

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

PLANNING COMMISSION
MINUTES OF AUGUST 20, 2013
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
Rynbrandt, Director of Community Services
Lucar, Administrative Aide

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

APPROVAL OF MINUTES

Bueche noted, on page 7, under Public Comment, second sentence, the word “engineer” should be changed to the word “surveyor”. Motion by Hegyi, supported by Woodruff, to approve the minutes of July 16, 2013 as corrected. Motion carried unanimously.

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 to rezone 21.3 acres from ER Estate Residential to R-7 Special Multiple Family Residential. The property is located at the northwest corner of 56th Street and Canal Avenue. (Section 31) (Rivertown Homes By Design)

Cochran described the location, existing land use and current zoning around the area. He noted this 21.3 acre rezoning is part of an overall 26.2 acre parcel developed with a large single family home. If the rezoning is approved, the property will be divided with the owner retaining a five acre estate lot. The proposed rezoning is to allow up to a 54 unit condominium development.

The proposed duplex units would be of high quality, very similar to those in the nearby Del-Mar Village Condominiums. Those condominiums were also constructed by the petitioner. The developer may also construct large single unit condominiums in place of a duplex, if desired by purchasers. The petitioner is voluntarily offering to enter into a development agreement as a condition of rezoning. If adopted by the City Council, the development agreement would guarantee that only the proposed condominiums would occur. With approval of the rezoning, a detailed site plan for construction of the project will then be submitted for approval to the Planning Commission. Private roads, and a private sanitary sewer system including a lift station, would be the significant infrastructure features of the development.

Staff Comments:

1. The City of Wyoming Land Use Plan 2020 was adopted in 2006. It identifies the area west of the Wilson Avenue corridor as being suitable for low density residential use (up to 3.5 dwelling units per acre). This is the lowest residential density within the City identified by the Land Use Plan. The proposed development has a maximum density of 2.5 dwelling units per acre, and potentially less if single family condominiums are constructed. The proposed rezoning and conceptual development plan complies with the Land Use Plan.
2. Under the current ER Estate Residential zoning, the property could be developed as a single family subdivision with lot sizes of a minimum 10,000 square feet. Numerous nearby subdivisions were developed under these same provisions. The subject property is heavily encumbered by regulated wetlands. These wetlands effectively provide a natural barrier and buffer to the estate properties to the west. These wetlands prevent the possibility of extending streets from the proposed development to the west or north. If a conventional subdivision were to be proposed on this property, it would require more extensive grading and wetland alterations than is proposed with this condominium development.
3. The requested R-7 Special Multiple Family Residential zoning was created to accommodate condominium developments at a lesser density than typical multiple family zoning. The proposed density of 2.5 dwelling units per acre is substantially below that allowable under the R-7 zoning. The density restriction may only be set with the acceptance of the development agreement by the City Council.
4. The recently adopted Analysis of Impediments and Housing Study 2013 states "...the community survey indicated that residents want to live in single family homes in the southern and western neighborhoods. Reasons cited included proximity to M-6, newer homes, Grandville Public Schools and being close to shopping and workplaces. Regardless of housing price and type, different portions of the City should have a variety of housing types and price points." The proposed rezoning and subsequent development will provide a higher-end residential development. The proposal complies with the recommendation of the AI Housing Study.

5. The City of Wyoming 2035 Thoroughfare Plan showed a 2009 daily traffic volume of 4600 trips on 56th Street adjoining this property. The volumes are projected to increase by 2035 to 5900 trips on 56th Street. Both existing and projected traffic volumes are very low in relation to the overall capacity of 56th Street.

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 will provide for a high quality residential development in keeping with the character of this area of Wyoming. The upscale development will contribute to the economic strength of the City. The design proposes a private street with the residences constructed in close proximity. The development will result in less reconfiguration of the property than would occur with a conventional subdivision. The proposed rezoning conforms to the City of Wyoming sustainability principals.

Cochran mentioned there were three letters received prior to the meeting in opposition to the rezoning request.

Staff Recommendation:

The Development Review Team suggested the Planning Commission recommend to the City Council the proposed rezoning subject to entering into the development agreement voluntarily offered by the petitioner.

Chair Spencer opened the public hearing.

