

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF APRIL 19, 2022

PLANNING COMMISSION
MEETING MINUTES OF
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: DeLange, Goodheart, Hall, Hegyi, Micele, VanDuren, Weller,
Zapata

MEMBERS ABSENT: Arnoys

STAFF PRESENT: Hofert, Director of Planning and Economic Development
Meagher, Planner II
Smith, Planner II
Dent, Recording Secretary

CALL TO ORDER

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

A motion was made by Hegyi, supported by DeLange to excuse Arnoys. A vote on the motion carried unanimously.

APPROVAL OF MINUTES

DeLange asked if the minutes would be corrected to include him in members present.

The minutes of February 15, 2022 were otherwise approved as written.

APPROVAL OF AGENDA

The agenda was approved to stand as read.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

Micele opened the public comment period for non-public hearing agenda items at 7:01 PM.

There was no public comment and the public comment period closed at 7:02 PM.

AGENDA ITEM NO. 1

Request to approve a rezoning from B-1 Local Business to B-2 General Business at 5160 and 5190 Byron Center Avenue SW (Section 27) (Byron Investors LLC/52nd Byron LLC)

Hofert explained that the site is currently vacant and outlined the various uses of the surrounding land.

Hofert stated that the envisioned use of the two parcels is to redevelop the site as a mixed-use neighborhood. The 11.79 acre site is located on the north east side of 52nd and Byron Center and is adjacent to The Pines Golf Course. It is also located nearby other residential and local business uses. This is a rezoning request only. Planning Commission review for site plan approval and special use approval (multi-family use) will be a separate action if the parcel is rezoned by City Council. The applicant has submitted a conceptual site plan for discussion and reference purposes only. The applicant has also offered a conditional rezoning contract which limits the future uses of the site and requires the property to revert to the B-1 zone district if the project fails to be constructed.

Hofert explained that unlike other zoning procedures such as special use approval, site plan review, or planned unit development, ordinance amendments and rezonings are legislative decisions, not tied to specific standards listed in the ordinance. However, certain factors are commonly considered with respect to rezonings, including:

a. Consistency with the adopted master plan;

The City's Master Plan, Wyoming [re] Imagined was adopted in 2021. The future land use map identifies these parcels as future Neighborhood Commercial. The proposed use is consistent with the future envisioned use.

b. Compatibility of the allowed uses with existing and future land uses;

The current commercial use designation is consistent with the desired future commercial use. The proposed rezoning to B-2 to permit 6,000 square foot of neighborhood commercial amenities is compatible with the adjacent zone districts in place. The developer has offered a conditional rezoning contract that restricts certain B-2 uses which may not be desirable including automobile gasoline and automobile service stations, adult businesses, new or used mobile homes sales or service, excavation equipment sales or service, machinery or farm implement sales, and automobile, truck, motorcycle, trailer, recreation vehicle or boat showrooms

c. Capability of the property to be served by public services;

The property can be served by public utilities.

d. Ability of the property to be used as currently zoned;

The property's current B-1 zoning does not allow for a multifamily housing component, which may be an impediment to its future development. Subject parcels are located adjacent to another parcel zoned B-1 that was developed as a professional office building, rather than as Neighborhood Commercial. The B-2 district is the only district which permits mixed-use developments with commercial and residential components.

e. Appropriateness of all uses allowed within the proposed district at the property location.

The B-2 zone district provides for a mix of commercial and multi-family residential uses which are appropriate for this location. Other less desirable uses are restricted as part of the developer offered conditional rezoning contract.

Hofert shared that the Development Review Team recommends that the Planning Commission recommend to City Council acceptance of the developers conditional rezoning contract and approval for the rezoning request for 5160 and 5190 Byron Center Ave SW from B-1 to B-2 subject to the condition that the parcels are combined.

Micele opened the public hearing at 7:08 PM.

Charles Bult, 5120 Byron Center Ave SW, Wyoming, MI 49519, said that he is not opposed to the development, but he is very concerned about the traffic and how the traffic backs up on 52nd St and Byron Center Ave.

Tom Dowling, 5024 Sunvale Ct SW, Wyoming, MI 49519, stated that when these parcels were split from The Pines Golf Course there was an agreement with the City that apartments would not be built at that location. Dowling stated that the problem in the area is that the watershed to Buck Creek is overloaded and adding more solid surface will create more flooding in the area. Dowling pointed out some areas in the City that have recently had issues with flooding related to Buck Creek. Dowling asked that the Commissioners vote no.

Bonnie Komejan, 4660 Allyson Ave SW, Wyoming, MI 49519, said that she has been a resident for 34 years. Komejan spoke about the project that The Pines had presented to residents involving construction of apartments and said that if you compare this project with The Pines there could be over 900 apartment units on both sites. She mentioned other rental properties in Wyoming and said that her neighborhood will change. Komejan encouraged the Commissioners

to rezone this site to residential because crime, traffic, and school is a concern. She urged the Commissioners to think if they would want to be surrounded by apartments.

Bryan Kettner, 1895 Glenvale Dr SW, Wyoming, MI 49519, said that he has been a resident for 35 years. Kettner stated that his neighborhood is low density and from looking at the site plan it looks like this project is a high-density low-income housing. Kettner explained that this project is not a good mix with the surrounding neighborhood. This project should not be placed in South Wyoming and should be placed in another area.

Terry Dikker, 1734 Oakvale Dr SW, Wyoming, MI 49519, shared that she has been a resident for 33 years and her concern is regarding roads. Traffic backs up at 52nd St. and Burlingame, and there is generally a lot of traffic in the area so she suggested adding turning lanes.

