

**MINUTES  
ZONING ADVISORY COMMISSION  
REGULAR SESSION**

6:00 p.m.

Wednesday, February 3, 2021

Virtual Meeting

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually.

**Commissioners Present:** Vice Chairperson Rebecca Kemp; Commission Members Steve Baumhover, Brittany Loeffelholz, Matthew Mulligan, Pat Norton, and Rich Russell.

**Commissioners Excused:** Martha Christ

**Commissioners Unexcused:** None.

**Staff Members Present:** Wally Wernimont, Guy Hemenway, and Jason Duba

**CALL TO ORDER:** The meeting was called to order by Vice Chairperson Kemp at 6:00 p.m.

**MINUTES:** Motion by Mulligan, seconded by Loeffelholz, to approve the minutes of the January 6, 2021 Zoning Advisory Commission meeting. Motion carried by the following vote: Aye – Baumhover, Loeffelholz, Mulligan, Norton, Russell, and Kemp; Nay – none.

**ACTION ITEM/SITE PLAN REVIEW:** Application of Christopher Kidd and Associates, LLC to approve the site plan for property located at the Westmark Corporate Center/SW Corner of Pennsylvania and Northwest Arterial.

Vice Chairperson Kemp and Commissioner Norton abstained from the request due to a conflict. Commission Secretary Mulligan filled in as Chair.

Pat Norton, Buesing and Associates, 1212 Locust, spoke on behalf of Christopher Kidd and Associates. He said that the site plan is for Grand River Medical Group's proposed medical clinic with a three-story building on the south end and parking on the north end of the subject lot. He noted that the Planned Unit Development (PUD) ordinance for this development requires the Commission to review and approve site plans to ensure continuity with the district's requirements for use and scale. He said that the plans are in the process of being reviewed by the City's Development Review Team (DRT), and only a few items such as stormwater management and disposition of an existing trail remain. He said that the owners are planning to go to bid this week and begin construction in the spring.

Staff Member Hemenway detailed the staff report noting that the Commission's charge is to review the site development plan to ensure the development is compliant with the PUD ordinance and compatible with adjacent uses. He said the site is a 3.7-acre parcel with parking to the north and the building to the south. He noted that the property is located at the intersection of the Northwest Arterial and Pennsylvania Avenue and that access will be taken from Westmark Drive. He said that the Engineering Department has reviewed the traffic access and are satisfied that the existing roads will accommodate the increased demand.

Staff member Hemenway said that building will be three-stories, approximately 40' in height, and would require 125 parking spaces based on floor area. He said that the plan indicates 180 spaces. He noted that the plan also exceeds the 35% green space area requirement. He said that the City's Development Review Team will review the final site plan to ensure compliance with district standards and grading and stormwater regulations.

Commissioner Russell asked about traffic impact on Embassy West and sidewalks on Pennsylvania.

Staff member Hemenway stated that the applicant is required to provide a pedestrian access plan which will indicate sidewalk locations. He noted that improvements were recently made to the intersection of Northwest Arterial and Pennsylvania Avenue and that the potential for a roundabout at Pennsylvania Avenue and Radford Road should help traffic flow. He acknowledged there are some traffic issues at school arrival/dismissal times, but that this area was designed to accommodate traffic, as both Pennsylvania Avenue and the Arterial are four-lane arterials. He noted the original plan for these two lots was for two office buildings, which he said may have generated more traffic than the proposed clinic.

No other questions or concerns were expressed.

Motion by Baumhover, seconded by Loeffelholz, to approve the Grand River Medical office site plan with the condition that grading and stormwater be reviewed by the DRT. Motion carried by the following vote: Aye – Baumhover, Loeffelholz, Russell, and Mulligan; Nay – none; Abstain – Kemp and Norton.

Vice Chairperson Kemp resumed her role as Chair of the meeting.

**ACTION ITEM/PRELIMINARY PLAT:** Application of Royal Oaks Development Corporation to approve the preliminary plat of Cedar Ridge Commercial Park located at 380 Cedar Cross Road.

