

AGENDA  
WYOMING PLANNING COMMISSION  
TUESDAY, JUNE 17, 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 amend Zoning Code Section 90-56 Drive-in Establishment, Section 90-337 (5) B-1 Local Business District, Section 90-372 (4) B-2 General Business District, Section 90-402 (5) B-3 Planned Business District, Section 90-617 (8) PUD-1 Low Density Planned Unit Development District, Section 90—895 Requirements for Permitted Uses After Special Approval, Section 90-901 (4) PUD-2 Planned Commercial Development District and Section 90-952 (12) PUD-3 Planned Health Care District to allow drive through restaurants in all commercial districts by Special Use Approval. (Wyoming Planning Department)

NEW BUSINESS:

2. Request to amend the Condominium Plan for Metro Health Village Planned Unit Development. The property is located at the northeast corner of M-6 and Byron Center Avenue. (Section 34) (Granger Group)

INFORMATIONAL ITEMS:

3. FBC Division Avenue update
4. Election of Officers – July 15

PUBLIC COMMENT:

ADJOURNMENT:

WYOMING PLANNING COMMISSION  
AGENDA ITEM  
NO. 1

DATE DISTRIBUTED: June 5, 2014  
PLANNING COMMISSION DATE: June 17, 2014

ACTION REQUESTED: Request to amend Zoning Code Section 90-56 Drive-in Establishment, Section 90-337 (5) B-1 Local Business District, Section 90-372 (4) General Business District, Section 90-402 (5) B-3 Planned Business District, Section 90-617 (8) PUD-1 Low Density Planned Unit Development District, Section 90-895 Requirements for Permitted Uses After Special Approval, Section 90-901 (4) PUD-2 Planned Commercial Development District and Section 90-952 (12) PUD-3 Planned Health Care District to allow drive through restaurants in all commercial districts by Special Use Approval. (Wyoming Planning Department)

REQUESTED BY: Wyoming Planning Department

REPORT PREPARED BY: Timothy Cochran, City Planner

PROPOSED AMENDMENTS:

The City of Wyoming has numerous commercial zoning districts. Each was created to guide desired land development. These districts include B-1 Local Business (located primarily at neighborhood intersections), B-2 General Business (Division Avenue and 28<sup>th</sup> Street), B-3 Planned Business (54<sup>th</sup> Street and Clyde Park Avenue), PUD-1 Low Density Planned Unit Development (Bayberry Farms), PUD-2 Planned Commercial Development District (WilsonTown Shopping Center), PUD-3 Planned Health Care District (Metro Health Village), and Form Based Code (28<sup>th</sup> Street Downtown Area).

Historically, one of the distinctions within the various commercial areas was to restrict drive-in restaurants (which was expanded to include drive-through restaurants) only to the B-2 General Business District. Over the years, numerous deliberations have ensued at the City as developers desired to provide drive through restaurants in areas not zoned for such use. These deliberations have included the following:

- Steak n' Shake on Clyde Park Avenue (a B-3 District, permitted by use variance from the Board of Zoning Appeals.)

- Sonic on Clyde Park Avenue (rezoned the property from B-3 to B-2.)
- KFC on 28<sup>th</sup> Street (after much debate, the DC District was adopted to allow drive through restaurants by special use approval. Now the property is zoned FBC.)
- Starbucks in Metro Health Village (PUD-3 District, permitted by use variance from the Board of Zoning Appeals.)
- Biggby Coffee in Bayberry Market Place (PUD-1 District, permitted by use variance from the Board of Zoning Appeals.)
- KFC on 56<sup>th</sup> Street (permitted by a Zoning Ordinance amendment in 2008 to allow drive-in restaurants by special use approval in the B-1 District.)
- The Form Based Code District was constructed to allow drive through restaurants by special use approval.

It is recognized that drive through restaurants have become common place and the original concerns regarding their operations (vehicle stacking, noise, etc...) have diminished. They are now being proposed with such business interests as Tim Horton's, Subway and Jimmy John's. The Form Based Code was recently constructed in recognition that drive through restaurants could be accommodated even in compact developments. Staff is aware of development interests in commercial areas of the City where they would be prohibited by the current zoning restrictions.

Wyoming's drive-in ordinance restrictions have been in place essentially since 1983 and are outdated. It is staff's recommendation that drive through restaurants should be allowable in all commercial districts with Special Use Approval from the Planning Commission. The high level of scrutiny provided by this process, including the required public hearing, is sufficient to determine whether a drive through restaurant use is suitable at any given commercial location. As such, the outdated Zoning Code design and access requirements found in Sections 90-56 and 90-895 are also proposed to be removed.

PROPOSED ORDINANCE AMENDMENTS (Proposed amendments in **bold**):

Section 90-56 Drive-in Establishment:

Remove all wording. Replace with **Reserved**.

Section 90-337 (5) B-1 Local Business District:

Remove Drive-in restaurants or other drive-in establishments serving food or beverages.  
Replace with **Drive through restaurants**.

