

BYRON TOWNSHIP PLANNING COMMISSION
May 16, 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 May 16, 2005, at the Byron Township Offices, 8085 Byron Center Avenue, SW Byron Center, Michigan 49315.

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

Prayer was offered by Mr. Jeff Gritter

APPROVAL OF MINUTES

A motion was made by Schuitema supported by Slot that the minutes of the April 18, 2005 meeting be approved as written.

Yes - 6. No - 0. Absent - 0. Abstained - 1 (John Stone absent from April 18, 2005 meeting). Motion Carried.

A motion was made by Schuitema supported by Elenbaas that the minutes of the special meeting held on May 2, 2005 at 5:00 p.m. be approved as written.

Yes - 7. No - 0. Absent - 0. Motion Carried.

A motion was made by Schuitema supported by Slot that the minutes of the special meeting held on May 2, 2005 at 7:00 p.m. be approved as written.

Yes - 7. No - 0. Absent - 0. Motion Carried.

The building inspectors report was received and placed on file.

SITE PLANS

A motion was made by Zeinstra supported by Stone that the following site plan be approved as per the Township Planners conditions:

Site Plan 05-06: Estes Express Lines

1. A letter of credit be established with the Township Clerk in an amount equivalent to the cost of preparing and paving the parking area.

Yes - 7. No - 0. Absent - 0. Motion Carried.

A motion was made by Zeinstra supported by Gritter that the following site plan be approved as per the Township Planners conditions:

Site Plan 05-07: Best Block Company

1. A letter of credit be established with the Township Clerk in an amount equivalent to the cost of preparing and paving the parking area, and any elements outlined in the Township Engineer's letter.

Yes - 6. No - 0. Absent - 0. Abstained - 1. (Slot) Motion Carried.

A motion was made by Zeinstra supported by Gritter that the following site plan be approved as presented.

Site Plan 05-08: Centennial Wireless with no conditions.

Yes - 7. No - 0. Absent - 0. Motion Carried.

A motion was made by Zeinstra supported by Gritter that the following site plan be approved as per Township Planners conditions:

Site Plan 05-09: Pace Trailer

1. A letter of credit be established with the Township Clerk in an amount equivalent to the cost of preparing and paving the parking area, any elements outlined in the Township Engineer's letter and a landscaping plan be prepared and reviewed by staff to comply with Township standards prior to the start of the project.

Yes - 7. No - 0. Absent - 0. Motion Carried.

To Set Public Hearing – Carlisle United Methodist Church – request to rezone property located at 1110 - 76th St. SW from D-1 Industrial to R-S Suburban Residential.

An application for a rezoning request from Carlisle United Methodist Church for the property located at 1110 - 76th St. SW was reviewed.

A motion was made by Stone supported by Schuitema to set a public hearing for the next regular meeting to be held on June 20, 2005.

Yes - 7. No - 0. Absent - 0. Motion Carried.

Carlisle Crossings (DeKleine Builders) - rezoning request for property located at 1162 - 76th St. SW and 1280 - 76th St. SW from D-1 to MFR PUD Multi Family Residential Planned Unit Development. (tabled at the special May 2, 2005 meeting)

A motion was made by Schuitema supported by Gritter to remove the rezoning request for Carlisle Crossings from the table for discussion.

Yes - 7. No - 0. Absent - 0. Motion Carried.

Chairman Gould reminded the public that the public hearing was held last month.

Don DeGroot from Exxel was present and stated some changes have been made to the plan but he did not expect the commission members to formally act on this tonight. Items explained by Don were the public street, bike path and parallel parking spaces along the boulevard. Don also stated that he did meet with Roger Subine from the Kent County Parks Department to discuss the best route for the bike path.

Items discussed by the commission members were the change to the bike path, the parallel parking spaces, and possible emergency exit.

Elenbaas stated relocating the bike path away from residential property is a good idea. She did voice her concern about only one drive going into and out of the development. Another issue was brought up that with the parallel parking on that first block when you enter the development it will look cluttered and tight.

Jay DeKleine responded by saying he did it this way to avoid seeing backyard grills etc. He wanted to establish the old town look, when you enter the development.

Jay DeKleine was asked if this project would be done in phases. He stated that it would be done in phases with the center of the project to be done first. The boulevard would be constructed as well.

After further discussion a motion was made by Schuitema supported by Elenbaas to table this request until the next regular meeting to be held on June 20, 2005.
Yes - 7. No - 0. Absent - 0. Motion carried.

Public Hearing - Hodge Investments – special use request for the proposed use of a “park and sell” lot for the property located at 637 - 76th St. and 641 - 76th St. SW

Chairman Gould declared the public hearing open for Hodge Investments. 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 site.

Eric Hodge owner of Hodge Investments was present to explain his request.

