

**MINUTES OF THE GAINES CHARTER TOWNSHIP PLANNING COMMISSION
FOR THE REGULAR MEETING HELD ON
May 28, 2020
Via Zoom
GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:02 p.m. by Chair Giarmo. A quorum was present.

MEMBERS PRESENT: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

MEMBERS ABSENT: None

OTHERS PRESENT: Dan Wells, Township Planner
David Jirousek, Planning Consultant
Robin Haaksma, Recording Secretary

II. CONSIDERATION OF MEETING AGENDA

No Changes

III. CONSIDERATION OF MEETING MINUTES

May 21, 2020 – Regular Meeting Minutes

Motion: By Member Rober, supported by Member Thomas to approve the minutes for the May 21, 2020 Planning Commission Regular Meeting.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

IV. INQUIRY OF CONFLICT OF INTEREST

None

V. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. NEW BUSINESS

1. Advertised Public Hearings

a. Special Use Permit, 3592 100th St. SE (A-B)

Request to allow for a total 5,184 sq. ft. of accessory buildings in the A-B zoning district.

Charles Ward stated he currently has a historic barn and a lawn equipment shed on his property. He would like to add an additional accessory building for personal storage.

Planner Wells explained this is a large property surrounded by open space. Another building shouldn't bother any neighbors. The scale and design are similar to what neighboring properties may have.

Chair Giarmo opened the public hearing at 7:10 pm.

Chair Giarmo closed the public hearing at 7:11 pm.

The Planning Commission feels this is a reasonable request. They inquired if there would be any outdoor storage under either of the porches shown in the drawing, and if the barn would have water and electricity. Mr. Ward responded that firewood would be kept under the largest porch and underground electric would be run to the building.

Motion: By Member Billips, supported by Member Rober to approve the special use permit for a detached residential accessory building which will exceed the maximum square footage requirement of the Zoning Ordinance, subject to the following conditions from the staff report:

1. The building shall adhere to the size and setback requirements proposed as part of the application submittal.
2. The building shall be used for residential and personal storage only, and shall not be used for commercial purposes.
3. The building shall comply with the 20 foot maximum height requirement.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

b. Special Use Permit, 8901 Kalamazoo Ave. SE (A-B)

Request to allow for a 16,872 square foot accessory building on the subject property prior to primary residence construction.

Kevin Hoekzema from KLH Custom Homes addressed the planning commission. His client would like to build a luxury home and an entertaining barn with indoor sports areas. This would be situated on 30 acres. They plan to set the barn at a lower elevation on the property to shelter view from the road. The property has one neighbor to the south and the remainder is surrounded by agricultural land.

Planner Wells explained this is an unusual situation. The applicant would like to build a barn with recreation and living space on the property prior to the main house being built. Being constructed first the barn would be considered the primary residence. The applicant is seeking preapproval for the barn to change to an accessory building upon completion of the future planned residence. The proposed barn exceeds height limits and doesn't meet the standards as an accessory building.

Chair Giarmo opened the public hearing at 7:22 pm.

Chair Giarmo closed the public hearing at 7:22 pm.

Planner Wells told the Planning Commission a neighbor of this property contacted him with questions. They wanted to know if they would be able to see this barn from their property. After speaking with Planner Wells they didn't share any objection to the project.

The Planning Commission does not like the appearance of the proposed barn. It looks too much like a commercial building. They also shared concern regarding non personal use of the building in the future. And also discussed the size of the building. They are unsure if they would approve the structure even if the primary home was already constructed.

Chair Giarmo asked how two primary residences can be on a single lot. This is a complicated request that doesn't fit with township ordinances.

Motion: By Member Waayenberg to deny the special use permit as discussed.

Kevin Hoekzema interjected this will be an off season training facility for an athlete. The applicant is willing to sign an affidavit stating there is no planned commercial use and give a timeline for house completion. Can the planning commission give further direction?

Member Waayenberg withdrew his motion.

Planner Wells can discuss different ways to approach this with Mr. Hoekzema. Options mentioned were splitting parcels or removing the residential properties from the accessory building.

