

AGENDA
WYOMING PLANNING COMMISSION
TUESDAY, OCTOBER 15, 2013
7:00 P.M.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF MINUTES:

APPROVAL OF AGENDA:

PUBLIC COMMENT ON NON- PUBLIC HEARING AGENDA ITEMS:

OLD BUSINESS:

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)
2. Request to amend Zoning Code Chapter 90 to establish Form Based Code provisions.

PUBLIC HEARINGS:

3. Request for Special Use Approval for West Michigan Pawn (pawn shop). The property is located at 2811 Wyoming Avenue, SW. (Section 15) (Michael Friend) (Includes Site Plan Approval)
4. Request for Special Use Approval for For the Kids Gymnastics (athletic training facility). The property is located at 1374 56th Street, SW. (Section 35) (Scott Geerlings) (Includes Site Plan Approval)
5. Request for Special Use Approval for Fisher Station (restaurant drive through lane and apartments). The property is located at 5301 Division Avenue, SW. (Section 36) (Richard Postema Associates) (Includes Site Plan Approval)

NEW BUSINESS:

INFORMATIONAL ITEMS:

PUBLIC COMMENT:

ADJOURNMENT:

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 3

DATE DISTRIBUTED: October 2, 2013
PLANNING COMMISSION DATE: October 15, 2013

ACTION REQUESTED: Request for Special Use Approval for West Michigan Pawn (Includes Site Plan Approval)

REQUESTED BY: Michael Friend

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 2811 Wyoming Avenue, SW. (Section 15)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned B-2 General Business, which is the zoning surrounding the property.

EXISTING LAND USE:

The property is a retail lease center. Land use surrounding the property follows:

North: Mixed use (across 28th Street)
South: Single family residence
East: Commercial
West: Commercial

PROPOSED LAND USE:

This request was initially before the Planning Commission on September 17, 2013. It was identified that the location of the proposed use had changed to an adjoining parcel from the time of submittal. Subsequently, the request was tabled for one month and re-noticed to the appropriate nearby property owners.

The petitioner proposes to renovate a 1900 square foot lease space into a pawn shop (see attached). The City Council, upon recommendation from the Planning Commission and DDA, amended the Zoning Code in May 2011 to allow secondhand businesses and pawn shops in this DDA district with Special Use Approval. 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 retail center has had difficulty retaining tenants for several years. The proposed pawn shop business would occupy a vacant space. The proposed business activity is anticipated to have a minimal effect on neighboring properties due to its location within the middle of the center and its relative size. The recent market analysis prepared by LandUse USA for the Turn-on 28th Street Subarea Plan strongly recommends a retail strategy that focuses on fostering small business growth.

- 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 other used goods businesses along this area of 28th Street. 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 28th Street. 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 pawn shop will occupy and renovate an under utilized building. No blighting influence will occur to neighboring properties.

- e. The economic feasibility for the area.

The pawn shop 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.

All other provisions are met. By Zoning Code, pawn shops must be minimum of 500 feet from another pawn shop or secondhand business.

Staff has the following added site plan comments:

- 1. There are no changes to the exterior of the property with this use. No conditions of approval are recommended.

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.

Although small in size, the proposed pawn shop business will occupy a lease space within an under utilized property. As such, it will contribute to the city's economic strength. The proposed West Michigan Pawn conforms to the City of Wyoming sustainability principals.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant Special Use Approval for West Michigan Pawn per Staff's Findings of Fact. In a separate motion, staff also recommends granting Site Plan Approval.

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
Bob Austin, Fire Chief
James Carmody, Director of Police and Fire Services
Tim Cochran, City Planner

September 24, 2013

To the Members of the Planning Board
1155 28th Street S.W. Box 905
Wyoming, MI 49509

This letter is our introduction to you and the City of Wyoming. We come before you asking for a special use zoning approval for a new retail store located in your city. It is currently zoned B2 (new retail only).

We are a small family owned company in the business of buying new/used items, selling new/used items including guns and offering collateral loans at a low rate. The storefront located at parcel number 41-17-15-101-068, 2811 Wyoming Ave, Suite D, Wyoming, MI 49509, with your approval will become our second location.

Our first location, "West Michigan Pawn Allendale, LLC" is located on Lake Michigan Dr. in Allendale. When you enter our store you will be pleasantly surprised with a clean, bright and organized atmosphere. In Allendale, we have helped the Ottawa Co Sheriff Dept catch home invasion suspects by purchasing an item from one of the suspects, getting his information and passing it on to them. Whenever an item is purchased the seller's picture, right thumb print, driver's license number, and home address information is inputted into the pawn software. This information is downloaded once a week to the Sheriff's Dept. along with the information on whatever we took in from the customer.