Marianne Thoms, 5511 Canal, said she lives on a centennial farm that was established in 1860. She has lived here for 58 years. This proposed condo development would be in her backyard. The developer asked to buy her land and she refused. There are many more wetlands and springs on the proposed property than what appears on the developer's plans. Building here will create drainage problems.

David Lefere, 5470 Kenowa, has circulated a petition in opposition to the proposed rezoning. The residents in the area have a reasonable expectation that this land will remain ER zoned because that is what it states in the City's Master Plan through 2020. The subject property can be developed as it is currently zoned. The R-7 zone allows for more than just condos, and could open the doors for future multiple family development. Rezoning to R-7 would create spot zoning. Wetlands will definitely be a problem and there will be traffic problems with the increase in density. He suggested the developer obtain a use variance instead of rezoning. He submitted copies of the petition and two other letters in opposition to the rezoning.

David TenBrink, 5522 Kenowa, is very concerned about the water table in this area. He agreed with the prior comments made by Ms. Thoms and Mr. Lefere.

John Zondervan, 4646 – 56th Street, said they bought their home because they wanted to live in a rural setting. The entrance to the condo development will be close to his driveway. The cost of developing this property will be high because of the wetlands. He is not opposed to development as long as the land stays ER zoned.

Lois TenBrink, 5522 Kenowa, was concerned for the safety of children in the area with the elementary school nearby. There are no sidewalks and there will be an increase in traffic. The wetlands are a real problem, and that is why her house had to be built on a hill. There is also quicksand in some areas. She asked if the DNR has been called in to inspect the wetlands.

Jim Stickland, 4624 – 56th Street, lives across the street from the proposed development and has been there since 1992. They chose this location because it is a rural area. He will not invest any more money into his home if the character of the area is going to change.

Tom Bouma, 4544 Canal, noted they just bought property to build a home in this area and are in the process of clearing land. They want to build here because of the ER zoning, but now they may reconsider.

Amanda Herremans, 5551 Canal, does not oppose the development itself, but opposes the rezoning to R-7. She expected it to stay ER in accordance with the Land Use Plan through 2020. She was also concerned with increased traffic and children's safety with the school in close proximity.

Katherine Clark, 5391 Case Drive, asked why the developer is not asking for R-3 two-family zoning instead of R-7. R-7 could be multiple family. She has lived in a wetlands area before, and the developer will only be setting up these future condo owners with serious flooding problems.

Jim Wynalda, 4690 – 56th Street, opposed the rezoning and did not see a need for it.

Rod McNeil, 4734 – 56th Street, opposed the rezoning and wanted the City to put the current residents' desires before the developer's.

Christine Lyons, 5500 Kenowa, also expressed the problems with the wetlands in this area.

Rick Bolhouse, 5043 Canal, agreed with his neighbors' comments. The development would add about 100 more cars to this area.

Mark Owens, 4503 Rumley Court, said Canal Avenue has become a racetrack. Would there be a light installed at 56th Street and Canal Avenue? 56th Street and Canal Avenue also both need resurfacing.

Candy Rinkevich, 4425 – 56th St, has lived at the northeast corner of 56th Street and Canal for the last 50 years. The neighbors in this area want this land to remain ER.

Kevin Weiss, 5495 Case Drive, moved here because of the rural setting. He asked what type of DEQ information was obtained about the wetlands.

Adam Clark, 50 Spring Grove Dr, Grandville, questioned the traffic design.

Chair Spencer closed the public hearing.

Petitioner Don DeGroot of Exxel Engineering, representing Dan Vredevoogd of Rivertown Homes and Design, said they had a wetlands consultant conduct a wetlands survey of the property. Their conceptual design has taken the wetlands locations into account. As far as density, they are in compliance with the ER zoning requirements. The traffic resulting from this condo development will actually be less than a single family development. Because of the private streets, they do not have to have the 66 feet wide public street requirement. The condos will actually look like ranch style homes.

Motion by Hegyi, supported by Woodruff, to recommend to the City Council denial of the proposed rezoning. Discussion followed.

Hegyi asked about the idea of obtaining a use variance. Cochran indicated the City Zoning Ordinance aligns with State law in that a use variance can be granted only if there is proof that the existing zoning creates a hardship. Hegyi asked about R-3 versus R-7 zoning. Cochran explained R-3 zoning is a standard duplex zone that is not set up for private streets and condos. The R-7 zone was written for condo development. Hegyi asked what a single family development would look like on this property. Cochran replied the layout for a single family development would be similar, but the alteration of the wetlands would most likely be greater because of the increase in street width needed and the greater building setbacks. Hegyi asked, if the property were rezoned and tied with the development agreement and later sold, would it go back to ER zoning? Cochran said it would remain R-7 and the development agreement stays with the property. If the property owner does not comply with the development agreement, then the property could convert back to ER zoning.

