

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF APRIL 15, 2014

PLANNING COMMISSION
MINUTES OF MARCH 18, 2014
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, Administrative Aide

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

Motion by Hegyi, supported by Woodruff, to excuse Goodheart. Motion carried unanimously.
(Goodheart arrived at 7:02 p.m.)

APPROVAL OF MINUTES

The minutes of February 18, 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 comments.

AGENDA ITEM NO. 1

Request for Special Use Approval for The PIER Church. The property is located at 4669
Division Avenue, SW. (Section 25) (Immanuel Christian Reformed Church) (Includes
Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. In January
2010, Immanuel Christian Reformed Church obtained Special Use Approval from the Planning
Commission to establish The DOCK, a community center serving local youth. Immanuel CRC
now proposes to establish a church plant, known as The PIER, within the building. Within the
Zoning Ordinance, the definition of community centers specifically excludes churches. Churches

are a distinct and separate use allowable by Special Use Approval in this B-2 General Business district. The PIER would also be sponsored in part by Faith Community CRC, CRC Board of Home Missions, One Wyoming, Classis Grand Rapids South of the CRC, and Classis Grandville of the CRC. In order to prevent potential schedule conflicts, The PIER will meet after hours from The DOCK and will also meet at other times from services or meetings at Immanuel CRC. Adherence to this schedule will allow the sharing of parking spaces. There are 38 spaces on the subject property, with an additional 107 parking spaces located around the property available under existing lease agreements. The building is already constructed to meet the assembly requirements of the Building Code. The City Attorney has confirmed there are no issues with having dual Special Use Approvals on a property so long as any potential operational conflicts are resolved.

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 property has been used for both The DOCK, an assembly use and parking for the adjoining Immanuel CRC. The introduction of an additional assembly use, occupying the property at separate times, will not have an adverse effect on neighboring property.

- 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 numerous other churches along the Division Avenue corridor. 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 fronts on to Division Avenue, a five lane thoroughfare. 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 proposed church use will expand upon the use of the building and will contribute to the facilities long term viability. No blighting influence will occur to 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.

The PIER must maintain service and meeting periods separate from those of The DOCK and Immanuel CRC in order to provide adequate parking. This will ensure that parking will not unduly occur within the streets or on unauthorized nearby properties.

- 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. The property is fully developed. No site plan conditions are proposed.

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed church use will provide religious and social services to the area. The use will also contribute to the long-term viability of maintaining the property, which contributes to the City's economic strength. The proposed PIER Church conforms to the City of Wyoming sustainability principals.

Cochran referred to the letter submitted by Kenneth Wenger, representing Immanuel CRC, explaining the proposed use in further detail.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Special Use Approval for The PIER 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.

Ken Wenger, an elder representing Immanuel CRC, mentioned how The DOCK has been successful with its childrens ministry, serving youth primarily from the Kelloggsville School District. This is a viable church outreach operation. Immanuel CRC is down to about 65 members, and their mission as an older church is to support ministries like The Pier and The DOCK to improve the community and minister to young adults and families.

Motion by Arnoys, supported by Postema, to grant Special Use Approval for The PIER per the findings of fact. Motion carried unanimously.

Motion by Woodruff, supported by Postema, to grant Site Plan Approval. Discussion followed.

Goodheart asked if the site plan for this proposal is the same one that was approved previously for The DOCK. Cochran responded affirmatively.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 2

Request to vacate Pickett Street (a paper only street) west of Clyde Park Avenue.
(Section 26) (J & P Development)

Cochran described the location, existing land use and current zoning around the area. The petitioner proposes the City vacate Pickett Street. Pickett Street is a paper only street. Improvements within the right-of-way consist of an asphalt driveway with public and private utilities. The driveway is contained within the right-of-way for Pickett Street for 165 feet from Clyde Park Avenue. The driveway extends another 260 feet west beyond the public right-of-way. Ingress and egress, and utility easements are in place for the area beyond Pickett Street.

The petitioner, J & P Development LLC, proposes to vacate Pickett Street as part of their industrial expansion plan along the underutilized north side of the drive. With the vacation of the right-of-way, ingress and egress, along with utility easements, will be extended through the vacated right-of-way. The property owner to the south of the right-of-way, Comfort Partners, is agreeable to transferring ownership of the acquired right-of-way to the petitioner.

Staff had the following comments:

1. Public water and storm sewer utilities, as well as private utilities, exist within the right-of-way of Pickett Street. The developer shall provide easements to the City of Wyoming for all public utilities. The developer shall also provide utility and access easements to the adjoining parcels. Any costs for utility relocations due to the vacation of the right-of-way shall be borne by the developer.
2. Right-of-way vacations require the City Council to set, and hold, a public hearing. This will occur after the vacation recommendation from the Planning Commission.

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed street vacation will allow for the redevelopment of an underutilized industrial property. The resulting development will infuse vital investment into the Clyde Park Avenue corridor. It will also contribute to the economic strength of the City by providing many new jobs. The proposed street vacation conforms to the City of Wyoming sustainability principals.

Planning Commission Action:

The Development Review Team suggested the Planning Commission recommend to the City Council the proposed Pickett Street vacation, subject to condition 1 noted.