It is a great source of pride in being able to help those in the community make it in between paychecks, emergencies, get rid of items no longer needed or find something they need. By opening a second store we will be adding two new jobs in the community (one full time and one part time). We would rather be a positive part of the community vs. a taker of the community. You will find in our store that prices are reasonable and fair for all. The two rules in our store are 1. Honesty and 2. Be a Positive Member of the Community.

Thank you for taking the time and consideration to review our zoning request. We are looking forward to being part of your community.

Sincerely,

Michael Friend

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

Project: <i>West MI P2LWN</i>		Reviewed By: <i>TIM COCHRAN</i>	
		Date: <i>Sept. 24, 2013</i>	
Required Site Plan Data:	Waiver Requested	Reviewer Comments:	Y/N
(a) Application Form: The application form provided by the Planning Department shall be completed in full with the following information:			
Name, address and phone number of the applicant and property owner		<i>Project is within an existing retail center</i>	<i>Y</i>
Address and property identification number of all properties		<i>with no new exterior construction proposed.</i>	
Name, address and phone number of firm or individual who prepared the site plan		<i>All details not provided are not relative to the use consideration.</i>	
Description of proposed project or use, type of building or structures, and name of proposed development, if applicable			
Date of application			
(b) Site Plan Descriptive and Identification Data:			
Site plans shall consist of a plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size.			
Sheet size shall be a maximum of 24 x 36 inches and collated according to sheet number. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included			
Title block with sheet number/title; name, professional seal, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year)			
Scale and north-point			

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 4

DATE DISTRIBUTED: October 2, 2013
PLANNING COMMISSION DATE: October 15, 2013

ACTION REQUESTED: Request for Special Use Approval for For the Kids
Gymnastics (athletic training facility). (Includes Site
Plan Approval)

REQUESTED BY: Scott Geerlings

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 1374 56th Street, which is on the north side of Gezon Parkway,
1400 feet east of Burlingame Avenue. (Section 35)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned I-3 Restricted Industrial. Zoning surrounding the property follows:

North: R-1 Single Family Residential (across 56th Street)
South: I-3 Restricted Industrial (across Gezon Parkway)
East: I-3 restricted Industrial
West: I-3 Restricted Industrial

EXISTING LAND USE:

The site is vacant. The surrounding land uses are as follows:

North: Vacant (across 56th Street)
South: Gordon Food Service (across Gezon Parkway)
East: Industrial building and nonconforming residence
West: Self storage facility

PROPOSED LAND USE:

This project was initially considered by the Planning Commission on June 18, 2013. The
petitioner obtained site plan approval to construct a 20,500 sq. ft. building. The building was

industrial in design and permitted by-right in this I-3 Restricted Industrial district. However, it was identified that the proposed gymnastics use of the building was not permitted in this I-3 district by the Zoning Code. Subsequently, a Zoning Code amendment was proposed to allow athletic training facilities by Special Use Approval within all Industrial districts. That amendment was adopted by the City Council on September 2, 3013.

For the Kids Gymnastics would relocate from their current facility at 5960 Burlingame Avenue. The entire property covers approximately 2.7 acres. For the Kids would utilize the front portion of the property, leaving the balance for a future use.

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 gymnastics facility will be totally contained within the building. The building construction is industrial, and will complement the area. No adverse effects will occur 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. For the Kids Gymnastics has had a presence in this vicinity for several years without detriment to nearby properties. 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 shares an access drive to Gezon Parkway with an adjoining parcel. 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 development will complement the Gezon Parkway corridor. 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 has the following additional site plan comment:

1. The Planning Commission's June 18, 2013 site plan approval for this development shall apply.

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 For the Kids Gymnastics would provide a recreational facility for residents throughout this region. The use will contribute to the City's economic strength and social well being. Additional employment will occur at the facility and short term with construction. For the Kids Gymnastics conforms to the City of Wyoming sustainability principals.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant Special Use Approval for For the Kids Gymnastics per the findings of fact. In a separate motion, staff recommends granting Site Plan Approval subject to condition 1.