Postema asked, if a single family development were built here, could there be a stub street? Cochran said it would depend how the streets were laid out.

Bueche pointed out, if this property were developed as a single family subdivision, everything would have to be pushed over 50 feet and into the wetlands.

Chair Spencer indicated, if the property were developed for single family, the wetlands will have to be moved and replaced with more wetlands than are there now.

Goodheart asked if the development agreement could be changed at the City Council level. Cochran responded affirmatively and noted the details are worked out with the City Attorney, the

developer and City staff prior to a City Council decision. The Planning Commission is making a recommendation and the final decision lies with the City Council. Goodheart thought there should be two access points out to Canal Avenue instead of just one. Cochran said the DRT reviewed it and the Fire Chief and Engineering are comfortable with the street design.

Motion by Bueche, supported by Arnoys, to defer this item one month to clarify some of the questions that have been raised. Discussion followed.

Chair Spencer thought most of the questions had been addressed. Cochran pointed out these are site plan issues and the rezoning of the property is what is under review. The wetlands boundary could possibly be provided in more detail.

A vote on the deferment motion carried 8 – 1, with Postema opposed.

The Planning Commission asked the developer to address the wetlands questions raised and to possibly provide a parallel plan to show how the property could be developed with single family lots and how wetlands would be affected.

AGENDA ITEM NO. 2

Request for Special Use Approval for Buddha Temple. The property is located at 5505 Division Avenue. (Section 36) (Richard Postema Associates) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. He noted the petitioner proposes to construct a 2,400 square foot, 80 person activity hall for a Buddhist ministry. This would be the initial phase of a multi-phase development that may include a main assembly hall, classrooms, and garden meditation areas.

This use requires Special Use Approval from 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.

The property is 5.65 acres, undeveloped and is in a state of neglect. The initial phase of construction for the Buddha Temple is minor when compared with the overall site. The property is within close proximity of the Bus Rapid Transit stations under construction at 54th Street. The BRT is on schedule to begin operation in August 2014. Ideally, the area at 54th Street would be best suited for a high density mixed use development. This redevelopment will occur when market forces justify it. Other factors to consider in guiding the transition of the Division Avenue corridor are the blending of cultures to create a vibrant and diverse community, and the establishment of attractive public spaces. The proposed Buddha Temple would begin the process to provide these complimentary

attributes. The proposed Buddha Temple is perceived to have no substantial and adverse 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 numerous other religious facilities 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 has access to Division Avenue. It is anticipated that in 2015, Division Avenue will be widened to a four-lane, tree lined boulevard. Right-of-way to accommodate this expansion will be acquired from the subject property. Sanitary sewer service will also be extended across the frontage of this property. 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 Buddha Temple will acquire and begin improvements on a neglected property. 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.

Staff had no additional comments.

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

City staff has no other concerns.

Staff had the following added site plan comments:

1. Final utility, grading and storm water management plans shall be approved by the Engineering Department. Storm water calculations shall be provided. An easement shall also be provided for the proposed sanitary sewer service.
2. Fire hydrant coverage shall be determined by the Fire Department.

3. The sidewalk must be extended to the right-of-way.
4. The landscape plan is adopted as part of this Site Plan Approval. Irrigation is required in the front yard greenbelt.
5. The façade plan for the facility must be submitted for approval by the Planning Commission as part of this Site Plan Approval.
6. Each phase of development shall require separate Site Plan Approval.

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 Buddha Temple will develop a vacant and neglected property. The facility will provide an essential service to an emerging population within the community. This will contribute to the city's social strength. The proposed Buddha Temple conforms to the City of Wyoming sustainability principals.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Special Use Approval for Buddha Temple per the Findings of Fact. In a separate motion, staff recommended deferring the Site Plan Approval to work out design details such as the sanitary sewer easement, curb cut and façade plan.

Chair Spencer opened the public hearing.

Tim Fiebig, whose house is to the south at 65 – 56th Street SW, questioned the economic impact to the area. This property is ideal to locate the south anchor of the Bus Rapid Transit System.

