

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
NOVEMBER 20, 2017

I. CALL TO ORDER

LaMourie called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:05 p.m.

II. ROLL CALL

Members present: LaMourie, Taylor, Kieft, Chalifoux, Reenders, Wilson, Hesselsweet, and Wagenmaker

Members absent: Cousins

Also present: Community Development Director Fedewa and Attorney Bultje

Without objection, LaMourie instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the November 6, 2017 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. Zoning Text Amendment Ordinance – Motor Vehicle Repair Garage Setback

LaMourie opened the public hearing at 7:07pm.

Fedewa provided an overview through a memorandum dated November 15th.

There being no comments, LaMourie closed the hearing at 7:08pm.

B. Special Land Use – Motor Vehicle Repair Garage – Z Tire

LaMourie opened the public hearing at 7:08pm.

Wilson recused himself because he owns property within the 300-foot public notice area.

Fedewa provided an overview through a memorandum dated November 16th.

The applicants, John & Chris Helder; property owner, Dale Reenders of RRR & Associates; and architect, Denny Dryer, were present and available to answer questions.

- Property owner provided a copy of Township Resolution No. 99-09-02 regarding the guarantee that a truck well used for loading/unloading is permitted to stay in the side yard that abuts a street; when it is usually required to be in the rear yard or interior side yard. This Resolution came about as a result of the Township installing the nonmotorized pathway on Hayes Street.
- Property owner explained the truck well is used regularly by one of the tenants, and has concerns the truck may block traffic when maneuvering into the well if the Township requires one of the driveways to be closed. Requesting the Commission consider an access management departure.

There being no further comments, LaMourie closed the hearing at 7:15pm.

Wilson rejoins the Commission.

VIII. OLD BUSINESS

A. Zoning Text Amendment Ordinance – Motor Vehicle Repair Garage Setback

There being no discussion, the following motion was offered:

Motion by Kieft, supported by Wilson, to recommend to the Township Board **approval** of the proposed Zoning Text Amendment Ordinance (*draft date 11/20/17*) to revise setbacks related to the I-1A Zoning District and the Motor Vehicle Repair Garage Special Land Use. **Which motion carried unanimously.**

B. Special Land Use – Motor Vehicle Repair Garage – Z Tire

Wilson recused himself because he owns property within the 300-foot public notice area.

The application was discussed by Commissioners and focused on:

- Familiar with the area and believe keeping the driveway will allow for better circulation within the site.
- Have not seen any traffic issues in the area.
- Uses on the site have low trip generation characteristics. Requiring the driveway to be closed seems to be too strict especially because the applicant would not be accessing the subject-driveway.
- Prior to the nonmotorized pathway being constructed the site was a continuous curb cut that did not have defined driveways.

Motion by Taylor, supported by Chalifoux, to **conditionally approve** the Special Land Use application to permit a Motor Vehicle Repair Garage at 17169 Hayes Street based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. The motion is subject to, and incorporates, the following report. The approval is conditioned upon the following:

1. A building permit shall not be issued until the Zoning Text Amendment Ordinance regarding the side yard setback, takes effect.
2. Applicant shall provide an additional 3,000 sqft of landscaping along the northern edge, and wall, of the parking lot and building as well as the area west of the dumpster enclosure.

Which motion carried unanimously.

REPORT – MOTOR VEHICLE REPAIR GARAGE

1. The application meets the special land use standards of Section 19.05 of the Zoning Ordinance. Specifically, the Planning Commission affirmatively finds as follows:
 - 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.
 - I. Pursuant to Section 19.05.7.B the Planning Commission is granting a departure from the access management requirements to allow the eastern-most driveway to remain on the site. This departure is being granted because the special land use includes a site with existing, and operational, buildings and the proposed use will not be hazardous or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood when considering safe and convenient routes for pedestrian traffic, particularly children, the relationship of the use to main thoroughfares, streets, and intersections, and the general character and intensity of the existing and potential development of the neighborhood.

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. 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.
 - B. 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.
 - C. 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.
 - D. 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.
 - E. 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.
 - F. 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.
 - G. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
 - H. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
 - I. 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.
 - J. 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.
 - K. 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.
 - L. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
 - M. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - N. Where appropriate, the Planning Commission has required fencing to minimize or prevent trespassing or other adverse affects on adjacent lands.
 - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

IX. NEW BUSINESS

A. Planned Unit Development – Pre-Application – Old Woods Trail

Fedewa provided an overview through a memorandum dated November 16th.

