

**PLANNING COMMISSION OF THE  
CHARTER TOWNSHIP OF GRAND RAPIDS  
Minutes October 24, 2017**

A regular meeting of the Planning Commission of Grand Rapids Charter Township was held at the Township Hall on Tuesday, October 24, 2017.

Present were Chair Wayne Harrall, Vice Chair Scott Conners, Secretary Dave Van Dyke, Commissioners; Dan Ophoff, Mark Prein, Bill Culhane and Doug Kochneff. Also present were Township Attorney Jim Brown and Planning Assistant Kara Hammond.

**1. Approve minutes of July 25, 2017 regular meeting.**

**Scott Conners**, seconded by **Bill Culhane**, moved to approve the minutes with the following revisions:

- p.1, item 2, bullet 3, insert the word ‘drive’ between “move” and “approximately”
- p.2, 2nd paragraph, last sentence, omit the second ‘south’, end of sentence to read “Michigan Street culvert”
- p.2, 1st bullet under last speaker, change the last two words to read “previous speakers”
- p.3, last sentence of 1st paragraph, change ‘street lights’ to “traffic signals”

**Motion approved unanimously.**

**2. Public Hearing - 881 Kirk Dr/890 Delray Ave - Request for the rezoning of a parcel of land from the R-1 (Single Family Residential) District to the C (General Commercial) District on the parcels of land located at 881 Kirk Dr SE and 890 Delray Ave SE.**

Kelly Kuiper, with Nederveld, (on behalf of the applicants) gave a brief overview of the request:

- asking for a rezoning of two parcels from R-1 to C
- to allow for construction of surface parking lot at current location
- serious renewed interest in the corridor and parking is in high demand
- unexpected growth in this area has pushed for the applicants to seek expansion
- estimated parking shortage for NoCo of at least 30 spaces, not including peak time or holidays
- Kennedy’s is busier than ever and in desperate need of parking
- short term solutions are currently not providing enough for either of the businesses
- not only beneficial for the two business owners, but all the businesses within that corridor as they are all experiencing growth and a shortage of parking
- changing conditions within this area, and within both GRT Master Plan Target Area 7 and Southeast Cultural District
- request for a rezone is consistent with the Township Master Plan
- necessary for the businesses to continue to grow
- comparable with all surrounding parcels and provide buffering to the residential areas to the north

Kelly Kuiper added the number of parking spaces may have been sufficient for the previous restaurant use at that location, but it no longer suffices for the new tenant and their larger customer base.

Attorney Jim Brown gave the legal review.

Scott Conners added that the applicant has made a couple changes since they first saw it at Site Plan Review; taking into account the location of the driveway, eliminated any access to Kirk Drive, more buffering to the north, and the decrease of approximately 10 spaces.

Mark Prein stated that the Commissioners visited this issue once before when approving the Special Land Use and the applicant stated they would handle it, he feels that as the Commissioners foresaw this eminent issue and wonders what type of precedence they will be setting by allowing this rezoning. Dave Van Dyke said he understands but explained this area has always been problematic with parking, even back when there was a Blimpie behind Kennedy's, but taking that into consideration they need to do what is best for the community as they do not want to see any business fail due to lack of parking. Doug Kochneff stated he does not feel it is fair for the Commissioners to penalize a business for being more successful than they had anticipated, as parking has always been an issue there and this appears to be a solution to help all businesses in that corridor.

**Bill Culhane**, seconded by **Mark Prein**, moved to open the Public Hearing at 7:27 pm.  
**Motion approved unanimously.**

Brett Rodgers, owner of Marco's building;

- years ago put parking spaces to the south of the building, which are being used by the restaurant
- does not want the problem to get worse
- wants to have a parking lot, but does not want it to be zoned as commercial so they can come back and ask for another building in a couple years from now

Lori Terpstra, owner of numerous homes on Kirk Dr;

- expectation to live in a neighborhood, not to be piecemealed
- not acceptable to plop a parking lot in a residential area
- feels like it is the restaurant and Township's fault for the applicant asking for more parking
- blames the Township, whether it was Planning or Zoning, the Township fell short and does not want to see just a band aid fix
- does not want to see a straight commercial zoning for same reasoning as the previous speaker