Steve King, 4777 Pinnacle Ct. SW, Wyoming, MI 49519, said that he is extremely concerned about the The Pines development as well as this project because the amount of rental units will permanently alter the surrounding neighborhoods. King is concerned about utilities and the traffic in the area and that adding more rental units to the area will increase traffic. Storm runoff, sewer capacity, water and electricity is a concern for King and he would like to see impact studies. King said that there will be an additional need for police and fire in the area. King has concerns about crime and impacts it will have in the neighborhood.

Tim Spears, 4480 Sheri Lynn Dr. SW, Wyoming, MI 49519, has been a taxpayer for 29 years. Spears has concerns about the increased traffic since M-6 was constructed. He said that he spoke with the developer for The Pines and that the developer will take care of the concerns he has about nature and traffic related to that project. Spears' is concerned about where the wild animals will go if land is developed. Spears' believes that there will be more car/deer accidents. Commissioners should take into account the quality of life of the residents who have paid taxes and have lived in the area long term because once land is paved it is gone. Spears' said that the nature preserve will get run over and doesn't believe that the properties will go up in value.

Kathy Kettner, 1895 Glenvale Ct. SW, Wyoming, MI 49519, has lived in her home for 35 years. Kettner is concerned about the environment and wildlife and said that there will be no place for wild animals to go. She is worried about the capacity of Grandville Public Schools and how the schools do not have the capacity for more students. Kettner is concerned about the traffic since 52nd St backs up during busy times. Kettner said that the major taxpayers live in the area because they own the homes and have lived in them for a long time and the value of the homes will not go up because of this development. Crime moves in when you build apartments.

Dave Hogan, 2418 Golfbury Dr SW, Wyoming, MI 49519, said that when the West side of Byron Center was rezoned a few years ago at the time the concern was the amount of traffic and how cars would enter the site. Hogan says that traffic will be a nightmare and worsen as time goes on.

Mike Speedy, American Kendall Properties, 6745 Grey Rd, Indianapolis, IN 46237, introduced himself as the developer and said that he will do his best to address concerns. Speedy said that related to density he researched the Wyoming [re]imagined Master Plan and wants to be consistent with what the community has already put in writing and ensure that the project is placed in the right location. A traffic study has been completed and Speedy said that the traffic impact with this development would be less than a traditional commercial development which is what the property is currently zoned for. Water drainage would be detained on site to ensure there is no impact on the watershed, and that will be determined working alongside the City Engineer and Kent County. A utility study has been completed and it has been determined that there is sufficient capacity for this development. Speedy presented photos of what the buildings would potentially look like and pointed out where the retail/tenant space would be. Speedy also presented photos of the interior of the units and the types of finishes that would be installed. Speedy talked about the Haven and how this development would be similar. Speedy stated that he is happy to answer any questions.

The public hearing was closed at 7:44 PM.

A Motion was made by Hall, supported by VanDuren to recommend to City Council acceptance of the conditional rezoning contract and approval of the rezoning request for 5160 & 5190 Byron Center Ave from B-1 to B-2 subject to the condition that the parcels are combined.

DeLange explained that he lives in Golfview Estates and has 38 years experience working for the city. DeLange said that he drove down 52nd and noticed that only 4 major intersections are entirely single family. He is concerned about the B-2 zoning and said the parcel is currently zoned B-1 and that is what the master plan shows. B-2 allows more heavier uses than B-1 and he is concerned about the uses that would be allowed. DeLange is concerned that if this property is rezoned then The Pines might want to rezone their property as well. Apartments are a Special Use approval in B-2 and if his calculations are correct only 8% of this project is business use. DeLange is not comfortable voting in favor of this project and suggested that the project be deferred to the April 19th Planning Commission meeting so Commissioners are able to fully process and understand the project.

Hegyí asked about the comment made by a resident saying that the City guaranteed that the site would never be developed into apartments and wanted to know if that statement could be investigated.

Hofert stated that there is no deed restriction on the land that prevents residential from being built. B-1 does not allow residential but the future land use and master plan that was reviewed with Planning Commission, City Council, and the residents did recommend mixed use at the site that would include residential.

Hegyí asked if the traffic issues should be addressed at this time.

Hofert stated that previous traffic impact studies have been completed at this corridor. Any future development would likely include a dedicated turn lane that would be elongated at 52nd St. as well as traffic signal adjustments. A traffic impact study would need to be submitted for any development taking place at this site or any surrounding sites and that conversation would occur during site plan review.

Weller asked if there was any development happening at The Pines Golf Course.

Hofert stated that a developer has scheduled meetings with the public to talk about potential projects with The Pines but nothing has officially been submitted to the City. A meeting has been scheduled between The Pines and the City for this week.

Weller stated that he thinks the property should not be rezoned, there are other property sites for housing in other areas of the City. He doesn't think commercial, and apartments should be placed at this site.

Goodheart asked if staff could go back to meeting minutes to find out if the City was involved in saying that apartments would not be built at this site.

Hofert said that the minutes are not immediately available so she cannot 100% confirm if something was said but a lot of things are said during the development processes. What matters is what the current zoning is, what's permitted in zoning, and if there are deed restrictions or other contractual obligations and, in this case, those binding contracts do not exist on this site.

Goodheart asked if a copy of the conditional rezoning contract was supposed to be included in the agenda packet.

Hofert stated that it should have been included in the packet, but it was found that it was not included.

