

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
June 7, 2022

Chairman Randy Kortering called the meeting to order at 6:00 pm and asked for a roll call of members present.

Present: Chairman Randy Kortering, Vice-Chairman/Secretary Jack VanderMeulen, Members Leo Barajas, Doug Becker, Steve Darrow and Evan Sharp. Also present were Community Development Director Corey Broersma, and Recording Secretary Tricia Kiekintveld.

Absent: Miska Rynsburger.

Public Comment: None.

Chairman Kortering requested an adjustment to the agenda in order to discuss the May 7 meeting minutes and a motion regarding the First National Bank PUD after a Staff update on the matter later in the night's meeting. The Commission agreed.

Public Hearings:

Chairman Kortering opened a public hearing for consideration of an amendment to the Zoning Ordinance and Map of Holland Charter Township submitted by Ron Webb on behalf of Jack Wainer. Said lands are located at 0 140th Ave., described more specifically as Parcel Number 70-16-07-200-022. Petitioner is seeking to amend the land's designation from AG Agriculture to R-3 High Density Residential.

Present for this request was Mr. Bill Sikkel of 42 E Lakewood Blvd. o/b/o Ron Webb and Jack Wainer.

Mr. Sikkel said that they are here tonight to rezone the property from AG Agriculture to R-3 High Density Residential. He pointed out that this matches the master plan for that property of high density residential. They are not coming tonight with a site plan, at this point they are only requesting rezoning.

Staff stated that they are concerned with the possible density associated with rezoning this property to R-3 due to the single-family homes that are to the north and west. Further, there was the fairly recent change of use of the property to the northeast from 22 units within 2 buildings to 12 units within 6 duplex style buildings.

Mr. Sikkel said that with R-3 the density allowed is 10 to 15 units per acre and in the Master Plan the density for R-2A is 5 to 10 units per acre. He also stated that the allowed maximum height for R-3 is 60' and for R-2A it is 45'. Mr. Sikkel said that his client is volunteering to limit the density to 12 units per acre and a building height of 45' putting it much closer to the allowances for R-2A zoning. He pointed out that this lot is the same size lot, 10 acres, as the neighboring parcel to the east, Traditions Way.

Mr. Sikkel said that emergency access would be addressed at site plan approval and they will work with the Fire Chief on this. He did say that they are not sure if they would be able to get an easement through the property to the north as they do not own that parcel and the plans for that property do not show space for an easement.

The Commission asked if Mr. Sikkel's clients owned the property and Mr. Sikkel stated that it is under contract.

Mr. VanderMeulen stated that he is not comfortable granting R-3 zoning if the parcel does not have adequate egress and ingress to the property for the potential density in R-3 zoning.

Mr. Sikkel said that his clients plan to have a similar road structure as Traditions Way with one entrance/exit and a loop road. However, it is premature to say how it will be designed without a site plan. Mr. Sikkel said that his clients understand that they are taking a risk at this point without a site plan in place.

Mr. Becker asked Staff to verify that the Master Plan has this land zoned as high density residential and Staff confirmed that it does.

Staff stated that due to the existing adjacent density and the reduction in density planned to the northeast Staff no longer feels that high density is the best use for this land.

Mr. Sikkel noted that his clients have no intention of maxing out the density.

Chairman Kortering opened the meeting up for public comments.

Michelle Rowden, 3816 140th Ave. Ms. Rowden said that she has lived in the township for 33 years. She said that at the time that Traditions Way went in the police said that when you have such high density in a small area the crime rate will increase. She has seen this happen since the apartments have been built. Ms. Rowden said that they have heard shooting and there was a murder there last year. She is also concerned that with another apartment complex in the area the surrounding home values will go down.

Ms. Rowden also voiced her concern with how much busier the traffic will be with that many units funneling on to 140th. She is especially concerned because of the schools right there that this is a danger to the children. Ms. Rowden said that there are many other good locations in the township for a high-density development to go in and feels that this is not the best use of this land.

