

**CITY OF WAYLAND
PLANNING COMMISSION
MINUTES**

**Tuesday, September 14, 2010
City Hall - City Council Chambers**

Chair J.D. Gonzales called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Chair Gonzales led the Pledge of Allegiance to the American Flag.

ROLL CALL

Members Present: Chair Gonzales, Commissioners Sam Dykstra, John Frigmanski, Ryan Martin, Gary Ragan, Jim Ramey & Kelle Tobolic & Ex-Officio Commissioner Ron Kobish

Members Absent: Commissioner Ann Kilmartin (no prior notice to staff of planned absence)

Others Present: City Planner Mark Sisson, City Manager Chris Yonker, Mayor Tim Bala, Brian & Lydia Steenhoek, Vicky Walski & Bob Duthler

PUBLIC HEARINGS: None scheduled

APPROVAL OF MINUTES

Moved by Commissioner Tobolic, **seconded** by Commissioner Ramey to approve the minutes of the Regular Meeting held August 10, 2010 as distributed with the meeting packet with one correction on page 3: the \$3,000 reduction in the County tourism budget occurred in the “current” fiscal year, not the “next” fiscal year; **motion unanimously approved.**

COMMUNICATIONS

Chair Gonzales acknowledged for the file the following Minutes of the meetings of the:

- City Council held August 2 & 16, 2010 C
 - Commissioner comments re: flashing sign issue; recommended amendments to sign ordinance going to City Attorney now that final report from legal intern was received on Monday C
- Downtown Development Authority/Main Street Board held August 5 & 26, 2010 C
 - Commissioner comments re: pleased that the DDA/MS Board moved so rapidly to hire the new Mains Street Manager C
- Allegan Co. Planning Commission held July 12, 2010 C
 - Commissioner comments re: more of a working Master Plan @ Allegan County; new budget underway, with additional cuts required in County PC budget

CITIZENS APPEARING BEFORE THE COMMISSION: None

OLD BUSINESS: MEDICAL MARIJUANA (MM)

The Chair noted that the City Council had accepted the Planning Commission’s recommendation and agreed at its 8/16/2010 meeting to establish a moratorium on the establishment of certain medical marijuana dispensaries, co-ops, etc. until additional research can be done by the City’s corporate counsel. The City Attorney will be advising the Council on the proper manner in which to establish the moratorium.

Commissioner comments included: heard of a Holland man that was assisting persons in setting up as marijuana caregivers; PC needs to be careful not to create a de-facto exclusionary zoning issue with the regulation of MM facilities; if the City desires to not have dispensaries, etc. in business districts, then the PC may wish to only allow them as home-based businesses in residential districts; the confidentiality of caregivers as required under the MM statute would likely preclude holding public hearings should the PC desire to require special use permits for such uses.

NEW BUSINESS: SPECIAL USE PERMIT & SITE PLAN REVIEW OF VOICE OF HOPE CHURCH
PROPERTY @ 788-135TH AVENUE (E. SUPERIOR ST.)

Chair Gonzales and Commissioner Ramey recused themselves from the discussion and voting on this request due to their memberships in and professional representation (architect) of the applicant; they took seats in the audience. Secretary Dykstra temporarily assumed the Chair and acknowledged the Commission's receipt of the following materials in its meeting packets:

- Proposed Site Plan dated 8/12/2010 by James W. Ramey, Architect
- Project Review Memos from:
 1. LandMark Strategies
 2. Progressive Engineering AE

Applicant Brian Steenhoek summarized the church's plans to convert the existing single-family house to a temporary church office. The church currently leases office space @ Plum & Main Streets and holds its services at the Wayland Union Middle School. There is enough property @ the proposed site to accommodate a future church structure and on-site parking. At this point, the church is only seeking site plan approval for the construction of a small paved parking area to the east of the current structure for 3 spaces of office parking. He also noted that the church would be submitting a separate permit for the installation of a yard or monument sign, which will be in compliance with all City ordinances.

Commissioner Frigmanski asked if the applicant was aware of the constraints that the wetlands and/or floodplains located in the NE and SW corner of the site would have upon its future development. The applicant stated they were aware of the issues; depending on the size of the facility, the house may or may not stay. Mr. Sisson noted that it would be difficult to fit a new single commercial drive between the house & the wetland/floodplain areas.

In response to a general question, the City Manager stated that public water & sewer services were immediately available to this parcel, but were located to the west along 135th St. The need for public utilities would depend on when the site is further developed & whether a well & septic field could handle a larger facility. Access to the sanitary sewer on 135th would likely require a grinder-pump or lift station to lift the sewage up to the shallow main under the street. The applicants could also investigate whether any new building could connect to the sanitary lines in the Galaxy Estates subdivision to the SW of the applicant's parcel.

Moved by Commissioner Ragan, **seconded** by Commissioner Martin to approve the site plan submitted by the applicant dated 8/12/2010, said approval being contingent on the approval of the Special Use Permit (SUP) by the City Council; **motion unanimously approved** with Commissioners Gonzales and Ramey abstaining.

