

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
MAY 2, 2016

I. CALL TO ORDER

Kantrovich called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:30 p.m.

II. ROLL CALL

Members present: Kantrovich, LaMourie, Kieft, Taylor, Cousins, Gignac, Reenders & Wilson

Members absent: Robertson

Also present: Fedewa and Attorney Bultje

Without objection, Kantrovich instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the April 18, 2016 meeting were approved.

V. CORRESPONDENCE

- Curtis Schwartz – Text Amendment Request for Indoor Recreation, Exercise and Athletic Facilities

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

- Charles M. Schmidt – 15830 Lincoln Street:
 - Concerned with the volume of traffic on Lincoln Street. Noticeable increase in personal vehicles and commercial trucks since M-231 opened.
 - Difficult to enter/exit Lincoln Street.
 - Concerned the Stonewater PUD development will only exacerbate the traffic issues.
- Kip Nadeau – 15600 Lincoln Street:
 - Shared similar concerns with Lincoln Street traffic.
 - Lincoln Pines and the proposed Stonewater PUD will only add more traffic. Believes a left-turn lane and deceleration tapers are needed.
 - Questioned the setback of the Stonewater PUD condominiums. Concerned the location will inhibit his abilities to hunt.

VII. PUBLIC HEARING

A. Special Land Use – Single Family Dwelling in AG District – Vander Wal

Kantrovich opened the public hearing at 7:42 p.m.

Fedewa provided an overview through a memorandum dated April 28th.

Applicants, Daniel and Ashley Vander Wal, were present and available to answer questions:

- Have owned property for 3 years.
- Farming for personal sustenance.
- May expand agricultural uses in future, but do not have current plans for expansion.

Kantrovich closed the public hearing at 7:45 p.m.

VIII. OLD BUSINESS

A. Special Land Use – Single Family Dwelling in AG District – Vander Wal

The application was discussed by Commissioners and focused on:

- Inquired about duration of ownership and type of farming activities.
- Requested explanation from staff about the subject parcel being a legal lot of record:
 - The 10 acre subject parcel was created, and zoned AG, before the zoning ordinance required a minimum of 20 acres for parcels zoned AG.
 - The 10 acre subject parcel has the same land use rights as a compliant 20 acre AG parcel.
- Discussed the differences between a parcel zoned AG that is actively engaged in agricultural activities and has a dwelling, and a parcel zoned RP that has a dwelling that is also engaged in agricultural activities.
 - Fedewa explained a parcel zoned AG permits agricultural activities as a use by right, and only permits a dwelling through a special land use permit. Whereas a parcel zoned RP permits a dwelling as a use by right, and only permits agricultural activities through a special land use permit and/or zoning permit for the keeping of livestock as an accessory use.

Motion by Wilson, supported by Gignac, to **approve** the Special Land Use application to allow a Single Family Dwelling in the AG District for property located at 16293 Pierce Street, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter

Township Zoning Ordinance. The motion is subject to, and incorporates, the following report. **Which motion carried unanimously.**

REPORT

1. This approval is based on the affirmative findings that each of the following standards has been fulfilled:
 - A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
 - B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
 - C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
 - D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
 - E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
 - F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
 - G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.
 - H. The proposed use is consistent with the health, safety, and welfare of the Township.
2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
 - A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
 - B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
 - C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

- D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
- E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
- H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
- I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
- J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
- K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
- L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
- M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
- N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

B. Stonewater PUD

Fedewa provided an overview through a memorandum dated April 28th.

The developer, Dale Kraker, and project engineer Rick Pulaski, were present and available to answer questions:

Rick Pulaski, project engineer with Nederveld:

- New design increases open space.
- Phasing has been adjusted.
- Overall, believes the new design is better than the previous.

Dale Kraker, developer:

- Does not believe his lender will grant a financial guarantee for the completion of Norwalk Road in order to create a looped roadway that provides two points of ingress/egress for the residents.
- Still agreeable to adding a temporary construction/emergency vehicle road that would be “closed” on each end using a bollard or chain system.
- Anticipated build-out timeline is:
 - Earth work during 2016
 - Begin construction of Phase 1 in 2017
 - Begin construction of Phase 2 in 2018
 - Begin construction of Phase 3 in 2018 – 2019
 - Construction of remaining phases is yet to be determined.
- Has not provided parking at the tot-lot or beach/open space area because it will result in a loss of open space that is needed to meet Township requirements.

