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MAR 06 2025



**APPLICATION FOR
ZONING MAP AMENDMENT (REZONING)**

HOLLAND TWP.

353 North 120th Avenue · Holland, MI 49424 · Phone: 616.395.0151 · www.hct.holland.mi.us

Please complete all the information on this form and return it with the appropriate fee to the Township Office. To be considered, all statements and accompanying materials must be complete and accurate. Note, errors and omissions will result in delays and the possible necessity of additional public hearings and additional fees to be paid by the Owner and/or Authorized Agent.

An application fee of \$500.00 shall be submitted with eleven (11) complete copies of this form and any additional supporting documents, such as a scaled map indicating the subject property. The copies must be submitted to the Zoning Administrator no later than four (4) weeks prior to the hearing date.

Contiguous parcels being considered for rezoning may be considered as one request provided all property being considered is to be placed in the same zoning district. Parcels separated by a street are not considered contiguous.

If contiguous or single parcels being considered for rezoning are to be placed in two or more zoning districts, each district is to be considered as a separate request and requires separate applications and fees.

The Planning Commission will hold a public hearing for all zoning map amendment requests and evaluate each request using the following criteria from the Holland Charter Township Zoning Ordinance:

Article 21 – Amendments

Section 21.4 [A] - Criteria for Map 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.
2. Whether the proposed district and the uses allowed are compatible with the physical, geological, hydrological and other environmental features of the site.
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.
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.
5. Other factors deemed appropriate by the Planning Commission or Township Board.

The proponents are expected to attend the public hearing at which their request is considered.

The Planning Commission recommendation is then forwarded to the Township Board for action. The Township Board is required to have two "readings" on the request. Depending upon timing and other factors, finalization of the rezoning request may not occur until one or two months after the Planning Commission hearing.

Contact Information (Please print or type):

Name of Current Owner(s) of Record**: Kim Niles Kinerk - nkinerk@gardensalive.com

Address: 230 Mary Ave

Phone: 937-667-2491

Greendale, IN 47025

E-mail: lschuman@gardensalive.com

Name of Authorized Agent(s): Katie MacGregor or Jeremy Close

Address: 12048 James st

Phone: 616-368-2250 or 616-741-9600

Holland, MI 49424

E-mail: kaitlin@managementbycornerstone.com

On an additional sheet, list the name(s), address(es) and interest of every person having legal or equitable interest in the land subject to this application, including partners or principles for companies and corporations.

Map Change Request (Please print or type):

1. Property Address(s): 3948 142nd Avenue, Holland, MI 49424
2. Legal Description of property to be rezoned: The North 378 Feet Of West 445 Feet Of East 1/2 Of NW 1/4 SEC 7 T5N R15W . Approximately 3.86 acres.
3. Is any of the above-described property located within a floodplain? No
If yes, provide FEMA Panel No.: _____
4. Parcel Number(s): 70-16-07-100-007
5. Acreage: 3.86
6. Current zoning: R1-Low Density Residential
7. Proposed zoning: R3-High Density Residential
8. Current use of property: Residential (multi-family)
9. Proposed use of property: Residential (multi-family)

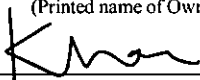
Conditional Rezoning (Article 21- Amendments, Section 21.5). It is recognized that there are certain instances where it would be in the best interests of the township, as well as advantageous to property owners seeking a change in zoning boundaries, if certain conditions could be proposed by property owners as part of a request for a rezoning. It is the intent of this section to recognize the provisions of Section 405 of the Michigan Zoning Enabling Act (MCL 125.3405) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.

Property Owner's Certification

I hereby certify that I have a legal or equitable interest in all land subject to this application and that all statements and accompanying materials are complete and accurate according to the best of my knowledge.

I further agree to authorize members of the Planning Commission, Township Board and representatives from the Building Department to enter my property in order to review the particulars of my request.

Name: Katie MacGregor
(Printed name of Owner of Record or Authorized Agent)

Signature: 
(Owner of Record or Authorized Agent)

Date: 3/6/25

** If ownership has changed within the last sixty days please provide a copy of the deed showing proof of ownership **

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To: Holland Charter Township Planning Commission

From: Pine Creek Estates LLC

By: Jake Lombardo (Attorney for Applicant), Katie MacGregor (Property Manager for Applicant through Cornerstone Property Management) and Jeremy Close (Managing Agent for Pine Creek Estates and its affiliates)

Subject: Supplemental Application for Zoning Map Amendment (Rezoning Request)

The Holland Charter Township Zoning Ordinance lists the criteria to be considered for Zoning Map Amendments. This supplemental narrative is intended to address those criteria, to the extent that they are applicable to the present request for rezoning that is set to be heard by the Planning Commission on April 1, 2025. Present at the meeting will be representatives of Pine Creek Estates LLC, representatives from Cornerstone Property Management LLC, the managing agent for the property rentals, along with undersigned counsel, Jake Lombardo of Rockford Law PLLC, the attorney for the owner/applicant.

Brief Background

The Property in question was built with the intention of being used as migrant housing to support affiliated businesses that utilized migrant workers. This was indeed the way the Property was used primarily until 2015. At that time, the affiliated operating entity scaled back its operations, and no longer needed the complex to house a large migrant population.

Since that time, the Property has slowly transitioned from full-time migrant housing to nearly full-time residential. At this time, there are 2 migrant workers residing at the Property. The balance of the residents are all Hispanic full time residents, and their families. The vast majority of the residents are low-income workers, employed by local businesses.

The Property consists of 38 single family units within 4 separate buildings, all located on the same parcel.

