

BYRON TOWNSHIP PLANNING COMMISSION

January 16, 2006
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 Monday, January 16, 2006, 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, John Stone and Tim Slot. Also present were Township Attorney James Brown, Township Planner Larry Nix, Township Building Inspector Randy Zomerlei, and Recording Secretary LaVonne Kuiper.

Prayer was offered by Jeff Gritter.

APPROVAL OF MINUTES

A motion was made by Schuitema supported by Stone that the minutes of the December 19, 2005 meeting be approved as written.

Yes - 7. No - 0. Motion Carried.

The building inspectors report was received and placed on file. Randy made a brief comparison report for permits that were issued in 2004 and 2005.

SITE PLANS

06:01: A & D Mini Storage

Township Planner Larry Nix commented this site plan is not ready to be presented at this time also the Township Engineer is waiting for additional information.

Hopefully it will be ready to be presented at the February 20, 2006 meeting. No action is needed to be taken at this time.

To Set Public Hearing - Spartan Stores Fuel DBA: Family Fare Quick Stop rezoning request for 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 Spartan Stores was reviewed.

A motion was made by Zeinstra supported by Schuitema to set a public hearing for the next regular meeting to be held on February 20, 2006.

Yes - 7. No - 0. Motion Carried.

Public Hearing – Carlisle Crossings - request for the Final PUD Site Plan approval for property located at 1162 - 76th St. SW and 1280 - 76th St., SW

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

Mike Baker from Exxel Engineering was present on behalf of Mr. DeKleine. He stated the Township Board approved the rezoning of this property in September of 2005. At this time they are only asking for approval for the Final PUD Site Plan. The driveway's to the project have been adjusted per the Kent County Road Commission. The Kent County Parks Department desires to keep the bike path where it is located. There will be walking trails throughout the condo development.

Mr. Nix reviewed his memorandum dated January 5, 2006 of which a copy is attached and made part of these minutes. He commented the site is located along the south side of 76th St., on a parcel totaling 66.97 acres and was recently re-zoned from D-1 Industrial to MFR PUD Multi Family Residential Planned Unit Development. The Planning Commission approved the preliminary site development plan on June 20, 2005 on the condition that the applicant coordinate with the Kent County Park Department on potentially relocating the trail. As explained by Mike Baker, the Kent County Parks Department has requested that the existing trail remain in its current location with one exception. The applicant should seek to relocate the trail near the southeast corner of the Winchester Cemetery. The Township Superior has acknowledged the need to allow the trail to encroach into the cemetery. This arrangement will provide a softer curve in the trail. Sidewalks will be placed parallel to 76th Street. The revisions to the site plan should be considered minor changes, per Section 15.14 and it is recommended that the Planning Commission approve them. There are several items missing that have not been provided as required by the Zoning Ordinance, the Private Streets application requirements and the required Condominium application. Since the applicant has not submitted the additional information it may be advisable to table this request for Final Site Development Plan until the coordination of the Private Road and Condominium segments of the Zoning Ordinance can be achieved.

Chairman Gould opened the hearing to the public.

No public comments were made.

Chairman Gould closed the public portion of the meeting.

It was noted by the Township Attorney and acknowledged by commission members that the entire approval package should be presented for approval. Legally it has to be presented all at once, not in several steps.

After much discussion a motion was made by Schuitema supported by Zeinstra to table this final PUD Site Plan approval request until all necessary applications are submitted. Yes - 7. No - 0. Motion Carried.

Zoning Ordinances

- Changeable copy signs
- Landscape buffer in D-1 zoning & off street parking
- Accessory building provisions

Chairman Gould stated that Mr. Nix along with Township Attorney Brown, and Building Inspector Randy Zomerlei have been working on these proposed Ordinance changes. These reports are not ready at this time. Hopefully this report will be ready for the February meeting at which time a public hearing could be set for the March meeting. No action is needed at this time.

Amend special use for Insurance Auto Auction

H. James Telman was present to state that he has been retained by Insurance Auto Auctions, Inc. requesting that the Township modify one of the conditions of the special use permit. The property located on the northeast corner of 100th St. and Clyde Park. The condition his client is requesting to modify would permit the general public to attend the auctions. He commented he has had discussions with Larry Nix and he is in agreement that the appropriate procedure would be to come before the Planning Commission and ask for a modification of the condition that was previously imposed when the special use permit was granted. There is no plan by Insurance Auto Auctions, Inc. to modify the site in any manner, nor to conduct the auctions in any different manner which they are doing at the present time. The only difference is that members of the public would be allowed to attend the sales and make bids on the cars that are sold. Since only a mutual agreement between the Planning Commission and the property owner are needed, a public hearing is not necessary nor is it required by either the ordinance or state statute.

Township Attorney Jim Brown stated if the Planning Commission feels it is necessary to have a public hearing for the sake of the area residents it is okay.

After much discussion a motion was made by Slot supported by Zeinstra to set a public hearing for the next regular meeting to be held on February 20, 2006.

Yes - 7. No - 0. Motion Carried.

Miscellaneous

- Election of Officers

A motion was made by Stone supported by Elenbaas to renew the officers for a one year term. Yes - 7. No - 0. Motion Carried.

- Chairman -----Seymour Gould
- Vice Chairman----Dutch Zeinstra
- Secretary-----Bernie Schuitema

- Home Occupations

Information was handed out to the commission members for review. No action is needed at this time.

- Master Plan Committee meeting

Mr. Nix reminded the commission members of the upcoming Master Plan Committee which is scheduled for February 1, 2006 at 7:00pm.

Public Comments

No public comments were made.

Adjournment

A motion was made by Stone supported by Schuitema that the meeting be adjourned.

Yes - 7. No - 0. Motion Carried

Bernie Schuitema
Planning Commission Secretary