

**TALLMADGE CHARTER TOWNSHIP
SPECIAL PLANNING COMMISSION MEETING
OF APRIL 21, 2009**

Chairman Marvin Bennink called the meeting to order at 7:00 p.m.

Members present: Donald Smith, Matthew Fenske, Marvin Bennink, Jim Szejda, Dewey Bultsma and Dick Temple

Also present: Greg Ransford

1. Site Plan Review – Carey Kamps of Kamps Brothers Excavating is requesting Site Plan Review to rebuild after a fire and expand the building. This parcel number 70-10-24-400-045 is located at O-11303 3rd Avenue and is zoned Industrial.

Mr. Kamps explained that he would like to rebuild on the same footprint, however he would like to rotate the building, positioning the longest side north to south, adding approximately 17.7 feet to its length. He is proposing a steel sided building with a brick wall on the bottom 4 feet.

Greg Ransford explained that the setback would be 47.7 feet at its closest point to 3rd Avenue, which is 27.3 feet closer than the required 75 feet for the front yard setback. This is scheduled as a variance request for a May 7 meeting with the Zoning Board of Appeals, along with a request for portions of the property the owner would like to have remain gravel. The building was constructed in 1980 and at that time there was a 50 foot set back requirement, therefore it would have been a conforming building. The Planning Commission needs to address the façade and positioning of the building.

Donald Smith understands why the applicant would like gravel as opposed to a hard surface due to the nature of the business using equipment with hard tracks and cleats which are destructive to blacktop. However he is concerned that if a variance were granted to allow gravel that it could go with the property and not the business. He feels that if a different business were to locate there, they should be required to have blacktop. Mr. Ransford said he would check to see if the Zoning Board of Appeals could grant a variance specific to the use rather than the property.

Mr. Temple feels that if the Zoning Board of Appeals is possibly granting a variance for the parking lot surface, the Planning Commission should require the façade to be conforming. Mr. Kamps said the rebuilt building would be used as a garage only; the office is in a different building on the property.

Matthew Fenske asked if the proposed façade would be satisfactory for new construction. Greg Ransford said new construction would require the façade to be finished with face brick top to bottom as opposed to the bottom four feet as proposed. He said the Planning Commission would need to decide if they considered this a new construction or a reconstruction.

Dick Temple believes it would be considered new construction regardless, since the applicant is proposing to remove the remainder of the burned building and put up an entirely new building and expand its size. Therefore he feels the façade should be in compliance with the Zoning Ordinance requirements for a new building.

Dewey Bultsma asked about exterior lighting. Greg Ransford said new construction would require lighting that is shielded from adjacent properties and public right-of-way. Mr. Kamps said the former building had mercury lights, which are not working but are still there. Dewey Bultsma asked

if they could use concrete instead of asphalt for the parking lot. Greg Ransford said the Zoning Ordinance will allow concrete as a hard surface.

Dick Temple asked if there was any part of the building above grade still standing after the fire. Mr. Kamps answered that the building was post construction and parts of the north and east walls are still standing. He would like to tear down what is left and rebuild. He could possibly use the existing east wall. Dick Temple feels it should be considered new construction. The Zoning Ordinance is to establish a minimum level of quality. Therefore he believes the façade requirements need to be met, especially if the setback or parking lot surface variance are granted.

Greg Ransford reviewed the items in which the Planning Commission expressed concern; the proposed façade on the elevation, the parking lot surface and lighting. Marvin Bennink explained that the lighting cannot glare out onto the street, it must be positioned to illuminate toward the building. Dick Temple said one option would be wall pack lighting.

Dick Temple moved, Donald Smith supported, motion CARRIED to APPROVE the Site Plan with the requirement of full masonry on the east elevation of the new building, and site lighting to be in compliance with the Zoning Ordinance with confirmation from Greg Ransford, Township Planner. The Planning Commission also recommends to the Zoning Board of Appeals that hard surface be required at the north entrance to the eastern edge of the new building; the condition to apply only to the use of an excavation company and shall become null and void in the event of a change of use on the property. Ayes: Donald Smith, Matthew Fenske, Marvin Bennink, Jim Szejda, Dewey Bultsma and Dick Temple. Nays: none.

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Denise Somers, Administrative Assistant