Dr. Randy Jansma, 5491 S. Division, indicated his property abuts this property and he is opposed to the use for economic reasons. Also, for religious reasons, he does not want a Buddhist Temple next door to his business.

Dave Fitzsimmons, 5475 S. Division, who owns the Sweet Retreat ice cream shop next to this property, said he is opposed to the use because it does not coincide with the plans for commercial uses near the BRT transit station proposed at 54th Street.

Chair Spencer closed the public hearing.

Petitioner Rick Postema of Richard Postema Associates, said they are asking to defer the site plan and work with the Engineering Department on the sanitary sewer plans and curb cut. They will be ready with the elevations next month also.

Commissioner Postema asked to abstain because of a financial interest conflict.

Motion by Micele, supported by Woodruff, to grant Postema an abstention from voting on this item due to a financial interest conflict. Motion carried unanimously.

Motion by Arnoys, supported by Goodheart, to grant Special Use Approval for Buddha Temple per the Findings of Fact. Discussion followed.

Hegy asked why the Special Use Approval was necessary. Cochran replied a Special Use Approval is required for churches of any affiliation in a B-2 commercial zoning district.

Goodheart asked about the development plans for the BRT. Cochran noted the BRT transit stations are under construction. The southernmost station is at 60th Street and there will be two transit stations at the corner of 54th Street. There is an abundance of diversity in this area, with Godwin Height Schools having over 50 countries represented in their student population. Diversity can enhance different types of development opportunities and serve the various cultures of the population here.

Weller did not think this use fit well with the commercial development planned around the BRT Transit station at 54th Street.

Hegy asked where the commercial nodes are planned. Cochran replied the four corners at 54th Street would ideally have 3-4 story buildings.

Arnoys and Goodheart thought it would be economically more viable for there to be a commercial use on this property.

A vote on the motion failed 1 – 7, with Arnoys, Bueche, Goodheart, Hegyi, Micele, Weller and Woodruff opposed, and Postema abstaining.

Chair Spencer pointed out that procedurally the person who makes the motion must vote in favor of that motion, but in this case it did not affect the outcome of the vote. (Editor's Note: City Clerk Isakson has clarified that a person making a motion may vote against it, but may not speak against it.)

AGENDA ITEM NO. 3

Request for Special Use Approval for Shops at 40th Street. The property is located at 3975 Division Avenue. (Section 24) (RJM Design, Inc.) (Includes Site Plan Approval)

Cochran described the location, existing land use and current zoning around the area. He noted

the site was developed for a Burger King restaurant which has been vacant for several years. The petitioner proposes to construct two additions to the north and south ends of the building and convert it to a multi-tenant commercial building. The two additions total 3350 square feet, bringing the total building area to 7450 square feet. The south end of the building is being designed for a drive through restaurant, although no specific tenant is known at this time. The property has lost its prior Special Use Approval for the drive through due to its extended vacancy. The large parking lot to the south was part of the Burger King facility. That parking is not needed for this proposal and the property is being marketed for future redevelopment.

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 vacant for many years and has fallen into disrepair. The proposed redevelopment of this site will have a positive impact on the surrounding 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 numerous other drive through restaurant facilities along Division Avenue corridor and the property previously was used for this purpose. 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 two drives accessing 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.

This redevelopment project will reclaim a deteriorating building and property. 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.

Staff has no additional comments.

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

City staff has no other concerns.

Staff had the following added site plan comments:

1. Storm water drainage around the building additions, along with calculations, shall be prepared for review and approval by the Engineering Department. Curb cuts to Division Avenue shall be upgraded to current standards. An access easement for the shared driveway shall be provided.
2. The project substantially reduces the existing front yard greenbelt. A variance from the Board of Zoning Appeals is necessary to reduce the greenbelt below 25 feet in width.
3. A landscape plan meeting City requirements shall be approved by the Planning Department prior to installation. A minimum of three additional trees, of 2 ½ inch caliper, are required in the front yard area. Irrigation in the front yard area is required.
4. The existing fence in the rear yard shall be repaired.
5. Site lighting shall be designed to direct downward and not cast into the adjoining neighborhood.
6. A 10' by 50' loading area shall be striped at the rear of the building adjoining the dumpster area.
7. The conceptual architectural plan exhibited on the site plan for the redevelopment is acceptable.

