

**CITY OF WAYLAND
PLANNING COMMISSION
MINUTES**

**Tuesday, February 9, 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, Joel Frederickson, John Frigmanski, Jim Ramey, Arny Rodriguez & Kelle Tobolic and Ex-Officio Commissioner Ron Kobish

Members Absent: Commissioners Sam Dykstra & Ann Kilmartin

Others Present: City Planner Mark Sisson, City Manager Chris Yonker, Mayor Tim Bala, William Cochran, Cal Becksvoort, Phil & Kelly Vannette, Stephanie Tobolic & Morgan Henry

Commissioner Frederickson **moved, seconded** by Commissioner Ramey to excuse Commissioners Dykstra & Kilmartin who had notified staff of their planned absences. **All Yes; motion carried.**

APPROVAL OF MINUTES

Commissioner Ramey **moved, seconded** by Commissioner Tobolic to approve the Minutes of the Regular Meeting held January 12, 2010 as distributed with the meeting packet. **All Yes; motion carried.**

OTHER MINUTES FOR REVIEW

Chair Gonzales acknowledged for the file the following Minutes of the Regular Meetings of the:

- City Council held January 4 & 18, 2010

CITIZENS APPEARING BEFORE THE COMMISSION: None

COMMUNICATIONS

The City Manager reviewed the tables entitled Summary of Building Permits Issued during Calendar Year 2009 as included in the packet. He noted that building permits for the year totaled only \$978,934, which was the third lowest total in the last ten years.

OLD BUSINESS: None

**NEW BUSINESS: SITE PLAN REVIEW- PROPOSED “KIDS FIRST LEARNING CENTER”
DAYCARE FACILITY @ 863 E. SUPERIOR STREET**

Mr. William Cochran, Architect with Insightful Design & Architecture, representing the owners of the proposed daycare center (Phil & Kelly Vannette), summarized the design aspects of the proposed site. He indicated that the pre-application meeting held with City staff, engineer & planner was very helpful and lead to several modifications to the site plan as presented to the Planning Commission. He highlighted the change to all masonry construction to match adjoining buildings and to the circulation route created off a proposed “in only” eastern driveway for drop offs/pickups.

The owners’ representative Mr. Cal Becksvoort, Engineer with Latitude Engineering, stated that there would be cross easements with the adjoining property owners that would cover “common areas” such as shared parking lots, trash enclosures, parking lot lights, parking lot maintenance & stormwater detention pond maintenance. The detention ponds are sized to include all proposed buildings and impervious

surfaces for both the daycare center and the possible office building to the northwest of the center. In response to a question, utility easements will be secured for the location of privately-owned & maintained water and sanitary sewer facilities on the adjacent properties. All of the above agreements/easements are under negotiation with the current landowner and will be finalized once the final purchase agreement is completed between the parties.

Discussion ensued regarding the need for vegetative screening along the north side of the property that bordered the designated wetlands under perpetual State conservation easements. Mr. Becksvort stated that a waiver had been granted to eliminate similar plantings to the north of the DeWeerd property development. If installed per City code, the proposed eight (8) trees would be located on the backslope of the property and the detention ponds. Commission consensus was to grant a similar waiver for the trees along the north side of the property adjacent to the wetlands.

Moved by Commissioner Ramey, **seconded** by Commissioner Frederickson to approve the site plan for the “Kids First Learning Center” daycare facility @ 863 E. Superior St. with the following conditions:

- Approval based on revised site plan dated 2/4/2010
- Recommendation “a” of LandMark Strategies memo dated 2/3/2010 be addressed to the satisfaction of City staff:
To be eligible for the allowance of shared parking arranges with the adjacent properties, cross-access and parking easements and a shared parking agreement between the owners of all three sites must be put in place. Site plan approval should not be effective until these instruments are provided to the City.
- Adherence to recommendations “b – e” of LandMark Strategies memo
- Recommendation “f” be granted: a full waiver of the required eight screening trees along the rear (north) property lines of the developing parcel.
- Adherence to recommendations “g – i” of LandMark Strategies memo
- Adherence to recommendations “1 - 5” of Progressive AE letter dated 2/2/2010
- Adherence to recommendation “j” of LandMark Strategies memo that:
based upon the location of the proposed use, its general layout and design, compliance with the specific site plan requirements of the district and compliance with the above referenced changes and conditions,

the Commission hereby makes a finding of compliance with the following special use standards of Sec. 20-601 of the City Zoning Ordinance:

- a. Childcare centers shall be licensed by the state under Act 116 of the Public Acts of 1973.
- b. The center shall only be permitted in a safe environment, free from nuisance conditions that would place children's health or safety at risk. Nuisance conditions might include, but are not limited to, unacceptable exposure to traffic, noise, air contaminants, vibration, explosive materials or other dangerous commercial or industrial activities.
- c. Site improvements necessary to ensure the health and safety of the children may be required.