Aaron Rayborn, 868 Kirk Dr SE;

- biggest fear is that the parking lot is a long term problem, with a short term gain
- lots of parking on the street, knows there is a problem, but does not agree with the solution that is proposed
- concerned about snowplowing, head lights in window, increased traffic on Kirk Drive



Tom Lawrence, owner of 850 Forest Hill and Forest Hills Center;

- the opening of NoCo has been nothing but a disaster for the surrounding businesses
- the applicant cannot control where his customers or employees park, and that is impacting negatively on the surrounding businesses because the parking spots in front of the surrounding businesses are being occupied by the restaurant business
- does not think 76 parking spaces would be enough, maybe 86 would be getting there in the number of spaces actually needed
- started towing cars and will continue to tow cars that use their parking spaces

Todd Gunderson, 874 Kirk Dr SE;

- concerned if there is access allowed on Kirk Drive that he will have to deal with headlights
- parking in that area is horrible
- does not want to see a perfectly good neighborhood get overrun with more traffic in a residential neighborhood
- understands the need for more parking, but said the Township should not have allowed it in the first place

Anna Rayborn, 868 Kirk Dr SE;

- reiterate all previous comments, but would like her voice to be heard
- lots of parking on their front lawn, but this proposal is nothing but a band aid
- does not feel the restaurant will stay as busy as it is, the newness will wear off and the need for the parking will fade

**Scott Conners**, seconded by **Dan Ophoff**, moved to close the Public Hearing at 7:47 pm.  
**Motion approved unanimously.**

Bill Culhane does believe there is merit to having a greater sample of time to see if the parking is needed, stating they took the word of a restaurant that had no idea of actually how busy they would be and would like to wait to see how the next few months play out. Culhane stated he does feel that rezoning those two properties, with the residence and overall balance of the current residential area, would just be a band aid. Dave Van Dyke said this area has been talked about as a transition area and probably hoped someone would come along and make it all commercial at one time, but the reality is that it is their job to make the best with what they have, and right now they have a proposal for two properties at the time. They still need to come up with a solution for the whole area, and the Master Plan calls for that corridor to eventually become commercial, most of the time any parking issues work themselves out, but this one has not so the Commissioners now need to look at some ways to buffer but need to work with what is proposed. Scott Conners agreed and said this area will inevitably redevelop into commercial; the Commissioner's job is to make sure it does so properly and protect the surrounding area from the potential of any future building. Attorney Jim Brown stated that area will only be parking as there is no possible way for a future building to be built there and no building is proposed.

Steve Millman, owner of NoCo, explained they tried to go above and beyond with trying to solve the parking issue, more than any other business in that area has ever done. The parking issue was there to begin with, it was not from the opening of their restaurant. Millman said they can sit back and do nothing, or do what is best for them and the surrounding community and that is

ultimately what they are doing. It is fully their intention to build a parking lot, and that is it. That being said, the applicant does not want any restrictions that could potentially affect the future development, unless all the properties have restrictions as well.

Doug Kochneff said all the Commissioners have heard from the neighboring businesses is the lack of parking, and now there is a solution right in front of them. Mark Prein agrees but says the Commissioners are between a rock and hard spot; now they have to figure out which hard spot they have to work through. Prein also added that it would be nice if the whole area was rezoned at the same time, but that is just not the way redevelopment works. Wayne Harrall confirmed the previous statements from the Commissioners and explained this proposal is not the ultimate solution, but it will certainly help the current parking issue, explaining it is not the best solution but it is in the right direction of the solution the Commissioners want to see. Dave Van Dyke stated he feels this is the best solution the Commissioners have at the current time.

Dan Ophoff stated he intends to vote no on the proposal as he does not see this is the right solution.

**Dave Van Dyke**, seconded by **Doug Kochneff**, moved to recommend to the Township Board for final approval the rezoning of the two parcels; 881 Kirk Dr SE and 890 Delray Ave SE from R-1 to C District.

Ayes: Kochneff, Van Dyke, Harrall, Conners, Prein

Nays: Culhane, Ophoff

**Motion approved, 5-2.**

**3. Public Hearing - GRT Zoning Ordinance Amendments - Shared Driveways; OR-PUD District; ZBA Special Exception Use; SR & R-1 Districts; Commercial Landscaping Special Land Use.**

Attorney Jim Brown gave the legal review.

