

# BYRON TOWNSHIP PLANNING COMMISSION

## Special Workshop

March 30, 2009

### MINUTES

#### CALL TO ORDER

Chairman Jeff Gritter called the special workshop meeting of the Byron Township Planning Commission to order at 6:00 p.m., on Monday, March 30, 2009, at the Byron Township Offices, 8085 Byron Center Avenue SW, Byron Center, Michigan 49315.

Commission members present were: Jeff Gritter, Tim Slot, Steve Kilgore, Timothy Newhouse, John Stone, James Faber and Mike Marshall. Also present was Township Attorney Mark Van Allsburg, Township Planner Larry Nix, Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

#### THE MERESTONE GROUP – Valley Vista Center – Final Mixed Use Development/Rezoning request for property located at 6420 Byron Center Ave., & 6650 Byron Center Ave. (southeast corner of 64<sup>th</sup> Street and Byron Center Avenue.

Chairman Jeff Gritter commented that this workshop gives the Planning Commission members an opportunity to discuss among themselves various concerns or ideas concerning this proposed project.

Larry Nix then gave a short overview of this project. At the March 16, 2009 the applicant presented his MU-PUD plan adjustments based on our March 5, 2009 reports. Township residents provided substantial comment on the proposal. The purpose of this workshop is to process and respond to these plan adjustments and the public input received. The Planning Commission should now provide their thoughts and comments to the applicant regarding the following “big picture” items.

Mr. Tom Burgess was present and commented that he had a response to the Planner’s memorandum and would like to hand it out to the commission members.

Chairman Gritter asked Mr. Burgess if he could wait until the commission members had a chance to focus on the planner’s comments and then he would have the opportunity to pass out his response.

Township Planner Larry Nix commented that the first item is the residential density and multi-family structures. At the December 2, 2008 optional advisory public hearing and the March 16, 2009 public hearing both revealed a strong concern among an overwhelming majority of property owners adjacent to the subject site. The issue is the increase in residential density from 24 single family homes, which was approved as part of Phase 5 of Van Singel Farms, to 32 multi-family units arranged in 8 buildings, plus the 22 multi-family units in the mixed use buildings. Multi-family homes verses single-family homes is a big change and many people have strong opinions regarding this.

James Faber reminded everyone that there is going to be change and we have to do what is right for the Township. He hopes everyone understands this.

A concern was voiced about the condo units if they could ever be used for rental units. It was the consensus of the Planning Commission members that the condo units must be owner occupied with no rental. These buildings do meet the Township Ordinance rules.

Tim Slot stated that if we want stability condos is what it is all about. Residential homes have a high rate of turn over. If this project is turned down could the applicant come back with a cluster housing project? We don't need or want that.

James Faber commented if that's the case then this project would look much better. This would be a substantial benefit for the Township.

Chairman Gritter stated that we all knew that this corner would have something with high intensity. He feels this is a great transition.

Steve Kilgore stated that the Master Plan does show single family homes but if you put single family homes up against commercial – that would be a tough sale.

Tim Newhouse was wondering about the road that is proposed on the south side of the condos. Has anyone considered moving it to the north side of the building?

Mr. Nix stated that was discussed but the road would be to steep.

John Stone recalled the fear that people had regarding the condition of the lake. The way this road is being proposed would capture all the water and would eliminate the water issues that people have been having in their backyard. He feels it is a good idea.

Larry Nix thought gutters on the buildings would be a good idea.

It was commented that if we recommend this to the Board for approval we have to make sure it's all in place.

Chairman Gritter commented that he felt this density is a good transition. He then asked each Planning Commission members their thoughts.

Tim Slot commented that he likes this plan and he is trusting in the statement that he heard that the new road will help with water issues. He's all for it.

Jim Faber agreed with Tim and commented that this is a well designed project.

Steve Kilgore likes the transition from condos to single family homes and he likes all the green space with a park like view.

Mike Marshall feels it is a good transition.

John Stone agrees and commented it is a good transition.

Tim Newhouse agrees that this is a nice transition and it is the best use for the land.

Chairman Gritter is comfortable with this transition but we have to keep in mind that we should find out what the phasing plans will be.

Tom Burgess was then given the opportunity to address some of the comments that the Planning Commission members had regarding the density only. The question about moving the road, they tried that and it was not feasible. The phasing question – they would probably start with the condos and go from the west to the east and from there do the four pod buildings. He also pointed out that they have reduced the density from 40 down to 32. He assured the commission members that the condos would be owner occupied.

The second “big picture” item is building height. The Township Zoning Board of Appeals took care of this issue with an interpretation on March 25, 2009. A copy of the minutes from the March 25, 2009 Zoning Board of Appeals meeting will be attached and made part of these minutes.