Motion: By Member Waayenberg, supported by member Thomas to table this item until the next Planning Commission meeting.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

- c. **Planned Unit Development, Preliminary Plan – 8190 Division Ave. SE (R-10 and R-14)**
Request for a residential Planned Unit Development (PUD) for a single apartment building with 125 market-rate senior housing units. Rezoning 17 acres to PUD and preliminary plan approval is requested.

Beth Ernet from Clover Communities made a presentation to the Planning Commission. Clover is based in New York. They have been operating for 30 years. Currently have 30 plus developments and wish to expand into Michigan and the Carolinas. Clover will remain the owner of this property, they do not build developments to flip them.

8190 Division currently has rental homes on the property that will be demolished and was formerly an apple orchard. This is a highly wooded lot. Clover's properties are designed to be livable. No assisted living or medical services are provided. Their other developments maintain a 10 year average occupancy. Gaines Township is very attractive to Clover because of the current aging population. This proposed development will not put a strain on emergency services, traffic, or the school districts.

The building will be a 3 story 136,000 sq ft structure. The maximum height is 40 feet. Each unit will have a balcony or patio. There will be 151 parking spaces and 40 garages for the 125 units.

Jared Kime spoke about engineering aspects. This is a heavily wooded site and the elevation drops considerably on the north and east of the property. Clover plans to set the building to the west to save trees and wetlands on the property. The water connection will come from Division and the sewer connection is in the rear of the property. They are trying to preserve as much woods as possible to provide a buffer to neighbors. Also striving for a serene environment for their residents.

David Jirousek explained there have been several conversations with the township regarding this development. Tonight's public hearing is the first of three steps in the PUD process. This project does qualify for PUD consideration. It is up to the Planning Commission to decide if it will have a recognizable benefit to the township. On the master plan this property is designated as mixed use. Guidance has been given to previous applicants in this area to be creative and come up with a mixed use. The proposed density falls within the range of the master plan. Traffic isn't a major concern because it is an age restricted property. The Planning Commission should consider the Non-Motorized trail network as an easement for future trail connection.

Chair Giarmo opened the public hearing at 7:55 pm.

Judy Scott, 70 Brewer Park Circle SE, inquired about the sidewalk. Do they continue sidewalk to 79th and 76th St? Or will sidewalk only be in front of their property? She would like more sidewalk for safe non-street access in that area.

Thomas Ozinga, 183 Brewer Park Circle, asked what the plan is for the northern part of the property near Brewer Park Circle. Will it be added to the Brewer Condos?

Dave Bultsma, the developer of Brewer Park Condos is happy with the proposed plans. He feels it will fit well in the area.

Dave Scott, 70 Brewer Park Circle SE, asked if the development will be connected to the park. Clover responded that the grade change between the park and their property makes it nearly impossible to meet ADA requirements for a connection.

Fire Inspector Dave VanPutten shared that Clover has worked well with the fire department. However, he is concerned about access to the rear of the building. The department's ladder truck cannot gain access, and their ground ladders cannot reach the third floor.

Kerry Diemer, 9621 Meadow Valley, would love to see the bike trail connected. It is a great place for residents to get exercise in the township.

Holly Drummonds, 8136 Division Ave. asked if there would be a buffer between her property and this proposed development.

Chair Giarmo closed the public hearing at 8:12 pm.

Member Haagsma thinks this is a good use for the location, but there isn't much character in the appearance. This looks like any other apartment complex in the township.

The Planning Commission would like more information regarding the 2.5 acres on the north end listed as a proposed parcel split on the plans. Is the applicant willing to incorporate that into the plan to lower the population density? Chair Giarmo mentioned the township has tried to keep higher density projects to the north of M-6.

The Planning Commission discussed if the property is consistent with the master plan which lists this property in a mixed use area. A stronger architectural design is needed and if they kept the 2.5 acre possible split in the plan that could contain some mixed uses (ex: hair salon, breakfast restaurant, etc.).

The Planning Commission feels that a trail could be connected to the park. The grade on the southern third doesn't look too steep. They also mentioned a sidewalk to the street would be an added benefit for the residents.