Request for Rezoning to R-3 High Density

The Property is presently zoned R-1 Low Density Residential. The Property is not big enough to fit the dimensions required for R-1 zoning. Indeed, being a multi-family complex, the Property does not fit the description of R-1 Low Density Residential.

There are 38 separate units. The property dimensions (excluding the public right of way) are 412' x 345', totaling 142,140 square feet. See the Included Survey. This equates to 3,740 square feet per unit. The R-3 High Density Residential requirement is 3,630 square feet. Accordingly, the Property fits the proposed use from a size perspective.

It's worth noting that the adjacent parcel to the south is owned by Niles Kinerk, the principal owner of Pine Creek Estates LLC. With the inclusion of that parcel, the Property would also qualify for R-2a Medium Density zoning.

Criteria for Map Amendments

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Comprehensive Plan.

a. The Property Provides Diversity in Housing Choices within the Township.

The Comprehensive Plan identifies the desire to support a system of organized land uses to provide greater housing choices, where new development and redevelopment areas respect and integrate with existing neighborhoods and contexts and to encourage residential developments which are needed by persons of all abilities and backgrounds.

The Property fills a need facing Holland Charter Township, and all municipalities in West Michigan, and that is affordable housing. Presently the highest monthly rental rate collected from any resident at the Property is \$900/month. Various sources indicate that the average rental rate within Holland Charter Township is between \$1,500 and \$1,700 per month, or nearly double the rates collected from the tenants residing at the Property.

The Property also provides a place to live for individuals who support the operations of local businesses. The occupants of the Property are employed as agricultural workers for other non-affiliated companies, as well as general laborers/employees at various local businesses, specifically including Roarks Garden Center, Northland Farms, Landscape Design Center, Bosch's Landscaping, Gentex and West Michigan Janitorial.

The housing of this labor force supports the economic development goals of the Township, as stated in the Comprehensive Plan. Specifically, assisting the education and business communities in developing a competitive workforce to provide job skills demanded by the regional marketplace. A diverse labor force requires a diversity of housing choices. The Property, as situated, helps provide that.

b. The Property Fits the Comprehensive Plan's Vision for a High-Density Residential District.

The Comprehensive Plan envisions High Density Residential neighborhoods featuring certain elements such as sidewalks and connectivity to community areas, which would include parks, employers and schools. By way of example, the Property is connected to the following all via sidewalk, bike path or some combination of the two:

- Quincy Park directly across the street;
- Macatawa Bay Middle School 1 mile away;
- Harbor Lights Middle School 1.6 miles away;
- Pine Creek Elementary School 1.5 miles away;
- West Ottawa High School 1.5 miles away;
- Various large employers, such as J.R. Automation, Perrigo, Bradford and Magna, all less than 1.5 miles away.

c. Expanding High Density Residential Areas is a Stated Goal of the 2020 Future Land Use Plan

The Township's Future Land Use Plan enumerates a number of specific goals. One of those goals is to increase the number of High Density Residential Areas to provide more housing opportunities, especially near employment opportunities and amenities.

A quick look at the Township's Future Land Use Zoning map reveals only three high density residential areas west of US 31. Two of those areas are mobile home parks, which leaves only one other option for high density housing, west of US 31. The Township's stated goal of providing more housing opportunities, to a diverse population (which incidentally, already resides at the Property) would be fulfilled through this re-zoning request.

2. Whether the Proposed District and the Uses Allowed Are Compatible with the Physical, Geological , Hydrological and other Environmental Features of the Site.

This is a unique situation in that what is being proposed is not a new build on a pre-existing site. Rather, the Property has been developed, structured and maintained more or less as a high density residential development since its inception. The Future Land Use Plan contemplates 10-15 units per acre of land. At 38 units, and 3.86 acres, the Property comes in underneath the stated guideline, at 9.6 units per acre. The compact design of the units has allowed a tree canopy to grow around all sides of the Property, screening it from the road and from neighboring property without the need for man made barriers, while retaining the natural features of the site and providing shade throughout.

The Property is already connected to Township supplied water and sewer, so there are no environmental or hydrological considerations that might otherwise come with the use of well and septic systems.

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.

The Property has direct access to two main roads that are designed to handle large volumes of traffic, Quincy Avenue to the North and 142nd Avenue to the West. Combined, both roads provide nearly immediate access to Butternut on one side and US 31 on the other. As a result, no appreciable increase in traffic patterns will result on any neighborhood surface streets.

The surrounding land uses vary, but it is fair to say that the block between Riley to the South, Quincy to the North, 142nd to the West and 136th to the East is comprised of a mixture of low, moderate, medium and high density residential land uses.

4. Whether if Re-Zoned the Site is Capable of Accommodating the Uses Allowed, Considering Existing or Planned Infrastructure, Including Streets, Sanitary Sewer, Water, Sidewalks and Street Lighting.

No additional infrastructure is needed or required for the Property. It is already connected to water and sewer, provided by the Township. There is ample parking available on site for residents and guests. There are no streets within the development, and the streets bordering the Property are equipped with sidewalks to promote connectivity, walkability and safety.

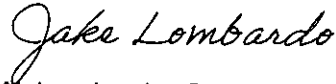
Conclusion

The rezoning of the Property would permit the 38 families that presently reside in the community full time to continue to do so. If the re-zoning request is not granted, the options for

the property are significantly limited, with the most obvious use being a reversion back to an agriculturally exempt migrant camp. That is not the desire of the Applicant, and certainly not in the best interest of the residents.

Thank you for your time and consideration.

Very Truly Yours,

A handwritten signature in cursive script that reads "Jake Lombardo". The signature is written in black ink and is positioned above the typed name.

Jake W. Lombardo, Counsel of Record

