

BYRON TOWNSHIP PLANNING COMMISSION

July 18, 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 July 18, 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 Attorney James R. Brown, 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 June 20, 2005 meeting be approved as written.

Yes - 7. No - 0. Motion Carried.

The building inspectors report was received and placed on file.

SITE PLANS

No site plans were submitted for consideration.

To Set Public Hearing – Archer Industrial - 695 Clyde Ct. a special use request for a vehicle repair facility.

An application for a special use request from Archer Industrial was reviewed.

A motion was made by Zeinstra supported by Gritter to set a public hearing for the next regular meeting to be held on August 15, 2005.

Yes - 7. No - 0. Motion Carried.

To Set Public Hearing – Latitude Engineering - Providence Lake for final PUD Site Development approval for the property located at 7330 Burlingame., 7410 Burlingame Ave. SW, and 1515 - 76th St. SW.

An application for final PUD Site Development approval from Latitude Engineering for the property located at 7330 Burlingame Ave. SW., 7410 Burlingame Ave. SW., and 1515 – 76th St. SW was reviewed.

A motion was made by Zeinstra supported by Slot to set a public hearing for the next regular meeting to be held on August 15, 2005.

Yes - 7. No - 0. Motion Carried.

To Set Public Hearing – Latitude Engineering - Providence Lake special use request to mine material and create a 13.7 acre lake for the property located at 7330 Burlingame Ave. SW., 7410 Burlingame Ave., SW and 1515 - 76th St. SW.

An application for special use request for property located at 7330 Burlingame Ave. SW., 7410 Burlingame Ave., SW and 1515 - 76th St. SW was reviewed.

A motion was made by Schuitema supported by Elenbaas to set a public hearing for the next regular meeting to be held on August 15, 2005.

Yes - 7. No - 0. Motion Carried.

To Set Public Hearing – Spartan Stores (Family Fare Quik Stop) rezoning request for the property located at 2285 - 84th St. SW from MFR Multi Family Residential to B-2 PUD General Business Planned Unit Development.

An application for the rezoning request for property located at 2285 - 84th St. SW was reviewed.

A motion was made by Schuitema supported by Zeinstra to set a public hearing for the next regular meeting to be held on August 15, 2005.

Yes - 7. No - 0. Motion Carried.

John Van Singel – rezoning request for property located at 2160 Pleasant Pond from R-R Rural Residential to R-U PUD Urban Residential Planned Unit Development. (tabled at the March 21, 2005 meeting)

A motion was made by Slot supported by Gritter to remove the rezoning request for John Van Singel from the table for discussion.

Yes - 7. No - 0. Motion Carried.

Chairman Seymour Gould stated that the public hearing has already been held for this request but the public will be given the opportunity to ask any questions.

Ron Van Singel was present and stated that some changes have been made to the plan since this request was tabled. He stated that a private park adjacent to 68th St. is now proposed both north and south of the proposed cul-de-sac and will also serve as a berm. With the addition of the private park has caused the reduction in the lots sizes for lots 1 and 4. The smaller lot sizes are still in compliance with the R-U standards.

Mr. Nix reviewed his memorandum dated July 7, 2005 of which a copy is attached and made part of these minutes.

No questions were asked by the public.

Items discussed by the commission members were sidewalks along 68th St., and adjustments of lot 1 to provide a 100 ft lot width or accept the proposed 98.34' of lot width.

After some additional discussion a motion was made by Slot supported by Stone to recommend the Township Board approve this request with the stipulation that the developer will be responsible for the construction of the sidewalk along 68th St., adjacent to the new street and lot 1 will have a lot width of 98.34'.

Yes - 7. No - 0. Motion Carried.

Public Hearing - Trinity Design (Saint Mary's Health Care) - for the final PUD Site Development approval for the property located at 2369 - 64th St. SW.

Chairman Gould declared the public hearing open for Saint Mary's Health Care. 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' of the proposed site.