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 restore a vacant and neglected property. The multi-tenant building will provide consumer services to the area and provide employment. This facility will contribute to the city's economic and social strength. The proposed Shops at 40th Street conform to the City of Wyoming sustainability principals.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Special Use Approval for Shops at 40th Street per the Findings of Fact. In a separate motion, staff recommended granting Site Plan Approval subject to conditions 1 - 7.

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

Petitioner Jim Morgan said they envisioned uses such as a coffee shop, etc. in this building.

Motion by Micele, supported by Woodruff, to grant Special Use Approval for Shops at 40th Street per the Findings of Fact. Motion carried unanimously.

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

Bueche pointed out the survey is over 12 years old, and a landscape architect cannot sign a site plan. If the building is extended it will be over the catch basins. There are no elevations shown on the site plan, and the survey makes no reference for a Consumers Energy easement. Cochran noted Engineering was comfortable with the conditions they put forth. As the review process proceeds, they will provide more detail. The petitioner agreed to submit an updated survey that includes any recorded easements.

A vote on the motion carried 8 – 1, with Bueche opposed.

AGENDA ITEM NO. 4

Request for Site Plan Approval for Gordman's. The property is located at 4830 Wilson Avenue. (Section 29) (National Retail Properties, LLC)

Cochran described the location, existing land use and current zoning around the area. He noted Gordman's is a national company that primarily retails apparel and women's accessories. They propose to construct a 50,259 building within the Wilsontown Shopping Center. The site is located within the interior of the center, located between two multi-tenant retail buildings fronting Wilson Avenue and Home Depot. Other major tenants in the center are Best Buy, Michael's and MC Sports. The site is on the parcel which includes the two frontage buildings. It is currently paved, but rarely utilized.

The Wilsontown Shopping Center is a Commercial Planned Unit Development. The overall development plan for the center was approved by the Planning Commission in 1999. At that time, the plan did not include development other than parking on this site. The parking ordinance amendments adopted in 2011 resulted in reduced parking requirements for many business uses. These amendments help provide for developers to achieve greater utilization and efficiencies of

their properties. The overall parking requirements for this retail center have been substantially reduced. The proposed Gordman's development can be accommodated without the need for a parking variance.

A Traffic Impact Analysis has been submitted for this development. City staff has determined that no further refinement of the Traffic Impact Analysis is necessary.

Staff had the following added site plan comments:

1. Final utility, grading and storm water management plans shall be approved by the Engineering Department. Storm water calculations shall be provided. An easement for the off-site storm sewer service is required.
2. The relocated fire hydrant locations shall be approved by the Fire Department.
3. The redevelopment site is proposed to be split off from the parcel which includes the two multi-tenant retail buildings to the west. The proposed property split would leave this site without frontage on a public street. A variance from the Board of Zoning Appeals would be required to allow this property division. In addition, the building would not meet the required front and rear yard setbacks of the ordinance, which also requires variances. The sign identifying this business along Wilson Avenue would be off premise and would also require a variance. An access easement to service the proposed parcel must be provided.
4. A detailed landscape plan meeting City requirements to be submitted and approved by the Planning Department prior to installation.
5. The proposed façade plans are acceptable and are adopted as part of this Site Plan Approval.

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 Gordman's will redevelop an underutilized parking area. This will contribute to the city's economic strength. Substantial employment will occur at business and short term with construction. The proposed Gordman's conforms to the City of Wyoming sustainability principals.

Planning Commission Action:

Pending resolution of the Traffic Impact Analysis, the Development Review Team recommended the Planning Commission grant Site Plan Approval for Gordman's subject to conditions 1 - 5.

Motion by Hegyi, supported by Micele, to grant Site Plan Approval for Gordman's subject to conditions 1 – 5. Discussion followed.

Bueche mentioned there is no legal description on the site plan.

Weller thought a traffic caution sign should be placed by Petsmart because of the potential increase in traffic volumes and turning movements here.