The developer's business partner, Tim Schollaar; and engineer's representative, Don DeGroot P.E. of Exxel Engineering were present:

- Provided an overview of the proposed single family residential PUD project.
- Property is zoned Rural Residential (45,000 sqft minimum lot size) and master-planned for Low Density Residential (25,000 sqft minimum lot size).
- Although the width of the open space is less than the required 50-feet, the Planning Commission can grant an exception to allow a reduced width. Intent of the smaller width is to provide a buffer around the development to reduce impact to neighbors, and to save existing trees and footpath.
- Chose not to consider multi-tenant dwellings because they usually require sanitary sewer. Did not contact the Ottawa County Environmental Health Department to inquire if a private system would be acceptable.
- Proposing land divisions in addition to site condominiums because the water table for the first 4 lots is too high, which violates the State's requirements to develop site condominiums. Therefore, proposing land divisions on the lots the State would not permit as condos because the division method complies with local regulations.
- Intend to establish restrictions for the development to keep trees within the front and side yards.
- Explained the development will not look as dense because it's a wooded area and a passerby would only see the first house and the rest would be screened by the trees that would have to be preserved in the front and side yards.
- Wants the 15 lots to cover the developers costs in order to provide affordable lots.
 - Estimates the low price for a lot would be \$75,000.
 - Estimates the price for a semi-custom dwelling would be at least \$300,000.
- Considering an option to transplant some of the existing blueberry bushes to create a u-pick business near the road. However, there are numerous legal concerns regarding liability.

The proposed development was discussed by the Commissioners and focused on:

- All Commissioners expressed concern over the number of lots, and how the development would fail to be cohesive with the surrounding area.
- Development would negatively change the character of the area.

- While the Township does place value on the context of design, the development looks much more dense than what is in the surrounding area.
- Despite the restriction to save existing trees in front and side yards, the front 1/3 of the property (i.e., nearly 1,000 linear feet) is a blueberry field with no trees, which means at least the first 4 lots would be 100% visible from Buchanan Street.
- This is a low-lying area and using a private septic system is concerning, so some Commissioners may not be comfortable with any lots under 1-acre in size. The larger lot size would help with the leaching process in drainfields.
- The proposed price points of \$75,000 for a lot, and \$300,000 for a dwelling would never be considered affordable. Only dwellings within the \$100,000 range would be considered affordable.
- Development abuts a nonmotorized pathway, so the Commission would require sidewalks within the site.
- Developer is encouraged to:
 - Re-consider the multi-tenant options described in Fedewa’s November 16th memorandum;
 - Reducing the number of lots to maintain the character of the area; and
 - Increasing the minimum lot size, so it is closer to, or over, 1 acre.
- Attorney Bultje indicated Section 17.01.2 of the Zoning Ordinance requires a PUD to have sanitary sewer, and because existing sewer is not within 2,700 feet of the site, the property may not be “ripe” for a PUD at this time.
- Fedewa explained that a Future Land Use map is intended to guide the growth of the Township over a period of decades. Even though the Future Land Use map designates this land for 25,000 sqft Low Density Residential lots, if the surrounding area is not prepared to support that size of a development then the site is not considered to be “ripe.” Rather, the property owner would need to postpone the desired project until the infrastructure is prepared to support development; or develop the land with 7, or fewer, lots to negate the PUD and sanitary sewer requirement.

B. Presentation – Chair Cousins – Master Citizen Planner Certification

Unexpectedly, the Chair was unable to attend, so the presentation will be postponed until the next regularly scheduled meeting.

X. REPORTS

A. Attorney Report – None

B. Staff Report

- The next Zoning Ordinance Update Committee meeting is scheduled for Thursday, November 30th @ 6pm in the Main Conference Room. Staff will send a reminder email out to the Planning Commission in case someone wants to attend.
- Provided a brief overview of the proposed redevelopment on the 7-acre parcel along Robbins Road.

C. Other – None

XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Stacey Fedewa". The signature is written in a cursive, flowing style with a large loop at the end of the last name.

Stacey Fedewa

Acting Recording Secretary