

BYRON TOWNSHIP PLANNING COMMISSION

February 13, 2008

Special Work Session

MINUTES

CALL TO ORDER & ATTENDANCE

Vice Chairman Seymour Gould called a special work session of the Byron Township Planning Commission to order at 5:00 p.m., on Wednesday, February 13, 2008, at the Byron Township Offices, 8085 Byron Center Avenue SW, Byron Center, Michigan 49315.

Commission members present were: Seymour Gould, Jeff Gritter, John Stone, James Faber and Mike Marshall. Absent were: Dutch Zeinstra and Tim Slot. Also present were Township Attorney James Brown, Township Planner Larry Nix and Brian Wegener, Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

Vice Chairman Gould explained that this work session is not a public hearing and the purpose is to work on the language for the proposed Mixed Use Planned Unit Development zoning district.

Township Attorney Jim Brown began to explain the description of the district. The Mixed Use Planned Unit Development District is intended to accommodate commercial, office and or residential uses, in any combination on a planned development basis. The district is intended generally for the regulation of land development and preservation in those areas of the Township suggested for a mix of commercial, office and residential uses as shown on the future land use map of the Township Master Plan. While it is expected that a mix of the available uses would occur on the same parcel of land or on adjacent parcels, it is also understood that the mix of available uses might also occur at locations divided by streets or other intervening features whereby, just for an example a single MU-PUD district, a commercial use might be approved on one parcel, with residential uses being approved on a nearby parcel, if the resulting development would nevertheless accomplish a combination of uses, given the size of the parcel involved. The way the ordinance reads now is that it could all be used for commercial.

The Planning Commission members then discussed possible options concerning the size of the property involved to be rezoned. Shall we have an area of at least 20 acres or would a smaller area comply with the intent and purpose of the MU-PUD? How flexible do we want to be?

Seymour Gould commented if we get too flexible we always have problems. We have to be very careful determining the size of the property with the percentages of what will be allowed on each.

James Faber asked what other municipalities are doing and what percentages they are using.

Attorney Brown stated some have 80% commercial to 20% residential. Some have no percentages at all, some are 50% - 50% and some have 75% - 25%.

Some asked do we want percentages on the Mixed Use PUD district.

A comment was made that maybe we should leave it a little open since we do want the Township to grow and if we put too much restrictions on it will chase people away.

Jeff Gritter commented that he is not mandating a certain percentage on the acres or the use. We want a mixed use but we have to keep it balanced.

Township Planner Larry Nix commented that our focus has to be for the future. It is for our children and grandchildren. What will it look like, what do we want to see and to leave to the community?

John Stone also stated that we have to keep in mind the impact certain developments will have on the downtown area.

Seymour Gould commented do we require a percentage or not? This is so important! Maybe 10 acres or less have a mix of two uses, and 10 acres plus have three mix uses. If the proposed mix is not good the Planning Commission could reject it.

It was decided to change the draft to reflect an on acre basis. The idea of mixing uses is a challenge.

Brian Wegener suggested the intent statements be strengthened on the matter of architectural design.

The Planning Commission would like it to state exactly what will or will not be allowed. We can avoid ZBA interpretations if the ordinance is clear.

The permitted uses were briefly discussed. The draft was written to allow the permitted uses in the O-S, B-1, B-2 and B-3 districts. Larry Nix wanted the Planning Commission to keep in mind that a truck stop is permitted in the B-3 zoning district.

Additional discussion regarding sidewalk displays, private streets, percentages for land covering by buildings, perimeter buffer area, site amenities which are encouraged but not required, street lighting with consistency throughout a development, also the

procedures for consideration and approval of a MU-PUD submission to the Township.

Another concern the Planning Commission had was they would like to have proof of ownership by a developer when a plan is brought in for approval.

Attorney Jim Brown will work on these changes and have a draft copy ready to be reviewed and discussed at the regular Planning Commission meeting on February 18, 2008.

The meeting adjourned at 6:40 p.m.

Jeff Gritter
Byron Township
Planning Commission Secretary