Alicia Chrysler, 3738 140th Ave. Ms. Chrysler said that she feels this property should be zoned R-2. She would like to see this land developed but does not feel that it should be developed into R-3. Ms. Chrysler is concerned about crime going up with the high-density development being proposed.

Linda Craft, 3828 140th Ave. Ms. Craft is concerned about the increase in noise and traffic with an R-3 zoning. She is concerned about an increase in traffic with the children so close to a school.

Colleen Mikesell, 13962 Kristen Lane. Ms. Mikesell stated that all the streets and all of the subdivision roads along or off from 140th Ave. are cul-de-sacs so all of those residences need to use 140th. She stated that it doesn't seem to make sense to add even more traffic to that road especially with the schools and the amount of traffic they produce. She also pointed out that there are two new subdivisions being built in the area that are also going to add traffic to the road. Ms.

Mikesell is also concerned that with the added traffic that the school will choose to close off their private road to through traffic for the safety of the children which will put even more traffic on 140th. She is also concerned about the very small space for access to this parcel in question. Ms. Mikesell stated that she doesn't want to see this connected to any other developments because that would pull even more traffic onto 140th.

Mr. Sikkel answered some of the questions the public raised. He said that if they link this development to any of the other developments it would be for emergency access only. Mr. Sikkel said that the current zoning is AG and the land is not viable to be used as AG. He stated that the property needs to be rezoned according to the Master Plan. Mr. Sikkel stated that they are not envisioning tall structures, they are looking to possibly build townhomes. He appreciates the neighbor's density concerns and feels that the density they are proposing will be a good transition from the high density to the east to the single family to the north and west.

** It was moved by VanderMeulen and supported by Darrow to close the public hearing. All in favor. Motion carried.

Staff acknowledged that even though a site plan is not being considered at this time, access is a concern that the County Road Commission and the Fire Chief will also need to approve.

Criteria for Amendments

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Comprehensive Plan; or, if conditions have changed significantly since the Comprehensive Plan was adopted, whether the map change would be consistent with recent development trends in the area.

Yes, this is the case as the property will never be used as AG.

2. Whether the proposed district and the uses allowed are compatible with the physical, geological, hydrological and other environmental features of the site.

The site is currently vacant and any development will significantly reduce the vegetative cover, however, some vegetation could be retained within a development as well as in the required buffers adjacent to the AG and R-1 zoned properties.

3. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values, and traffic impacts.

This was discussed and the applicant has heard the Planning Commission's comment about access and density.

4. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting.

The site appears to be capable of accommodating R-3 uses, although any development should plan on providing a non-motorized connection to the existing 140th path and securing acceptable emergency access.

5. Other factors deemed appropriate by the Planning Commission or Township Board.

None.

Mr. VanderMeulen stated that the property is not going to stay AG and needs to be developed. He noted that the site plan review will bring a lot more scrutiny than other projects would in regards to how it affects the established neighborhood. He said that the private road by the school could become an issue if closed to the public. Mr. VanderMeulen feels that R-3 is probably too much but it is a natural progression to get out of the AG zoning.

Mr. Darrow noted that he liked the offer to cap the structure height at 45' verses the allowed 60' in an R-3 zoning. Staff replied that they would prefer to have a motion recommending either approval or denial without conditions to bring to the Township Board. Staff would like to have the site plan dictate any specific issues at that time.

Mr. Barajas stated that he is sympathetic to the public comments however he feels that if the Master Plan calls for R-3 then he feels it is their duty to follow the Master Plan.

Mr. Becker said that there is a need for housing in the area and feels this needs to be rezoned so that can happen here.

** It was moved by Barajas and supported by Sharp to recommend approval to the Township Board for the proposed Zoning Map amendment changing the subject land's zoning district from AG Agricultural to R-3 High Density Residential. A roll call vote was taken. Yes - 6, No - 0, Absent - 1. Motion carried.