Goodheart asked if there was ingress and egress to the north and south off Wilson Avenue. The petitioner responded affirmatively. Goodheart asked about the storm drainage on the site. The petitioner explained the design.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 5

Request for Site Plan Approval for Wimsatt Building Materials. The property is located at 1456 – 28th Street. (Section 14) (Robert Hoffman)

Cochran described the location, existing land use and current zoning around the area. He noted this property had been used for nearly 50 years by Dermody Trucking. That use is normally only permitted within the I-2 General Industrial districts of the City. Dermody Trucking became a nonconforming land use as this area became commercially zoned. When the business vacated the property the nonconforming designation was lost under the requirements of the Zoning Code. Subsequently, an alternative industrial use of the property was proposed and denied by the Board of Zoning Appeals. Subsequently, an agreement was reached between the City Council and property owner. That agreement allows limited industrial use of the property, which provided for the current trailer repair business at the rear of the site. Wimsatt Building Materials now proposes to occupy and purchase the property. Wimsatt is a building supply company, primarily providing roofing, siding and windows to construction contractors. The DRT is supportive of this business use on this property. The amended agreement that allows Wimsatt to occupy the property was recently approved.

Although an industrial use, Wimsatt proposes to enhance the property in many ways that are compatible with the pending Form Based Code envisioned for this area of 28th Street. With Site Plan Approval, Wimsatt will remove 25 feet of pavement along 28th Street and install a landscaped greenbelt. The existing block façade of the building facing 28th Street will be reconstructed to incorporate extensive brick and glass in keeping with the retail building standards of the draft FBC. This area will become the showroom for their building materials. Although the proposed business does include outdoor storage, the roofing materials will be stacked two pallets high, which will be screened from view by a high quality composite privacy fence along the 28th Street frontage.

Site Plan Approval by the Planning Commission is required with the proposed 24,000 sq. ft. material storage building. That building will be used for the loading of contractor vehicles and trailers with stored building materials. Vehicles will enter from 28th Street and exit out to Prairie Parkway. The truck route ordinance requires all trucks to be directed to Burlingame Avenue rather than travel east on Prairie Parkway.

Staff had the following added site plan comments:

1. Final utility, grading and storm water management plans shall be approved by the Engineering Department. Storm water calculations shall be provided.
2. All outdoor storage shall be limited to eight feet in height.
3. The proposed composite privacy fence shall be extended along the west property line to the front face of the proposed storage building. Barb wire is prohibited within commercial districts and must be removed from the fence details on the site plan.
4. Vacation of the property by the existing trailer repair business will allow for the expansion of Wimsatt Building Material business into that area. This expansion will require the composite privacy fence to also be constructed along the Prairie Parkway frontage, a minimum of 25 feet back from the right-of-way. Paving is required for any additional outdoor storage area.
5. The proposed greenbelt along 28th Street requires a detailed landscape plan meeting City requirements to be submitted and approved by the Planning Department prior to installation. Irrigation is required within this greenbelt area.
6. The proposed façade plans are acceptable and are adopted as part of this Site Plan Approval.

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 Wimsatt Building Materials will utilize and upgrade a predominantly vacant property which will contribute to the city's economic strength. Additional employment will occur at the facility and short term with construction. Significant conformance with the proposed Form Based Code proposed for this area of 28th Street will advance the goals of the City for redevelopment. The proposed Wimsatt Building Materials conforms to the City of Wyoming sustainability principals.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant Site Plan Approval for Wimsatt Building Materials subject to conditions 1 - 6.

Motion by Micele, supported by Hegyi, to grant Site Plan Approval for Wimsatt Building Materials subject to conditions 1 – 6. Discussion followed.

Bueche asked if the current gravel areas will be blacktopped. Cochran replied anywhere there is outdoor storage there needs to be blacktop.

Weller asked if they are a wholesale or retail business. Petitioner Bob Hoffman replied they are predominantly wholesalers to retailers and contractors.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 6

RAPID presentation to City Council – October 14th.

Cochran noted the RAPID presentation to City Council is scheduled for October 14th. The presentation will show the impact specifically related to Wyoming. The Planning Commissioners were welcome to attend.

AGENDA ITEM NO. 7

Chateau Village Apartments Phase 4.

Cochran indicated this court case is still going on. There has been an appeal of the judge's decision. The development will most likely be completed before the case goes before another judge.

PUBLIC COMMENT

There was no public comment.

Cochran mentioned the Michigan Association of Planning Annual Conference is being held October 2-4, 2013 in Kalamazoo. If they would like to attend, please contact Kim Lucar for reservations.

ADJOURNMENT

The meeting was adjourned at 9:50 P.M.

Anthony Woodruff, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Aide
Wyoming Planning Commission