

**MINUTES OF THE GAINES CHARTER TOWNSHIP PLANNING COMMISSION
FOR THE REGULAR MEETING HELD ON
June 24, 2010
AT THE GAINES CHARTER TOWNSHIP OFFICES
8555 KALAMAZOO AVENUE SE
CALEDONIA, MICHIGAN**

I. CALL TO ORDER AND ROLL CALL. The meeting was called to order at 7:03 pm by Chair DeWard.

MEMBERS PRESENT: Rob DeWard, Ted Essenburg, Connie Giarmo, Lani Thomas, Louis Waayenberg.

MEMBERS ABSENT: Tim Haagsma, Ronnie Rober.

OTHERS PRESENT: Brian Tingley, Township Planner, Jeff Gritter, Township Engineer, Megan Sharp, Assistant Planner.

II. CONSIDERATION OF MEETING AGENDA

MOTION: By **WAAYENBERG**, supported by **ESSENBERG**, to approve the agenda for the June 24, 2010 meeting as presented.

YES: DeWard, Essenberg, Giarmo, Thomas, Waayenberg.

NO: None.

ABSENT: Haagsma, Rober.

MOTION CARRIED.

III. CONSIDERATION OF MEETING MINUTES

MOTION: By **WAAYENBERG**, supported by **THOMAS**, to approve the minutes for the May 27, 2010, regular meeting as presented.

YES: DeWard, Essenberg, Giarmo, Thomas, Waayenberg.

NO: None.

ABSENT: Haagsma, Rober.

MOTION CARRIED.

IV. INQUIRY OF CONFLICT OF INTEREST: None.

V. ADVERTISED PUBLIC HEARINGS:

1. 7:05 PM – Special Land Use – Amendment – 7006 Kalamazoo Avenue SE – File No. 100408JK

DeWard introduced the item and found Robert Antonini, the property owner's real estate agent, and the prospective purchaser of the property, Chuck Nguyen, were present.

Robert Antonini of REMAX Grand Rapids, 2301 East Paris Ave., Grand Rapids, 49546 explained the special land use amendment request was required to install a display window for a home occupation. The only issue the current owner and prospective buyer had with staff's recommendations was requiring a sidewalk. Jeff Keast purchased it in 2004, for \$262,000, and received special use approval for his home occupation, Krome Construction. Keast then put \$225,000 in renovations into the property to preserve the character, bring it up to code and make it modern. Krome Construction has since dissolved due to the downturn in the economy.

Antonini noted that staff found all standards to be met with the exception of sidewalk. He reviewed local real estate sales and price ranges related to this property and noted the house had been listed for 846 days, and the listing price decreased multiple times from \$469,000 to \$279,000. Antonini felt the Township's approval of the Crystal Springs maintenance building just south of the house deterred buyers. He believed Jenny's Bridal would be a valuable business in a house that would otherwise sit vacant and become a nuisance. The sidewalk requirement was unknown to the applicant until just recently, and the applicant cannot install sidewalk due to current finances.

DeWard found the window was for bridal gowns, bridal items and tuxedos.

Giarmo found the window was planned for the recessed portion of the house under the front porch. It would be a flat picture window, and the front porch was in need of general renovation as well.

Thomas confirmed bridal items would be displayed similar to how they are currently displayed at Jenny's Bridal in the Clocktower Centre location.

DeWard believed the applicant's projected cost of \$20,000 for sidewalk installation was high, and it could be done for about half that.

Antonini responded the special use section of the ordinance did not specifically state sidewalks, and there are no sidewalks around it.

Tingley noted that the applicant's letter stated no sidewalks are on either side, but there is currently sidewalk on the property directly to the south along Kalamazoo Ave.

DeWard noted that sidewalk issues come up commonly with renovations, most recently for churches, private schools, and Crystal Springs. There have been situations where a condition has been made with a trigger that requires the sidewalk installation, such as time or specific building phases. Crystal Springs felt sidewalk was a hardship and no one would use them, but now residents use them all the time.

Tingley clarified that that sidewalks are not required by the Sidewalk Ordinance, but the recommended condition was based on the review standards of 19.8 regarding public services and facilities.

Waayenberg found the current store was run by the prospective buyer and one part time employee, and there was no intent for additional staff in the near future.

DeWard found the home occupation square footage was 29.9% of the structure, not the 18.7% as listed by the applicant.