The conditional rezoning contract was shown on the screen and projectors so the Commissioners and audience could read it. Commissioners were then given hard copies of the contract during the meeting.

Micele asked if this item could be deferred to the next meeting.

Hofert explained that it could be deferred as long as Hall was willing to withdrawal or amend his initial motion.

Micele asked Hall if he would be willing to retract his initial motion and defer the motion to the April 19 meeting.

A motion was made by Hall, seconded by VanDuren to defer the project to the April 19, 2022 Planning Commission meeting .

DeLange asked if the public hearing period would be closed for this agenda item.

Hofert stated that comments regarding this item can be made during the public comment on non-public hearing agenda items at the April 19th meeting because it will be considered an old business agenda item.

A vote to defer the project to the April 19th meeting date carried unanimously.

AGENDA ITEM NO. 2

Request to approve a special use secondhand business at 3637/3639 Clyde Park Avenue SW (Section 23) (Vanhert LLC) (Includes site plan approval)

Meagher explained that the site is currently zoned B-2 General Business and outlined the various uses of the surrounding land.

Meagher said that the applicant is proposing to operate a secondhand antique store within the existing multitenant building located at 3637/3639 Clyde Park Avenue SW. Antique, collectible, and artisan vendors will be operating in the proposed space Wednesdays, Thursdays, and Sundays from 11:00am-6:00pm, and from 11:00am-7:00pm on Fridays and Saturdays. Meagher stated that the proposed business will not include the purchasing or trading-in of used items, and all sales will be conducted through a single register system located at the front of the store. No outdoor display or storage is proposed at the site.

Meagher explained that the site provides 1.39 acres with an existing multitenant building of 25,500 square feet. The building currently contains 5 total suites, which are occupied by a restaurant, a medical office, a salon, and a commercial office user. The applicant would be occupying the final tenant space, which consists of 13,300 square feet of retail space, plus an additional space for backroom storage and vehicle unloading. No building additions are proposed for this project. The site can be accessed off of two separate access points along Clyde Park Avenue, and a shared parking agreement exists between the site and the adjacent parcel to the north (3625 Clyde Park Avenue SW), which provides ample parking for all tenants across both sites.

Meagher stated that two separate actions are required. The first is regarding the special approval request and the second relates to review of the site plan. Two sets of standards are, therefore, applicable and are addressed as follows:

Section 90-507(3) establishes general review standards for special approval uses:

(a) The possible substantial and permanent adverse effect on neighboring property.

The proposed use is not expected to cause any adverse impact on the neighboring properties. The corner of Clyde Park Avenue and 36th Street is an already established commercial node, and the proposed use is not expected to impact other businesses on site or adjacent properties.

(b) The consistency with the spirit, purpose and intent of this chapter.

The proposed use would be consistent with the overall purpose of the zoning ordinance, as stated in Section 90-101.

(c) The possible adverse effect upon traffic as related to the streets, churches, schools and any buildings within the immediate area.

It is unlikely that the proposed use would create an adverse effect upon traffic within the immediate area. The City's Engineering Department confirmed that a traffic impact analysis was not necessary for this project.

(d) The tendency of the proposed use to create any type of blight within the immediate area.

It is unlikely that the proposed use will create blight within the immediate area. No outdoor storage or display is proposed at the site.

(e) The economic feasibility for the area.

The proposed use is economically feasible for the area.

(f) Any other factor as may relate to the public health, safety and welfare for persons and property.

The addition of the proposed use is not expected to cause a negative public health effect on the surrounding area.

(g) That all other provisions of this chapter are met for the proposed use.

There are no additional provisions that need to be met for the proposed use.

Section 90-505 specifies the standards to apply to site plan review:

(1) Adequacy of information. The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed use(s) and structure(s).

The site plan contains an appropriate amount of detail to sufficiently understand the proposed development.

- (2) *Buildings. Buildings and structures shall meet the minimum dimensional requirements of this article. Redevelopment of nonconforming structures shall bring the site into closer conformity to the extent deemed practical by the review authority. Expansions to nonconforming buildings shall be as provided for in section 90-903.*

The plan meets the minimum dimensional requirements. No new building construction is proposed for this project.

- (3) *Privacy. The site design shall provide reasonable visual and sound privacy for dwelling units located adjacent to the site. Walls, berms, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and the privacy of adjacent uses.*

The plan meets minimum requirements.

- (4) *Preservation of natural areas. The landscape shall be preserved in its natural state, insofar as practicable, by strategic building placement, minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Insofar as practical, natural features and the site topography shall be incorporated into the proposed site design.*

Existing natural features will not be affected.

- (5) *Drainage. Stormwater management system and facilities shall preserve natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and shall not substantially reduce or increase the natural retention or storage capacity of any wetland, water body, or watercourse, or cause alterations which could increase flooding or water pollution on or off the site.*

Adequate drainage and stormwater management has been provided at the site.

- (6) *Soil erosion. Measures are included to prevent soil erosion and sedimentation.*

Appropriate measures are provided.

- (7) *Ingress and egress. Every structure and dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways. Access to the site shall be located and designed to ensure minimal impact on the safety and efficiency of traffic flow along all adjoining roadways. All access points shall comply with the access management requirements of section 90-603.*

Adequate ingress and egress are provided.

- (8) *Emergency vehicle access. All buildings and site circulation shall be arranged to permit emergency vehicle access by practicable means to all buildings and areas of the site.*

Adequate circulation and emergency vehicle access are provided.

