

# BYRON TOWNSHIP PLANNING COMMISSION

July 19, 2004

## MINUTES

### CALL TO ORDER, ATTENDANCE & PRAYER

Chairman Seymour Gould called a regular meeting of the Byron Township Planning Commission to order at 7:00 p.m. on July 19, 2004, at the Byron Township Offices, 8085 Byron Center Avenue, SW Byron Center, Michigan 49315.

Commission members present were: Seymour Gould, John Stone, Bernie Schuitema Tim Slot, and Dutch Zeinstra. Absent: Maynard Van Singel & Jeff Gritter. Also present were Township Planner Larry Nix, Township Attorney H. James Telman, Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

Prayer was offered by Mr. Bernie Schuitema

### APPROVAL OF MINUTES

A motion was made by Schuitema supported by Slot that the minutes of the June 21, 2004 meeting be approved as written. Yes - 5. No - 0. Absent - 2. Motion Carried.

The building inspectors report was received and placed on file.

### SITE PLANS

A motion was made by Slot supported by Zeinstra that the following site plans be approved as per the Township Planners' conditions as stated:

**Site Plan 04-14: Wolverine Building (Chuck Morgan)** with the following conditions:

1. A letter of credit or cash in the amount to cover the cost of preparing and paving the parking area shall be established with the Township Clerk.
2. Approval of the storm water system by the Kent County Road Commission or the Township Engineer as appropriate
3. Coordination with the Township Sewer and Water Administrator
4. A sworn statement from the owner that the building use shall be restricted to accommodate the parking provided.

These conditions must be met prior to the Township issuing a building permit.

**Site Plan 04-17: Family Fare** - with no conditions.

**Site Plan 04-18: Bob Deppe** with the following conditions:

1. A letter of credit be established with the Township Clerk in an amount equivalent to the cost of preparing and paving the expanded parking area.
2. The Township engineer review and approves the utility plan.
3. The Kent County Road Commission approves the curb cut for the site.
4. A 6' tall wood fence to be erected around the gravel storage area.

Conditions 1, 2, and 3 must be met prior to the Township issuing a building permit and condition 4 must be met prior to the final building inspection.

**Site Plan 04-19: Postema Signs and Graphics** with the following conditions:

1. A letter of credit be established with the Township Clerk in an amount equivalent to the cost of preparing and paving the expanded parking area.
2. Coordination with the Township Sewer and Water Administrator and Township Engineer.

These conditions must be met prior to the Township issuing a building permit.

**Site Plan 04-20: Eagle Development Company** with the following conditions:

1. A letter of credit be established with the Township Clerk in the amount equivalent to the cost of preparing and paving the expanded parking area.
2. The Township Engineer review and approves the utility plans.

These conditions must be met prior to the Township issuing a building permit.

Yes - 5. No - 0. Absent - 2. Motion Carried.

**Jeff Gritter arrived for the meeting.**

**Set Public Hearing – Marlo Farms - PUD rezoning request for the property located at southwest corner of 84<sup>th</sup> & Burlingame**

An application for the rezoning request for the property located at 84<sup>th</sup> & Burlingame was reviewed.

A motion was made by Stone supported by Zeinstra to set a public hearing for the next regular meeting to be held on August 16, 2004

Yes - 6. No - 0. Absent - 1. Motion Carried.

**Preliminary Plat – Planters Row Phase 3**

Jason VanderKode of Nederveld & Associates was present on behalf of JCB Development to explain Phase III.

Mr. Nix reviewed his memorandum dated July 19, 2004 of which a copy is hereby attached and made part of these minutes. Mr. Nix stated that due to unsuitable soils, lots 24, 25, 26, and 27 in phase 1 have been converted to a private park. The roads in subsequent phases to the south have been slightly redesigned toward the west to compensate for 2 of the lost lots. This does not significantly alter the overall layout of the development. Also lots 124 and 125 do not illustrate a proper rear setback of 25’.

After some discussion a motion was made by Schuitema supported by Gritter to recommend to the Township Board approval of Planters Row Phase 3 preliminary plat with the stipulation that the building envelopes for lots 124 and 125 will illustrate a proper rear setback prior to the Township Board meeting.

Yes - 6. No - 0. Absent - 1. Motion Carried.

