

Planning Commission
Regular Meeting
Wednesday, May 19, 2010
7:00 p.m.

Members Present: A. Parent, J. Hickey, C. Rypma, Chairman; C. Gornowich, T. Byle, D. Brown, and T. Korfhage, M. Huizenga. Absent : T. Schweitzer: Also Present: F. Wash, Planning Director, S. Conners, City Engineer, and P. Dlouhy, CDD-Planning Asst.

Chairman Hickey opened the meeting and C. Rypma gave the invocation.

Approval of Minutes – March 3, 2010

Motion by C. Gornowich, supported by T. Byle, to approve the minutes of March 3, 2010, as printed. Motion carried.

General Public Comment

There were no comments at this time.

Case #10-574 – Evans Lawn Ornaments – 2189 Walker Ave. - Public Hearing

Chairman Hickey read the application requesting a rezoning from AA-Agricultural to ML-Light Industrial, for property located at 2189 Walker Avenue, N.W., PPN 41-13-10-376-017.

Planner Wash reviewed a REGIS map of the subject and surrounding properties. Wash related that the property is located on the west side of Walker Avenue, south of 3 Mile Road and north of Richmond Street, near the Walker/Grand Rapids municipal boarder. He related that there is a significant grade on this property and drops off to Indian Mill Creek. The Triick Pit sand mining is located across the street, and is currently under suspension review by the mineral mining review board. Wash related that the zoning of the property is AA-Agricultural. The lot was formerly operated as Mill Creek Greenhouses. There is an auto repair operation to the south and Blueberry Creek Condominiums to the south and west in Grand Rapids.

Wash reviewed this staff report and related that the applicant proposes to use the site as a wholesale cement lawn figurine production facility. No retail sales or outdoor storage of inventory visible from Walker Avenue are proposed or would be allowed in the ML District. Wash provided a checklist to be reviewed when considering a rezoning.

Wash related that public hearing notices were sent out in accordance with state law.

Motion by C. Rypma, supported by C. Gornowich, to open the public hearing. Motion carried.

Chad Razmus of Callender Commercial was present along with Josh Evans of Evans Lawn Ornaments.

Chad Razmus stated that the subject property is 2.5 acres. His tenant plans on operating a cement company that manufactures small and large yard ornaments. Josh Evans added that the patio stones and figurines range from 6 inches to 6 feet tall. They also produce cemetery urns.

Chairman Hickey asked how much aggregate would they store on site? Mr. Evans stated that the turnover is 30 days. Mr. Evans related that raw material will not be seen from the road and will be stored inside the building. He related that everything will be made on site.

Member Huizenga asked if the bagged cement will be stored inside? Mr. Evans stated that he has a cement mixer on site. The sand and gravel will be brought in every 2-3 months in back of the buildings. Mr. Evans uses a bob cat to bring it in the back door.

Mr. Evans stated that he wholesales his products to Fruit Basket, Wild Birds Unlimited, cemeteries, and monument companies.

Member Rypma asked where they are currently located? Josh Evans stated on Godfrey and Hall Street in Grand Rapids. He related that they are overgrown with items packed to the ceiling. Member Rypma asked how many employees he will employ? Josh Evans stated two.

Member Huizenga stated that he saw a business feature article in the Grand Rapids Press about Mr. Evans' business. Huizenga asked if the house would be removed? Mr. Evans stated that the house is still being rented, and will continue to be used as income property.

Planner Wash added that the house would become a non-conforming structure if the site is rezoned to ML. If the home was ever damaged more than 75%, they would need a variance from the zoning board of appeals to rebuild. Wash also stated that greenhouses and single family homes are allowed in the AA District.

Mr. Evans stated that his plan is to keep the greenhouses now, and possibly tear down the southern greenhouse in the future, or put up a fence.

Member Rypma asked if most of the work will be done in the green barn? Mr. Evans stated yes. The greenhouses in the back will be used for the business, not the ones in front.

Member Parent asked about transporting the goods to the stores? Mr. Evans stated that he ships them. He uses pick-up trucks, box trucks, and currently no semis would be used; and if they did, it wouldn't be every day. There shouldn't be any traffic concerns.