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

Petitioner Todd Stuve of Exxel Engineering commented that this right-of-way was first put in place in 1950 as part of a plat, but it was never developed. It is now gravel and they intend to pave it, which will be an improvement to the site.

Motion by Hegyi, supported by Woodruff, to recommend to the City Council the proposed Pickett Street vacation, subject to condition 1 noted. Discussion followed.

Bueche asked why they wish to vacate this part of the street. Petitioner Stuve referred to the development plan and pointed out it is not an easement for access issue. If they develop as shown on the plan and improve the site without vacating Pickett Street, then they would have to improve the road as a public right-of-way and the City would have to maintain it. The problem is there is no turnaround room for snowplows, etc., and they do not need a public access for Pickett Street. Bueche asked if the owner owns all of Lot 1 of the Wyoming Industrial plat. Petitioner Stuve responded affirmatively.

Weller asked if the Colonial sign is owned by Comfort Partners. Petitioner Stuve replied affirmatively.

Postema asked if the individual parcels shown on the plan would ultimately be combined. Cochran replied yes, it would eventually be a single parcel with single ownership.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 3

Request for Site Plan Approval for Metro Health Village Senior Living. The property is located at 2252 Health Drive, SW. (Section 34) (MHV Senior Living LLC)

Cochran described the location, existing land use and current zoning around the area. He noted the petitioners have submitted a revised plan, and they are now proposing to construct a three-story, 107 unit senior living facility, instead of a four-story, 120, 450 sq. ft., 136 unit facility. Independent living would be provided on the first floor, with assisted living on the second and third floors and memory care units also on the third floor. The facility would be a licensed Home for the Aged. The units will be arranged in a square pattern, providing views from around the building. A central courtyard is also provided. The facility is designed to potentially allow expansion to the north.

Staff had the following added site plan comments:

1. Final site grading and utility plans shall be approved by the Engineering Department. Storm water calculations shall be provided. The developer shall participate in storm

sewer cost sharing. Final driveway openings are to be approved by the Engineering Department.

2. The proposed mid-block crosswalk at Health Drive shall be removed. Sidewalks shall be extended along Health Drive and Center Drive. (Cochran recommended that this condition be removed because it is addressed in the revised site plan.)
3. An easement for shared driveway use shall be provided. (Amended)
4. The proposed landscape plan is acceptable although it may go through additional refinement. The final landscape plan shall be approved by the Planning Department. Irrigation shall be required.
5. The proposed façade plans are acceptable and are adopted as part of this Site Plan approval.

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The proposed Metro Health Village Senior Living facility will provide a needed service for the aged community. This will contribute to the city's social strength. Substantial employment will also occur once the facility is operational and short term with construction. The proposed Metro Health Village Senior Living facility 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 Village Senior Living subject to conditions 1-5 noted. Cochran noted, with the subsequent submission of the revised site plan, condition 2 was addressed and condition 3 was amended.

Motion by Hegyi, supported by Micele, to grant Site Plan Approval for Metro Health Village Senior Living subject to conditions 1, amended 3, 4 and 5 noted. Discussion followed.

Bueche asked if they were splitting off part of Unit 13. Petitioner Rob Berens replied yes.

Postema thought the original PUD narrative stated residential units would be on the second floor and above, with business operations on the first floor. Hegyi agreed. Cochran did not recall the specific wording in the narrative.

Postema thought the rendering showed a drive through canopy and the site plan did not. Petitioner Berens pointed out the locations of the canopy on the site plan. It does not fully extend out to the right-of-way.

Micele liked the design of the building. He asked how close this type of development compared to Form Based Code development. Cochran replied there are certain components of this design that are applicable.

A vote on the motion carried unanimously.

INFORMATIONAL ITEMS

Form Based Code Division Avenue Update.

Cochran mentioned a steering committee has been formed, in partnership with the City of Kentwood, to participate in the development process of a Form Based Code (FBC) for Division Avenue. This FBC will be modeled after the recently adopted 28th Street FBC. The steering committee met on Monday, February 24th at 6 p.m. Chair Spencer and Micele are serving on this committee. The next meeting will be the end of April, with staff members from Wyoming and Kentwood meeting this week to prepare for that meeting. Cochran noted that during the interim in adopting the Code, development along this corridor will be aligned with long term goals.

Michigan Association of Planning Training May 12, 2014.

Cochran noted there will be another joint training opportunity for the City Council, Planning Commission and Board of Zoning Appeals. Gerald Fisher, a well-known Land Use Attorney, will facilitate the training, which will be held on May 12th in the City Council Chambers.

PUBLIC COMMENT

There was no public comment.

Micele mentioned there is a house on Burlingame Avenue, south of 52nd Street, that appears to be converted into a place of worship. There is a sign and many flags on the property. Cochran informed there is a Buddhist monk residing there who has set up a meditation area. He conducts sessions similar to Bible studies. The City has made him aware of the thresholds involved in defining a place of worship. Cochran would make the Inspections Department aware of the number of flags on the property. Micele said there are occasions where there are 15 – 20 cars parked on the property at one time. The parking and the sign should also be addressed.

Weller remarked that Metro Health has turned out to be a very impressive development with first class facilities.

ADJOURNMENT

The meeting was adjourned at 7:47 P.M.

Anthony Woodruff, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Aide
Wyoming Planning Commission