

Minutes of the meeting.

Call to order 6:00 PM

Roll Call all on the list.

Blair, Powell, Stout, Skelonc, and Tilburt in attendance.

Supervisor Ellick, Zoning Administrator Gross, and Township Attorney Leisman also in attendance.

Motion to approve April 20, 2022, meeting minutes with corrections. Motion by Skelonc, second by Stout, all ayes, motion carried.

Motion to approve Agenda by Stout, second by Blair, All Ayes, Motion carried.

Public Comment – Matters not the Subject of Agenda Items: No public comment.

Agenda Item: Scheduled Public Hearing: Cedar Springs Retail Management – Variance Request for 3700 17 Mile.

Tilburt – explanation of public hearing and call for applicant presentation; noted to applicant that any changes to this process will require a majority vote.

Eric Starck, Attorney, and Max Nathan, Cedar Springs Retail Management, represented.

- Meeting is being recorded by court recorder Yates.
- Zoning intended to regulate property use.
- Dimensional variances required – question is, is there a practical difficulty?
- Has viewed property – traffic shouldn't be an issue.
- Referenced Meijer support letter, traffic study, and Engineer Gritter's review letter.
- Variance Request: distances required are impossible to comply with; cannot meet distance requirements but request is reasonable - variance would allow.
- 9' grade difference across site makes it difficult to use site effectively.
- Border on 3 roads is unique situation; doesn't make sense for 1 curb cut at Cedarfield Dr. – requesting 2 curb cuts.
- Auto Zone – doesn't meet requirements but isn't on private road as is this property.
- Ordinance would deprive applicant of what others have and granting variance is not detrimental to others.
- Traffic impact only effects Meijer parking lot – they're "okay" with that; township engineer Gritters "internal traffic flow issues" are addressed.
- Distributed copy of traffic study to ZBA members.

ZBA/Applicant Discussion: (Leisman) Applicant hasn't applied for variance from required minimum 500' lot for two drives. *(Leisman/Gross)* Meijer Road is listed as a private street on approved Meijer site plan. *(Stout)* Most Cedarfield residents aren't aware of this yet. *(Skelonc)* Asked about traffic study. Viewing traffic on a weekday not a fair assessment – not as busy. *(Tilburt)* Traffic Study did show some issues. *(Powell)* Legal description and survey not accurate measurements – lot actually smaller than indicated. *(Gross) Re: Meijer plan* – proposed out lot allowed 1.40 acres size; this is different at 1.67 acres; moving closer to property line affected setbacks.

Tilburt – Called for public comment. **(Anielski, A.J.)* Commented that 17 Mile Rd is very busy. Have they considered future traffic from property across street? *(Tilburt)* Property across street not a consideration – cannot predict what the use will be or intensity of related traffic. *(Anielski)* Not a fair assessment on the

traffic study; not opposed to business growth but this type on this lot is a huge difference; health care/restaurant will considerably increase traffic. (Ellick) Traffic impact does matter – can prove far more numbers; lot too small or business too large, other land available; traffic flow within the site is horrible; parcel number on application wrong; not the right fit – not in favor; community will be who suffers.

Tilburt – With no further comment, closed public hearing.

ZBA/Applicant Discussion: (Gross) Was presented to Planning Commission who suggested to go to ZBA. (Blair) – Elevation/grade – will existing drain go away? (Gross) Their proposal indicated drainage to Meijer retention area. (Leisman) Re: Clarification on application for driveway spacing ...which is being applied for? (Starck) South drive to Cedarfield, and 2nd from south drive to south gas station drive, following Planning Commission direction. (Gross) Doesn't meet distance requirements; need 2 more variances related to drives. One for west drive to Cedarfield and one for two drives with less than 500' lot; these were noted by him at initial meeting. (Tilburt) Still needs to go by Zoning Ordinance regardless of Planning Commission direction. (Leisman) Needs applicant decision on additional variances to move forward (Nathan) Doesn't want to waste time – would ZBA approve if re-submitted? (Skelonc) Description/widths wrong; doesn't see moving on; would rather review after all together. (Blair) Not a waste of time if submitted all as one package. (Tilburt) Several issues – less than 500' lot, 3 dimensional variances, and parking setback at east lot line; a lot of issues on a small site – perhaps it is a matter of finding right tenant; existing Zoning Ordinances are there for good reason. (ZBA Members - all agreed.)

Motion by Skelonc to table request and reassess at such time all variance requests are submitted and with a subsequent public hearing, second by Blair, all ayes, motion carried.

No additional public comment.

No old business.

No open issues not on Agenda.

Report of Township Board Rep, Jon Stout: None

Report of Planning Commission Rep, Jon Tilburt: PC awaiting ZBA decision tonight.

New Business None

Motion to Adjourn by Stout, second by Blair, all ayes, motion carried.

Meeting adjourned: 6:55 PM.

*Anielski, A.J. – 1590 Serenity Valley, Cedar Springs, MI 49319

Secretary: _____
Date: _____