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
Bob Austin, Fire Chief
James Carmody, Director of Police and Fire Services
Tim Cochran, City Planner

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

Project: For the Kids	Reviewed By: Tim Cochran		
	Date: Sept. 24, 2013		
Required Site Plan Data:	Waiver Requested	Reviewer Comments:	Y/N
(a) Application Form: The application form provided by the Planning Department shall be completed in full with the following information:			
Name, address and phone number of the applicant and property owner		Initial site plan review for this	Y
Address and property identification number of all properties		development occurred May 22, 2013. That	
Name, address and phone number of firm or individual who prepared the site plan		review and waivers are applicable to	
Description of proposed project or use, type of building or structures, and name of proposed development, if applicable		this use review.	
Date of application			
(b) Site Plan Descriptive and Identification Data:			
Site plans shall consist of a plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size.			
Sheet size shall be a maximum of 24 x 36 inches and collated according to sheet number. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included			
Title block with sheet number/title; name, professional seal, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year)			
Scale and north-point			

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 5

DATE DISTRIBUTED: October 3, 2013
PLANNING COMMISSION DATE: October 15, 2013

ACTION REQUESTED: Request for Special Use Approval for Fisher Station
(restaurant drive through and apartments) (Includes
Site Plan Approval)

REQUESTED BY: Richard Postema Associates

REPORT PREPARED BY: Timothy Cochran, City Planner

GENERAL LOCATION DESCRIPTION:

The property is located at 5301 Division Avenue, SW. (Section 36)

PROJECT INFORMATION:

EXISTING ZONING CHARACTERISTICS:

This site is zoned B-2 General Business as are all surrounding properties.

EXISTING LAND USE:

The site is a commercial building, currently used for auto sales. The surrounding land uses are as follows:

North: Mixed use commercial
South: Shell C-store
East: Vacant buildings (across Division Avenue – City of Kentwood)
West: Service use buildings

PROPOSED LAND USE:

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. Four tenants are anticipated on the lower level. The south end of the building is being designed for a drive through restaurant, although no specific tenant is known at this time. At the time of public notice, two apartments were proposed to be included on the upper story. As of today, that part of the request has been removed. The Special Use Approval request now only pertains to the drive through restaurant. A new building

storefront would be added that includes extensive brick and glass.

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 a nondescript commercial building currently used for used car sales. The proposed redevelopment of this site will involve a substantial investment. It will begin the transition of uses along the corridor to that taking advantage of the Bus Rapid Transit currently under construction. The proposed redevelopment 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. 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 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 an underutilized 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 has the following added site plan comments:

1. Final grading, utility and storm water management plans shall be approved by the Engineering Department. Storm water calculations shall be provided. Driveways are requested to be improved to meet current City standards.
2. Fire protection coverage of the property shall be approved by the Fire Department.
3. A landscape plan meeting City requirements shall be approved by the Planning Department prior to installation. The parking space in the southeast corner of the property shall be removed and converted to a landscaped area. A minimum of two trees, of 2 ½ inch caliper, are required in the front yard area with an additional tree near the building. Irrigation in the front yard area is required.
4. The building architectural plan for the redevelopment is acceptable and is adopted as part of the 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 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 Fisher Station redevelopment conforms to the City of Wyoming sustainability principals.

PLANNING COMMISSION ACTION:

The Development Review Team recommends the Planning Commission grant Special Use Approval for Fisher Station per the findings of fact. In a separate motion, staff recommends granting Site Plan Approval subject to conditions 1-4.

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

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Bob Austin, Fire Chief
James Carmody, Director of Police and Fire Services
Tim Cochran, City Planner

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

Project: Fisher Station	Reviewed By: Tim Cochran		
	Date: Sept. 24, 2013		
Required Site Plan Data:	Waiver Requested	Reviewer Comments:	Y/N
(a) Application Form: The application form provided by the Planning Department shall be completed in full with the following information:			
Name, address and phone number of the applicant and property owner			
Address and property identification number of all properties			
Name, address and phone number of firm or individual who prepared the site plan			
Description of proposed project or use, type of building or structures, and name of proposed development, if applicable			
Date of application			
(b) Site Plan Descriptive and Identification Data:			
Site plans shall consist of a plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size.			
Sheet size shall be a maximum of 24 x 36 inches and collated according to sheet number. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included			
Title block with sheet number/title; name, professional seal, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year)	✓	Architectural seal not provided.	✓
Scale and north-point			

