

BYRON TOWNSHIP PLANNING COMMISSION
February 21, 2005

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 February 21, 2005, at the Byron Township Offices, 8085 Byron Center Avenue, SW Byron Center, Michigan 49315.

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

Prayer was offered by Mr. Seymour Gould

APPROVAL OF MINUTES

A motion was made by Schuitema supported by Stone that the minutes of the January 17, 2005 meeting be approved as written. Yes - 5. No - 0. Absent - 1. Abstained - 1 (Maynard Van Singel absent from January meeting). Motion Carried.

APPROVAL OF WORKSHOP MEETING MINUTES

A motion was made by Schuitema supported by Stone that the minutes of the January 6, 2005 meeting be approved as written. Yes - 5. No - 0. Absent - 1. Abstained - 1 (Maynard Van Singel absent from special workshop meeting). Motion Carried.

The building inspectors report was received and placed on file.

SITE PLANS

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

Site Plan 05-01: Flow Rite Controls 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 plans.
3. The Kent County Road Commission approves the curb cut for the site.

Site Plan 05-02: Jim McKnight 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 approve the drainage plan.

3. The Kent County Road Commission approves the curb cut for the site which will determine the ultimate location for the parking lot.
4. Coordinate with the Township Sewer and Water Department for the change of use related to the trunkage fee.

Site Plan 05-03: Walgreens 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. Only one free standing sign is approved without a reader board. Additional signage will need to be considered with the Zoning Board of Appeals.
3. The Township Engineer review and approve a revised site plan addressing comments contained in the Prein & Newhof letter dated February 8, 2005. Items include: storm water, water and sanitary sewer service.
4. Light poles not to exceed 20' in height.

Site Plan 05-04: Centennial Wireless with no conditions.

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

Set Public Hearing – Carlos Caceres - rezoning request for property located at 8748 Burlingame Ave. SW

An application for the rezoning request from Carlos Caceres to rezone the property located at 8748 Burlingame Ave. SW from R-A Rural Agriculture to R-S Suburban Residential was reviewed.

A motion was made by Stone supported by Van Singel to set a public hearing for the next regular meeting to be held on March 21, 2005.

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

Set Public Hearing – John Van Singel rezoning request for property located at 2160 Pleasant Pond Dr. SW from R-R Rural Residential to R-U PUD Urban Residential Planned Unit Development.

An application for the rezoning request for the property located at 2160 Pleasant Pond Dr. SW was reviewed.

A motion was made by Gritter supported by Slot to set a public hearing for the next regular meeting to be held on March 21, 2005.

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

To Set Public Hearing – Holiday Inn Express (Sudhir Modi) - to amend the PUD for property located at 6565 Clay Ave.

An application to amend the PUD for property located at 6565 Clay Ave. SW was

reviewed.

A motion was made by Schuitema supported by Gritter to set a public hearing for the next regular meeting to be held on March 21, 2005.

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

Public Hearing – Marlo Farms - final PUD Site Development approval for Marlo Farms PUD Phase I & Preliminary Plat approval for Sky-Vue Plat (Marlo Farms) for property located at 8661 Burlingame Ave. SW, 8451 Burlingame Ave. SW, 1778 - 84th St. SW, 1750 - 84th St. SW, 1946 - 84th St. SW, & 1810 - 84th St. SW

Chairman Gould declared the public hearing open for Marlo Farms. 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 property.

Carlos Careres was present to explain the final phase for Marlo Farms Development and the Preliminary Plat approval for Sky Vue. He stated that all the comments he received from Mr. Nix were addressed and shown on the plan.

Mr. Nix reviewed his memorandum dated February 11, 2005, 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.

Mr. Nix commented that everything he had concerns with have been addressed and corrected on the newly submitted plans.

Mr. Schuitema stated he still would like to go over the new plans before any decisions are made.

After some additional discussion a motion was made by Schuitema supported by Slot to table this request until the next regular meeting to be held on March 21, 2005.

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

Public Hearing – AOG Holdings (M4 Motors) special use request for automotive repair facility located at 637 - 76th St. SW.

Chairman Gould declared the public hearing open for AOG Holdings. 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' of the proposed property.

Jonathan Mast from AOG Holdings was present to present this special use request. He stated that this building is currently being used for automotive reconditioning and would like to do vehicle repair there as well. All work will be done inside and vehicles will not be stored outside overnight unless they are secured in the enclosed area to the west of the building.

Mr. Nix reviewed his memorandum dated February 11, 2005 of which a copy is attached and made part of these minutes. Mr. Nix commented the applicant does meet all the requirements and suggest that a screen fence 8' high be placed on the west side of the building to completely obstruct one's vision of the storage area.

Jane Wagner – 6742 Clyde Park Ave. SW questioned the type of fencing that would be used and the height of the fence.