- (9) *Vehicular circulation layout. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian pathways in the area. Public streets adjacent or through the proposed development shall be required when it is essential to promoting and protecting public health, safety and general welfare and to provide continuity to the public road system. No internal streets are proposed.*

- (10) *Pedestrian circulation. The site plan shall provide a pedestrian circulation system which is insulated as completely as is reasonably possible from the vehicular circulation system. The site provides adequate pedestrian circulation.*

- (11) *Traffic impact. The expected volume of traffic to be generated by the proposed use shall not adversely affect existing roads and traffic patterns. Roadway access shall minimize excessive vehicle traffic on local residential streets to reduce the possibility of any adverse effects upon adjacent property. Projects expected to have 50 or more peak hour directional trips or 500 or more vehicle trips daily shall provide a traffic impact study, as outlined in subsection 90-504(3), above.*

The proposed use is not expected to have an adverse effect upon existing roads and traffic patterns. The City's Engineering Department confirmed that a traffic impact analysis was not necessary for this project.

- (12) *Public services. The scale and design of the proposed development shall facilitate the adequate provision of services currently furnished by or that may be required of the city or other public agency including, but not limited to, fire and police protection, stormwater management, sanitary sewage removal and treatment, traffic control and administrative services.*

The proposed development can be served by the existing services and utilities.

- (13) *Site redevelopment. Redevelopment of existing sites shall conform to the site improvement provisions of this article to the extent deemed practical by the reviewing authority. The extent of upgrade to site improvements shall be relative to and proportionate with the extent of redevelopment or expansion in accordance with the nonconforming site requirements of section 90-903.*

All site development standards will be met. No new development is proposed for this project.

The Development Review Team recommends that the Planning Commission grant special use approval for the proposed secondhand business at 3637/3639 Clyde Park Avenue SW, and in a separate motion, grant site plan approval, subject to conditions 1-5 below:

1. Developer shall not count 5 parking spaces along building 3637 as parking spaces. Insufficient aisle width for 60 degree angled parking provided to use both sides of the parking aisle. Only the parking along the sidewalk can be counted in parking totals.
2. Developer shall include at least the minimum required handicapped van accessible parking spaces required for appropriate building size.
3. Develop must maintain 20 feet wide fire access lane on south and north side. Existing 17.5' west fire lane is acceptable. Developer must provide signage on south and west lanes.
4. Developer must provide fire Knox Box on tenant space.
5. Developer must meet all fire code through full plan review.

Micele opened the public hearing at 8:11 PM, there was no public comment and the public hearing was closed.

Ben Herbst, 4546 Oakwood Ct, Caledonia, MI, explained that the store is similar to their other store located at 28th and Kalamazoo in Grand Rapids, MI. Herbst explained that the space they are occupying is about 15,000 sq ft. The store has a family friendly atmosphere where artisans can sell their product, and vendors can sell antiques. Herbst stated that their location in Grand Rapids brings people from all over the state and farther, the goal is to make the store a destination to attract people.

A motion was made by Zapata, seconded by Weller, to grant special use approval for the proposed secondhand business.

DeLange asked if the store contains mostly consignment items.

Herbst stated that spaces are rented by vendors and the store then sells the product for the vendor. Herbst stated that it is a great chance for a small business to start out.

A vote on the motion carried unanimously.

A motion was made by DeLange, seconded by Hegyi, to grant site plan approval subject to conditions 1-5.

Goodheart asked about the five parking spaces that are not counted and if staff is ok with the number of parking spaces and if the spaces need to be marked.

Meagher confirmed that parking spaces will need to be painted and staff is comfortable with the number of spaces provided.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 3

Request to approve a special use truck repair facility and terminal at 5988 Clyde Park Avenue SW (Section 36) (Sweet Holdings III LLC) (Includes site plan approval)

Meagher explained that the site is currently zoned I-1 Light Industrial and outlined the various uses of the surrounding land.

Meagher said that the applicant is proposing to expand their existing truck repair facility and terminal located at 5988 Clyde Park Avenue SW. The proposed facility expansion will create 10 new indoor repair spaces for tractor cabs, and 42 cab parking spaces will be provided on site for storage purposes. The facility will operate from 7:00am-6:00pm, and there will be 20 employees working on site.

Meagher explained that the site is 3.88 acres, with an existing 12,068 square foot building with 12 existing repair stalls. A 12,000 square foot building addition is being proposed to the west side of the building to create 10 new truck cab repair spaces. Five indoor repair spaces will have access along the north side of the building, and five indoor repair spaces will have access along the south side of the building. A majority of cab parking spaces are located behind the building at the east end of the property with some parking being provided to the west of the building. The existing office building that sits near the site's front lot line along Clyde Park Avenue is proposed to be demolished. Additional landscaping has been proposed along the site's frontage.

Meagher said that two separate actions are required. The first is regarding the special approval request and the second relates to review of the site plan. Two sets of standards are, therefore, applicable and are addressed as follows:

Section 90-507(3) establishes general review standards for special approval uses:

(a) *The possible substantial and permanent adverse effect on neighboring property.*

The proposed expanded use is not expected to cause any adverse impact on the neighboring properties. The facility is adjacent to other industrial uses, and the proposed addition will sit over 400 feet from the public right of way.

(b) *The consistency with the spirit, purpose and intent of this chapter.*

The proposed use would be consistent with the overall purpose of the zoning ordinance, as stated in Section 90-101.