Chairman Kortering opened a public hearing for consideration of a request for a proposed preliminary site condominium plan for the Eagle Meadows Site Condominium Development, submitted by Joe Siereveld of Eagle Creek Homes LLC o/b/o Paul and Violet Riemersma Trust/Michelle Eustice Trustee. Said lands are described as 0 Perry Street (no address), described more specifically as 70-16-24-300-038. The proposed site condominium consists of 22 detached single-family residential units with public watermain and sanitary sewer, private street, and private stormwater retention facilities. The subject property is currently zoned R-2 Moderate Density Residential.

Present for this request was Don DeGroot of Excel Engineering and Joe Siereveld of Eagle Creek Homes LLC.

Mr. DeGroot stated that this property was rezoned to R-2 last year and that another developer had brought a plan before the Commission that was denied mainly due to the lack of future connectivity. He said that their layout is for 22 site condominiums meeting the minimum requirements. Mr. DeGroot noted that they will install the necessary street lights along a public road along with connections to public water and sewer.

Mr. DeGroot said that in R-2 they are allowed up to 5 units per acre. They are proposing lots sizes of 50% larger than the minimum requirement and a density of 3.6 units per acre. Mr. DeGroot addressed the lot width to depth ratio. He said that the Township guidelines state the depth is not to exceed 2.5 times the width. Mr. DeGroot said that Lot 1 and all the lots on the east side of the road meet the requirements. He noted that the reason the lots on the west side of the road exceed the depth is because of the generous detention area in the back yard of those lots. Mr. DeGroot said that they feel this provides a more desirable lot. He said that they are seeking a waiver in the subdivision control ordinance for this.

Mr. DeGroot noted that Staff suggested eliminating a lot on the south side of the cul-de-sac however they feel that the plan they submitted meets the requirements and, in an effort, to keep the homes affordable they would like to leave it as 22 lots.

Mr. DeGroot said in reference to if they would be ok allowing the right-of-way to extend north to the campground parcel for a future connection, they have no problem with that. He said they are open to providing a sidewalk to Perry as well.

Mr. Kortering asked if they have a place for the mailbox station. Mr. DeGroot answered that it will go in by Lot 22.

Mr. Kortering noted that the floor plans were not legible and therefore the applicant needs to submit new plans. Mr. DeGroot apologized for the lack of clarity and will provide new floor plans.

Mr. VanderMeulen asked about the size of the garages because they have been getting some criticism for allowing garages that were very small. Mr. Siereveld said that the smallest garage is 20' x 20'. Mr. VanderMeulen said this is the size that they are getting complaints on. Mr. Siereveld said that they will have a 16' wide door with 2 stall garages but there could potentially be a 20' x 20' garage. Mr. VanderMeulen said that doesn't leave any room in the garage for a garbage can or anything else therefore they would like to see them increase the size of the.

Mr. Becker said that he accepts keeping the 3 lots in the back rather than bringing them down to 2 lots. Mr. DeGroot said that there is a drainage easement off of the cul-de-sac running along the most western edge of the property going to the retention area.

Mr. VanderMeulen said this is a good trade off. He likes the connection to the west. He commends them for building the extra road. Mr. VanderMeulen said the storm water retention area is good and has no problems with the layout.

Chairman Kortering opened the meeting up for public comments.

Mary Elhart Kraai, 1614 Highpoint Dr. Ms. Kraai said that the land behind her condo is very low and is very wet all the time with cattails growing in it. She noted that there are springs there that keep it very wet. Ms. Kraai is also concerned with adding more traffic to the area. She stated that 104th and Perry is getting very busy and traffic can get backed up almost to Perry from M-121. She said that as a condo association they should have been more invested in the rezoning last year as they are now concerned with the higher density a R-2 zoning can bring. Ms. Kraai also asked if someone could explain the difference between a detention and retention area.