Roberta Jelinek representing Saint Mary's Health Care made a few comments on the modular office building they will be using, the energy & environmental design of the building, the potential wind generator located in the northeast corner of the parcel, and the hours of operation.

Bob Miller, architect with Trinity Design said the campus is being designed to meet energy conservation standards. The wind generator for additional energy is under consideration at this time, we are still investigating this idea. It will never support all the utility needs of this building, but it can be used as a potential source. The landscape plan includes water efficient landscaping that limits the amount of irrigation to only the areas adjacent to the building entrances and uses only captured rain water for site irrigation. He also commented on the storm water management, and the fitness trail

that is proposed.

Mr. Nix reviewed his memorandum dated July 7, 2005 of which a copy is attached and made part of these minutes. Mr. Nix suggested that the Planning Commission approve the Final Site Development Plan subject to the following condition.

1. Pedestrian walkways shall be constructed along 64th St. at a time when desired by the Township and the applicant shall establish a financial guarantee for the value of constructing the sidewalk.
2. The applicant shall erect a small sign informing motorists entering the site that pedestrians may be present.
3. Any future development will be subject to Township ordinances and approval.
4. Signage will need to be reviewed and approved by staff prior to construction.

Chairman Gould opened the hearing to the public.

No public comments were made.

Items of concern discussed by the commission members were sidewalks, the temporary medical office building, landscaping and type of material to be used, signage, potential wind generator, lighting standards, exercise trail, parking spaces and the time line for completion of the project.

After some additional discussion a motion was made by Schuitema supported by Gritter to approve the final PUD Site Development plan for Saint Mary's Health Center and the modified resolution eliminating item (q). Also an 8' asphalt bike path to be constructed along 64th St. as well as Byron Center Ave. and signage be per Byron Township Zoning Ordinance.

Yes - 7. No - 0. Motion Carried.

Public Hearing – Everkept - 6192 Clyde Park Ave. SW requesting to include the following properties in the original rezoning request: 6158 Clyde Park Ave. SW, 6204 Clyde Park Ave. SW, and 6240 Clyde Park Ave. SW., from R-S Suburban Residential to D-1 Industrial.

Chairman Gould declared the public hearing open for Everkept. 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' of the proposed site.

Jason Stoub owner of Everkept along with Robert Winters real estate agent were present to explain their request.

Mr. Nix reviewed his memorandum dated July 7, 2005 of which a copy is attached and made part of these minutes.

Chairman Gould opened the hearing to the public.

Brian Sikkema – owner of property located at 6110 Clyde Park Ave. SW and 6089 Clyde Park Ave. voiced his concern in stating he felt this particular area is geared more for business and not industrial.

Casey Niewkoop – 6590 Clyde Park Ave. SW was concerned as to what type of business/building will be going on the property. He’s lived in the area for 45 years.

No further public comments were made.

Chairman Gould declared the public hearing closed.

Jason Stoub was asked to respond to the question from Mr. Niewkoop as to what type of building will be on the property.

Jason commented it will probably be 2 self storage buildings but not certain at this point.

Jason was also asked if he intended to store his garbage trucks on the site. He stated that it was possible but again not certain.

One of the commission members asked if this should be a PUD.

If the applicant wished to do the PUD it would require him to begin over again.

At this time Township Attorney Jim Brown explained the possibility of doing contract zoning on this property. It would involve a contract which states what would be allowed on this property. If we did the D-1 conditional zoning and limit the uses of the property this could be tabled until the August meeting.

Chairman Gould asked the applicant if this would be his request to table until the August 15, 2005 meeting.

The applicant responded by saying yes.

A motion was made by Zeinstra supported by Gritter to table this request until the next regular meeting to be held on August 15, 2005 per the applicants request.

Yes - 7. No - 0. Motion Carried.