(c) *The possible adverse effect upon traffic as related to the streets, churches, schools and any buildings within the immediate area.*

It is unlikely that the proposed expanded use would create an adverse effect upon traffic within the immediate area. The City's Engineering Department confirmed that a traffic impact analysis was not necessary for this project.

(d) *The tendency of the proposed use to create any type of blight within the immediate area.*

It is unlikely that the proposed expanded use will create blight within the immediate area.

(e) *The economic feasibility for the area.*

The proposed expanded use is economically feasible for the area.

(f) *Any other factor as may relate to the public health, safety and welfare for persons and property.*

The addition of the proposed use is not expected to cause a negative public health effect on the surrounding area.

(g) *That all other provisions of this chapter are met for the proposed use.*

There are no additional provisions that need to be met for the proposed use.

Section 90-505 specifies the standards to apply to site plan review:

(1) *Adequacy of information. The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed use(s) and structure(s).*

The site plan contains an appropriate amount of detail to sufficiently understand the proposed development.

(2) *Buildings. Buildings and structures shall meet the minimum dimensional requirements of this article. Redevelopment of nonconforming structures shall bring the site into closer*

conformity to the extent deemed practical by the review authority. Expansions to nonconforming buildings shall be as provided for in section 90-903.

The plan meets the minimum dimensional requirements.

- (3) *Privacy. The site design shall provide reasonable visual and sound privacy for dwelling units located adjacent to the site. Walls, berms, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and the privacy of adjacent uses.*

The plan meets minimum requirements.

- (4) *Preservation of natural areas. The landscape shall be preserved in its natural state, insofar as practicable, by strategic building placement, minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Insofar as practical, natural features and the site topography shall be incorporated into the proposed site design.*

Existing natural features will not be affected. Additional landscaping has been provided along the site's street frontage.

- (5) *Drainage. Stormwater management system and facilities shall preserve natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and shall not substantially reduce or increase the natural retention or storage capacity of any wetland, water body, or watercourse, or cause alterations which could increase flooding or water pollution on or off the site.*

The developer will work with the City's Engineering Department to confirm that adequate drainage and stormwater management has been provided at the site.

- (6) *Soil erosion. Measures are included to prevent soil erosion and sedimentation.*
Appropriate measures are provided.

- (7) *Ingress and egress. Every structure and dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways. Access to the site shall be located and designed to ensure minimal impact on the safety and efficiency of traffic flow along all adjoining roadways. All access points shall comply with the access management requirements of section 90-603.*

Adequate ingress and egress are provided.

- (8) *Emergency vehicle access. All buildings and site circulation shall be arranged to permit emergency vehicle access by practicable means to all buildings and areas of the site.*

Adequate circulation and emergency vehicle access are provided.

- (9) *Vehicular circulation layout. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian pathways in the area. Public streets adjacent or through the proposed*

development shall be required when it is essential to promoting and protecting public health, safety and general welfare and to provide continuity to the public road system.
No internal streets are proposed.

- (10) *Pedestrian circulation. The site plan shall provide a pedestrian circulation system which is insulated as completely as is reasonably possible from the vehicular circulation system.*

The site provides limited pedestrian circulation.

- (11) *Traffic impact. The expected volume of traffic to be generated by the proposed use shall not adversely affect existing roads and traffic patterns. Roadway access shall minimize excessive vehicle traffic on local residential streets to reduce the possibility of any adverse effects upon adjacent property. Projects expected to have 50 or more peak hour directional trips or 500 or more vehicle trips daily shall provide a traffic impact study, as outlined in subsection 90-504(3), above.*

The proposed use is not expected to have an adverse effect upon existing roads and traffic patterns. The City's Engineering Department confirmed that a traffic impact analysis was not necessary for this project.

- (12) *Public services. The scale and design of the proposed development shall facilitate the adequate provision of services currently furnished by or that may be required of the city or other public agency including, but not limited to, fire and police protection, stormwater management, sanitary sewage removal and treatment, traffic control and administrative services.*

The developer will work the City's Engineering Department to confirm that the proposed development can be served by the existing services and utilities.

- (13) *Site redevelopment. Redevelopment of existing sites shall conform to the site improvement provisions of this article to the extent deemed practical by the reviewing authority. The extent of upgrade to site improvements shall be relative to and proportionate with the extent of redevelopment or expansion in accordance with the nonconforming site requirements of section 90-903.*

All site development standards will be met.

Meagher stated that the Development Review Team recommends that the Planning Commission grant special use approval for the proposed expansion of the truck repair facility and terminal at 5988 Clyde Park Avenue SW, and in a separate motion, grant site plan approval, subject to conditions 1-6 below:

1. Developer must provide 1 additional shade tree per Sec. 90-328(1)
2. Developer must clarify shared ownership or easement agreement for north turnaround on plan.
3. Developer shall provide storm water calculations prepared by a licensed Civil Engineer for review and approval of the Engineering Department. Storm calculations shall use the current standards set forth by the Kent County Drain Commission and meet requirements for water quality, channel protection, flood control and overflow conditions.
 - a. Identify existing stormwater basin as “previously approved retention basin”.
 - b. Upstream drainage area shall be accounted for in basin design.
 - c. Overflow appears to have significant impact on property and building to the north.
 - d. Plan impacts existing stormwater basin. Basin should be incorporated into proposed stormwater basin.
4. Developer shall provide documentation demonstrating permanent rights to use adjacent parcel for transfer of stormwater and grading.
5. Site Plan shall show all existing and proposed utilities. Show how proposed building is to be served with water and sewer with detailed information. Provide invert elevations for sanitary sewer lateral and identify any potential conflicts. Private fire hydrant shall be painted red.
6. Developer must meet all fire code through full plan review.