No further public comments were made.

Chairman Gould declared the public hearing closed.

After some discussion a motion was made by Gritter supported by Van Singel to past the resolution as presented and that a 8' screened fence be placed on the west side of the building.

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

Public Hearing – Orchard Plaza (K-Mart) rezoning request for the property located at 701 - 68th St. SW from R-U Urban Residential to B-2 PUD General Business Planned Unit Development.

Chairman Gould declared the public hearing open for Orchard Plaza. 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.

Greg Ernie from Redico Management was present explaining why they wish to rezone this property to B-2 PUD General Business Planned Unit Development. He stated the current zoning of R-U is intended for single family homes, clearly the residential zoning does not reflect the commercial uses on the property, also it will be in keeping with the Master Plan for this property, and with the PUD the Township can monitor the expansion of the site.

Mr. Nix reviewed his memorandum date February 14, 2005 of which a copy is attached and made part of these minutes.

Items discussed were history of the property, parking issue which they are asking for 4 ½ parking spaces per 1,000 sq ft. the Township requires 5 spaces per 1,000, also that 5/3 Bank and the Taco Bell are not part of this rezoning request.

Chairman Gould opened the hearing to the public.

Jane Wagner – 6724 Clyde Park asked if she would be notified again when the final plans are in for the proposed buildings.

Adel 694 – 68th St. SW stated that Spartan has been a good neighbor, and that she has no problem with this rezoning. She was wondering if they had any desire to include some of the surrounding properties in their rezoning request. She felt this would be in the best interest of the people. She is also concerned about the traffic pattern.

No further public comments were made.

Chairman Gould declared the public hearing closed.

A comment was made by Gould that the people on Clyde Park & 68th St. could in the future put their property up for rezoning but it can't be include with this request.

After some additional discussion a motion was made by Slot supported by Gritter to recommend to the Township Board approval of this rezoning request submitted by Orchard Plaza.

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

Public Hearing – Amendment to the Zoning Ordinance for the purpose to establish Municipal Civil Infraction Penalties, Administration and Enforcement of Zoning Ordinance.

Chairman Gould declared the public hearing open. 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 subject property.

Mr. Nix commented that there have been some revisions done to this amendment of which he received a copy on February 17, 2005. This was published for a public hearing tonight and a hearing will be held but due to the changes made, there was not a copy of the corrected Zoning Ordinance in the office for the public to see. This should be published again and another hearing held.

Chairman Gould opened the hearing to the public.

No public comments were made.

Chairman Gould declared the public hearing closed.

The planning commission members decided that they would like to table this for 30 days in order to give them time to compare the two documents.

After some discussion a motion was made by Van Singel supported by Gould to table for 30 days for further review.

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

Preliminary Plat Approval – Van Singel Phase 5

Ron Van Singel was present on behalf of Willard Van Singel. He stated that this phase is comprised of 11.07 acres and 24 lots. The property is serviced with public water and the Goose Creek sewer system. The street lighting will be per Township Ordinance as well as the sidewalks.

Mr. Nix reviewed his memorandum dated February 11, 2005 of which a copy is attached and made part of these minutes.

After some discussion a motion was made by Gritter supported by Slot to recommend that the Township Board approve the resolution as written for the preliminary plat for Van Singel Phase 5.

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

DeKleine Builders – request for rezoning the property located at 1140 - 64th St. SW. (remanded back to the Planning Commission from the Township Board.)

Mike Bake from Exxel Engineering was present and stated that the item of concern was the apparent limitations of the Goose Creek sanitary truck sewer. Jay DeKleine has agreed to reduce the limits of the requested area to be rezoned. The southern portion of the property has now been removed from the original rezoning request. The remaining property once developed will connect to the sanitary sewer in North Meadow Drive, which drains into the Buck Creek trunk sewer.

Mr. Nix reviewed commented that 75% of this rezoning request can be serviced by Buck Creek Sewer system. With the reduction in this request another public hearing is not needed.

After some additional discussion a motion was made by Schuitema supported by Gritter to recommend approval from the Township Board this amended rezoning request to rezone only that portion which is serviced by the Buck Creek Sewer system from R-S Suburban Residential to R-U Urban Residential.

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

Miscellaneous

- Latitude Engineer (Maclind Development LLC) rezoning request tabled until July 18, 2005). Mr. Nix stated that they have made some changes to their master plan, and they would like to resolve some of the issues and concerns before the July meeting. It was decided that a meeting will be set up with the Engineers and a sub-committee from the Planning Commission in April to discuss these issues and changes.

- Chairman Gould read a letter of resignation -
A letter was received from Mr. Maynard Van Singel stating his resignation from the Byron Township Planning Commission effective February 21,2005.

Adjournment

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

Bernie Schuitema
Planning Commission Secretary