The third “big picture” item is the required parking spaces.

Larry Nix commented that the applicant is requesting a deviation from the parking standards and states that 1,170 parking spaces are required but only 878 parking spaces are being proposed. Maybe the response that has been submitted tonight will show something different.

Chairman Gritter then asked Tom Burgess to distribute his response to the March 26, 2009 Planner's review comments.

Tim Newhouse stated that medical requires more parking spaces. He had experience with this in a project he intended to do. He wanted medical in the building but due to the size of the lot he was unable to come up with enough parking spaces. This project looks like a good project but there is nothing more frustrating than trying to find a parking space. If they can't find a space then people begin to park just everywhere. We

could even see cars parked along 64<sup>th</sup> Street.

John Stone commented that we have allowed reduction of spaces in the past but they had room to add more if they needed it. This project has no reserve space.

Someone commented that part of the problem would probably go away when offices/retail areas are closed at 5:00, but can we say that this amount of spaces will be adequate?

Larry commented that yes we can say that K-Mart has way too much parking, but keep in mind this is not a big box project. You really can't compare the two.

James Faber stated that one good restaurant pulls in another and they need enough parking spaces. More than likely we will get some medical located in this project and that requires a lot of parking and this is not even close. Can we stipulate the percentage of medical that would go in?

Tim Slot said we should not restrict or put stipulations on what can and can't go in there.

John Stone agreed with Tim Newhouse. Maybe there are too many buildings.

Steve Kilgore commented that he hates to see all blacktop in a nice project like this.

Chairman Gritter stated that Pod I is a very large building.

John Stone stated this parking issue is going to depend on what type of business' move in.

The applicant has to address the parking issue. This is very important.

Chairman Gritter then asked the commission members if they had any issues with the setbacks between the Mixed Use buildings and condominiums and the front yard setbacks.

Each stated they had no problem with the setbacks.

Another issue discussed was the signage.

They are requesting to have two signs for 64<sup>th</sup> Street to identify the two entrances. The main sign located at the entrance opposite to Saint Mary's is a full color LED sign as indicated on Detail C on drawing A4.9. They are requesting for a departure for a second sign located at the East Entrance on 64<sup>th</sup> Street that will only be a small address sign as also shown in detail D on drawing A4.9 of which everyone has a copy.

Tim Slot stated he gets frustrated if he can't find a place because of no signs. They are used to identify.

James Faber, Steve Kilgore, Mike Marshall, John Stone, Tim Newhouse and Jeff Gritter have no problem with the signage that is being proposed.

Landscaping also has to be discussed. Mr. Nix commented that he has not seen a landscaping plan. This was one of the issues that the neighbors were concerned about and it is a critical issue.

Tom Burgess stated that a copy of the landscape plan was submitted with the latest information.

It was commented that no one received a copy of that landscape plan and that a copy has to be submitted.

Tom Burgess made some comments on the parking spaces. The parking spaces are 10' wide now, and if we make them 9' that would add additional parking spaces. They were told not to go below 75% and by changing the size of the spaces they would be at 88%. They really prefer the larger parking spaces but if they have to change that they will. Also they do not intend to eliminate any buildings.

Chairman Gritter asked Tom about their phasing plan.

Tom stated that Phase I would be the four pod buildings and Phase A is the condos. These may not go at the same time. They would be separate time tables.

John Stone said he would like to see the road completed and the landscaping completed along the south property line.

Chairman Gritter then gave the public time to make a few comments.

**Nancy Hochstetler** - 2299 Van Singel Lake Dr SW stated that the buffer is still very important to her. She is not crazy about the 32 units but she knows it is going to happen.

**Mark Kooistra** - 2045 Pleasant Pond commented that he has lived here for 17 years. The plan looks realistic and he likes what was presented.

**Brian Smits** - 6756 Pleasant Hill stated he bought his home from the developer with a promise of single family homes. What a switch. Since this is the first time he has seen this plan he is concerned that lighting has not been talked about.

**Rick Hesselink** - 2096 - 64<sup>th</sup> Street commented it is all about trust. A promise was made for the property to stay residential. He is not convinced that this is a good plan.

**Veronica Sorensen** - 2287 Van Singel Lake stated that she has a 5 year old and a 10 year old and she relocated to Byron Center because of the family community. There are

15 lots on the lake that are vacant. She feels these will probably not sell. She is concerned about the buffer. Her kids like to play in the back yard and she want them to be safe.

No further public comments were made.

Chairman Gritter stated in summary the applicant must submit a plan for the parking spaces and the proposed phasing of construction, grading and landscaping.

A motion was made by Stone supported by Faber to adjourn the meeting.

Yes -7. No - 0.

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Timothy R. Newhouse, Secretary  
Byron Township Planning Commission