Micele opened the public hearing, there was no public comment, and the public hearing was closed.

A motion was made by Hegyi, seconded by Zapata, to grant special use approval for the proposed expansion of the truck repair facility and terminal.

Weller said that he thinks the site is crowded already and with another building going in it seems like this site should be an I-2 use because of the open storage area. Weller stated that if project is approved, he would like to see more landscaping around the open storage area.

A vote on the motion carried unanimously.

A motion was made by DeLange, supported by Zapata, to grant site plan approval subject to conditions 1-6.

Goodheart commented on the site plan regarding the gravel area on the North side of the property and questioned if it needs to be paved.

Meagher stated that there is a shared agreement with the lot to the North of the property. The Developer is working with the City Engineer to meet the standards.

Goodheart asked about the extension of the sanitary sewer to the existing building.

John Casserly, Nederveld, 217 Grandville Ave SW, Grand Rapids, MI 49503, introduced himself as the Engineer and said that the existing building in the rear does not have sanitary, the building currently has a septic tank. New sanitary lateral will be connected to the existing building as well as the new building. The existing building does have domestic water and a new fire service will be installed.

Goodheart noted the City Engineer's comments regarding the storm water basin and asked if the conditions can be met.

Casserly said and that they have already submitted new plans to the City Engineering Department meeting the conditions. Casserly spoke about how the parcel to the South drains onto this property, so they are working on a deed restriction with the property to the North and South to allow for grading, storm water discharge, and access encroachment. Casserly noted that the gravel area on the North side of the property is intended as extra room for trucks to turn.

Goodheart asked if the gravel area is for the tractor part of the truck.

Casserly stated that this repair facility is only for the servicing of the cab part of truck and not the trailer.

Micole asked if they sell the truck cabs on the site.

Casserly stated that he did not believe they did, but he would need to check on that since he is not for certain.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 4

Request to amend Zoning Code Sections 90-424B (Permitted Uses), 90-425B (I-1 Permitted Uses After Special Approval), and 90-508 (Requirements for Permitted Uses After Special Use Approval) (Wyoming Planning Staff)

Smith explained that The Wyoming [re]Imagined Master Plan was adopted by the City in March of 2021. Since its adoption, staff has been working to better align the City's Zoning Code with the vision set forth in this comprehensive plan. Through this review process, staff has identified that beverage alcohol production (including breweries, distilleries, and wineries) may be compatible

with the I-1 zoning district as a permitted special use.

Smith explained that in the past, staff has received inquiries from potential business owners regarding the permitted zoning districts for establishing breweries in the City. Currently, breweries and distilleries are permitted as a special use in the City's I-2 General Industrial district. Upon further research, consideration, and discussion, staff has found that breweries and distilleries may also be compatible for permitted usage within the City's I-1 Light Industrial zoning district and that wineries might also be permitted if breweries and distilleries were recategorized as beverage alcohol production.

Smith explained that the I-1 dimensional requirements mirror those of the I-2 zoning district, where beverage alcohol production is already permitted as a special use, so it is expected that these facilities would be able to operate within the district's current dimensional framework. I-1 beverage alcohol production with accessory dining would also share the I-2 requirements for permitted special uses, making it compatible with adjacent residential districts. The requirements for permitted uses after special approval would allow staff to consider accessory dining needs and odor and pollution nuisances that might be unique to beverage alcohol production.

Smith said that the I-1 zoning district also already allows food, candy, and drug production as permitted uses. Upon further research, consideration, and discussion, staff has found that beverage alcohol production without accessory dining may be appropriate as a permitted use.

Smith shared that in reference to the Master Plan's Future Land Use Map, a majority of the City's I-1 districts are classified as business parks. Beverage alcohol production would align with this future land use designation. Permitting this usage in business parks may also help achieve the Master Plan's theme of equity and inclusion by promoting the growth of stable employment centers.

Smith said that the Development Review Team recommends that Planning Commission adopt the recommended text amendment to Zoning Code *Sections 90-424B, 90-425B and 90-508* and recommends the same to City Council.

Micele opened the public hearing at 8:32 PM. There was no public comment and the public hearing was closed.

A motion was made by DeLange, supported by Hegyi, to adopt the recommended text amendment to Zoning Code *Sections 90-424B, 90-425B and 90-508* and recommends the same to City Council.

A vote on the motion carried unanimously.

NEW BUSINESS

AGENDA ITEM NO. 5

Request to approve a site plan for Watermark Apartments at Wilson Crossing. The site is generally located at the corner of Wilson Avenue and 64th Street (Section 06) (Wilson Land Company LLC).

Hofert shared a map of the site and explained that the property is zoned PUD-4. Hofert said that the site is currently vacant and outlined the various uses of the surrounding land.

Hofert explained that the proposed Watermark Residential project is located at 4095, 4111, and 4135 64th St SW and is part of the Wilson Crossing PUD. The PUD received final conceptual approval from City Council in November 2020. This project includes developing 344 luxury apartment and townhomes units on 29.62 acres. The project meets the intent and requirements of the approved PUD-4. Staff has highlighted some of those items below:

- (A) Parking – The approved PUD-4 permits 2.0 spaces per unit in the low density area and 1.25 spaces per unit in the medium density areas. This project proposes 531 spaces for 344 units. That averages 1.54 spaces per unit. While the ratios are slightly different between the low density and medium density products, the overall number of spaces provided does not exceed what the PUD-4 approval had provided for.
- (B) Units – This proposed project includes 24 townhomes located in the low density area and 320 units in the medium density and mixed-use areas. The combined dwelling units per acre is 11.6 dwelling units per acre. This project provides fewer units than what the approved PUD allowed.
- (C) Open Space – The proposed project includes 6.38 acres of dedicated open space as well as 8.21 acres of green space. The PUD required 5.92 acres of dedicated open space. Open space is defined by the PUD and must be of a certain size and activated in a specific way in order to count towards the total open space calculation. The Watermark project contains six dedicated open spaces, these are outlined on the Open Space Plan, Sheet 17.

