

BYRON TOWNSHIP PLANNING COMMISSION

July 20, 2009

MINUTES

CALL TO ORDER, ATTENDANCE & PRAYER

Chairman Jeff Gritter called a regular meeting of the Byron Township Planning Commission to order at 7:00 p.m., on Monday, July 20, 2009, at the Byron Township Offices, 8085 Byron Center Avenue SW, Byron Center, Michigan 49315.

Commission members present were: Jeff Gritter, Tim Slot, James Faber, Steve Kilgore, John Stone and Timothy Newhouse. Absent: Mike Marshall . Also present was Township Planner Brian Wegener, Byron Township Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

Prayer was offered by Steve Kilgore.

APPROVAL OF MINUTES

A motion was made by Slot supported by Faber to approve the June 15, 2009 minutes as presented. Motion carried.

Yes - 6. No - 0. Absent - 1 (Mike Marshall).

PUBLIC COMMENTS

No public comments were made.

BUILDING INSPECTOR REPORT

The Building Inspector's report for June was provided to the Commissioners and will be placed on file.

SITE PLANS

Township Planner Brian Wegener reviewed his memorandum dated July 8, 2009 for **Site Plan 09-02: Dykhouse Construction** which is located at 2500 - 84th Street. A copy of that memorandum is attached and made part of these minutes. He stated that Mr. Don

DeGroot of Exxel Engineering has submitted a site plan on behalf of Mr. Ron Quakkelar of Dykhouse Construction seeking to expand an existing parking area in front of an existing building, with the addition of 10 new parking spaces. The subject site is located along the south side of 84th Street between Freeland Avenue and Harlow Avenue and includes the mixed-use building which recently was constructed on the historic “Happiness Is” parcel. The property is zoned B-2 Central Business.

The applicant is seeking to expand the parking area because of an apparent lack of parking on the site. The Zoning Board of Appeals granted the applicant a variance on May 8, 2008 to construct 22 parking spaces (the ordinance required 31 spaces). The existing 22 parking spaces are located both in front of the existing building and to the rear. Later in 2008 the Zoning Board of Appeals granted the applicant a variance to allow residential units on the second floor of the building which to our knowledge has not occurred. The 10 proposed parking spaces with this site plan would bring the parking situation on the site into compliance with the minimum provisions of the ordinance.

The applicant proposes to add another row of parking spaces adjacent to the right-of-way. Space limitation on the site will cause several dimensional deficiencies. The applicant has submitted a variance application to the Zoning Board of Appeals in connection with the dimensional requirements of Section 16.2., which requires that parking area width maneuvering lanes be at least 26 feet in width, but a 22 foot wide lane is proposed. Also the ordinance requires 20 foot long parking spaces, but two rows of 17.5 foot parking spaces are proposed. The proposed row of parking would be 17.5 feet in length and the existing row would be reduced from 20 feet of length to 17.5 feet.

Another variance request was submitted by the applicant in connection with Section 16.5 which requires that 10 feet of the front yard adjacent to the right-of-way be landscaped, as well as an area 10 feet in depth along the side lot lines within the front yard. The applicant is proposing to extend the pavement and bumper stops to the right-of-way line.

Within that right-of-way would be a 3 foot sloped green space adjacent to the bumper stops and an 8 foot paved area immediately next to the curb and street (the former parkway) to function as a sidewalk. The traditional sidewalk that exists would be eliminated and it is not clear from the submittal whether the existing sidewalk easement would be suppressed, or whether a new sidewalk easement would be granted. Brian stated that his conversation with the Kent County Road Commission regarding this application indicated that the former plans to add on-street parking to 84th Street have been abandoned for this particular block. The applicant is proposing to pave the parkway which would not necessarily conflict with or add difficulty to the County’s streetscape plans for 84th Street. Also a committee of the Downtown Development Authority reviewed the site plan and has expressed support for the proposal since it will result in additional parking where it is needed.