Mr. Nix reviewed his memorandum dated May 5, 2005 of which a copy is attached and made part of these minutes. Mr. Nix stated that an application has been received to establish a “park and sell” lot at 637 - 76th St. & 641 - 76th St. SW. This property is zoned D-1 Industrial and currently several uses exist on the property. The applicant has currently demolished an office building and a rental home and desires to create a paved area for the parking needs of existing businesses as needed and to rent parking spaces for the park and sell activity. Existing uses in the area include Budres Lumber (wholesale and milling), the Toy Box (fiberglass repair), M4 Motors (vehicle repair), a security system office in an old house, and large industrial warehouses. Mr. Hodge

wants to sell vehicles in conjunction with M4 Motors. The State of Michigan requires a physical office with regular hours to qualify as a sales operation. It has come to our attention that the State is cracking down on facilities acting as a used car lot not in compliance with regulations. As submitted, there is not an office or sales office associated with the proposed facility thus it is not complaint with state regulations.

Eric commented that he does have an office located at 639 - 76th St. SW.

Chairman Gould opened the hearing to the public.

Johnathan Mast - owner of M4 Motors stated that he is a licensed dealer and his business primarily does auto repair. His intentions are not to utilize the services that Eric Hodge is proposing to do.

No further public comments were made.

Schuitema stated that just by taking the buildings down has been a big improvement to that area.

It was brought to the attention of the commission members that he is allowed to sell semi trucks and big equipment at that location.

Gould stated he has mixed feelings on this request. When you come down 76th St. would you rather see a dozen autos for sale or a bunch of big equipment for sale? If we do approve this special use request where do we stop?

Slot agreed with Gould saying it is Industrial and next to railroad tracks, maybe we can limit the number of cars allowed on the lot at a time.

A comment was made that by limiting the number of cars we are creating our own special problem. The building inspector has plenty to do already.

After some additional discussion a motion was made by Zeinstra supported by Slot to deny this special use request.

Yes - 5. No - 2. (Stone & Schuitema). Absent - 0. Motion Carried. Request denied.

Miscellaneous

- Proposed Zoning Ordinance Amendments for Condominiums & Private Streets
Mr. Nix stated that a special meeting is set for Monday, May 23, 2005 at 5:00pm to review the two proposed ordinance. It was suggested that we set a public hearing for the June meeting.

A motion was made by Stone supported by Elenbaas to set a public hearing for the next regular meeting to be held on June 20, 2005.

Yes - 7. No - 0. Absent - 0. Motion carried.

□ Report on ordinance change in regards to reader board signage.

Mr. Nix stated that he was asked to do some research on other townships to see what they allow for reader board signs. Mr. Nix handed out his report as to how other Township define and regulate this type of signage. He asked the commission members to read the report and we will discuss it at a later meeting. Zeinstra suggested that Mr. Nix draft something that he is recommending for the commission members to look at study and digest. It was also suggested that Mr. Nix look at all the variances that have been requested, granted or denied in past having to do with this type of signage.

□ G.D. Auto Sales

Mr. Nix stated George Peterson whose site plan has expired for G.D. Auto Sales is present tonight requesting to extend his site plan.

After some discussion a motion was made by Zeinstra supported by Slot to extend his site plan for one year.

Yes - 7. No - 0. Absent - 0. Motion Carried.

□ Goose Creek Sanitary Sewer

Mr. Nix stated that he has received a letter from the Township Engineer regarding the Goose Creek Sanitary Sewer stating that they were waiting for a significant rainfall to know the peak flow in the sanitary sewer. This has not occurred. A short term solution for relief of the Goose Creek sanitary sewer has been determined to be the construction of a sanitary sewer pump station. As we know Maclind Development are in process of rezoning the property located on the east side of Burlingame Ave. known to us as (Byron Hill Golf Course). At the January 17, 2005 Planning Commission meeting this request was tabled until July 2005 in order for the sewer study to be completed. They have requested to have this request put on the June 20th meeting since a short term solution is being worked on.

It was commented that the public hearing was held at the January meeting but the public will be notified of this meeting for informational purposes only.

After some discussion a motion was made by Slot supported by Gritter to address this request at the June 20, 2005 meeting.

Yes - 7. No - 0. Absent - 0. Motion Carried.

□ A comment was made that some research should be made to the amount of green space in the D-1 Industrial zoning.

□ The Court House

Mr. Nix stated no one has contacted him regarding the lighting situation.

□ M & K Truck

Mr. Nix stated that Ron Myering notified him stating they propose to take the top light fixture and tilt it down more hopefully to avoid the outward illumination. The planning commission will be notified when this has been done and can go out to the site to see if its approved.

Public Comments

** William Tuinstra – 7583 Sierrafield Dr. referred back the Carlisle Crossings project located on 76th St. He was concerned about the width of the trail and if the trail would remain open during construction.

** Jay DeKleine responded to his concerns stating the width of the trail would remain the same and it would remain open during construction.

** Mike Houseman from Houseman Construction stated that he spoke to Mr. Nix and sent information about the Car Wash at 76th & Clyde. They would like to paint the words “car wash” on three sides of the building and put up a menu board for the various options available. The north side of the car wash would not have any signage. A lot of people do not know that there is a car wash located there. After some discussion it was the consensus of the commission members that this is a minor change to the site plan.

A motion was made by Schuitema supported by Slot to approve this minor change to the site plan.

Yes - 7. No - 0. Absent - 0. Motion Carried.

Adjournment

A motion was made by Stone supported by Gritter that the meeting be adjourned.
Yes - 7. No - 0. Absent - 0. Motion Carried

Bernie Schuitema
Planning Commission Secretary