Hofert shared the following findings of fact as they apply to site plan review:

- (1) *Adequacy of information. The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed use(s) and structure(s).*

The site plan contains an appropriate amount of detail to sufficiently understand the

proposed development.

- (2) *Buildings. Buildings and structures shall meet the minimum dimensional requirements of this article. Redevelopment of nonconforming structures shall bring the site into closer conformity to the extent deemed practical by the review authority. Expansions to nonconforming buildings shall be as provided for in section 90-903.*

The plan meets the minimum requirements and the approved PUD-4 requirements. The proposed development will be new construction.

- (3) *Privacy. The site design shall provide reasonable visual and sound privacy for dwelling units located adjacent to the site. Walls, berms, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and the privacy of adjacent uses.*

The plan meets minimum requirements as outlined in the approved PUD-4.

- (4) *Preservation of natural areas. The landscape shall be preserved in its natural state, insofar as practicable, by strategic building placement, minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Insofar as practical, natural features and the site topography shall be incorporated into the proposed site design.*

The site is currently vacant. The development is part of a larger PUD that has dedicated preserved open space. A 100' natural buffer will be preserved along the western property edge as defined in the approved PUD-4.

- (5) *Drainage. Stormwater management system and facilities shall preserve natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and shall not substantially reduce or increase the natural retention or storage capacity of any wetland, water body, or watercourse, or cause alterations which could increase flooding or water pollution on or off the site.*

The plans meet the requirements.

- (6) *Soil erosion. Measures are included to prevent soil erosion and sedimentation.*

The plans meet the requirements.

- (7) *Ingress and egress. Every structure and dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways. Access to the site shall be located and designed to ensure minimal impact on the safety and efficiency of traffic flow along all adjoining roadways. All access points shall comply with the access management requirements of section 90-603.*

Adequate ingress and egress are provided. The site has access off of a private road located off of 64th St SW.

- (8) *Emergency vehicle access. All buildings and site circulation shall be arranged to permit emergency vehicle access by practicable means to all buildings and areas of the site. Adequate emergency vehicle access is provided.*
- (9) *Vehicular circulation layout. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian pathways in the area. Public streets adjacent or through the proposed development shall be required when it is essential to promoting and protecting public health, safety and general welfare and to provide continuity to the public road system. No new public streets are proposed.*
- (10) *Pedestrian circulation. The site plan shall provide a pedestrian circulation system which is insulated as completely as is reasonably possible from the vehicular circulation system. The development offers extensive walking paths and sidewalks which link across the entire PUD.*
- (11) *Traffic impact. The expected volume of traffic to be generated by the proposed use shall not adversely affect existing roads and traffic patterns. Roadway access shall minimize excessive vehicle traffic on local residential streets to reduce the possibility of any adverse effects upon adjacent property. Projects expected to have 50 or more peak hour directional trips or 500 or more vehicle trips daily shall provide a traffic impact study, as outlined in subsection 90-504(3), above.*
A Traffic Impact study was completed and reviewed by the city's Engineering Department. No major improvements were identified. The study does recommend reestablishing the pedestrian pushbuttons for crossing Wilson Avenue and traffic signal time adjustments to provide additional north/south green time within the existing cycle length.
- (12) *Public services. The scale and design of the proposed development shall facilitate the adequate provision of services currently furnished by or that may be required of the city or other public agency including, but not limited to, fire and police protection, stormwater management, sanitary sewage removal and treatment, traffic control and administrative services.*
The proposed development can be served by the existing services and utilities.
- (13) *Site redevelopment. Redevelopment of existing sites shall conform to the site improvement provisions of this article to the extent deemed practical by the reviewing authority. The extent of upgrade to site improvements shall be relative to and proportionate*

with the extent of redevelopment or expansion in accordance with the nonconforming site requirements of section 90-903.

The site is currently vacant.

Hofert outlined the following recommended conditions to approval:

- 1) The developer shall provide a survey of the project site sealed by a licensed surveyor.
- 2) The developer shall submit a landscape plan for the entire development.
- 3) Developer may use the existing basin based on calculations approved in 2007 if volume, outlet design and overflow are field verified and shown to match the previously approved site plan. a. Developer shall provide pre-treatment as outlined in the Wyoming Stormwater Standards Manual, recommended to be stone berms at the pond inlets.
https://www.wyomingmi.gov/Portals/0/StmwtrStdsManual_Wyoming_2022_0201_1.pdf
- 4) Site Plan shall show all existing and proposed utilities. Include all water services, fireline connections and sewer laterals. Show all watermain crossings on sanitary profiles.
- 5) Suggest lateral connections to existing sanitary sewer use existing manholes where applicable to avoid cutting in lateral Y's.
- 6) Engineer shall include watermain plan and profile drawings for EGLE permitting.
- 7) Proposed drives shall be constructed per Wyoming specifications and shall have 30-foot radii minimum. North drive approach shall have a concrete radius on the north side.
- 8) Developer shall confirm building heights to determine fire access lane size for 20 feet wide or 26 feet wide.
- 9) Developer shall add a fire access lane between building 9 and 10 to meet the 300 ft access around.
- 10) Developer shall move fire hydrant north to main drive island between building 1 and 14. Move hydrant by building 11 closer to road.
- 11) Provide knox entry systems.
- 12) A land combination application will need to be completed to combine parcels 41-21-06- 600-016, 41-21-06-600-015, & 41-21-06-600-017. These parcel numbers are new child parcels for tax year 2022.