Brian stated that there are two items to note:

1. The parking area is not configured to allow a motorist to back out of the proposed parking space in the northeast corner. A motorist backing out of the space may have a difficult time if a vehicle is parked in the handicapped space across the maneuvering

lane. The 9 foot wide striped area east of the handicapped space reserved for wheelchair access can be used while a motorist is in reverse, but it is not an ideal arrangement.

2. It is uncertain how the sloped 3 foot wide green space between the parking area pavement and the sidewalk would be used. Trees planted in this area would be pleasing in appearance and offer attractiveness and would help to ensure that vehicles do not overhang into the right-of-way. A simple perennial garden would also contribute to the downtown streetscape. Section 4.44 (8) requires that where a front yard planting area is proposed in the B-1 District only up to 50% can be used as lawn. So at least 50% of this green space must be planted garden or a tree planting area.

Brian commented that they are recommending that the site plan be approved subject to the following conditions:

1. Township Engineer concerns shall be addressed and requirements of the Township Engineer shall be met.
2. The variance noted above shall be received by the applicant. If the variances are not granted, this site plan approval becomes null and void, and the applicant has the option of reconfiguring the site and resubmitting a site plan.
3. A landscape plan shall be submitted illustrating compliance with Section 4.44 (8).

Chairman Gritter then asked if the commission members had any questions, ideas or comments.

Slot commented that the downtown area does need more parking spaces.

After some discussion a motion was made by Slot supported by Faber to approve this site plan with the conditions set forth by the planner and contingent on the Zoning Board of Appeals granting the needed variances.

Yes - 6. No - 0. Absent - 1 (Marshall)

JUST PROPERTIES LLC (RIC JOHNSTON) – to rezone property located at 7164 Clyde Park Avenue SW (a portion of) and 7160 Clyde Park Avenue SW from R-U Urban Residential to D-1, Industrial. (tabled at the January 21, 2008 meeting)

Chairman Jeff Gritter commented that this rezoning application can remain on the table.

Miscellaneous

► Brinks Wood Products

Brian Wegener stated that Brinks Wood Products wishes to add additional lighting on their site. They are proposing two light poles that would be 20 feet in height and two light poles which they would be located in the rear of the property and these would be a little taller at 25 feet. These light fixtures will be located 380 feet away from any

residential areas. It was the consensus of the Planning Commission to approve the additional lighting.

► **Buist Assistant Center**

Brian stated that Buist Assistant Center desire to put up a 32 sq foot ground mounted sign on the southwestern edge of the property. It will be located 2 foot of the road right-of-way and it meets all sign requirements. The Planning Commission agreed to allow the sign.

► **Township Board report**

Tim Slot stated that he notified the Township Board of the Planning Commissions desire to begin their meetings at 6:30 p.m. They had no problems with this, so it is up to the Planning Commission if they wish to change. Tim also felt that if there is nothing scheduled for a monthly meeting that we could meet every other month. It would save the Township some money.

Chairman Gritter responded and stated that we could determine that from month to month if it is necessary to meet or not. Also the change of the meeting time could be discussed at next months meeting.

► **Zoning Board of Appeals report**

Tim Newhouse commented that the Board of Appeals did not meet in May or June but the up coming July meeting has three public hearings scheduled.

► **Township Planner Larry Nix**

Chairman Gritter stated that Larry Nix was present and would like to make a couple comments to the Planning Commission members.

Larry commented that as everyone knows the Township Board is accepting proposals from various Planning firms to do the Planning and Zoning in the Township. Larry stated that he has been doing this for over 31 years and decided he would like to slow down a little in 2010 and give the younger staff more opportunities and experience. Brian has been attending a lot of the Planning Commission meetings and meeting and working with developers. If Brian needs any help regarding issues with the Township, he is more than willing to help him out. The Township Board will be making a decision in the near future as to which of the four firms (including Williams & Works) will take this position. Byron Township has been a fun place to work and the decisions that the Planning Commission has made over the years have been for the good of the community.

Adjournment

A motion was made by Slot supported by Faber to adjourn the meeting.
Yes -6. No - 0. Absent - 1. Motion Carried.

Timothy Newhouse, Secretary
Byron Township Planning Commission