANCE AMENDMENTS:

Section 90-31 Districts Enumerated:

Remove DC business district, downtown center;

Section 90-65 DC Downtown Center District Intent:

Remove all wording. Replace with Reserved.

Section 90-799 Specific Sign Requirements: Nonresidential Districts:

In Table 90-799 and Table 90-799-2 Remove the DC category.

Section 90-891 Residential Districts:

Remove the DC zone category.

Section 90-892 Conditions Applicable to Section 90-891:

In Section 90-892 (5) restate the beginning sentence to: In R-4, R-5 and R-7 districts...

In Section 90-892 (6) restate the beginning sentence to: In R-4, R-5 and R-7 districts...

In Section 90-892 (24) Remove.

In Section 90-892 (25) Remove.

Section 90-893 Nonresidential Districts:

Remove the DC Downtown center district category.

Section 90-894 Conditions Applicable to Section 90-893:

In Section 90-894 (13) Remove.

Section 90-895 requirements for Permitted Uses after Special Approval:

Secondhand dealers – Remove DC reference.

Article XXVIII DC Downtown Center District:

Remove all wording. Replace with Reserved.

PLANNING COMMISSION ACTION:

The Development Review Team suggests the Planning Commission recommend to the City Council the subject Zoning Code amendments.

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 and Fire Services
Jim DeLange, Chief Building Official
Tim Cochran, City Planner

WYOMING PLANNING COMMISSION
ADDENDUM TO AGENDA ITEM
NO. 3

DATE DISTRIBUTED: May 8, 2014
PLANNING COMMISSION DATE: May 20, 2014

ACTION REQUESTED: Request to amend Zoning Code Section 90-44
Distance Requirement for Mechanical
Appurtenances

REQUESTED BY: Wyoming Planning Department

REPORT PREPARED BY: Timothy Cochran

PROPOSED AMENDMENTS:

This request was deferred from the April 15, 2014 Planning Commission meeting for further consideration of screening the mechanical appurtenances.

Zoning Code Section 90-44 restricts mechanical appurtenances (blowers, generators, air conditioning units, etc...) in the industrial and commercial districts from anywhere but the rear yard of properties. Recently, we have had several requests for variances from the Board of Zoning Appeals to locate generators in the side yard of properties. These requests have come from the VA Outpatient Clinic, Gordon Foods, Grand Rapids Plastics and others. Generators are desired for the facilities in order to maintain business operations during power outages. The generators have been reasonably placed in the side yards of the businesses where the electrical service to the buildings are provided. The variances have been granted by the BZA, with recommendations from staff.

In evaluating the ordinance restriction, staff believes that requiring mechanical appurtenances to be located only in the rear yard is overly restrictive. Devices can be screened when needed and a noise ordinance is in place to address any particular location concern. Staff believes it is appropriate to allow such appurtenances to be located in the side yards of industrial and commercial properties and to remove the 20 foot distance requirement.

EXISTING ORDINANCE:

Freestanding industrial and commercial mechanical appurtenances such as blowers, ventilating fans and air conditioning units are permitted only in the rear yard no closer than 20 feet to abutting properties.

PROPOSED ORDINANCE AMENDMENT (amendments in **bold**):

Freestanding industrial and commercial mechanical appurtenances such as blowers, ventilating fans, **generators** and air conditioning units are **prohibited in front yard areas. The appurtenances shall be screened with a solid fence or evergreens. Duct work from appurtenances shall be routed directly into the building or be concealed below grade in commercial districts.**

PLANNING COMMISSION ACTION:

The Development Review Team suggests the Planning Commission recommend to the City Council the subject Zoning Code amendment to Section 90-44 Distance Requirement for Mechanical Appurtenances.

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 and Fire Services
Jim DeLange, Chief Building Official
Tim Cochran, City Planner

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 4

DATE DISTRIBUTED: May 8, 2014
PLANNING COMMISSION DATE: May 20, 2014

ACTION REQUESTED: Request for Site Plan Approval for Rieth-Riley
Batch Plant reconstruction.

REQUESTED BY: Rieth-Riley Construction Co.

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 2020 Chicago Drive, SW. (Section 3)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned I-2 General Industrial as are all surrounding properties.

EXISTING LAND USE:

The site is an asphalt batching plant. The surrounding land uses are Industrial.

PROPOSED LAND USE:

The existing batch plant has been in operation for many years. They desire to replace the existing batching equipment with modern efficient technology and improve truck flow through the site. Two minor building additions for a lab and general office are also proposed.

Staff has the following added site plan comments:

1. The relocated fire hydrant must be protected with bollards and located at least five feet from the building.
2. The proposed office building and lab building additions are shown to be at the side property line which abuts the C & O Railroad spur. A ten foot side yard setback is required in the I-2 General Industrial district. A variance from the Board of Zoning Appeals is required to allow this design.

3. The property has obtained several variances from the Board of Zoning Appeals for the batching equipment to exceed the district height limit of 45 feet. The existing exhaust system reaches 110 feet. The new equipment will be lower and more environmentally efficient. The variances are assigned to the property and are carried over to permit the new equipment. (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 redevelopment will substantially improve the batch plant operations. Rieth-Riley provides construction services throughout the area which promotes community economic strength. The new equipment is more environmentally efficient. The proposed Rieth-Riley Batch Plant reconstruction conforms to the City of Wyoming sustainability principals.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant Site Plan Approval for the Rieth-Riley Batch Plant reconstruction subject to conditions 1-2 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
James Carmody, Director of Police & Fire Services
Tim Cochran, City Planner