**Preliminary Plat – Byron Lakes Estate East**

Rob Berends from Exxel Engineering was present on behalf of PDRL, L.L.C. stated that all the lots meet the requirement as submitted, there will be sidewalks along 68<sup>th</sup> St. and no lots will access out onto 68<sup>th</sup> St.

Mr. Nix reviewed his memorandum dated July 19, 2004 of which a copy is hereby attached and made part of these minutes.

After some discussion a motion was made by Gritter supported by Schuitema to recommend from the Township Board the approval for Byron Lakes Estates East with the stipulation that the access drive is aligned to eliminate one curb cut.

Yes - 6. No - 0. Absent – 1. Motion Carried.

**Public Hearing – Zion Christian School special use request for building addition and additional parking lot for the property located at 7555 Byron Center Ave.**

Chairman Gould declared the public hearing open for Zion Christian School. Bernie Schuitema read the public notice and affirmed that the notice was published once, and mailed to all property owners within 300 feet of the proposed property.

Rob Berends from Exxel Engineering was present to explain the request. He stated this request does include the 4 acres the school just purchased. With the growth of the school there is now a need for an additional parking lot, building additions and an area for a gymnasium and concession building. They have no plans to do the building additions soon, but would like the parking lot completed by the start of the 04-05 school year begins. He commented that they are asking for the extension of the special land use.

Mr. Nix reviewed his memorandum dated July 14, 2004 of which a copy is attached and made part of these minutes. Mr. Nix commented that they are asking for the extension of the land use, and at present they will continue to use the existing building.

Chairman Gould opened the hearing to the public for comments.

No public comments were made.

Chairman Gould declared the public hearing closed.

After some discussion a motion was made by Slot supported by Schuitema to approve the special use request for Zion Christian School with the stipulation that the site plan

be approved by the Township Planner & Township Engineer before the issuance of a building permit.

Yes - 6. No - 0. Absent - 1. Motion Carried.

**Public Hearing – Stanley Steemer (Greg Pucci) application for the final site development plan for property located at: Pfeiffer Farms Dr., Parcel C.**

Chairman Gould declared the public hearing open for Stanley Steemer. Bernie Schuitema read the public notice and affirmed that the notice was published once in the South Advance and mailed to all property owners within 300 feet of the proposed site.

Rob Berends from Exxel Engineering was present on behalf of Greg Pucci owner of Stanley Steemer. He commented that the proposed building is one story and has a total of 23,050 square feet, with 13,440 square feet for office use and room for two additional tenants. Indoor parking where all the trucks will be kept and a wash area covers 9,610 square feet. He stated they have met with the neighbors to get their opinion on the “no disturb zone”. If they would like to keep it as is or clean up that area and do some plantings and a berm.

Mr. Nix reviewed his memorandum dated July 14, 2004, of which a copy is attached and made part of these minutes.

Chairman Gould opened the hearing to the public.

**Brian Bultsma – 8224 East Chester Ave.** was concerned how the new building would be placed on the property and how the vehicles would be parked and where these vehicles would be entering and exiting the building. He was concerned if the lights would be shining into his windows.

No further public comments were made.

Chairman Gould declared the public hearing closed.

Mr. Greg Pucci owner of Stanley Steemer commented that this is one of the largest carpet cleaners in West Michigan. They are looking forward to being part of Byron Township. The location of being close to US131 and having highway exposure will be a plus. Also it will add employment opportunities to the area. He stated that he met with the property owners to the west of the proposed property affected by the 50 foot “no disturb zone”. They all agreed they would like some type of berm maybe some wild flowers can be planted instead of grass. They would like it cleaned up. The vehicles will be stored inside at all times and will be entering the building from the north.

Items discussed were signage, building height, parking lot and building lighting, and the landscaping plan for the 50 foot “no disturb zone”

After some discussion a motion was made by Zeinstra supported by Stone to approve the final Site Development Plan for Stanley Steemer with the stipulation that the Township Planner contact the owners of lots 34 & 35 to get their comments and approval of the proposed berm to be planted.

Yes - 6. No - 0. Absent - 1. Motion Carried.

**Public Hearing - Pete Bultsma - request to zone parcel from R-A Rural Agricultural to D-1 Industrial for property located at 396 - 84<sup>th</sup> St. SW. (Dome World).**

Chairman Gould declared the public hearing open for Pete Bultsma. Bernie Schuitema read the public notice and affirmed that the notice was published twice and mailed to all property owners within 300 feet of the proposed site.