The Commission recommends to the City Council that the required public hearing on the special use permit be scheduled as soon as practicable and that the Council make a similar finding of compliance with the special use standards of Sec. 20-601.

All Yes; motion carried.

NEW BUSINESS: PLANNING COMMISSION PRELIMINARY 2010 WORK TASKS

Mr. Sisson reviewed the preliminary Commission 2010 work plan as distributed at the meeting. He noted that this is part of the annual budget process so that if resources are needed to address the Commission’s priorities, then they can be determined & requested from the City Council in the upcoming FY 2010-11 City budget.

One of the primary tasks involves the review of the current City Master Plan. State law requires that communities revisit & review their master land use plans every five years. While the law does not

necessarily require changes to the plan, the community must still make a finding that the plan, with or without changes, is representative of the community's desires for managing land use and growth.

The master plan update must include recognition of the Airport Protection Plan of the Wayland Airport as required by the MI Zoning Enabling Act. It is currently not addressed in the plan.

If the Commission desires to consider the development of form-based code provisions for the Central Business District (CBD) zone, then the Master Plan should set the direction for such an endeavor.

Finally, Mr. Sisson noted that three surrounding townships have updated their master plans since the City last adopted its current plan. The City & township plans should be reviewed to determine if they are consistent with each other, especially for those areas that are adjacent to the City limits. The City will need to send notices to all adjacent governmental units, as well as the County, informing them of the City's intent to review its master plan. The City would also need to distribute draft copies of the updated plan to all jurisdictions inviting their comments & notifying them of any required public hearings on the plan.

Commissioner Ramey stated that there have been several other planning documents generated for various causes that should be taken into account during the master plan update. These include the Downtown Blueprints Study and the revised Park & Recreation Plan. Staff indicated that the current master plan, as well as copies of the above two documents would be posted on the City's website for ease of review and consultation of the Commissioners.

Because Mr. Sisson would not be able to attend the March 9 regular meeting of the Commission, by consensus, Commissioners agreed to place the initial consideration of the master plan on the April 13 regular meeting agenda.

PUBLIC COMMUNICATIONS AND COMMENTS

The City Manager summarized the recent sign enforcement efforts made by staff. One business owner wrote to request that the Commission or City Council consider granting a waiver for her blinking business sign or to rewrite the sign ordinance to permit such signs.

Following discussion, the Commission consensus was that the enforcement of the ordinance was proper and that the Commission did not wish to revisit or rewrite that portion of the sign ordinance pertaining to blinking or flashing signs. The property owner did have the option of requesting a variance from the ordinance through the Zoning Board of Appeals (ZBA); however it was the Commission's observation that it would be unlikely that the owner could meet the conditions as stated in the ordinance for the ZBA to grant a waiver.

Chair Gonzales brought to the Commission's attention the letter of resignation on their desks from Commissioner Joel Frederickson. Joel has been on the Commission for over ten years and is resigning for personal & business reasons. The Chair and Mayor Bala presented Joel with a plaque recognizing his many years of service to the Commission and the City. All members expressed their gratitude for Joel's service and that he would be greatly missed on the Commission.

Chair Gonzales reminded the Mayor that the Commission was still in need of an appointment to fill the vacant seat to bring the Commission up to full membership. Mayor Bala noted an appointment was forthcoming at the next City Council meeting. The Mayor was open to additional suggestions for citizens to now fill Commissioner Frederickson's vacant seat.

There were no additional public communications or comments.

ADJOURNMENT

Being no further business before the Commission, Chair Gonzales adjourned the meeting at 8:32 PM.

Respectfully Submitted,

Chris A. Yonker
City Manager

J.D. Gonzales
PC Chair