Vern Jurgens, 1620 Highpoint Dr. Mr. Jurgens has some concerns about drainage and how what they are proposing will affect their properties.

Mr. DeGroot answered some of the public's questions and concerns. He said that in regards to traffic with any development that goes on this land will increase traffic in the area but that the roads were built for the amount of traffic that will be generated. Mr. DeGroot also noted that the subdivision road will be built to County standards. Mr. DeGroot then addressed drainage questions. They are going to have a detention area, which is a dry pond that does not have surface water continuously only during large rain events. This system will take the water from the homes and streets and drain it into the depression then the system will drain the water to the Perry St. drain. Mr. DeGroot stated that the county's standards have gotten much stricter in the past couple years and they will follow their standards.

Mr. VanderMeulen asked if they have been checked for wetlands. Mr. DeGroot answered they have not officially been checked and they realize there is an area with cattails.

Staff stated if the applicant excavates along the western portion of the property to create the detention area that will change the current grade which currently flows southwest, thereby reducing stormwater runoff toward Windemere condominiums. Mr. DeGroot stated that there will end up being a natural berm created between the detention pond and the property with the condos.

Ms. Kraai asked if she could make one more comment. Mr. Kortering allowed it. Ms. Kraai said that it sounds to her that all the water will then outlet in the storm water area on Perry. Ms. Kraai also wondered with the cul-de-sac that goes west for future connection does the county need a promise that this land will be developed and that road will for sure go through to 104th? Mr. Kortering answered that no the county does not require a development agreement, they just want the road there in case anything was to be developed there any time in the future. Staff said that the County will require a stub be there for possible future connection.

** It was moved by Becker and supported by Darrow to close the public hearing. All in favor. Motion carried.

Staff stated that they would like to see a motion go before the Township Board without a lot of conditions. Staff asked the applicant why they chose to do a site condo rather than a plat given the lack of common area? Mr. DeGroot answered that the plat process with the state can be very complicated and has disadvantages where a site condo is much quicker.

Mr. VanderMeulen stated that a requirement is to have floor plans and since those are not legible, he feels we should table the request until the floor plans are resubmitted.

Mr. Becker said that this is a great improvement over what was submitted the last time but he too said that we really need to get the floor plans before we can approve the request and send it to the Township Board for approval.

Staff had some comments for the Commission to consider as they state a motion for this request. He asked if they are ok with the adjustment of the road going north to Lot 13, accepting the lot layout as proposed, would the Commission like to accept sidewalks on the new plans?

** It was moved by Sharp and supported by Becker to table the request for a Site Condo pending plans showing adjustment to Lot 13, location of sidewalks, and legible floor plans. A roll call vote was taken. Yes - 6, No – 0, Absent - 1. Motion carried.

Other Business:

Amendment to the First Michigan Bank PUD submitted by Adam Grill of Family Church. Said lands are located at 10717 Adams Street, described more specifically as Parcel Number 70-16-26-400-019. The PUD Amendment consists of changing the use from corporate offices to a Place of Worship. The underlying zoning is AG Agriculture.

Staff said that the Resolution and Report for this PUD was not ready as information was still needed at the time Commission packets were distributed. In preparing the Resolution and Report, Staff asked if it would be acceptable to rename the PUD to Family Church PUD. Staff also said that they had the opportunity to talk to the Ottawa County Road Commission about the Adams Street entry driveway and they said they would recommend a deceleration lane on Adams, but because of the nature of the changes being made to the property they would not mandate the deceleration lane. Based on the motion that had been recorded on May 7, Staff is enquiring if the Commission would make the County recommendation a mandate.

Representatives from Family Church were present and were asked if they would like to change the name and they indicated that they would like it changed to Family Church PUD. They also indicated that they were able to also talk to the Ottawa County Road Commission and they told them the same thing, that it would be optional for them to add the deceleration lane. At this point they do not feel that would be necessary. They are more than willing to work with local law enforcement to help with any traffic flow issues if they find that is a problem.