13) Approval includes the amended Condominium Subdivision Plan and Fourth Amendment to the Master Deed for Wilson.

Hofert explained that the Development Review Team recommends the Planning Commission grant final site plan approval for the Wilson Crossings Phase II, Watermark Residential subject to conditions 1-13.

A motion was made by Hall, seconded by VanDuren, to grant final Site Plan Approval for approval for the Wilson Crossings Phase II, Watermark Residential subject to conditions 1-13.

DeLange said that the rear setback looked like it had been increased and he thanked the developer. DeLange noted that there were two dog parks on the plan and asked if there were any plans to include a playground.

Jake Ross, 530 Massachusetts Ave, Indianapolis, IND 46204. Explained that they have allotted lots of space on the site for this type of programming including a pool with an outdoor deck and cabanas, and dog parks. Ross stated that there are other areas that have not been programmed yet and will be finalized before permits are obtained.

Goodheart asked about the different hatches on page 17 of plan.

Hofert explained the different types of hatching on the site plan.

Goodheart asked about the Master Deed exhibit D unit 6 regarding the site plan and common elements.

Keith Walker, 470 Shorewood, Saugatuck, MI 49453 introduced himself and explained that he drafted the Master Deed. Walker explained that the area that Goodheart is referring to is part of unit 6. The condo document goes to the owner of the land and the zoning goes to the regulation of the use of the land. The PUD plan shows that it is open space and cannot be developed.

Weller asked about when this project was approved by City Council.

Hofert explained that City Council approved the project in 2020. At one point the project was referred back to Planning Commission and then was sent back to City Council for approval.

Weller questioned the setbacks and asked if the setbacks could be changed.

Hofert stated that the setbacks were previously approved as part of the PUD in November 2020 so the setbacks cannot be amended.

Weller asked if a wood stockade fence could be installed on the West and Northwest for blocking headlights. Weller also asked what buildings will be three stories.

Hofert stated that the townhomes are 2 stories. Hofert stated that all of the heights are in compliance with the approved PUD. Hofert stated that a fence wasn't required and that neighbors requested the 100ft buffer to be open so they can view the forested area. In previous conversations it was stated that if driveways faced the open area a fence would be required but in this case a fence doesn't apply.

A vote on the motion passed unanimously.

INFORMATIONAL

Learning & Growth

Hegyí introduced Tim Mroz as the Senior Vice President of Community Development for The Right Place and presented his background information.

Mroz spoke about The Right Place explaining that The Right Place has been a partner with the City of Wyoming since 1985.

Mroz and the Commissioners discussed a variety of topics including housing trends, walkability and attracting talent.

PUBLIC COMMENT

Micele opened the public comment period at 9:21 PM.

Bonnie Komejan, 4660 Allyson Ave SW, Wyoming, MI 49519, commented on agenda item #1 saying that she took the time to research the project. Komejan stated that she took her time to be informed and had hoped that the Commissioners who are paid and elected took the time to learn what was on the agenda. Komejan appreciates that agenda item #1 was deferred to the April 19th meeting and hopes that the Commissioners are more informed. Komejan said that in her research she found that 25.7 is the average stay for a renter and you can't put roots down in that amount of time. Commissioners were urged to be prepared since it affects the citizens.

Dale Hulst, 3112 Jefferson Ave SE, Wyoming, MI 49548, has a passion for sustainability and noted that the City of Wyoming does not have a sustainability plan and hopes that the City of Wyoming can develop a plan similar to the City of Grand Rapids. Hulst explained that he is speaking to advocate for sustainability planning. Hulst explained that he is starting a small net zero home consulting business he is a newly minted passive house consultant which is a very

strict home building standard that is very efficient resulting in zero carbon energy. He is available if the City would like to speak further regarding sustainability planning.

Steve King, 4777 Pinnacle Ct. SW, Wyoming, MI 49519, stated that he is glad that the Commissioners held off the vote to read contracts and to understand the zoning change better. He thought it was thoughtful and considerate. King is concerned that Commissioners are not aware of The Pines project. He asked Commissioners if there was a way they could review The Pines project so they are fully aware of the project before making a decision. King suggested the topic of schools and said that everyone he has spoken with that is looking for a house in Wyoming has looked at Wyoming Public Schools and it doesn't pull them in.

Weller commented on the apartments at the Reserve on Wilson and is concerned about the vinyl siding, and noted that when project was approved he requested that white pines be planted along Wilson.

Hall praised the Wyoming Public School system. Hall encouraged residents to get their own take on the school system. Hall thanked all the residents who came to speak on the projects today and urged residents to stay informed and join a board or commission or run for public office if they have an interest.

The public comment was closed at 9:35 PM.

ADJOURNMENT

The meeting was adjourned at 9:35 PM.

Audrey Zapata, Secretary
Wyoming Planning Commission

Ashley Dent, Recording Secretary
Wyoming Planning Commission