Member Byle asked Scott Conners if Evans Lawn Ornaments needed a commercial driveway? Scott Conners stated he doesn't get involved in rezoning issues if there isn't a site plan review included with the request.

Barb Kelshure, 608 W. Burnett , Beaverdam, Wisconsin. She is representing her father, Robert Dykhouse, property owner, and has a land contract with John Scholten She stated that he approves of this rezoning.

Fran Atchison, 2231 Walker, asked about hours of operation. Mr. Evans stated the hours of operation will be 8:00 a.m. – 5:00 p.m., Monday through Friday.

Motion by C. Rypma, supported by C. Gornowich, to close the public hearing. Motion carried.

Member Rypma asked if this use terminates, is Planner Wash comfortable with the zoning staying ML-Light Industry? Planner Wash had talked with Chad Rasmus initially about conditional zoning. The Planning Commission should consider that, if the use went away, the ML zoning would remain. From a staff position, he wouldn't want to see industrial zoning creeping to Sharp St. They make a strong case for ML at this site because of the terrain features. This could be the last lot for industrial zoning here.

Wash stated historically, this has been a mixed use area/lot, with a history of retail sales. The property is taxed currently as improved commercial. What they are proposing now could be considered a "down zoning". Wash stated if the zoning is changed, the owner would be required to pull building permits for a change in use type or structural use.

Member Parent stated that once reclaimed, the mining operation across the street would become an industrial site.

Wash stated that there is no outdoor storage of gravel or fixtures; it will all have to be enclosed, as the ML District doesn't allow outdoor storage or display.

Member Byle asked who owns the big parcel south of the subject parcel? Planner Wash stated it is all one piece of property. Byle asked if there is anything developable there? Wash stated from the south subject property line to the sewer easement is likely undevelopable, due to flood plain and sewer easements.

Planner Wash stated that the sand mining license across the street has been suspended. Scott Conners added that we will see this sand mining operation for quite some time.

Member Gornowich asked if there were any concerns about their material storage and the creek? Scott Conners stated potentially yes, but he doesn't write reports for rezoning. If this is approved, the city would want erosion controls for the sand and gravel piles, or to have them stored inside.

Scott Conners stated it might trigger an NPDES permit through the state if their requirement has something to do with outside storage. Mr. Evans related that the sand and gravel will be enclosed in a 15x20 square pit on a cement floor and covered.

Motion by C. Rypma, supported by C. Gornowich, to recommend approval to the City Commission for the rezoning of 2189 Walker Avenue NW (PPN 41-13-10-376-017) from AA-Agricultural to ML- Light Industrial. Motion carried 8-0.

Summerbrooke Estates – Final Preliminary Plat Approval

Chairman Hickey read the application requesting consideration of Final Preliminary Plat approval for Summerbrooke Estates.

Rick Miller, applicant, and Pete Buurstra, P.E. – Land Development Solutions were present on behalf of the request.

Planner Wash reviewed his staff report and the plat plans. He provided REGIS orientation to the site, located in the Leonard/Kinney area. Wash related that this is Phase 1, consisting of 25 lots for single-family homes. Phase 2 is to the south. This plat is zoned "SA" Suburban Residential Single Family. The proposed residential lots meet the dimensional requirements of the Walker Zoning Ordinance.

Wash reviewed the procedural aspects of the request. He related that Step 1 of the plat approval was in June of 2009. This is Step 2 review before us now. If approved, the plat goes to the city commission for approval. Building permits will not be issued until final plat approval is granted through the city commission. Wash related that Chapter 74 of the Walker Book of Ordinances covers the Plat regulatory process.

Planner Wash reviewed the plat and related that Macey and Sydney Streets would be extended. The originally planned public street connections to either Sunrise Lane or 10th Street are not feasible due to the hanging height of the power lines and the wetland water levels within the Consumer's Power Company property.