Public Hearing – Proposed Zoning Ordinance Amendment for Condominiums & Private Streets & Driveways

Chairman Gould declared the public meeting open for the Proposed Zoning Ordinance Amendment for Condominiums & Private Streets. Bernie Schuitema read the public notice and affirmed that the notice was published twice in the South Advance.

Township Attorney Jim Brown reviewed the changes made to the Ordinance Amendment.

Chairman Gould opened the hearing to the public.

Sue Kaechele – 2030 - 76th St. SW stated that given the existing zoning how did your ordinance allow for Station’s Edge development?

Jay DeKleine – 8375 Ridgestone asked if private streets were only allowed for multi family developments.

Brian Sikkema – owner of property on Clyde Park stated that if a private drive is done right it can be very pleasing.

Cal Beckvoort – representative from Latitude Engineering made comments about single site/traditional sites allowing private roads.

No further public comments were made.

Chairman Gould declared the public hearing closed.

It was stated the purpose to adopt this ordinance is to provide the Township with the mechanism to approve and set standards for Condominiums and Private Streets.

After some additional discussion a motion was made by Gritter supported by Slot to recommend approval to the Township Board to adopt the Zoning Ordinance Amendment for Condominiums.

Yes - 7. No - 0. Motion Carried.

Private Streets/Driveways

Township Attorney Brown commented on the Private Street/Driveway Zoning Ordinance Amendment. At this time the Township does not have any provisions for private streets. Multi family condos will be provided with private streets if requested. The single site condos will have public streets. This gives the Township guidelines for design and construction.

Chairman Gould open the hearing to the public.

Sue Kaechele – 2030 - 76th St. SW voiced her concern about private streets and PUD's.

Cal Beckvoort – from Latitude Engineering also questioned why Station's Edge is different.

Travis Underhill – from Latitude Engineering commented the ordinance like the one proposed here helps everyone in the Township.

No further public comments were made.

Chairman Gould declared the public hearing closed.

Chairman Gould commented he has a concern regarding the proposed zoning ordinance in reference to driveways in Section 2. Driveways 4.10b (3). Exemption. It state the regulations of subsection (2) shall not apply to driveways which are 75' or less in length, as measured from edge of pavement to the closest portion of the house or attached garage. Most driveways exceed 75'. This should be changed.

After some discussion it was decided the proposed zoning ordinance should state 175' or less in length.

A motion was made by Slot supported by Gritter to recommend approval to the Township Board to adopt the proposed Zoning Ordinance Amendment for Private Streets with the change to Section 2. Driveway 4.10b (3) Exemption, from 75' to 175'.

Yes - 7. No - 0. Motion Carried.

Miscellaneous

- **Bart Arrigo** from Pace Trailer was present to present an alternative landscape plan. He stated the landscaping that is required for his property would be a major overkill. After much discussion Mr. Nix encouraged the commission members to visit the site and this will be discussed next month at the August 15, 2005 meeting.
- **Jay DeKleine** from Ridgestone Condominiums commented they only had a few buyers for the garages they built. The condo members would like a community building. This would require taking one proposed storage building out of the PUD and create a community center. The planning commission members asked that he come back with more definite plans. Mr. DeKleine stated he would submit a site plan and landscaping plan for approval.

- **Bike Paths** – at this time the Township has nothing in its general ordinance pertaining to bike paths. Chairman Gould asked the Township Planner Larry Nix to research bike paths and this will be discussed further at the August 15, 2005 meeting.
- **Mr. Nix** handed out information concerning green space in the D-1 Zoning. He instructed the commission members to read the information and this will be discussed at the August 15, 2005 meeting.
- **Reader Boards & dog house sizes** will also be discussed at the August 15, meeting.

Public Comments

** Brian Sikkema – again stated his concerned about the rezoning on Clyde Park Ave. SW.

** Sue Kaechele – 2030 - 76th St. SW asked if it is the State law that all townships allow private roads. Attorney Jim Brown responded by saying no it is not a state law.

Adjournment

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

Bernie Schuitema
Planning Commission Secretary