DeWard opened the public hearing at 7:31 p.m.

Lou Ellis, of 1595 Penncross expressed concern for the window decreasing the value of surrounding houses, and asked if the Township could limit the contents displayed in the window. He was also concerned with parking and people pulling in and out of the driveways.

Tingley responded they were currently allowed 4 vehicles related to the business, including non-occupant employees and clients, as approved in 2004.

Antonini stated they typically have one or two clients in their current store at a time and he believed this request would be more attractive than the previous construction use and the construction equipment parking.

Sue Ellis, of 1595 Penncross found the intent of the window was just for bridal pieces and that it would not include some home furnishings, as their current store also provided home furnishing services.

DeWard closed the public hearing at 7:37 p.m.

DeWard reviewed staff's recommendations.

Giarmo recommended the Planning Commission consider a trigger that would require sidewalk installation in the future, since the cost of the sidewalk seemed more significant than the window.

Tingley responded that while they could condition it on the parcel to the north being improved, it may take many years for that to happen and would be difficult for staff to track.

MOTION: By **GIARMO**, supported by **THOMAS**, to approve the special land use request for a display window with the following conditions:

1. A *Building Permit Application* must be submitted to the Building Department prior to any interior remodel or the installation of the display window.
2. The Planning Director, or designee, must approve the final construction plans or documents related to any interior remodel and the installation of the display window, as well as the floor plan and size of the home occupation.
3. Only bridal and tuxedo related items may be displayed in the window.

YES: DeWard, Essenberg, Giarmo, Thomas, Waayenberg.

NO: None.

ABSENT: Haagsma, Rober.

MOTION CARRIED.

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS:

None.

VII. DEVELOPMENT REVIEW AND OTHER MATTERS:

1. Site Plan Review – 6739 Kalamazoo Avenue SE – Belle Tire – File No. 100528BD

Chair DeWard introduced the item and found the project architect, Chris Enright from Enright Architecture, the project engineer, Steve Witte from Nederveld Associates, and Belle Tire's Real Estate Manager Dave Chopp were present.

Enright explained that Belle Tire was an eighty-eight-year-old Michigan company with 80 stores in Michigan. Services included tire sales, installation, repair and other minor automotive repair. Scrap tires were stored in an enclosed, designated area of the building, and were removed for recycling to be used as fuel.

Enright added that they intended to apply for a PUD amendment for additional signage at the site, to be reviewed at the July meeting.

DeWard confirmed the location of the retaining wall, and found from Witte that it may be replaced with a slope if they received grading approval from MDOT, the owner of the parcel to the north.

Giarmo preferred the retaining wall and/or slope be reviewed.

Witte responded that they hoped to know by next month's meeting, when they return for the PUD amendment.

DeWard found that scrap tire pick-up and drop-off was at the rear of the building on the west side, where a lane width of 52 feet was provided for semis to turn-around. He confirmed the MMPC parking and Macatawa Bank parking was connected to the proposed site.

Witte reviewed the four access points to the site, the two off Kalamazoo Ave. and the two off 68th St.

DeWard expressed concern for finished cars sitting around after hours.

Enright responded that unfinished cars are stored inside, vehicles are not left outside after hours, and the only service they provide outside is an initial inspection before entering the building.

Giarmo found there was no knowledge of what the future retail site may be south of the proposed Belle Tire.

DeWard confirmed with Chief Jansen that he had reviewed the plans and found no issues.

The Planning Commission discussed the exterior colors and found they maintained the character and similar colors of the MMPC building and Macatawa Bank.

MOTION: By **WAYYENBERG**, supported by **GIARMO**, to approve the proposed site plan for a Belle Tire at 6739 Kalamazoo Avenue SE with the following conditions:

1. All requirements of the Township Engineer and Fire Chief must be met.
2. All site signage must be administratively approved through a separate *Application for Zoning Approval*.
3. Stop signs must be installed at the southern end of the north-south drive for southbound vehicles

YES: DeWard, Essenberg, Giarmo, Thomas, Waayenberg.

NO: None.

ABSENT: Haagsma, Rober.

MOTION CARRIED.

2. Site Plan Review – 3471 68th Street SE – Dutton Fire Station Renovation – File No. 100528DF

Gritter provided the project's history and related grant information, and reviewed the proposed renovations by room and area, as well as the exterior materials.