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

Project: Fisher Station	Reviewed By: Tim Cochran		
	Date: Sept. 24, 2013		
Required Site Plan Data:	Waiver Requested	Reviewer Comments:	Y/N
Location map drawn to a separate scale with north-point, showing surrounding land, and streets, within a quarter mile	✓	Not provided	Y
Dimensions of land and total acreage, with boundary survey and improvements			
Zoning classification of petitioner's parcel and all abutting parcels	✓	Not provided. All B-2	Y
Proximity to section corner and Major Thoroughfare			
Net acreage (minus rights-of-way) and total acreage			
Proposed number of employees, if applicable			
(c) Site Data:			
Existing lot lines, building lines, structures, parking areas and other improvements on the site			
Building footprints			
Finished floor elevation of all proposed buildings			
On parcels of more than one (1) acre, topography on the site and within 100 feet of the site at two-foot contour intervals			
Proposed lot lines, lot dimensions, property lines, required and proposed setback dimensions, structures, and other improvements on the site			
Location of existing drainage courses, floodplains, lakes and streams, wetlands with elevations, and woodlands			
All existing and proposed easements			

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

Project: <i>Fisher Station</i>	Reviewed By: <i>Tim Cochran</i>		
	Date: <i>Sept. 24, 2013</i>		
Required Site Plan Data:	Waiver Requested	Reviewer Comments:	Y/N
Location of waste receptacle(s), transformer pad(s), ground mounted mechanical equipment, and method of screening			
Dimensions and area of any outdoor sales display or storage area			
(d) Access and Circulation:			
Existing and planned right-of-way for all streets			
Dimensions, curve radii and centerlines of existing and proposed access points, road rights-of-way, private roads or access easements			
Opposing driveways and intersections within 100 feet of site			
Dimensions and location of existing and proposed driveways, parking lots, sidewalks and non-motorized paths			
Dimensions of acceleration, deceleration, and passing lanes			
Dimensions of parking spaces including barrier free, islands, circulation aisles and loading zones (including loading dock/door orientation and screening)			
Dimension and location of all clear vision areas			
Calculations for required number of parking and loading spaces			
Access easements, if shared access is proposed			
Designation of fire lanes			
Truck circulation plan showing turning templates for delivery trucks and emergency vehicles	<i>✓</i>	<i>Not provided.</i>	<i>Y</i>

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW			
Project: <i>Fisher Station</i>	Reviewed By: <i>Tim Cochran</i>		
	Date: <i>Sept. 24, 2013</i>		
Required Site Plan Data:	Waiver Requested	Reviewer Comments:	Y/N
Traffic impact analysis meeting the requirements of Section 90-1003 (3), if applicable			
(e) Landscape Plans:			
General location of existing plant materials, with an identification of materials to be removed and materials to be preserved	✓	<i>Not provided. Required.</i>	N
Calculations of all landscape requirements, as set forth in Section 90-64	✓	"	N
Landscape plan, including location and type of all existing and proposed shrubs, trees, and other live plant material	✓	"	N
Location, size, height and material of construction for all obscuring wall(s) or berm(s) with cross-sections, where required			
Planting list for proposed landscape materials with container size, caliper size or height of material, botanical and common names, and quantity	✓	"	N
(f) Building and Structure Details:			
Building elevations for all facades. Elevation drawings shall indicate the height of building, materials, and architectural quality, and shall detail any rooftop or building mounted screening.			
Location, height, and outside dimensions of all proposed buildings or structures			
Building floor plans for multiple-family buildings and gross floor area			

CITY OF WYOMING - SITE PLAN DATA WAIVER REVIEW

Project: Fisher Station	Reviewed By: Tim Cochran		
	Date: Sept. 24, 2013		
Required Site Plan Data:	Waiver Requested	Reviewer Comments:	Y/N
Details on accessory structures and any screening			
(g) Information Concerning Existing and Proposed Utilities, Drainage and Related Issues:			
Location of existing and proposed sanitary sewers, water mains, fire hydrants, storm sewers and other utilities that are proposed to serve the project			
Location of existing above and below ground gas, electric and telephone lines			
Storm water retention and detention ponds, including grading, side slopes, depth, high water elevation, volume and outfalls with calculations (for details refer to Wyoming's storm water ordinance Sec.86-351 through 436)			
Indication of site grading, drainage patterns and other storm water management			
(h) Additional information required for Residential Development			
The number and location of each type of residential unit			
Density calculations by type of residential unit (dwelling units per acre)			
Garage or carport locations and details, if proposed			
Location and design of mailbox clusters, if applicable			
Location, dimensions, and elevations of common building(s), if applicable			
Location, size and facilities within, of recreation and open space areas, if applicable			
(i) Other Requirements			
Applicable fees, as set by the City Council			