John Lutz, IIW, 4155 Pennsylvania, spoke on behalf of the applicant. He described the 11-acre site which has been preliminarily graded. He listed the improvements that will be necessary to prepare the site, which he said have been determined in conjunction with the DRT. He said that these measures include street improvements along Cedar

Cross Road, a sanitary sewer, City water and storm sewer connection, extension of a private street within the site, and the addition of sidewalks, fiber optic, street lighting, and tree planting.

Staff Member Hemenway detailed the staff report noting that the 11 acre site will be subdivided into three lots of three to four acres each. He discussed aspects of the site that the DRT is reviewing that included traffic flow, stormwater detention, sanitary sewer and water connections and extension of the private street, which he said will be built to City standards. He discussed the site history, noting that it was originally zoned agricultural and was part of a farm that was purchased and junk and salvage materials removed in 2010. He said that the property was rezoned in 2013 from Agricultural to C-3 General Commercial district. He said that the site lies below the back yards of the adjacent residential subdivision and screening and setback requirements will help buffer the development. He noted that the plan achieved the required 40 points, but that the developer may swap out the planned concrete street for asphalt and plant street trees to recoup the lost points.

Commissioners discussed the request and had no concerns.

Motion by Mulligan, seconded by Norton, to approve the preliminary plat of Cedar Ridge Commercial Park as submitted. Motion carried by the following vote: Aye – Baumhover, Loeffelholz, Mulligan, Norton, Russell, and Kemp; Nay – none.

**PUBLIC HEARING/REZONING-TRADITIONAL:** Application of Kevin Oberbroeckling to rezone property located at 7869 Commerce Park from CS Commercial Service and Wholesale district to C-3 General Commercial district.

Kevin Oberbroeckling, 7874 South Westbrook Drive, spoke discussed his request. He stated that he is working to accommodate the changing needs of his tenants, one of whom is seeking a single chair for a hair salon. He noted that Mr. Wernimont visited the site and determined that there would be adequate space to stripe the required parking. He said that he felt this change will complement the area, and that he will keep the facility well-maintained.

Bill Smith, 5604 Saratoga Road, Asbury, spoke on behalf of his wife, who he said owns Happy Hair Studio. He noted that as the current CS designation allows for pet grooming, the C-3 district's allowance of human grooming should be a reasonable use. He described challenges due to the pandemic leading his wife to leave a larger salon and start a one-chair salon out of their home. He said that this move has gone over well, and that relocating to this site will help the business continue to be successful.

Staff Member Wernimont detailed the staff report. He noted two letters of support for the request and he clarified that Shaun Ruff is a neighbor residing behind the subject property on Westbrook Drive. He said that neighbors within 200' of the subject property were notified. He reviewed the zoning and development history of the area along with current land uses and activities. He pointed out that C-3 zoning would not only allow a

hair salon but would also permit residential use above the first floor. He explained that a single-chair hair salon would require three striped parking stalls that he said can be accommodated on site. He noted that none of the existing uses would become non-conforming with the C-3 district.

Commissioner Mulligan asked where the salon would be and Oberbroeckling pointed it out in the photo.

No other questions or concerns were expressed.

Motion by Baumhover, seconded by Norton, to approve the rezoning from CS Commercial Service to C-3 General Commercial. Motion carried by the following vote: Aye – Baumhover, Loeffelholz, Mulligan, Norton, Russell, and Kemp; Nay – none.

**ITEMS FROM PUBLIC:** None

**ITEMS FROM COMMISSION:** None

**ITEMS FROM STAFF:** None

**ADJOURNMENT:** Motion by Norton, seconded by Loeffelholz to adjourn the February 3, 2021 Commission meeting. All voted to approve the motion.

The meeting adjourned at 6:45 p.m.

Respectfully submitted,



Wally Wernimont, Planning Services Manager

March 3, 2021

Adopted