DeWard found the apparatus bay would be retained and be built around in phases to keep the station active. Although the grant initially included furnishings the Township Board removed the option since there are currently no full-time firefighters and they preferred to put the money into the building.

Giarmo found there would be four semi-private non-gender specific sleeping quarters, and a private sleeping quarter intended for the officer in charge.

DeWard found the building would be sprinkled and that they hoped to break ground in August and finish by mid-December.

MOTION: By **THOMAS**, supported by **ESSENBERG**, to approve the proposed site plan for the Dutton Fire Station with the following conditions:

1. All requirements of the Township Engineer and Fire Chief must be met.
2. A landscaping plan must be approved by the Dutton Fire Station Construction Advisory Committee and/or Township Board prior to the issuance of a Certificate of Occupancy.
3. All new light poles must be full cut off type, and can be no greater than 20 feet in height. The Dutton Fire Station Construction Advisory may require new poles to be a different height if it is determined that it is necessary for the overall functioning of the site.
4. All site signage must comply with the zoning ordinance regulations for the O-S zoning district, with the final design to be approved by the Dutton Fire Station Construction Advisory Committee.
5. The agreement between the Township and the owners of Dutton Mill Village that will allow the Township to utilize West Mill Run to access the site must be on file in the Planning and Zoning Department.
6. The final architectural design determined by the Dutton Fire Station Construction Advisory Committee and/or Township Board must be consistent with the elevations provided to the Planning Commission.
7. The final color scheme may be approved by the Dutton Fire Station Construction Advisory Committee and/or Township Board.

YES: DeWard, Essenberg, Giarmo, Thomas, Waayenberg.
NO: None.
ABSENT: Haagsma, Rober.
MOTION CARRIED.

3. Lawn Maintenance and Installation

Tingley introduced the item, reviewed staff's memo, and explained that the Township Board had heard a resident at their last meeting regarding a need for landscape regulations.

DeWard confirmed the installation of lawns could be limited to platted, condominium, and PUD zoned properties.

Giarmo was concerned about collecting the reimbursements for the Township bringing properties into compliance.

Tingley responded there were options for civil infraction citations, liens or both for the same violation.

Sharp added that civil infraction citations can be motivating to property owners because each citation within a twelve month period significantly increases for the first three violations.

MOTION: By **GIARMO**, supported by **THOMAS**, to direct staff to review lawn maintenance enforcement and regulation options.
YES: DeWard, Essenberg, Giarmo, Thomas, Waayenberg.
NO: None.
ABSENT: Haagsma, Rober.
MOTION CARRIED.

4. Capital Improvement Planning – *Information to follow*

Tingley reviewed that last fall information was provided on Capital Improvement Plans (CIPs), since then there has been discussion with Supervisor Hilton, and at their last meeting the Township Board directed Supervisor Hilton to establish a CIP committee.

Tingley believed the Planning Commission may not hear much about it until later this fall, although Supervisor Hilton may be contacting Planning Commissioners regarding the committee.

DeWard found there was no timeline for the actual CIP yet.

VIII. COMMITTEE REPORTS:

1. Parks and Recreation Committee:
 - a. Nonmotorized Transportation Plan

Tingley reported that the first open house was held the previous Tuesday at the Township Library. Staff hoped to have a phasing plan by the next open house in the Township Community Room on July 13th. Priority scoring sheets were provided for the Planning Commission to provide input for the plan.

IX. DISCUSSION

1. Partnerships for Change – Sustainable Communities – First Steps Service Grant

Tingley informed the Planning Commission that Byron Township chose not to participate and the grant is not an option at this time.

DeWard found from Gritter that the Byron Planning Commission was in favor of grant application, but it did not make it to the Township Board agenda.

2. General

Tingley introduced the Planning and Zoning Department's part-time summer intern, Kelley Cavanaugh, a resident of Caledonia Township and recent University of Michigan graduate.

X. ADJOURNMENT.

- MOTION:** By **GIARMO**, supported by **THOMAS**, to adjourn.
- YES:** DeWard, Essenberg, Giarmo, Thomas, Waayenberg.
- NO:** None.
- ABSENT:** Haagsma, Rober.
- MOTION CARRIED.**

Meeting Adjourned at 8:37 p.m.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the June 24, 2010, regular meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Louis Waayenberg, Secretary
Gaines Charter Township
Planning Commission

Dated: _____, 2010