The application was discussed by Commissioners and focused on:

- Supportive of the new design.
- The revised phasing is an improvement.
- Questioned why parking is not being provided at the tot-lot or beach/open space area. Accessibility is important for elderly and disabled residents.
 - Providing said parking may encourage non-Stonewater residents to use them as public parks.
- Discussed the need for a looped roadway that provides two points of ingress/egress for the residents.
 - The proposed temporary construction/emergency vehicle road would prevent the beach/open space area from being developed in the beginning, which will

result in dozens of Stonewater residents not being able to utilize that open space area.

- Should this temporary road be approved the PUD Contract will need to specify a time limit on when the road must be removed and the beach/open space area constructed.

Motion by Reenders, supported by Gignac, to direct staff to draft a formal motion and report of findings, which will recommend **conditional approval** of the Stonewater PUD application, with those Zoning Ordinance compliance departures which were discussed and will be found in the minutes of this meeting. This will be reviewed and considered for adoption at the next meeting. Lastly, the Planning Commission directs staff to publish the notice of public hearing for the Township Board after the language found in the Master Deed, Bylaws, and Declaration of Covenants have been approved by the Township Attorney. **Which motion carried unanimously.**

C. Potential Zoning Ordinance Text Amendments:

Motion by LaMourie, supported by Cousins, to remove this item from the table. **Which motion carried unanimously.**

Fedewa provided an overview through a memorandum dated April 14th.

The information was discussed by Commissioners and focused on:

- Increase building heights
 - Not in favor of increasing heights for single family dwellings.
 - Multiple family structures including apartment buildings, nursing homes, etc. should be allowed a height and/or story increase to encourage a vertical expansion that will preserve open space.
 - Commercial and Industrial districts should also be permitted to have a greater building height and/or additional stories to encourage a vertical expansion that will preserve open space.
 - Interested in establishing a formula that would require greater setbacks for a greater building height.
 - Generally, locations that may be eligible for the increased height/story include:
 - US-31 and M-45 Area Overlay Zone
 - Properties north of Ferris Street

- Properties within 2,700 feet of public utilities (*the distance established in the Township Code of Ordinances*) and also consistent with the master-planned service boundaries for public water and sanitary sewer.
 - Directed staff to proceed with additional research on location, building height, number of stories, and setback formula. This discussion will be continued at a future meeting.
- Demolition of dwelling resulting in nonconforming accessory buildings
 - Acknowledged there is a distinction between typical property owners requesting this kind of agreement versus a dangerous building scenario.
 - Typical property owner may wish to demolish the dwelling, but keep the accessory buildings while a new dwelling is being constructed.
 - There are too many variables for dangerous building scenarios, and believe staff should not be able to make determinations without approval by the Township Board, per the Dangerous Building Ordinance.
 - Directed staff to proceed with drafting a proposed text amendment ordinance that states dangerous buildings are not eligible for this type of agreement.
- Two dwellings on property while new home is constructed
 - Questioned if a staff member should be granted this type of power.
 - A financial guarantee must be required to ensure the demolition of the prior dwelling.
 - Questioned if a second staff member should have to sign the agreement as well.
 - Directed staff to proceed with drafting a proposed text amendment ordinance that requires a financial guarantee, but does not require a second staff member to sign the agreement.

IX. NEW BUSINESS

A. Text Amendment Request for Indoor Recreation, Exercise and Athletic Facilities

Fedewa provided an overview through a memorandum dated April 28th.

The information was discussed by Commissioners and focused on:

- Original intent with this special land use category was to encourage recreation to take place in vacant industrial buildings. For example, batting cages.
- Believe the Township and surrounding community is a prime location for indoor recreation, exercise and athletic facilities.

- Agree this land use should also be included in the C-1 Commercial district. However, the building must be cohesive with surrounding commercial buildings and not have the appearance of an industrial building.
 - Aesthetic requirements must be reasonable, so the business owner is not “priced-out.”
- Directed staff to proceed with drafting a proposed text amendment ordinance that includes aesthetic requirements.

X. REPORTS

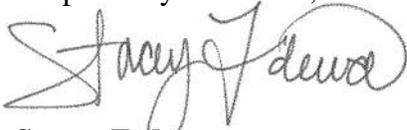
- A. Attorney Report – None
- B. Staff Report – None
- C. Other – None

XI. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 9:23 p.m.

Respectfully submitted,



Stacey Fedewa

Acting Recording Secretary