The fire access issue was also discussed. Fire Inspector VanPutten shared his concern with gaining access to the court yard portion of the plans. The Planning Commission asked if staff could resolve this with the applicant. Member Waayenberg suggested grass pavers as a solution.

The number of parking spaces was discussed. Does the plan include enough spaces for guest parking? The applicant stated the maximum parking space capacity of their other properties is approx. 70%. Future spaces are indicated on the plan if needed. Clover prefers to add spaces as needed to avoid unnecessary concrete.

Clover is willing to keep the 2.5 acres within the PUD. The adjoining property owner has expressed interest in purchasing it to add a phase to the Brewer Park Condos. Clover has no intention to further market the property.

Motion: By Member Rober, supported by Member Waayenberg to table this request and let the applicant follow the direction given tonight.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

d. Major PUD Amendment: Loan Oak – Kent LLC, Rapids Drive (PUD)

Major amendment to allow for greater wall and ground sign square footage.

Zachary Perry addressed the Planning Commission. They are asking for a variance to increase the signage on the building.

Dan Wells displayed examples of the signs proposed by the applicant.

David Jirousek stated this is a major PUD amendment for signage. No negative impact is expected. The proposed size fits with the building sizes and similar approvals made for the Amazon property.

Chair Giarmo opened the public hearing at 8:55 pm.

Chair Giarmo closed the public hearing at 8:55pm.

Motion: By Member Haagsma, supported by Member Thomas to prepare a positive resolution recommending approval to the Township Board.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

e. Special Use Permit, 9525 Meadow Valley SE (A-B)

Request to allow for a total of 2,592 square feet of accessory buildings in the A-B zoning District.

Scott Miller, 9525 Meadow Valley, told the Planning Commission he would like an additional building for vehicle storage. He is on a private drive and would like to put his extra vehicles inside.

Planner wells explained this is a large parcel and the design is only slightly larger than the maximum square footage allowed. All other standards are met.

Chair Giarmo opened the public hearing at 9:01 pm.

Kerri Diemer, 9621 Meadow Valley, lives nextdoor to this property. She has no issue with the proposed building.

Chair Giarmo closed the public hearing at 9:02 pm.

No concerns from the Planning Commission.

Motion: By Member Waayenberg, supported by Member Billips to approve the special use permit with the following conditions:

1. The building shall adhere to the size and setback requirements proposed as part of the application submittal.
2. The building shall be used for residential and personal storage only and shall not be used for commercial purposes.
3. The building shall comply with the 20-foot maximum height requirement.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg
Nays: None
Abstain: None
Decision: Passed

f. Special Use Permit – 389 68th St. (OS)

Request for a temporary tent for summer and fall sales.

Carrie VanDenBrink stated this is the same request made in previous years.

Chair Giarmo opened the public hearing at 9:05pm

Chair Giarmo closed the public hearing at 9:05 pm.

Member Billips asked why this request must be made each year. The applicant responded they have the tent during their high donation times. They are discussing an addition to their building that would eliminate the need for the tent.

Motion: By Member Rober, supported by Member Thomas to approve the special use permit subject to the following conditions:

1. That the special use permit is granted on a temporary basis, effective from the period of July 1st through October 31, 2020.
2. That the tent must be situated on the site as materially represented in Figure 2(page 2) and that it not exceed the dimensions of 20'x50'.
3. That no additional signage will accompany the tent.
4. That no additional outdoor display of goods and materials occur unless it is specifically recognized and authorized by the planning commission as part of this approval.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

2. Site Plan Review

None

VII. UNFINISHED BUSINESS

None

VIII. GENERAL DISCUSSION

None

IX. ADJOURNMENT

Motion: By Member Waayenberg, supported by Member Rober to adjourn the meeting at 9:10 pm.

Discussion: None

Ayes: Billips, Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the May 28, 2020 Regular Meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

A handwritten signature in black ink that reads "Jani Thomas". The signature is written in a cursive style with a horizontal line drawn through the middle of the name.

Jani Thomas, Secretary
Gaines Charter Township
Planning Commission

Dated: June 25, 2020