Scott Conners then reviewed his staff report and explained some procedural aspects of the engineering review. He related that typically the planning commission looks at an overall detailed drainage and utility plan to ensure feasibility and to ensure that the design will fit within the existing infrastructure and not have a negative drainage impact on the surrounding area. Conners related that after final preliminary approval, his department works closely with the developer to review the very detailed construction drawings that are used to build the development. These include the sanitary sewer plans, the watermain plans, the street improvement plans, and the final stormwater permit application.

Scott Conners stated that the stormwater pond hasn't been maintained and needs mowing. Scott related that there is a separate easement for storm sewer and sanitary sewer. In this case it was combined into one corridor free of fences along the trail stub. The proposed bike trail stub is to be deeded to the City of Walker.

Member Huizenga asked if the ponds will be maintained and mowed in Phase 2 as well? Rick Miller stated yes. Scott Conners added that in Phase 2, the property owners will have to mow their portion of the pond to make it work. Lot owners for Lots 28-33 in Phase 2 will have to remove the obstructions and mow. It is the developer's responsibility now.

Scott Conners stated that the base course of the road will have to be put in first, then the final course, then houses can be built.

Chairman Hickey asked if the developer can alert new lot owners of the detention pond, mowing, etc. when they purchase the lots? Scott Conners stated it is the job of the developer and realtor to do a better job as a group to let the prospective lot buyer know ahead of time. Rick Miller indicated that he does that. Wash noted these issues are also addressed in the plat documents.

Pete Buursma stated that he did a preliminary design plan for Phase 2 with 100-year storm detention. Scott Conners stated that he has confidence in Rick Miller if he develops both phases. Mr. Buursma stated that the pond is designed for detention not retention.

Member Byle stated that the drain commissioner now has a more defined pond maintenance plan and that the maintenance is kept up. Scott Conners agreed.

Motion by C. Gornowich, supported by T. Byle, to recommend approval to the Walker City Commission for the Final Preliminary Plat for Summerbrooke Estates Phase 1, as it does meet the standards set forth in the City of Walker Subdivision Regulation Ordinance, with the following conditions of final preliminary plat approval:

1. The applicant agrees to all conditions noted in the City Planning Director's letter dated 5-12-10.
2. The applicant agrees to all conditions noted in the City Engineer's letter dated 5-13-10.

The following Findings of Fact apply:

1. The 25 proposed single-family residential lots meet the dimensional requirements of the Walker Zoning Ordinance.
2. The originally planned public street connections to either Sunrise lane or 10th Street are not feasible due to the hanging height of the power lines and the wetland water levels within the Consumer's Power Company property.

Motion carried 8-0.

Standale Downtown District City Sponsored Rezoning Discussion

Planner Wash stated that the topic is a city sponsored rezoning for the properties between Wilson and Kinney, along Lake Michigan Dr. (M-45), consistent with the Standale Downtown Ordinance Regulating Plan.

Wash related that city officials have hosted two informational open houses regarding the implementation of the new Standale Downtown District (SDD) Zoning Ordinance. The first was held on March 17th, 2009; the second was held on April 21st, 2010. Attendance was very good at both meetings, with approximately 40 people in each audience. Numerous questions and comments were received with many interested in the "Downtown Standale" action plan and potential rezoning by the City.

Planner Wash asked the planning commission if we should start the process of city-initiated rezoning in "Downtown Standale."

Chairman Hickey stated that Shotz bought the property behind Noto's for parking. Wash stated that with regard to parking easements and public parking, the best way to get extra parking is to own it. The city owns behind Fire Station #2 for the GVSU park-and-ride lot, etc. There is a BRT line proposed through Standale as well.

Motion by T. Byle, supported by C. Gornowich, to proceed with the city sponsored rezoning per the S.D.D. Ordinance Regulating Plan. Motion carried unanimously with an 8-0 vote.

Commissioner and Staff Update

Wash related that our next meeting will be on June 16th for the city-initiated rezoning in Standale.

Wash discussed a possible workshop opportunity for land along Wilson, south of Remembrance. More to follow at the 6-16-10 meeting.

Adjournment

Motion by A. Parent, supported by D. Brown, to adjourn the meeting at 9:00 p.m. Motion carried.

Administrative Approval

Carol Gornowich, Secretary
Walker Planning Commission

PC Minutes

5-19-10

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