**Mark Prein**, seconded by **Bill Culhane**, moved to open the Public Hearing at 8:28 pm.

**Motion approved unanimously.**

No persons spoke during the Public Hearing.

**Scott Conners**, seconded by **Doug Kochneff**, moved to close the Public Hearing at 8:28 pm.

**Motion approved unanimously.**

Scott Conners said he is not real thrilled about the retail sales provisions of the proposed ordinance as found at Section 6.3, Table 6.3, Table 7.3 and Section 24.13, subparagraph 5. Jim Brown said for what it is worth, even if the Planning Commission approves retail sales they have the right to limit them. The Commissioners had a lengthy discussion about the allowance of outside materials, discussing quantities, location, retail sales and how to regulate numerous aspects of a commercial landscape business.



**Mark Prein**, seconded by **Bill Culhane**, moved to recommend the proposed ordinance for final approval to the Township Board, excepting Section 6.3, Table 6.3, Table 7.3 and Section 24.13, subparagraph 5.

**Motion approved unanimously.**

**4. Informal Presentation - Mr. Bill's - Request to allow a Special Land Use to operate a commercial landscape business on the parcels of land located at 4475 & 4481 Knapp St NE.**

Bill Souffrou, owner of Mr. Bill's, gave a brief background and overview of the request;

- started business in 1998
- operating the whole time in Plainfield Township but discovered they have the land and option to operate out of their home, which they would prefer
- will maintain at least 100 ft. of frontage with the already established pines
- does not want or desire any type of retail, this is their home and does not want to do anything but solely operate out of the location
- it is their home site so it will be clean, tidy, and neat
- own both parcels and plan to combine them
- plan to build a commercial driveway to comply with Kent County Road Commission standards

Bill Culhane and Dave Van Dyke asked about the grade to the northeast of the proposed building. The applicant said as a landscaper he would prefer to work with nature, not against it so he does not want a concrete retaining wall in his front yard. Van Dyke asked about giving a do not disturb or green belt. The applicant said he does not have a problem with that but will need enough room to be able to turn a truck and trailer around. Van Dyke asked the applicant what they anticipate to have as outside storage. The applicant said he would like to have as much as possible inside the building not only so they are not visible but then it would be under lock and key.

Attorney Jim Brown gave the legal review.

The Commissioners would like to see the following items shown on the next plan; truck turning template, where the vehicles will be parked and where they intend to have outdoor storage located on the property, note where the salt will be contained, stormwater and runoff (drainage and impervious materials) was mentioned but not a huge concern as the entire area is sand, grading and vegetation removal.

**Dan Ophoff**, seconded by **Bill Culhane**, moved to set the Public Hearing for the November 28, 2017 meeting.

**Motion approved unanimously.**

**5. Review - Blackhawk Sidewalk Requirement - Memo from GRT Supervisor, Michael J. DeVries.**

Due to a conflict of interest, Secretary Dave Van Dyke recused himself.

The commissioners discussed the memo, their original requirement and why they required it in the first place. There should be some continuity between the two developments and having the sidewalks interconnect within the connecting neighborhoods.

The Commissioners do not want to rescind their request, but strongly believe there should be internal connectivity between the 3 proposed phases and the Saddleback neighborhood.

The entire commission strongly advocates connectivity, some feel it is appropriate along Michigan, some feel it is appropriate between the neighborhoods, but they all strongly feel there needs to be internal connectivity between all 3 phases and the existing neighborhood to Saddleback.

Commission members ask that the Board members read their comments as stated in the minutes.

Secretary Dave Van Dyke returned to meeting.

**6. Discussion - Supplement to Master Plan - Extension of current Master Plan for an additional 5 years then once the 2020 census is available, plan a comprehensive review for 2021 and adoption in 2022.**

**Scott Conners**, seconded by **Dan Ophoff**, moved to extend the current Master Plan (and Supplement to the Master Plan) for an additional 5 years.

**Motion approved unanimously.**

**7. General Public Comment.**

No one was present.

The meeting was adjourned at 10:06 pm.

  
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David A. Van Dyke, Secretary