Pete Bultsma owner of Dome World was present and stated that they are asking to rezone a very small triangle shape on the south east corner of the property. We would like to put a billboard on that small piece of property which is up against property that is zoned Industrial.

Mr. Nix reviewed his memorandum dated July 19, 2004, of which a copy is attached and made part of these minutes.

Chairman Gould opened the hearing to the public.

No public comments were made.

Chairman Gould declared the public hearing closed.

The Commission discussed the applicant can request a modification of a plan if it is requested to go smaller, which this applicant is requesting. The applicant requested a triangle shaped parcel in the south east corner of the Dome World property he considered for rezoning. The sides of the triangle would be approximately 200' each.

After much discussion a motion was made by Gritter supported by Slot to recommend approval from the Township Board to rezone the triangle piece only and the applicant will need to submit a legal description of the triangle.

Yes - 5. No - 1 (Gould) Absent - 1. Motion Carried.

**Public Hearing - Trinity Development - rezoning request from R-S Suburban Residential to R-U Urban Residential for property located at 8110 Burlingame Ave. SW.**

Chairman Gould declared the public hearing open for Trinity Development. Bernie Schuitema read the public notice and affirmed that the notice was published twice in the South Advance and mailed to all property owners within 300 feet of the proposed site.

Bruce Brown the president of Trinity Development was present to explain the rezoning request. He stated that they wish to rezone 37 acres from RS Suburban Residential to RU Urban Residential. They will be combining the subject parcel with the Graham parcel which has already been rezoned RU to develop Copperfield, a 95 residential lot subdivision on a total of 57 acres.

Mr. Nix reviewed his memorandum dated July 19, 2004, of which a copy is attached and made part of these minutes.

Chairman Gould opened the hearing to the public.

No public comments were made.

Chairman Gould declared the public hearing closed.

Items discussed were water/sewer service, the master plan for this area, concerns about frontage on various lots, and the access out onto Burlingame Ave.

After some discussion a motion was made by Slot supported by Gritter to recommend approval from the Township Board to rezone 8110 Burlingame Ave from R-S Suburban Residential to R-U Urban Residential

Yes - 5. No - 1 (Zeinstra). Absent - 1. Motion Carried.

**Jonker, Oeverman, Swainston (84<sup>th</sup> St. rezoning)**

A motion was made by Schuitema supported by Gritter to remove the rezoning request for Jonker, Oeverman, Swainston from the table for discussion.

Mr. Nix reviewed his memorandum dated May 12, 2004 (updated July 14, 2004) stated that this was tabled at the May meeting to provide time to work with the applicant on future potential used and concerns expressed at the meeting including traffic, access, alternative uses and community character. A meeting was held on June 23 with several of the property owners to discuss ideas and share thoughts on the property. Three out of the seven property owners attend this meeting. Those who attended agreed a coordinated approach made sense. The property owners also shared concerns regarding traffic, access and community character. There was no defined solution to the rezoning only agreement that a unified plan made sense. We do encourage the applicants to submit a PUD application that addresses the concerns expressed.

After much discussion a motion was made by Slot supported by Schuitema to recommend approval from the Township Board to rezone only 2269 - 84<sup>th</sup> St. (owner Robert Jonker) from MFR Multi Family Residential to B-1 Central Business with equitable servitude for one drive.

Yes - 6. No - 0. Absent - 1. Motion Carried.

### **Miscellaneous**

#### **Jamestown/Byron Township meeting –**

Mr Nix commented that the meeting is planned for August 4, 2004 at 7:00pm here at the Byron Township Offices.

#### **Landscaping Regulation –**

This item will be discussed at the August 16<sup>th</sup> meeting.

#### **Monthly packets –**

It was brought to the attention of the Planning Commission the high cost of mailing out the packets each month for the meetings. It was decided that the members of the Planning Commission can pick their packets up at the Township Office. Packets will be available a week before the Planning Commission meeting.

### **Adjournment**

A motion was made by Stone supported by Gritter that the meeting be adjourned.  
Yes - 6. No - 0. Absent - 1. Motion Carried.

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Bernie Schuitema  
Planning Commission Secretary