Moved by Commissioner Martin, **seconded** by Commissioner Ragan: 1) to recommend to the City Council the approval of the SUP for only the conversion of the existing single-family house to a religious-use office building as indicated on the approved site plan dated 8/12/2010; 2) that any additional changes or expansions shall require additional SUP authorization, and the appropriateness of any improvements authorized by this approval shall be subject to revaluation and change at that time; and 3) that the Planning Commission hereby finds that the applicant has met the general conditions for SUPs as contained in the Zoning Code @ Sec. 20-128 as well as the more specific design standards for churches

as contained in Sec. 20-601(19) as outlined in the 9/8/2010 memo from LandMark Strategies. **Motion unanimously approved** on a roll call vote with Commissioners Gonzales and Ramey abstaining.

Commissioners Gonzales and Ramey rejoined the Commission with Mr. Gonzales assuming the Chair.

NEW BUSINESS: SITE PLAN REVIEW OF SHEAR CONCEPTS PROPERTY @ 1126 W. SUPERIOR ST.

The Chair acknowledged the Commission's receipt of the following materials in its meeting packets:

- Proposed Parking Lot Expansion Site Plan dated 8/19/2010 submitted by the applicants
- Revised Parking Lot Expansion Site Plan dated 0/14/2010 submitted that night by the applicants
- Project Review Memos from:
 1. LandMark Strategies
 2. Progressive Engineering AE (received at the meeting)

Vicky Walski, owner and Bob Duthler, representing the applicant VL Superior LLC summarized their plans to pave a new parking area located along the western wall of the Shear Concepts Hair & Tanning building. The lot would be used for staff parking at the newly renovated Shear Concepts building. Due to budget constraints, the applicants stated that they would like to install fresh gravel now and then pave the lot in the spring. They agreed to install a landscaped berm and an internal access connection between the subject parcel and the former Chevrolet dealership parcel to the west.

In response to a question, Mr. Sisson stated that both he and Mike Oezer from Progressive Engineering felt that the existing drainage flow from this small parking addition would be satisfactory to an existing wet area to the rear of the property. Mr. Oezer had met on site with the owners and discussed his suggested modifications to the original site plan. Mr. Sisson stated that the area of the proposed asphalt lot was already graveled and had been used for parking by the prior owners & would likely be grand-fathered. However, the new owners came forward on their own to request permission to pave the lot.

Moved by Commissioner Ramey, **seconded** by Commissioner Dykstra to approve the site plan as shown in the revised parking lot site plan submitted by VL Superior LLC at the meeting contingent on compliance with the recommendations contained in the 8/31/10 memo from LandMark Strategies, specifically the installation of an additional three shrubs in the landscaped area north of the access connection drive & the placement of the two trees at either end of the landscaped buffer for symmetry; **motion unanimously approved.**

PUBLIC COMMUNICATIONS AND COMMISSION & STAFF COMMENTS

The City Manager updated the Commission on the status of the Superior St. railroad crossing signals & gates project, which are scheduled to be installed in September. He also noted that the City Council had finally authorized the removal of the 18 existing streetlights along W. Superior St. from Church St. west to US-131. These lights are no longer needed due to the installation of the new LED decorative lights. Consumers Energy will also be removing all unnecessary poles as well as all overhead power lines that fed the 18 fixtures. Costs of the removal are being covered by remaining funds in the Capital Bond Fund.

Commissioner Frigmanski asked if the Commission should consider conducting a land needs analysis as part of the Master Plan update. This process would identify land & property needs for future new development or redevelopment for such public facilities as parks, natural areas, preservation of open space, downtown parking & possible redevelopment sites. Mr. Sisson & Mr. Yonker will work to prepare a summary of the needs analysis for future consideration of the Commission.

In response to a question, Mr. Yonker confirmed that rear entrances of downtown buildings are eligible for matching grant assistance under the current DDA façade renovation program.

Commissioner Tobolic felt that the remainder of the capital bond funds be used for infrastructure improvements/replacements in lieu of acquisition of land. The City Manager confirmed that the upcoming five-year capital improvement plan will identify & prioritize the City's investment in its infrastructure from all funding/financing sources.

Commissioner Ramey requested that each member receive a current copy of the Planning Commission's By-laws. He also stated his desire to see the DDA/Main Street program work cooperatively with the Planning Commission to develop any new design standards, new development and redevelopment projects both in the downtown area and elsewhere throughout the DDA District. The City Manager pledged to facilitate the cooperative efforts of the two bodies, which may include a joint meeting(s) to work with the DDA/MS Board, or its soon-to-be-established committees on land use issues affecting the downtown & DDA District.

Commissioners Dykstra & Tobolic inquired if the new Main St. Manager would be devoting time to other general economic development work. Mr. Yonker stated that under the program agreement with the MI State Housing Development Authority (MSHDA), approximately 90-95% of the MS Manager's time would need to be dedicated to the MS program. The remaining 5-10% of her time would involve support for the remainder of the DDA District.

Mr. Yonker expressed his disappointment that the County chose not to establish a full-time E.D. Director's position but instead added the workload to an existing County staff person who was already handling parks, recreation & tourism. He stated that there are several organizational models available to fund a more extensive county-wide E.D. effort, making use of funding not only from the County, but also contributions from local municipalities, townships and private businesses & industry as well as grants from state & federal agencies and public & private foundations.

There were no additional public communications or comments.

ADJOURNMENT

Being no further business before the Commission, Chair Gonzales adjourned the meeting at 8:22 PM.

Respectfully Submitted,

Chris A. Yonker
City Manager

J.D. Gonzales
PC Chair