Section 90-372 (4) B-2 General Business District:

Remove Drive-in restaurants or other drive-in establishments serving food or other beverages.

Replace with **Drive through restaurants.**

Section 90-402 (5) B-3 Planned Business District:

Add **Drive through restaurants.**

Section 90-617 (8) PUD-1 Low Density Planned Unit Development District:

Add **Drive through restaurants.**

Section 90-895 Requirements for Permitted Uses After Special Approval:

Remove Drive-in restaurants.

Section 90-901 (4) PUD-2 Planned Commercial Development District:

Add **Drive through restaurants.**

Section 90-952 (12) PUD-3 Planned Health Care District:

Add **Drive through restaurants.**

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

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May 20, 2014

Tim Cochran  
1155 28<sup>th</sup> ST SW  
Wyoming, MI 49509

**RE: Drive-Thru Restaurant in Commercial Zoning Districts**

Dear Tim:

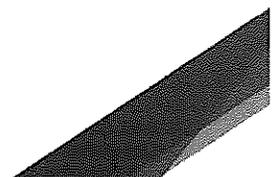
Per a recent conversation I had with you regarding a possible ordinance change allowing all commercial districts the ability to permit restaurants with a drive-thru, I am in support of this change. I feel it makes economic sense to allow the newer generation restaurant concepts that have drive-thru windows as well as the traditional concepts the ability to fit in a wider variety of districts. Some of the newer concepts include: Subway, Jimmy Johns, Tim Horton's, Firehouse Subs, Biggby, etc.

Thank you for this consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Murray", written over a white background.

Mike Murray, CCIM  
Principal | West Michigan  
Brokerage | Retail





The Architectural Group, Inc.  
3100 Prairie Street, S.W.,  
Grandville, MI 49418

Ph: (616) 531-7040

May 13, 2014

Mr. Tim Cochran  
City of Wyoming  
Planning Department  
P.O. Box 905  
Wyoming, MI 49509

Re: Zoning Amendment

Dear Mr. Cochran,

We have a client who owns a retail building in B-3 zoned property in the City of Wyoming. They would like to add a drive up window to their building. On their behalf, we are requesting a zoning amendment to allow drive up windows in B-3 district by special use as is allowed now in the B-2 and B-1 districts.

If you need more information or have questions please give me a call.

Sincerely,

THE ARCHITECTURAL GROUP, INC.

A handwritten signature in black ink, appearing to read 'E. Vande Zande'. The signature is fluid and cursive, with a large loop at the end.

Evert Timothy Vande Zande  
President

WYOMING PLANNING COMMISSION  
AGENDA ITEM  
NO. 2

DATE DISTRIBUTED: June 5, 2014  
PLANNING COMMISSION DATE: June 17, 2014

ACTION REQUESTED: Request to amend the Condominium Plan for the Metro Health Village Planned Unit Development

REQUESTED BY: Granger Group

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at the northeast corner of M-6 and Byron Center Avenue. (Section 34)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned PUD-3 Planned Health Care District. Zoning surrounding the property follow:

North: B-1 Local Business and R-1 Single Family Residential  
South: RR Rural Residential and Office (across M-6 Byron Township)  
East: I-3 Restricted Industrial  
West: PUD-1 Low Density Planned Unit Development (across Byron Center Avenue)

EXISTING LAND USE:

The site is developing for the mixed use Metro Health Village. Land use surrounding the site follows:

North: Bank and Fire Station  
South: M-6 (Byron Township)  
East: Industrial uses and a regional storm water basin  
West: Apartments and commercial (across Byron Center Avenue)

PROPOSED REVISIONS:

The Metro Health Village Planned Unit Development has undertaken numerous revisions since its inception in 2002. Originally designed with conceptual uses surrounding the Metro Health Hospital, it has evolved under area market forces as new uses and developments were undertaken. The Condominium Plan was first approved by the Planning Commission in August 2006. Over the years, the boundaries of the affected individual condominium units have been revised depending upon the specific land area needs of the new developments.

The Condominium Plan has been amended by the Planning Commission five times, with the last occurring on January 18, 2011. That change was to accommodate the Family Fare and C-store. The current proposed amendment is a minor change to split Unit 13 into Units 51 and 52. Unit 52 was approved for the Metro Health Senior Living Center by the Planning Commission on March 18, 2014.

CONFORMANCE WITH THE CITY OF WYOMING SUSTAINABILITY PRINCIPALS:

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 Metro Health Village provides health, office and retail services to the region. Exceptional employment throughout the complex is provided. Amendments to the Condominium Plan allow for the efficient utilization of properties throughout the development. The Metro Health Village conforms to the Wyoming Sustainability Principals to promote a stable and vibrant community.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant approval for the amended Metro Health Village Condominium Plan.

DEVELOPMENT REVIEW TEAM:

Barb VanDuren, Deputy City Manager  
Rebecca Rynbrandt, Director of Community Services  
William Dooley, Director of Public Works  
James Carmody, Director of Police & Fire Services  
Jim DeLange, Chief Building Official  
Tim Cochran, City Planner