The Commission agreed to rename the PUD and allow the Adams Street drive to remain as-is. Staff will prepare the Resolution and Report for the July meeting.

Minutes:

** It was moved by Becker and supported by Sharp to approve the minutes of the May 10, 2022 meeting. All in favor. Motion carried.

Amendment to the Macatawa Legends PUD submitted by Michael McGraw of Eastbrook Homes for an Amendment to the Macatawa Legends Planned Unit Development Final Development Plan, generally consisting of an addition of land and revisions to neighborhood street configurations, housing types, and clubhouse area amenities, including a new golf course restroom, pool area restrooms, pool deck shade structure, and playground. Said lands are located south of New Holland and east of 144th. The underlying zoning is AG Agriculture. (Tabled May 10, 2022)

Staff said that the Resolution and Report for this PUD was not ready as information was still needed at the time Commission packets were distributed.

0 James Street (70-16-16-300-011) – Future Land Use Map Amendment – Mark Tomasik of Innovative design o/b/o KAL Properties LLC. (Tabled April 12, 2022)

Commission directs Staff to contact the applicant and require them to be present at the August 9, 2022 meeting or withdraw their request.

Item should remain tabled at this time.

Sidewalks

Mr. Becker had a report from the Township Board regarding mandating sidewalks in subdivisions. He said that there was general agreement to look at a more specific plan from the Planning Commission.

Staff said that the Commission can ask the Township Board to change the subdivision ordinance to include sidewalk on one side and leave room for sidewalks on both sides.

Discussion then took place regarding whose liability does the sidewalk become? The county, the association? What about a small 4 lot development? Do we require sidewalks for something like that? Mr. Becker stated that one of the Township Board members was also concerned about that. Commissioners decided to consider the topic further.

Planning Commission Discussion – Master Plan Sub-Area Overlay Zoning District(s)

Mr. Becker stated that the Township Board is supportive of creating an overlay district in the Federal District.

Staff explain where the name Federal District came from. It is understood that a long time ago that area was called the Federal School District and all of the local students went to the school that was located on 8th Street where the OAISD is currently located.

Staff wrote some new verbiage for Article 7 - Overlay Districts per the Commissions direction at the May 10, 2022, meeting. Staff also drew an outline of what the overlay district would contain.

There was discussion to extend the overlay district boundaries to the west to Chicago Drive and to the east to include the buildings sharing the parking lot with Ditto.

Staff asked the Commission to be thinking about what the intent and purpose statement of the area should be, then be ready to discuss those ideas at the next meeting in July.

The Commission then discussed the preliminary additions that Staff made to Article 7. They discussed whether they would require or allow dwellings over commercial/office use and if requiring a percentage of the space to be residential dwellings would be the best solution. There was also discussion regarding allowing hotels/motels as a special use or if they would be allowed by right.

It was mentioned for the Commission to do some research on successful cities and townships that have areas like the Township is trying to create here and see what works.

The next items discussed were building requirements such as minimum lot width, front yard, side yard, and rear yard setbacks, along with maximum building coverage, and façade standards. It was said that they are looking to have the buildings at 10', but no more than 20' from the public right of way, no thin alleys or walkways between each building, rather party walls with occasional side yards pockets that would accommodate patio seating, etc. Staff noted that the sub-area plan is looking to have designated walk-through areas for people to get from the front of the buildings to the back where parking will be located. The spaces will also have the possibility of having green space, a water feature, or be somewhere for people to gather.

As for the façade there was discussion about having balconies and how that enhances the look of a building, that requiring the building to have a terracing effect for upper stories which can give a building a lot of character and allows for outdoor terraces. Commission also stated that they would like to see at least 50% of the ground floor have glazing.

The next Planning Commission meeting is scheduled for Tuesday, July 12, 2022 at 6:00 pm.

The meeting adjourned at 8:23 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary