

GAINES CHARTER TOWNSHIP
PLANNING COMMISSION – REGULAR MEETING
Township Board Room - 8555 Kalamazoo Ave. S.E. Caledonia, MI 49316

DRAFT Agenda

7:00 p.m. – Thursday, September 26th, 2024

I. Call to Order and Roll Call

II. Consideration of Agenda

III. Consideration of Meeting Minutes

a. Consideration of August 22nd, 2024, Planning Commission Regular Meeting Minutes

IV. Inquiry of Conflict of Interest

V. Public Comment

VI. New Business

1. Public Hearings

- a. 6844 Rosecrest Drive – Special Use Permit – Accessory Dwelling Unit**
- b. 7174 Martin Avenue – Special Use Permit – Adult Foster Care Small Group Home**
- c. 7514 Melinda Court – Special Use Permit – Group Child Day Care Home**
- d. 7114 Cornerstone Drive – Special Use Permit – Accessory Building**
- e. 10287 Kalamazoo Ave - Stoneco Annual Review – Jeplawy Parcel**

2. Site Plan Review

- a. None**

3. Items not requiring a Public Hearing

- a. 3316 68th Street – Resolution - Dutton Center**
- b. 3495 68th Street – Resolution – Dutton Marathon**

VII. General Discussion

VIII. Adjournment

DRAFT Minutes of the Gaines Charter Township Planning Commission

Regular Meeting held August 22nd, 2024, at 7 pm

8555 Kalamazoo Ave., SE, Caledonia, MI 49316

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

MEMBERS ABSENT: None

STAFF PRESENT: Dan Wells, Community Development Director; Dakota Swan, Assistant Planner

I. CALL TO ORDER AND ROLL CALL

Chair Giarmo called the meeting to order at 7:01 PM.

II. CONSIDERATION OF MEETING AGENDA

III. CONSIDERATION OF MEETING MINUTES

Consideration of the July 25th, regular Planning Commission meeting minutes.

Motion: Motion by Haagsma, supported by Rober to approve the minutes of July 25th, 2024, with corrections.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (7-0)

IV. INQUIRY OF CONFLICT OF INTEREST

None.

V. PUBLIC COMMENT

Kim Malski of 1380 84th Street approached the podium to speak on behalf of Prairie Wolf Station, which is a mixed-use development that is planned to go at the corner of Kalamazoo and 84th Street. Malski expressed that she feels as though owners of the surrounding properties deserve the same courtesy as those that will be living in the development, and that ideally, she would like to see screening efforts between the development and other properties. She added that she feels as though this development infringes upon agricultural means of production in the area, and that the developer should bear the burden of installing a privacy fence.

VI. NEW BUSINESS

1. Public Hearings

a. 2701 76th Street – Tentative Preliminary Plat – Alexander Trails Phase 1

Kelly Kuiper of Signature Land Development Corporation spoke on behalf of the project, and stated that within Phase 1, the applicant intends to construct 25 single family lots designed under the PUD and Zoning District requirements. Kuiper added that they will establish a streetlight assessment district, and as time goes on, agency approvals will be sought after, and fine details will be refined.

Planner Wells gave the Townships perspective and stated that the applicant is seeking tentative preliminary plat approval, which is the first step in the platting process. Wells explained that tentative preliminary approval enables the applicant to put in infrastructure such as roads and water/ sewer lines, and they will seek final plat approval after those steps are completed. Planner Wells went on to say that lot sizes and setbacks were established within the PUD approval process, which was approved by the Township Board. Wells said that landscaping and sidewalk requirements were found to be met, and the conditions of approval include providing no less than 4 house models, meeting street tree requirements, creating a streetlight assessment district before building permits are sought, and adherence to the Township Engineers review comments. Overall, staff found all standards to be met, and recommend the Planning Commission make a positive recommendation to the Township Board.

Chair Giarmo opened the public hearing and subsequently closed it as nobody approached the podium to speak.

Commissioner Haagsma began discussion by stating that he would like to see the name of the road “Hidden Knoll” changed to something else west of Parsley to avoid confusion in the future.

Kuiper responded that the applicant did receive approval for all road names shown in the site plan, however, she will ensure that it is specified when site plans are sent to the Kent County Road Commission for final approval.

Chair Giarmo suggested making the name change a condition of approval to grant the applicant more leeway in changing the road name of Hidden Knoll to the west of Parsley.

Motion:

Motion by Waayenberg, supported by Haagsma, to make a positive recommendation and draft a resolution for the Township Board with the following conditions:

- 1.** Staff shall confirm no less than four house models that meet the requirements of the GCTZO Section 6.4 A are built within the plat.
- 2.** Staff shall enforce the street tree requirement of the GCTZO Section 16.13 A at the time of final plat consideration.
- 3.** The applicant must request the creation of a Street Light Assessment District before applying for residential building permits.

4. The applicant must adhere to all review comments provided by the Township Engineer.
5. Receive approval from Kent County Road Commission for road name requirements.

DISCUSSION: None
AYES: ALL
NAYS: None
ABSTAIN: None
DECISION: Motion Carried (7-0)

b. 2701 76th Street – Tentative Preliminary Plat – Alexander Trails Phase 2

Kelly Kuiper spoke on behalf of Phase 2 of the Alexander Trails development as well, and stated that Phase 2 will see the addition of 20 residential lots, and that the goal is to have 45 residential lots amongst phases 1 and 2. Kuiper added that the goal of Phase 2 is to bring the flow of development closer to Phase 3, and allow access to another product type within the development; the townhomes.

Planner Wells added that the condominium portions of the development were approved under the initial PUD, which underwent the same review process, and resolutions were written to approve those sections. Wells added that it has been approved in terms of locations, however, he does foresee PUD Amendments down the line.

Chair Giarmo opened the public hearing and closed it after nobody approached the podium to speak.

Commissioner Wiersema began discussion by inquiring about fire department requirements, and clarifying that after 30 houses are built, a second access point will be required, to which Planner Wells confirmed that the Fire Department and staff are monitoring numbers and will ensure that a second ingress/ egress point will be installed before exceeding 30 houses, either connecting to Hidden Knoll or Terra Cotta.

Motion: Motion by Haagsma, supported by Wiersema, to draft a resolution and make a positive recommendation to the Township Board with the following conditions:

1. Staff shall confirm that no less than four house models that meet the requirements of the GCTZO Section 6.4 are built within the plat.
2. Staff shall enforce the street tree requirement of the GCTZO Section 16.13 at the time of final plat consideration.
3. The applicant must request the creation of a Street Light Assessment District before applying for residential building permits.
4. The applicant must adhere to all review comments provided by the Township Engineer.

DISCUSSION: None
AYES: ALL
NAYS: None
ABSTAIN: None

DECISION: 7-0

2. Site Plan Review

a. 8460 Kalamazoo Avenue – Phase 1 Site Plan Review – Prairie Wolf Station PUD

Mike Speedy, a representative from the developer for this project, American Kendall Properties, was joined by Eric DeYoung of Nederveld to offer an overview of this project. Speedy stated that the applicant has complied with the comprehensive plan stipulated by the court in the form of a Consent Judgement, and that they have located and bought water pipe in addition to working with other State agencies to obtain permits and approvals related to the development.

DeYoung explained that this development is intended to be a village center style community that provides a range of multifamily homes and amenities with several mixed-use aspects, and that they are seeking Site Plan approval for Phase 1 of the development. DeYoung added that the site plan provided is consistent with what is stipulated in the Consent Judgement, including unit and building counts.

Planner Wells offered the Townships perspective on this development and began by stating that this site plan review is being reviewed against the Consent Judgement, and that staff has the ability to process minor changes within the plan; he added that although Phase 1 closely matches what was stipulated in the Consent Judgement, at this scale, it is likely there will be some changes as time goes on. Wells went on to say that the applicant is working with EGLE on wetland management and permitting, and that the wetlands found in the area aren't anticipated to affect overall development, however, the wetlands found in the southern portion of the development may affect future phases of the project. Wells said that Phase 1 of this project is solely a site plan review, as the PUD zoning has been approved and is already in effect.

Planner Wells noted that there is a slight deviation in the parking outlined in the site plan as opposed to what was stipulated in the Consent Judgement, however, the Planning Commission has the power to approve the revised parking counts, as the Consent Judgement stipulated that parking counts may be adjusted depending on project need. Staff found that between the amount of covered and surface parking provided to serve residents, parking requirements have been satisfied.

Wells stated that the applicant intends to install internally illuminated signs which will be reviewed by staff, and that the landscaping point requirements were found to be met along 84th Street, Kalamazoo Avenue, and within internal parking lots. The visual barriers provided by landscape buffers and the buildings themselves create good street corridors throughout the development, and in future phases, more landscape buffers will likely be required. In terms of lighting, Planner Wells said that the applicant is working on making revisions to the lighting plan and asked the Planning Commission to defer lighting requirements to staff.

Wells then discussed compliance with the Master Plan and stated that the proposed site plan creates a mixed-use town center that closely meets what is called for in the Master Plan. Additionally, there is compliance with the Zoning Ordinance, and the Consent Judgement. Wells added that this is certainly one of the most walkable developments Gaines Charter Township has seen in recent years.

Planner Wells stated that in terms of preservation of natural features, this swath of land was used agriculturally for several years, meaning that there aren't many natural features to be preserved, besides the wetland areas that the applicant is working with EGLE on to obtain permits. Privacy in Phase 1 of this development was also found to be adequate, however, any additional screening would be appropriate here. Emergency access has been reviewed by the Fire Inspector, and there will be three ingress/ egress points within Phase 1 of the development, with additional access points to come in future phases, which also speaks to vehicle circulation. The access points provided in conjunction with the traffic circle at the intersection of 84th Street and Kalamazoo are deemed to be adequate to handle the additional traffic that will be brought to the area.

In terms of pedestrian circulation, the development is very walkable and will feature sidewalks along 84th Street and Kalamazoo Avenue, and staff has worked with the development team to ensure that a crosswalk will be installed to provide access and connectivity to Prairie Wolf Park. Wells went on to say that the applicant will need to obtain drain permits from the Kent County Drain Commission, and that the Township Engineer will be reviewing said permits to ensure that the site is drained properly. Measures to ensure public health and safety were deemed appropriate, seeing as the Kent County Sheriff's Substation is directly across the street, and the development will be easily serviced by the Dutton Fire Station.

Planner Wells concluded by saying that staff recommends approval of the Phase 1 Site Plan Review on behalf of conformity with the Consent Judgement, and the applicant will need to secure agency approvals, in addition to getting proposed signage and lighting plans reviewed by staff.

Commissioners Haagsma and Wiersema, in addition to Chair Giarmo, discussed screening in the southwest corner of Phase 1, and expressed a desire to see some additional landscape buffering so as to block headlights from shining on residential properties to the south of the development until structures in future phases can assist in blocking them. Speedy stated that in time, commercial phases will need buffering and that they don't anticipate the gap to be open for very long. Planner Wells stated that the applicant can modify the planting plan with additional landscaping in that area and staff will review the changes.

Commissioner Wiersema inquired about the height of buildings and setbacks; Planner Wells responded that the building in question is planned to be 2 stories, and that the setbacks on the site plan match exactly what was stipulated in the PUD approval, since there is little administrative power to adjust setbacks or move buildings under the Consent Judgement.

Commissioner Haagsma expressed concern that the traffic study done on the area suggested a southbound right turn lane on Kalamazoo and 84th Street, to which Planner Wells responded that site improvements are still malleable, and Speedy added that a traffic circle was considered but wasn't implemented. Planner Wells stated that approval from the Kent County Road Commission is still necessary, and that it is possible to make minor changes in circulation. Commissioner Haagsma added that this will be brought up when driveway permits begin to get submitted.

Motion: Motion by Haagsma, supported by Billips, to approve the presented site plan as is, with the following conditions:

1. Addition of two trees in the southwest portion of Phase 1, planting plan to be reviewed by staff.
2. Modified lighting plan to be approved by staff.
3. Secure all Township departments and outside agency approvals
4. Signage meeting current ordinance standards shall be reviewed administratively and the proposed location shall be depicted on the site plan.

DISCUSSION: None
AYES: Wiersema, Billips, Waayenberg, Giarmo, Haagsma, Thomas
NAYS: Rober
ABSTAIN: None
DECISION: 6-1

3. Items Not Requiring a Public Hearing

a. 3316 68th Street – PUD Rezone and Site Plan – Dutton Center

Dan Larabel of Allen Edwin Homes offered a brief recap of the requests made by the Planning Commission for the Dutton Center development back in June. The applicants took Planning Commissioner feedback and eliminated slab on grade homes, implemented 6 feet wide sidewalks throughout the development, and intend to provide variation in the location of the front façade of homes to create an appealing streetscape. Larabel added that a plethora of open space amenities will be all throughout Dutton Center, and the development team intends to implement wayfinding signs to direct pedestrians to the Paul Henry Trail. Larabel stated that the goal is to create a desirable, active village-center neighborhood that offers a variety of amenities, and they are requesting Phase 1 PUD approval.

Planner Wells offered the Townships perspective on this request and stated that the applicants are requesting PUD rezoning for the entire property, in addition to Phase 1 Site Plan Review for the townhome and veranda units. Wells clarified that Phase 1 Site Plan Review approval is contingent on the approval of the overall PUD, and if the PUD approval is granted by the Township Board, the site plan provided will be in effect so long as it's approved by the Planning Commission. Wells added that Phases 2 through 5 are considered preliminary at this time, and that the final aspects might change. Wells stated that infrastructure and roads will be reviewed and approved by the Township Engineer and the Fire Inspector, and that the overall unit count for the development is 232 units with the potential to accommodate up to 260 units, depending on the final end use of the mixed-use buildings, which will ultimately be dependent on the developer for that portion of the PUD. Planner Wells went on to say that Dutton has been developed over the course of 120 years; development has come and gone through different phases but has never created the town-center feel that has been intended for Dutton; this development will help fill in some of the gaps with consistent commercial and retail buildings to provide services for residents and hopefully reduce the need to travel elsewhere for such services. Wells added that this development will be a good economic driver for additional businesses to move into the area in the future. Wells concluded by saying that the big question to be determined by the Planning Commission is if this development is consistent with the Master Plan's vision for Dutton and the Zoning Ordinance under the PUD standards of review. Although the site plan provided doesn't look exactly like

what was proposed in the 2008 plan for Dutton, it is imagined that this development will provide for the community in a contemporary way, as the economy and needs of the general public have changed since then.

Commissioner Waayenberg began discussion by stating that to him, the proposed plan misses the mark; he stated that although the economy has changed, he doesn't see anything unique, and he would like to see a more town center main street type of development.

Commissioner Wiersema echoed Waayenberg's concerns and added that the separation between buildings being proposed as 10 feet, in addition to the minimum distance to the PUD boundary being proposed as 30 feet, feels very close. Wiersema said that he appreciates the walking path around the retention basin and is interested to see the product types being proposed for the veranda homes, as historically in Dutton, development has drawn on walkability and front porches. Thomas agreed with Wiersema's sentiments.

Planner Wells chimed in to state that 10 feet of separation is what is stipulated by fire code.

Commissioner Rober stated that she feels as though it is too much in too small of a space.

Chair Giarmo expressed that she is concerned about giving up the intensity provided in this area for a project that isn't exactly what the Planning Commission had envisioned for a village center area. Chair Giarmo added that she would like to see more green space and less parking lot so as to eliminate any strip-mall feel within the development.

Larabel responded and stated that he was surprised at this response given what was asked of the developers at the last meeting. In terms of separation between buildings, he inquired about what is appropriate, as they have been following the Master Plan's guidance; Planner Wells responded that the required separation distance between homes in the RL-10 zoning district is 8 feet. Fire Chief Ken Van Hall chimed in at this point to add that the provided plan has been approved by the Fire Department.

Chair Giarmo expressed a desire to see stepped and staggered heights on the proposed apartment buildings; Commissioner Wiersema added that a design element as such would be conducive to a more aesthetically appealing building as opposed to a block.

Commissioner Waayenberg added that ideally, he would like to see more intentional pedestrian spaces.

Planner Wells interjected to mention that access and visibility from the roadway is necessary to drive commercial development in the area, and that the 2008 plan for Dutton did include mixed-use apartment buildings as part of a village center. Wells reminded the Planning Commission that the arrangement of buildings is malleable and can be adjusted when future phases come in seeking approval. Wells also clarified that Allen Edwin Homes is most concerned with the residential portions of the development that they will be responsible for, as opposed to the commercial portions which will likely be undertaken by a different development entity.

Commissioner Rober stated that she is worried about the number of proposed apartments. Chair Giarmo reiterated that the amount of intensity being given up for little return on mixed use development and amenities for Dutton is troublesome to her, and she'd like to see some amenities in the back of the development to take some focus off of 68th Street so as to not create a strip mall feel.

Commissioner Haagsma stated that he believes the applicant has hit the mark pretty close on what was envisioned for the area; although he wishes there was more mixed use, there isn't a lot of frontage on 68th Street to provide for that kind of development.

Chair Giarmo and Commissioner Waayenberg agreed that it is challenging to determine if this development meets the requirements for a village center development as there are not many examples of this type of development.

Planner Wells stated that Dutton is an established place, and the applicant is attempting to propose a development that will be economically viable in the area and conducive to providing more connectivity in the area. Wells added that creating corridors as such closely lines up with what was envisioned in the 2008 plan for Dutton. Wells emphasized that the applicant will need very clear directions regarding building parameters, including setbacks and separation distances.

Commissioner Haagsma stated that the Planning Commission will likely not get exactly what was envisioned for this area in 2008, and that this plan is as close as the applicant can get with the tight space they're dealing with. Haagsma said that the developer has proposed a close-knit village style community with sidewalks and roadways throughout that promote connectivity to main roads and commercial developments. He agreed that 3-story buildings are not ideal, however, everything else appears satisfactory.

Planner Wells added that the commercial buildings within the development will be subject to Neighborhood Commercial zoning regulations when they come in seeking site plan approval, which will be stipulated in the updated Zoning Ordinance.

Commissioner Wiersema summarized his thoughts and stated that he would like to see more variation amongst the separation distances between the veranda homes to emulate a main street boulevard feel. He added that he does not want to see 3 story buildings, and that a step approach with regard to the apartment buildings in the middle of the development would make sense.

Larabel and Planner Wells discussed compromising the amount of parking provided to make additional space for more activated green spaces that would be comfortable and conducive to pedestrian activity.

Motion: Motion by Haagsma, supported by Waayenberg, to direct staff to develop a resolution of recommending approval with the development team that reflect changes suggested under the Master Plan, and based on those changes, can achieve consistency with the Master Plan.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: 7-0

b. 8190 Division Avenue – One Year Extension – Brewer Park Apartments

Planner Wells stated that if the extension is not approved, there will essentially be a ghost PUD, where the zoning is in effect, but the site plan is expired.

Motion:	Motion by Haagsma, supported by Thomas, to approve a 1-year extension of the site plan.
DISCUSSION:	None
AYES:	ALL
NAYS:	None
ABSTAIN:	None
DECISION:	7-0

c. 3495 68th Street – PUD Amendment – Dutton Marathon

Chair Giarmo introduced this project by stating that this agenda item was tabled at the July meeting as the Planning Commission was seeking more refined details regarding the site plan; Adam Bryant of Irish Design & Build, the applicant for this project, gave an overview of the changes to the site plan.

Bryant began by stating that there will be a parking strip installed in the rear of the building, and there is additional parking to the east. The back asphalt will also be painted with directional arrows to guide traffic and delivery trucks, in addition to speed signs to assist in slowing traffic. The front façade of the building has been optimized to accommodate snowplows in the winter months. Bryant stated that he intends to install composite decking on the gates of the dumpster enclosure that will match the siding on the main building, and the building elevations provided have been updated to offer more details. Bryant added that if traffic gets too hectic in the loading area to the rear of the building, signs can be implemented as necessary.

Planner Wells offered Township staff's perspective of this project, and stated that originally, the reason for seeking a PUD amendment was to create a 50' x 28' addition on the north side of the building, however, additional proposed changes made the project too big to process administratively, hence the request for a PUD amendment. Wells stated that the applicant has done a good job of depicting various improvements to the site plan including aesthetics, landscaping, lighting, and general freshening up of the entire site. Wells said the Planning Commission must decide if it is appropriate to alter the setbacks on the north side of the building to accommodate the addition and decide whether the addition is appropriate for the site.

Chair Giarmo stated that she is pleased to see the area cleaned up, and that she thinks the addition and subsequent site improvements should be a welcome change to the area.

Motion:	Motion by Waayenberg, supported by Billips, to make a positive recommendation to the Township Board for the PUD Amendment with the following conditions:
1.	The parking requirement is waived, and 12 parking spaces be permitted for the site.
2.	Signage for the site will be regulated under General Commercial standards and must be noted on the site plan under "Requirements".
3.	Asphalt on the north side of the addition must be resurfaced as indicated on the site plan.

DISCUSSION: None
AYES: Giarmo, Rober, Waayenberg, Billips, Wiersema, Thomas
NAYS: Haagsma
ABSTAIN: None
DECISION: 6-1

d. 4142 92nd Street – Special Use Permit – Solar Panels

Chair Giarmo began discussion by stating that at the July meeting, this agenda item was tabled as a result of the Planning Commission needing a more accurate site plan to make a sound decision. The applicant is seeking a Special Use Permit for consumer scale ground mounted energy collectors.

Jeff Williams, the homeowner and applicant for this project, stated that he intends to do the same project that was presented in July, just this time with the submission of a site plan that's to scale.

Planner Wells stated that the applicant provided arial images that indicate the solar panels will be located behind a grove of trees; a second arial image indicates that there shouldn't be a great deal of visibility from 92nd Street, and that they will be perpendicular to the property line. Planner Wells stated that the plans seem to be reasonably scaled.

Commissioner Haagsma stated that previously, his main concern was the proximity of the panels to the property line, however, with the support of the neighbors which would be most affected, his concern is alleviated.

Williams added that the panels will be facing south, in the opposite direction of traffic on 92nd Street and the neighbors.

Motion: Motion by Haagsma, supported by Waayenberg, to approve the Special Use Permit with the following conditions:

1. Solar panel mounting and electrical systems shall be reviewed by the Building Inspector and the Township Engineer, and approval by both is required.
2. Additional screening will not be necessary.

DISCUSSION: None
AYES: ALL
NAYS: None
ABSTAIN: None
DECISION: 7-0

VII. GENERAL DISCUSSION

Planner Wells stated that Stoneco, the company executing mineral extraction in the southwest corner of the Township, has submitted materials for the annual review of the Jeplawy parcel. Wells went on to say there are approximately 2 years left of the mining operation, and that he spoke to the mine manager who said the deposits in the area are not as deep as they had initially thought. Wells added that the only complaint received during the entire operation was in the beginning when stump burning was occurring, and that the berm installed around the property has assisted in minimizing the visual impact of the project. Wells concluded by saying that all is going as planned at the mine and going quicker than originally anticipated; he added that the Sand and Gravel Subcommittee met and agreed on making a positive recommendation to the Planning Commission to accept the mine report.

Motion:	Motion by Rober, supported by Waayenberg, to accept the mining report.
DISCUSSION:	None
AYES:	ALL
NAYS:	None
ABSTAIN:	None
DECISION:	7-0

VIII. ADJOURNMENT

The meeting adjourned at 9:55 PM.

CERTIFICATION:

I hereby certify that the above is a true copy of the minutes from the July 25th, 2024, Planning Commission Meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Lani Thomas,

Secretary

Gaines Charter Township Planning Commission

Date: _____, 2024

Gaines Charter Township

Planning Commission Memo

Meeting Date: September 26th, 2024

AGENDA ITEM: VI.1.a

PROPOSED REQUEST: Special Use Permit –
Attached Accessory Dwelling

ADDRESS: 6844 Rosecrest Drive SE

PARCEL NUMBER: 41-22-10-227-003

FILE NUMBER: 240812VH

APPLICANT: Vinton and Sheryl Hubbard

PROPERTY ZONING DISTRICT: Residential (RL-10)

PROPERTY SIZE: 0.36 Acres

REPORT BY: Dakota Swan, Assistant Planner



OVERVIEW

Staff requests the Planning Commission consider the request for a Special Use Permit to allow for a 506 square foot attached accessory dwelling (AAD). The applicant has stated that the AAD will accommodate the applicant's elderly mother-in-law and provide space for her to live comfortably while also providing the applicant the opportunity to care for her.

Based on the zoning ordinance, an attached AAU is permitted so long as it meets the requirements stipulated in Section 19.8 and Section 19.9(D).

Surrounding zoning:

	NORTH: Residential (RL-10)	
WEST: Residential (RL-10)	SUBJECT PARCEL	EAST: Residential (RL-10)
	SOUTH: Residential (RL-10)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 "General Standards for All Special Land Uses" and the specific standards of Section 19.9 (D) "List of Uses with Additional Specific Standards – Attached Accessory Dwelling".

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use. In addition to the specific standards of consideration stated for each special use type within this Ordinance, it shall be guided in rendering a decision by the following general standards:

- A. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Meets standard. The proposed AAD will be used as living quarters for the applicants' elderly mother-in-law and is intended to provide her comfortable living quarters while maintaining proximity for the applicants to take care of her. With the addition, the home will be 2,063 square feet, which is not out of scale with other homes in the area. It is not anticipated there will be any hinderance on adjacent landowners from this special use.

- B. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.***

Meets standard. The 2023 Future Land Use Plan designates this parcel as Suburban Residential, which the Master Plan indicates is primarily for single-family home development. Accessory dwellings are specifically allowed with special use permits. A request for an attached accessory dwelling is consistent with the Master Plan's guidance for suburban neighborhoods and is provided for by the zoning ordinance subject to certain standards being met.

If it is determined that the proposed accessory building is consistent with the standards of Section 19.9 (D), then consistency with the zoning ordinance will be achieved.

C. The special use shall not create or substantially add to traffic hazards in the area.

Meets standard. The proposed AAD is intended to accommodate one individual, and the applicant anticipates that there will be one additional vehicle trip once a day in lieu of the additional dwelling unit. It is not anticipated that the ADU will add any substantial traffic hazards.

D. Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.

Meets standard. As an attached accessory dwelling unit, staff does not anticipate any impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools. The home is currently connected to public sewer, but not public water. If or when the well fails, they will be required to connect to the water utility.

E. The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.

Meets standard. Attached AAD's are accounted for in the zoning ordinance and are permitted so long as they meet the standards outlined in Section 19.8 and 19.9 (D).

If the Planning Commission determines that the proposed accessory building meets the standards of Section 19.9 (D), the proposed special use will not set precedents for development that adversely impact the long-term plans or policies of the Township.

F. The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.

Meets standard. The proposed accessory dwelling unit is not anticipated to have any impact on the environment and natural resources.

G. The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.

Meets standard. The proposed attached accessory dwelling will be located in the side yard of the existing primary dwelling on the parcel, is single story, and all minimum setback distance requirements will be met for this zoning district.

Section 19.9(D): Attached Accessory Dwelling – Additional Specific Standards

In considering a special use permit for an attached accessory dwelling unit, the Planning Commission shall consider the standards stated in Chapter 19 and the following additional standards:

1. Location: The proposed accessory dwelling must be located either within or attached to a single-family dwelling. Free-standing units are not permitted. The accessory dwelling must have a common wall, floor, or ceiling with the single-family dwelling or garage.

Meets standard. The attached accessory dwelling unit being proposed will be attached to the primary single-family dwelling on the parcel, and it will share a common wall with the primary dwelling.

2. ***Access to dwelling: The accessory dwelling and the principal dwelling shall have at least one common interior door.***

Meets standard. The primary dwelling and accessory dwelling will share one common interior door; access for the door will be made using an existing window on the south side of the primary dwelling.

3. ***Limit on Number: Only one accessory dwelling may be created attached to or within a single-family detached dwelling unit.***

Meets standard. The applicant intends to construct only one accessory dwelling unit to the primary dwelling on the parcel.

4. ***Occupation: If constructed at the same time as the principal dwelling, an accessory dwelling may be occupied no sooner than the principal dwelling.***

Meets standard. The primary dwelling is already constructed and occupied.

5. ***Exterior Appearance: The accessory dwelling may not result in any new door entrances on an exterior wall facing a front yard property line. The property shall retain a single-family appearance from the street and an exterior addition shall be otherwise architecturally compatible with the primary dwelling. Compatibility includes coordination of architectural style, exterior building materials and colors, roofing form and materials, and other architectural features.***

Meets standard. There is one new door entrance included in the building plans for the accessory dwelling unit, however, it will be on the side of the unit and facing the side lot line. The overall structure will maintain a single-family appearance from the street, and the addition will seamlessly blend into the existing primary dwelling on the parcel. The building plans indicate that white siding will be used on the exterior of both the primary and accessory dwellings.

6. ***Setback and Height Requirements: Accessory dwellings shall maintain all applicable setback and height standards set forth for the principal dwelling in the subject zoning district.***

Meets standard. The accessory dwelling unit remains in compliance with setback standards for the RL-10 zoning district.

7. ***Separate Unit: The accessory dwelling shall be designed as a separate and complete housekeeping unit with living, sleeping, cooking, and bathroom areas that can be isolated from the remaining original dwelling unit. It shall have a minimum floor area of 500 square feet but shall not exceed a maximum 800 square feet or 30% of the floor area of the primary dwelling.***

Meets standard. The accessory dwelling unit will have all necessary amenities to constitute as a separate housekeeping unit, including living, sleeping, cooking, and bathroom areas. The proposed accessory dwelling unit is planned to be 506 square feet.

8. ***Parking: If the proposed accessory dwelling is created by the conversion of a garage, additional off-street parking spaces may be required.***

Meets standard. The proposed accessory dwelling will not be created by the conversion of a garage. The garage attached to the primary dwelling will remain as is.

- 9. Owner Residence:** *The owner of the property shall occupy the primary dwelling and the principal dwelling shall serve as the owner's principal place of residence.*

Meets standard. The owner of the property will remain occupying the primary dwelling, and the accessory dwelling will serve as living quarters for the applicant's mother-in-law.

- 10. Ownership:** *As a condition of special use approval, the owner shall execute and record at the Kent County Register of Deeds, deed restrictions or other legal documentation that states, "The principal structure and the attached accessory dwelling shall remain in the same ownership".*

STAFF RECOMMENDATION

Staff recommends approval of the Special Use Permit with the following conditions of approval:

1. The owner shall execute and record at the Kent County Register of Deeds legal documentation that states, "The principal structure and the attached accessory dwelling shall remain in the same ownership". The revised deed must be submitted to the Planning Department prior to issuance of a certificate of occupancy for the AAD by the Building Department.



FILE NO.

240812 VH

8555 Kalamazoo Avenue SE • Caledonia MI 49316

Ph: 616 698-6640 • Fax: 616 698-2490

www.gainestownship.org

Special Use Permit

Project Address	6844 Rosecrest Dr. SE, Caledonia MI 49316		
Owner Name	Vinton and Sheryl Hubbard		
Owner Address	Street Address	City, State, Zip	
	6844 Rosecrest Dr. SE	Caledonia, MI 49316	
Parcel Number(s):	41-22- 10-227-003	41-22-	
Description of Proposed Project/Use	We will be constructing a 506 sq.ft mother-in-law suite for the client.		

Applicant/Contact	Overbuilt Construction - Bill Dixon		
Applicant/Contact Address	Street Address	City, State, Zip	
	91 S Main St	Kent City, MI, 49330	
Contact Info	Home / Office / Cell	E-Mail	
	616-322-7342	Bill@overbuiltco.com	
"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.			
Signature	Bill Dixon - Overbuilt Construction		
Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.			

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction	☐	Zoning Board of Appeals	☐	Planning Commission	☐	Land Combination	☐					
Site Plan Review	☐	Rezoning / PUD Rezoning	☐	PUD Amendment	☐	Land Division	☐					
Subdivision / Site Condo Review	☐			Special Use Permit	☐	Lot Line Adjustment	☐					
Other:												
Approved	☐	Approved with Conditions	☐	Denied	☐	Withdrawn	☐					
Zoning Administrator:										Date:		

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.

Only one car once a day- there will be no major change of traffic with this addition.

2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.

No.

3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.

The addition will be for an 84 year old mother-in-law. There will be no impact to the surrounding neighbors or community.

4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

There will be no adverse enviromental, ecological, or natural impact.

This addition meets all the SUP requirements and will provide a space for the clients mother-in-law to live comfortably and a space for the client to be able to take care of their mother-in-law in her "golden years".

- 1 Project Overview
- 2 Exterior Elevations
- 3 Roof Layout Plan
- 4 Foundation Plan Details
- 5 Architectural Plan, Main Floor
- 6 As-Built Plans

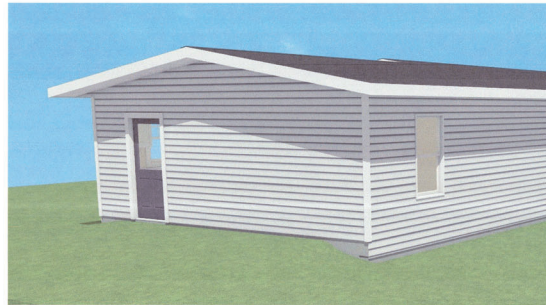
SHEET SET

6844 Rosecrest Dr.

PROPOSED



EXISTING



CONTRACTOR TO SITE VERIFY ALL DIMENSIONS AND DETAILS PRIOR TO ORDERING AND BEGINNING CONSTRUCTION

© ALL RIGHTS RESERVED. DUPLICATION AND DISTRIBUTION OF THIS PLAN WITHOUT WRITTEN PERMISSION IS PROHIBITED.

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDERINGS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. SUPERSEDED BY VIEWS.

ELEMENTS
ARCHITECTURAL DESIGN CO.
PHONE: 810.894.9019 www.designbyelements.com

Elements Architectural Design Co. recommends that all drawings be reviewed by a licensed architect or structural engineer before construction. design purposes only.

PROJECT DESCRIPTION:
Veriton Hubbard
6844 Rosecrest Dr. SE
Caledonia, MI 49316

PAGE TITLE:
Project Overview

DATE:
7/25/2024

SCALE:
1/4" = 1'0"

PAGE 1 of 6
1

SO VIDS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIDS ARE REPRESENTATIONS OF WHAT THE VIM COULD LOOK LIKE. NOT WHAT IT WILL LOOK LIKE.

Architectural drawing of the rear elevation of a building. The drawing shows a structure with horizontal siding and a gabled roof. A single window is visible on the main level. Dimensions are provided for the roof pitch (12/12), the height of the main level (10'0"), and the height of the gable (10'0"). The drawing is labeled "REAR ELEVATION" and "SCALE: 1/4" = 1'-0"

[illegible]

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DATE: 7/25/2024

PAGE 2 of 6

2

Elements Architectural Design Co. recommends that all drawings be reviewed by a licensed architect or structural engineer. Included drawings are for design purposes only.

 **ELEMENTS**
ARCHITECTURAL DESIGN CO.

PHONE: (616) 896-9019 www.designbyelements.com



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ELEMENTS
ARCHITECTURAL DESIGN CO.
PHONE (616) 896-3019 www.designbyelements.com

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PROJECT DESCRIPTION:
Venton Hubbard
6644 Rosecrest Dr. SE
Caledonia, MI, 49316

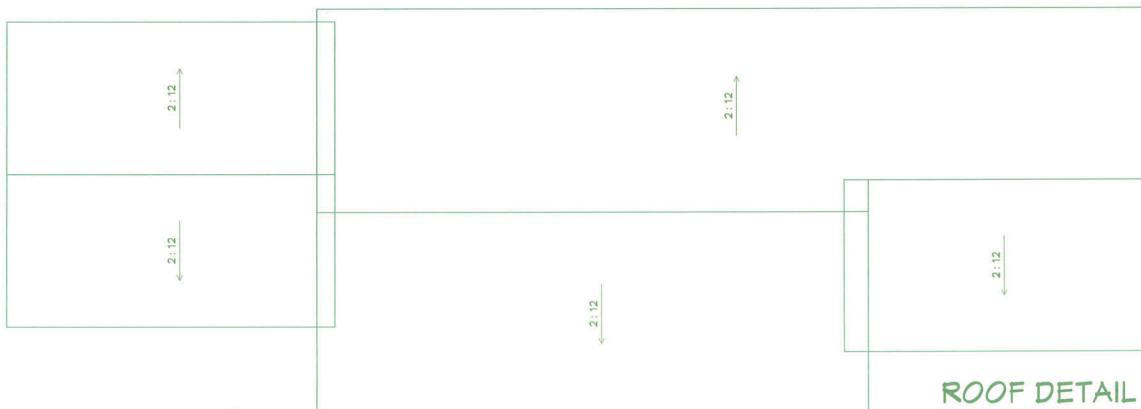
PAGE TITLE:
Roof Layout Plan

DATE:
1/25/2024

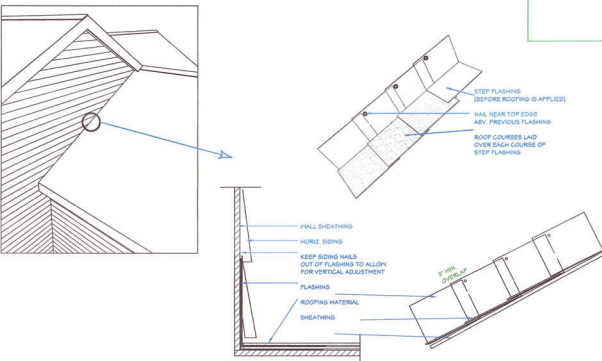
SCALE:
1/4" = 1'0"

PAGE 3 of 6

3



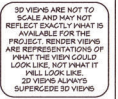
ROOF DETAIL
1/4 in = 1 ft
24" EAVES
12" RAKES



ROOF STEP-FLASHING DETAIL

CONTRACTOR TO SITE VERIFY ALL DIMENSIONS AND DETAILS PRIOR TO ORDERING AND BEGINNING CONSTRUCTION

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PHONE:(616) 896-9019 www.designbyelements.com

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PROJECT DESCRIPTION:
Venton Hubbard
6844 Rosecrest Dr. SE
Caledonia, MI, 49316

PAGE TITLE:

Foundation Plan Details

DATE: 7/25/2024

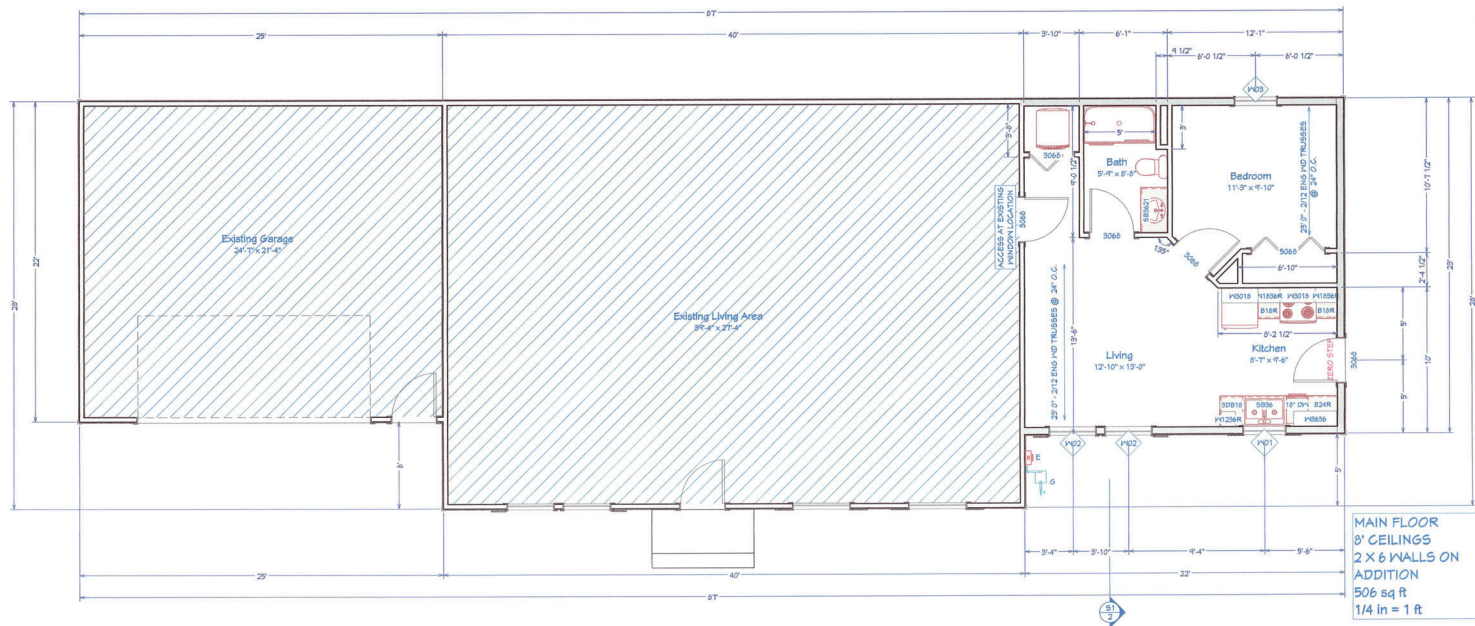
SCALE:
1/4" = 1'0"

PAGE 4 of 6

4

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Window Schedule						
Number	Label	Size	Floor	Width	Height	Comments
W01	3032SH	11	1	36 1/2"	42 3/4"	3032SH
W02	3032SH	12	1	36"	66"	31 1/2" x 24 1/2"
W03	3032SH	11	1	36 1/2"	42 3/4"	3032SH

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PHONE (516) 896-3019 www.designbyelements.com

Elements Architectural Design Co. recommends that the structural engineer, included drawings are for design purposes only.

PROJECT DESCRIPTION:

Venton Hubbard
6844 Rosecrest Dr. SE
Caledonia, MI, 49316

PAGE TITLE:

Architectural Plan, Main
Floor

DATE:

7/25/2024

SCALE:

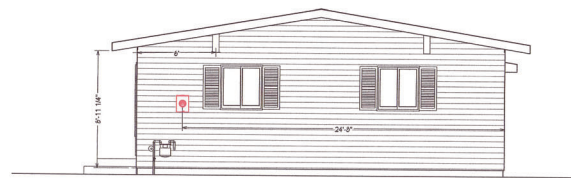
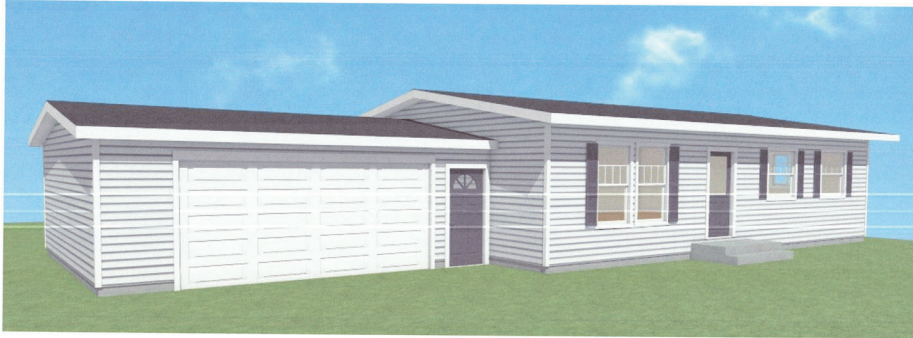
1/4" = 1'0"

PAGE 5 of 6

5

CONTRACTOR TO SITE VERIFY ALL DIMENSIONS AND DETAILS PRIOR TO ORDERING AND BEGINNING CONSTRUCTION

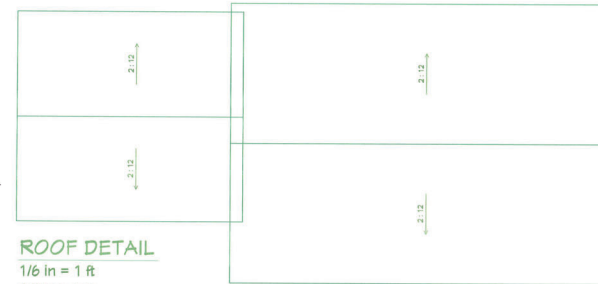
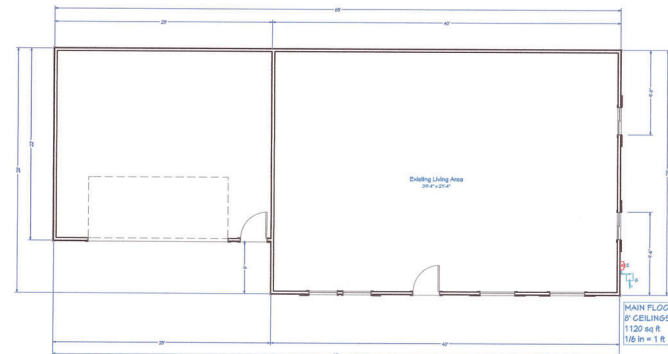
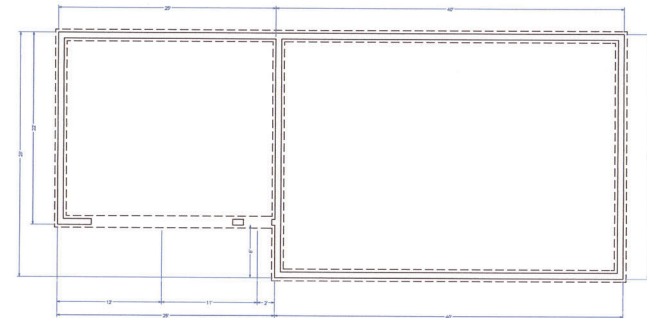
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RIGHT ELEVATION
SCALE: 1/4 in = 1 ft



FRONT ELEVATION
SCALE: 1/4 in = 1 ft



ROOF DETAIL
1/6 in = 1 ft
24" EAVES
12" RAKES

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PROJECT DESCRIPTION:
Venton Hubbard
6844 Rosecrest Dr. SE
Caledonia, MI, 49316

PAGE TITLE:
As-Built Plans

DATE:
7/25/2024

SCALE:
1/4" = 1'0"

PAGE 6 of 6

6

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Gaines Charter Township

Planning Commission Memo

Meeting Date: September 26th, 2024

AGENDA ITEM: VI.1.b

PROPOSED REQUEST: Special Use Permit

ADDRESS: 7174 Martin Avenue SE

PARCEL NUMBER: 41-22-07-280-012

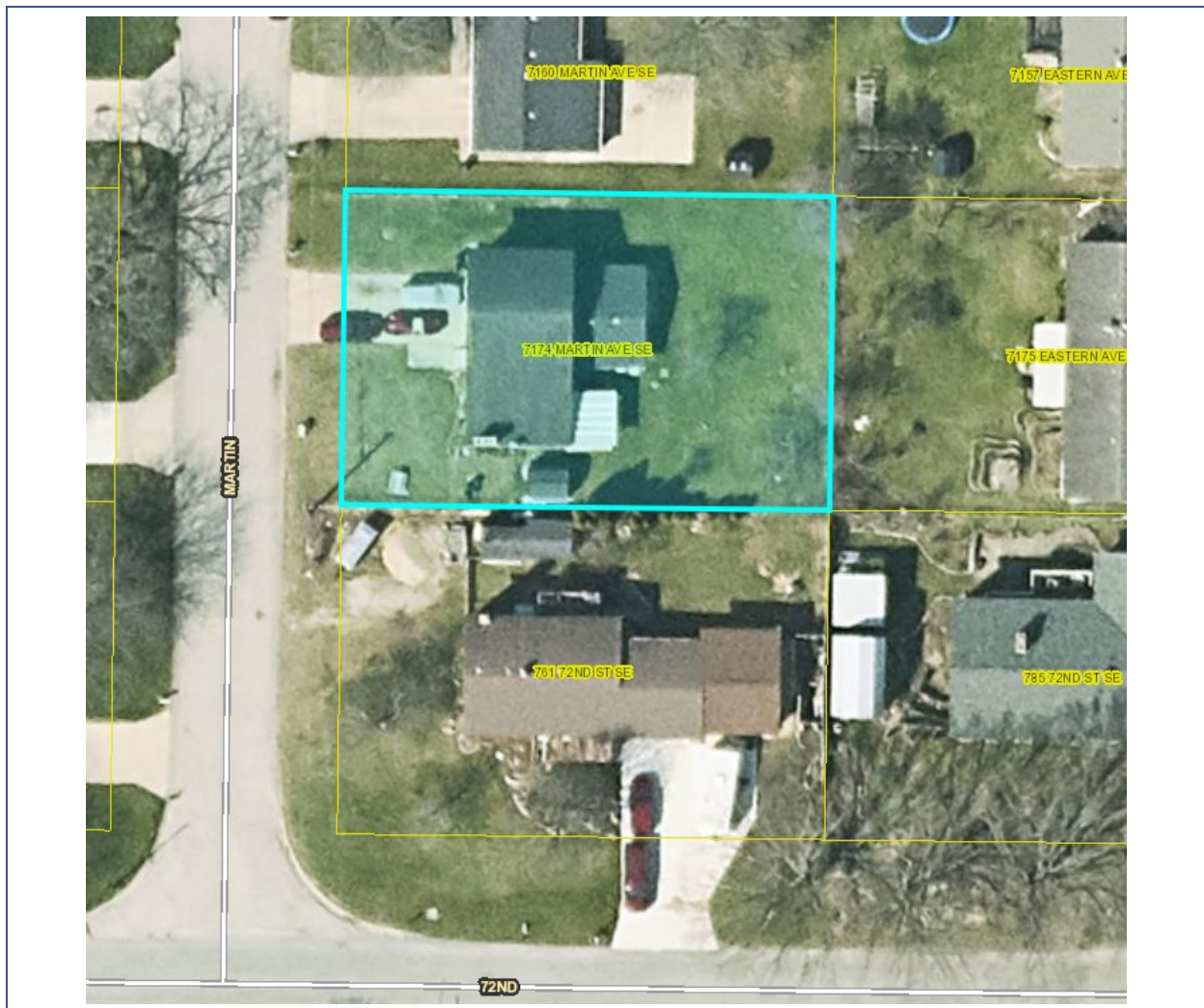
FILE NUMBER: 240807SF

APPLICANT: Stephen V. Forkpah

PROPERTY ZONING DISTRICT: Residential-RL-10

PROPERTY SIZE: 0.25 Acres

REPORT BY: Dakota Swan- Assistant Planner, Dan Wells- Community Development Director



OVERVIEW

The applicant is requesting a Special Use Permit to allow for an Adult Foster Care Small Group Home with the capacity for up to 12 individuals in the RL-10 zoning district. Based on the zoning ordinance, the applicant is required to obtain a Special Use Permit to operate an Adult Foster Care Small Group Home within the RL-10 zoning district.

The applicant is currently operating an Adult Foster Care Small Group Home at the property named Kingdom Rest Center (Inspection Report attached) with the capacity to care for six individuals, and they wish to obtain a Special Use Permit so they may increase their capacity to 12 individuals.

Surrounding zoning:

	NORTH: Residential (RL-10)	
WEST: Residential (RL-10)	SUBJECT PARCEL	EAST: Residential (RL-10)
	SOUTH: Residential (RL-10)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 “General Standards for All Special Land Uses” and 19.19.S “Adult Foster Care Small Group Home”.

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, and shall be guided in rendering a decision by the following general standards:

- A. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Undetermined. The Building Department has raised the issue that several building permits for the property have not been finalized.

- B. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.***

Meets standard. Adult Foster Care Small Group Homes are permitted in the RL-10 zoning district with a special use permit. If the Planning Commission finds that the proposed Adult Foster Care Small Group Home is consistent with the standards of Section 19.8, then consistency with the zoning ordinance will be achieved.

- C. *The special use shall not create or substantially add to traffic hazards in the area.***

Meets standard. It is not anticipated that there will be any substantial increase in traffic hazards in the immediate area, as the capacity is only proposed to increase by two individuals.

- D. Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.***

Meets standard. Staff does not anticipate any impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools.

- E. The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.***

Meets standard. Adult Foster Care Small Group Homes are accounted for in Chapter 19 of the zoning ordinance, and are permitted in the RL-10 zoning district so long as a special use permit is obtained.

- F. The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.***

Meets standard. The Adult Foster Care Small Group is not anticipated to have any impact on the environment and natural resources.

- G. The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.***

Undetermined. The proposed home occupation will be taking place in close proximity to other residences. An Adult Foster Care Small Group could be a point of nuisance for surrounding property owners, however, there is a fence enclosing the backyard, and the proposed special use has already been occurring on the property with a capacity for up to 10 individuals.

The Planning Commission will have to determine if the proposed home occupation would have serious adverse impacts on surrounding properties.

Adult Foster Care Small Group Home

- 1. The applicant must be able to demonstrate that all applicable state requirements will be met, such as compliance with State Building and Fire Codes and compliance with state licensing requirements.***

Undetermined, condition recommended. The owner of the property has applied for electrical and mechanical permits at the property but has not completed inspections. Staff recommends requiring completion of all open inspections through the Building Department, and Fire Inspector approval prior to SUP approval.

- 2. If proposed as new construction, the building shall have an appearance that is non-intrusive and consistent in color, materials, roofline and architecture with the area in which it is located, as determined by the Planning Commission.***

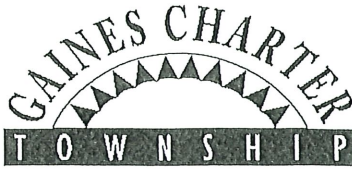
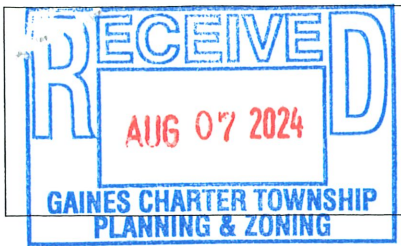
Not applicable. The building is an existing home that is in scale with the neighborhood.

- 3. An on-site drive shall be provided for drop-offs/loading. This drive shall be arranged to allow maneuvers without creating a hazard to traffic flow on the fronting street.***

Meets standard. The existing driveway is adequate for the infrequent pick up and drop offs at the residence which occurs 4-5 times a day.

STAFF RECOMMENDATION

Staff recommends the Planning Commission table the application until the owner can demonstrate completion and approval of all electrical and mechanical permits, and have a completed and approved Fire Inspection for the residence.



FILE NO.

240807SF

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Special Use Permit Application

Project Address	7174 Martin Ave. SE Grand Rapids MI 49548		
Owner Name	Stephen Vewue Forkpah		
Owner Address	Street Address	City, State, Zip	
	5896 Sable Ridge Dr SE	Kentwood MI 49508	
Parcel Number(s):	41-22-	41-22-	
Description of Proposed Project/Use	Zooning from 10 to 12 people		

Applicant/Contact	Stephen V. Forkpah		
Applicant/Contact Address	Street Address	City, State, Zip	
	5896 Sable Ridge Dr. SE	Kentwood MI 49508	
Contact Info	Home / Office / Cell	E-Mail	
	616 323 4379	stephenforkpah@gmail.com	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.			

Township Use Only

Current Zoning District: RL-14 RL-10 R-3 R-4 C-1 C-2 O-S I-1 I-2 PUD A-R A-B			
One / Two Family Construction ☐	Zoning Board of Appeals ☐	Planning Commission ☐	Land Combination ☐
Site Plan Review ☐	Rezoning / PUD Rezoning ☐	PUD Amendment ☐	Land Division ☐
Subdivision / Site Condo Review ☐	Special Use Permit ☐	Lot Line Adjustment ☐	
Other:			
Approved ☐	Approved with Conditions ☐	Denied ☐	Withdrawn ☐
Zoning Administrator:			Date:

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.
4 to 5 cars a day. Come and go traffic.
2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.
No
3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.
No distracted activity to the community. All the activities are in door. Some walking around the neighborhood and the building.
4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

From: [Dan Wells](#)
To: [Dan Wells](#)
Subject: 7174 Martin
Date: Friday, September 13, 2024 2:04:27 PM
Attachments: [image001.png](#)

Dan,

Notes for 7174 Martin:

I would recommend a new building permit be obtained for the change of use back to Adult foster care facility even though it met the requirements by the State of Michigan.

The use of the building is changed from previously licensed Adult foster care facility that lost its license under Pleasz Daniels. A change occupancy requires a new building permit. (MBC 2015 Section 105). The occupancy as licensed adult foster home ceased when the previous owner lost the license. It was operated as a private home with rental rooms for several years. There were anonymous reports of issues unapproved living quarters in the basement areas and problems with proper heat in some of the units under previous ownership.

Our records indicate that there are :

1. Open permits for Electrical from Riverside integrated Systems for **alarm systems that were never inspected (2009)** These alarms are most likely not functional after a normal 10-year life. **It is not noted if Carbon monoxide detectors are installed.**
2. Open permits for Mechanical From Alpha fire for a new fire suppression system. **No inspections noted.**
3. Open permits for the replacement of an alarm system with tie-in to the new fire suppression system. **No indication of any monitoring system with 911 notification in place. No inspections noted.**

Recommend inspections from licensed contractors for furnace and water heaters. No permits are on file for any replacements by licensed contractors of water heaters or furnaces with inspections. **The equipment is well past its normal life span.**

I would get feedback from other departments as well.

Sherrif dept-

1. Past complaints of parking and other complaints of past owners
2. Possible investigate registration of any sex offenders and distance to church and other possible daycare if applicable.

Fire Dept-

1. Inspection of fire safety along with building department approvals as condition for occupancy.
2. Recommendation of fire safety inspections on regularly scheduled basis. Testing of

alarm systems and notification.

GAINES CHARTER

TOWNSHIP

www.gainestownship.org

john.stuyfzand@gainestownship.org

John Stuyfzand

Building Official & Building Inspector

Office: 616-698-6640 Ext. 126

Direct: 616-433-8560



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 31, 2023

Stephen Forkpah
5896 Sable Ridge Drive SE
KENTWOOD, MI 49508

RE: License #: AS410415177
Kingdom Rest Center
7174 Martin Avenue SE
Grand Rapids, MI 49548

Dear Mr. Forkpah:

Attached is the Licensing Study Report for the above referenced facility. The study has determined substantial compliance with applicable licensing statutes and rules. Your license and special certification are renewed. It is valid only at your present address and is nontransferable.

Please contact me with any questions. In the event that I am not available, and you need to speak to someone immediately, you may contact the local office at (616) 356-0183.

Sincerely,

Megan Aukerman, MSW

Megan Aukerman, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
(616) 438-3036

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
RENEWAL INSPECTION REPORT**

I. IDENTIFYING INFORMATION

License #:	AS410415177
Licensee Name:	Stephen Forkpah
Licensee Address:	5896 Sable Ridge Drive SE KENTWOOD, MI 49508
Licensee Telephone #:	(616) 323-4379
Licensee/Licensee Designee:	Gayflor Cooper
Administrator:	Stephen Forkpah
Name of Facility:	Kingdom Rest Center
Facility Address:	7174 Martin Avenue SE Grand Rapids, MI 49548
Facility Telephone #:	(616) 323-4379
Original Issuance Date:	12/22/2022
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED TRAUMATICALLY BRAIN INJURED
Certified Programs:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. METHODS OF INSPECTION

Date of On-site Inspection(s): 05/30/2023

Date of Bureau of Fire Services Inspection if applicable: N/A

Date of Health Authority Inspection if applicable: N/A

No. of staff interviewed and/or observed 2

No. of residents interviewed and/or observed 1

No. of others interviewed Role:

- Medication pass / simulated pass observed? Yes ☒ No ☐ If no, explain.
- Medication(s) and medication record(s) reviewed? Yes ☒ No ☐ If no, explain.
- Resident funds and associated documents reviewed for at least one resident? Yes ☒ No ☐ If no, explain.
- Meal preparation / service observed? Yes ☒ No ☐ If no, explain.
- Fire drills reviewed? Yes ☒ No ☐ If no, explain.
- Fire safety equipment and practices observed? Yes ☒ No ☐ If no, explain.
- E-scores reviewed? (Special Certification Only) Yes ☒ No ☐ N/A ☐ If no, explain.
- Water temperatures checked? Yes ☒ No ☐ If no, explain.
- Incident report follow-up? Yes ☒ No ☐ If no, explain.
Reviewed as received
- Corrective action plan compliance verified? Yes ☐ CAP date/s and rule/s:
N/A ☒
- Number of excluded employees followed-up? N/A ☒
- Variances? Yes ☐ (please explain) No ☐ N/A ☒

III. DESCRIPTION OF FINDINGS & CONCLUSIONS

On 05/30/2023, an onsite inspection was completed at the facility. An exit conference was conducted, and the facility was determined to be in substantial compliance with rules and requirements.

IV. RECOMMENDATION

I recommend issuance of a 2-year regular adult foster care license and special certification (capacity 6).



05/31/2023

Megan Aukerman
Licensing Consultant

Date

Gaines Charter Township

Planning Commission Memo

Meeting Date: September 26th, 2024

AGENDA ITEM: VI.1.c

PROPOSED REQUEST: Special Use Permit for
Group Child Care Home

ADDRESS: 7514 Melinda Court

PARCEL NUMBER: 41-22-08-351-029

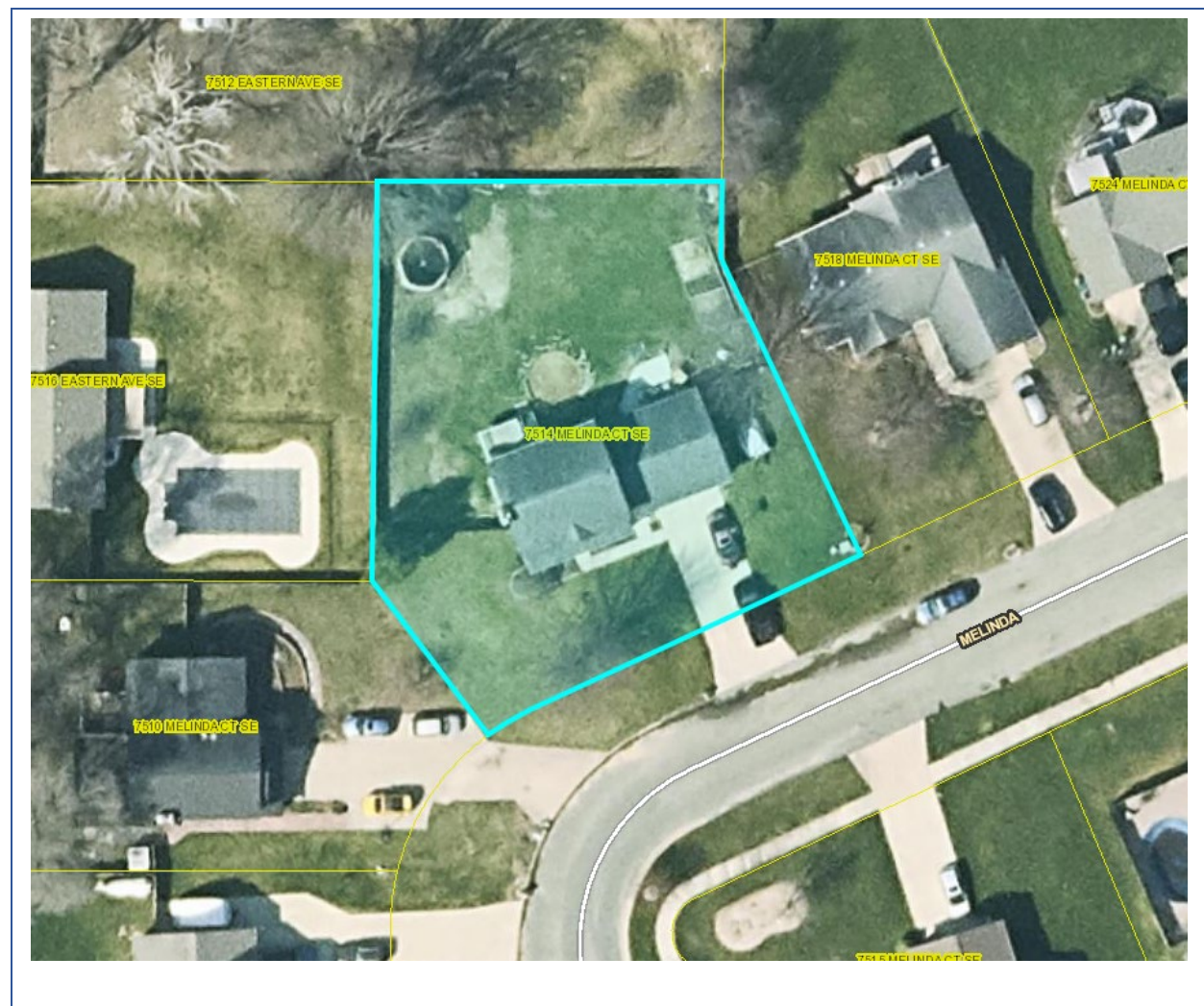
FILE NUMBER: 240724HD

APPLICANT: Heather Duff

PROPERTY ZONING DISTRICT: PUD – Crystal
Creek Estates; Underlying Zoning – Single
Family Residential - RL-14

PROPERTY SIZE: 0.34 Acres

REPORT BY: Dakota Swan, Assistant Planner



OVERVIEW

The applicant is requesting a Special Use Permit to allow for a Group Child Day Care Home (up to 12 children) in the Crystal Creek Estates PUD. The applicant stated that the previous homeowner ran a licensed daycare facility out of the home, so the dwelling is equipped and built to accommodate the use.

Based on the zoning ordinance, the homeowner is required to obtain a Special Use Permit to operate a Group Child Day Care Home within the RL-14 zoning district.

Surrounding zoning:

	NORTH: Single Family Residential (RL-14)	
WEST: Single Family Residential (RL-14)	SUBJECT PARCEL	EAST: Crystal Creek Estates PUD
	SOUTH: Crystal Creek Estates PUD	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 “General Standards for All Special Land Uses”.

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, and shall be guided in rendering a decision by the following general standards:

- A. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Meets standard. The proposed Group Child Care Home will be a benefit to families in the area; as the Township continues to grow, so does the need for childcare. It is anticipated that the fencing enclosing the property will be conducive to keeping children in attendance safe, and minimizing any nuisance on adjacent property owners.

- B. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.***

Meets standard. Group Child Care Homes are permitted in RL-14 with a special use permit. If the Planning Commission finds that the proposed use is consistent with the standards of Section 19.8, then consistency with the zoning ordinance will be achieved.

- C. *The special use shall not create or substantially add to traffic hazards in the area.***

Undetermined. The applicant has stated that the Group Child Care Home is anticipated to operate Monday through Friday from 6:30 AM – 5:00 PM, and that parents will be able to park in the driveway during drop off and pick up. Daycare drop off and pick up times are often staggered, as opposed to a

school where all children in attendance are arriving and leaving at the same time. The driveway of the home can accommodate four cars.

The applicant has applied for a Group Child Care Home License through the State of Michigan, meaning that the applicant intends to have no more than 12 children in the home on a daily basis. The applicant has clarified that she is planning on having 6 children enrolled in the day care when school is in session, and increasing that capacity to 12 children in the summer months, meaning there will not necessarily be traffic generated by 12 drop offs and pick ups throughout the entire year, which helps to minimize the traffic potentially generated.

An additional potential cause for concern regarding traffic could be the design of the street; it is possible that cars could get backed up due to the cul-de-sac. The Planning Commission must determine if the cul-de-sac/ location of the home on the street would be prohibitive to adequately managing potential traffic generated by the home occupation.

- D. Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.***

Meets standard. Staff does not anticipate any impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools.

- E. The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.***

Meets standard. Group Child Care Homes are accounted for in Chapter 19 of the zoning ordinance, and are permitted as a specially permitted use in the RL-14 zoning district.

- F. The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.***

Meets standard. The Group Child Care Home is not anticipated to have any impact on the environment and natural resources.

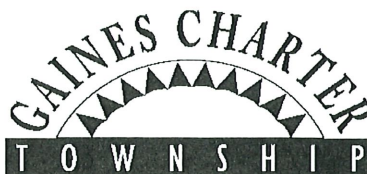
- G. The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.***

Undetermined. The proposed Group Child Care Home will be taking place in close proximity to other residences and could be a point of nuisance for surrounding property owners. However, there is a privacy fence enclosing the backyard, and the proposed special use used to operate out of the same residence with different owners/ operators.

The Planning Commission will have to determine if the proposed home occupation would have serious adverse impacts on surrounding properties.

STAFF RECOMMENDATION

Staff recommends the Planning Commission determine if increasing the capacity from six to twelve children will have serious adverse effects for the area, and make a decision to approve or deny the application.



FILE NO.

240723HD

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Special Use Permit Application

Project Address	7514 Melinda Ct SE, Byron Center, MI 49315		
Owner Name	Heather Duff		
Owner Address	Street Address 7514 Melinda Ct SE	City, State, Zip Byron Center, MI 49315	
Parcel Number(s):	41-22-08-351-029	41-22-	
Description of Proposed Project/Use	In home daycare		

Applicant/Contact	Heather Duff		
Applicant/Contact Address	Street Address 7514 Melinda Ct SE	City, State, Zip Byron Center, MI 49315	
Contact Info	Home / Office / Cell 2315700490	E-Mail CuddleBugDaycareLLC@Gmail.com	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
<i>Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.</i>			

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	(RL-14 TYPE) PUD	A-R	A-B
One / Two Family Construction	☐	Zoning Board of Appeals		☐	Planning Commission		☐	Land Combination		☐		
Site Plan Review	☐	Rezoning / PUD Rezoning		☐	PUD Amendment		☐	Land Division		☐		
Subdivision / Site Condo Review	☐			Special Use Permit		☒	Lot Line Adjustment		☐			
Other:												
Approved	☐	Approved with Conditions		☐	Denied		☐	Withdrawn		☐		
Zoning Administrator:										Date:		

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.

Will be open Monday through Friday 6:30 am-5pm. There won't be extra traffic in streets as there will be parking available in my driveway for parents to pick-up and drop-off.

2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.

Only noise would be children while outside during the day. No changes to dust, odor, light or other emissions.

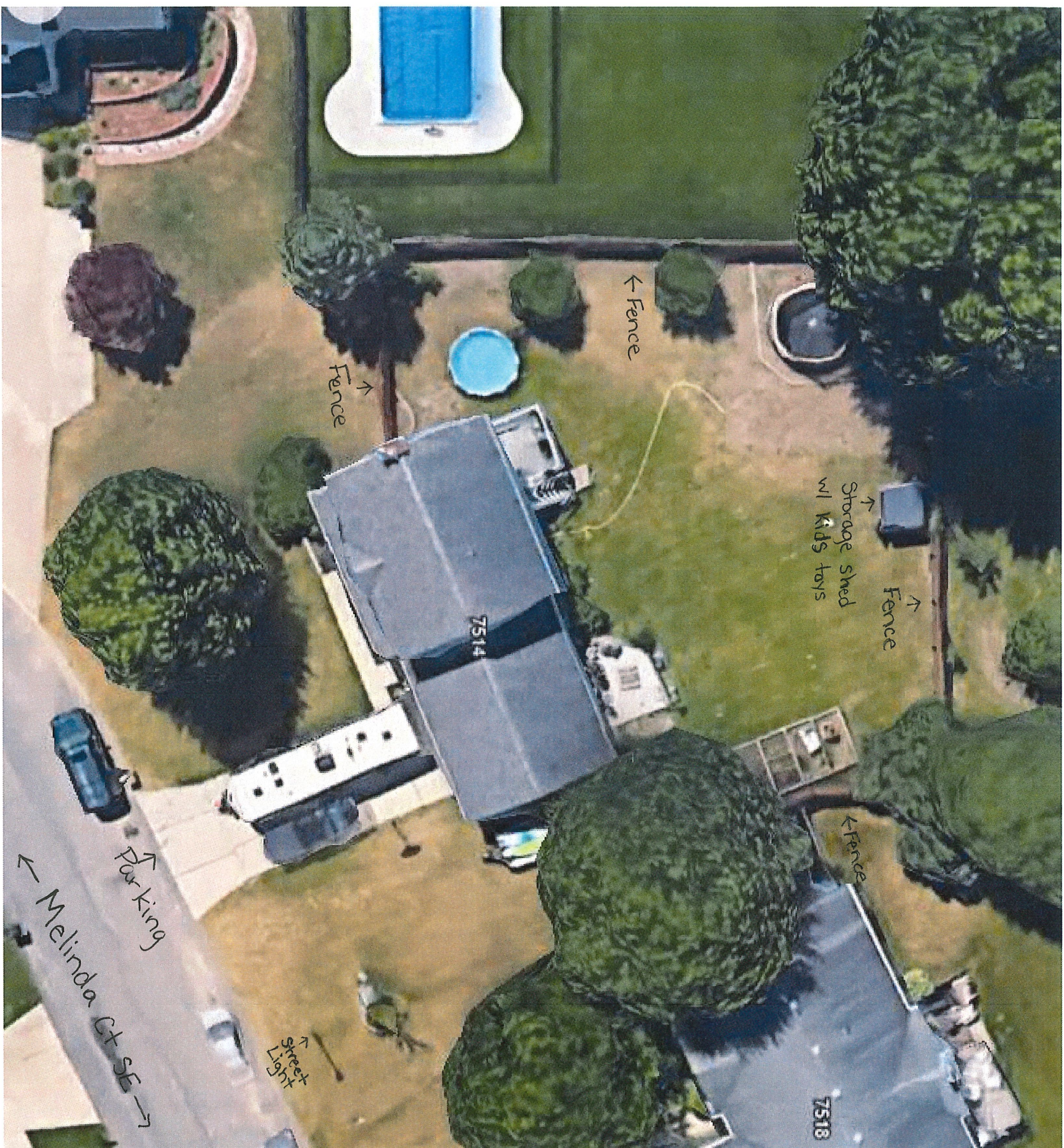
3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.

Won't be any changes. Home is already build and being kept as is for the daycare. When I bought the home it was a licensed daycare already, which I worked for the previous home owner. So the neighborhood while continue the same as it has for years with the previous owner.

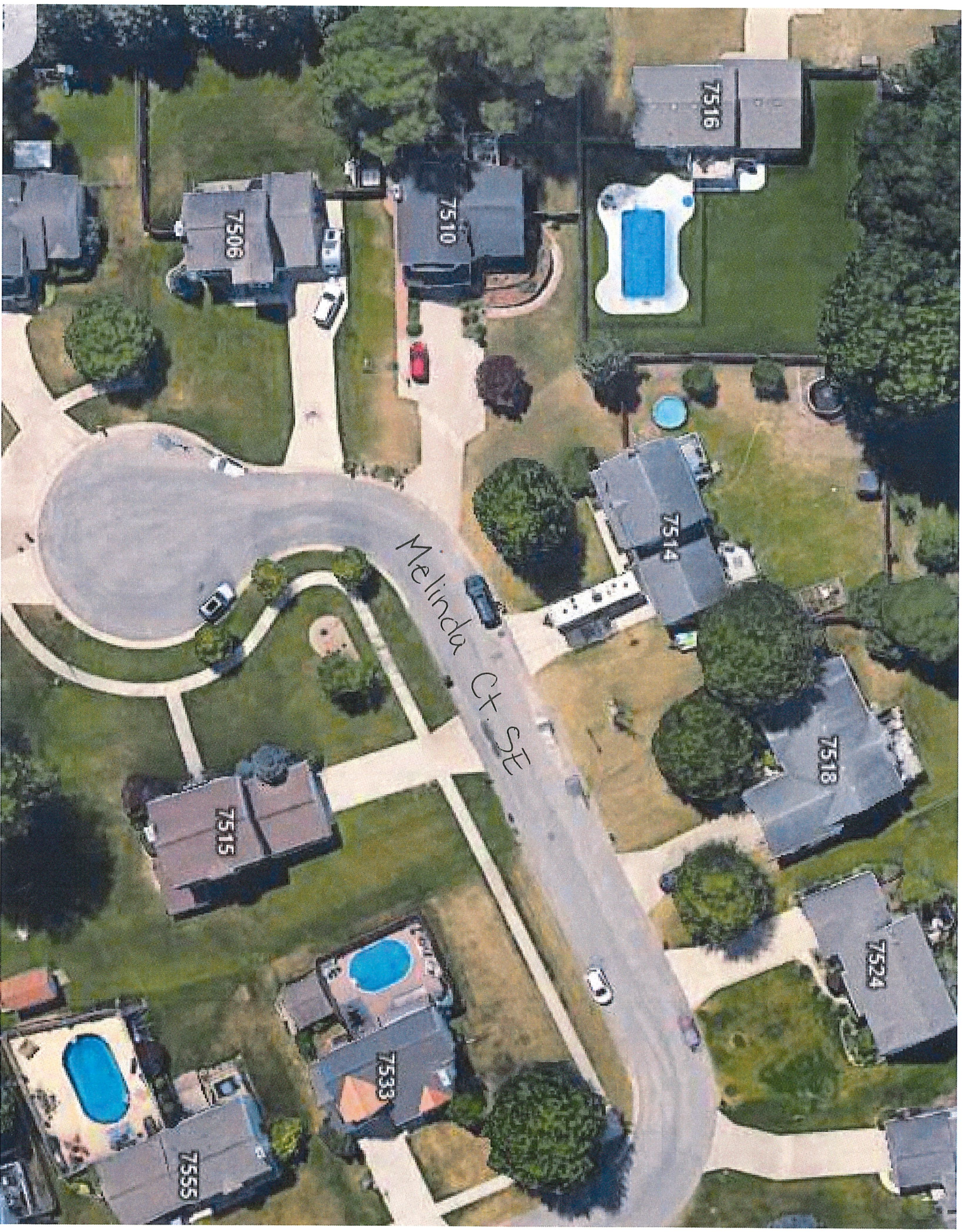
4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

It won't create any adverse enviromental , ecological or natural resource impacts, it will remain the exact same.

N
NE
S
W



Applicant
Heather Duff
Owners
Kenneth
Duff Jr.
+
Heather
Duff
Address
7514 Melinda
Ct SE
Byron Center
MI 49315
Lot Size
10,454
Sq ft



Gaines Charter Township

Planning Commission Memo

Meeting Date: September 26th, 2024

AGENDA ITEM: VI.1.d

PROPOSED REQUEST: Special Use Permit

ADDRESS: 7114 Cornerstone Drive SE

PARCEL NUMBER: 41-22-09-252-001

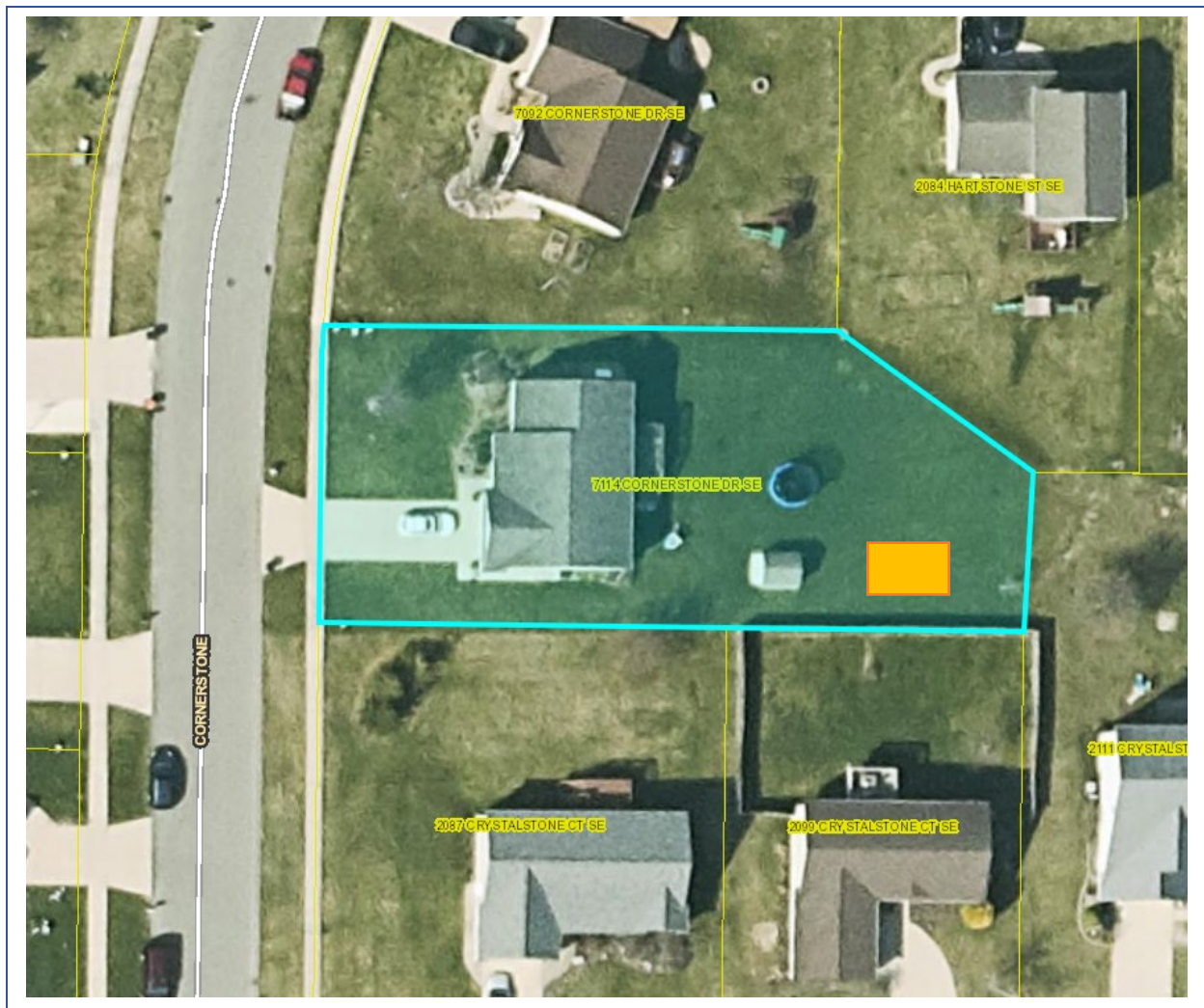
FILE NUMBER: 240724MR

APPLICANT: Michael Resma

PROPERTY ZONING DISTRICT: Residential (RL-10)

PROPERTY SIZE: 0.33 Acres

REPORT BY: Dakota Swan, Assistant Planner



OVERVIEW

The applicant is requesting a Special Use Permit to allow for 500 square feet (SF) of accessory buildings to construct a 16' x 24' wood framed shed. The shed will be 384 SF after construction; however, the applicant is requesting 500 SF worth of accessory buildings to accommodate any future expansion or renovation associated with the structure.

Based on the zoning ordinance, the property is limited to 1,200 SF of accessory buildings, or 1.5% of the lot size, whichever is less. In this instance, 1.5% of the lot size limits the applicant to 216 SF, thus the request for a special use permit.

The proposed accessory building will be used for personal residential storage use. There is an existing accessory building on the property, however, the applicant has clarified they intend to remove that structure after the new accessory building is completed, and use the concrete pad left behind for a bonfire pit and lawn chairs.

Surrounding zoning:

	NORTH: Residential (RL-10)	
WEST: Residential (RL-10)	SUBJECT PARCEL	EAST: Residential (RL-10)
	SOUTH: Residential (RL-10)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 "General Standards for All Special Land Uses" and the specific standards of Section 20.2 (A) "Accessory Buildings – Standards for Increasing Maximum Floor Area".

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, and shall be guided in rendering a decision by the following general standards:

- A. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Meets standard. The proposed accessory building will be used for residential storage purposes. As proposed, the use and character of the building will not hinder the health, safety, or economic welfare of surrounding properties or landowners.

- B. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.***

Meets standard. The 2023 Future Land Use Plan designates this parcel as Suburban Residential. Accessory buildings are a permitted use under the Master Plan's guidance for suburban residential properties and is provided for by the Zoning Ordinance subject to certain standards being met.

If it is determined that the proposed accessory building is consistent with the standards of Section 20.2 (D), then consistency with the zoning ordinance will be achieved.

C. *The special use shall not create or substantially add to traffic hazards in the area.*

Meets standard. As an accessory building set to be utilized for residential storage, it is not anticipated that traffic will be affected.

D. *Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.*

Meets standard. As a residential accessory building, staff does not anticipate any impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools.

E. *The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.*

Meets standard. Accessory buildings of this scale are relatively common in suburban areas of the township and several surrounding lots have accessory buildings that are about 200 SF. However, this would be the largest shed in the immediate area.

If the Planning Commission determines that the proposed accessory building meets the standards of Section 20.2 (D), the proposed special use will not set precedents for development that adversely impact the long-term plans or policies of the Township.

F. *The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.*

Meets standard. The accessory building is not anticipated to have any impact on the environment and natural resources.

G. *The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.*

Meets standard. The proposed accessory building addition will be located in the rear yard, and all setbacks will be met. It is not expected that there will be any adverse impacts on adjoining properties or uses.

Section 20.2(D).4: Accessory Buildings – Standards for Increasing Maximum Floor Area

In considering a special use permit for an accessory building exceeding the maximum floor area, the Planning Commission shall consider the standards stated in Chapter 19 and the following additional standards:

A. *The intended use for the Building.*

Meets standard. The proposed accessory building will be used for residential storage purposes and will be secondary to the primary residential use.

B. The size, proposed location, type and kind of construction and general architectural character of the Building.

Regulation	Required Setback	Proposed
Distance from Primary Building	10 Feet	Ca. 55 Feet
Front Yard Setback	Not Permitted	Not Applicable
Side Yard Setback	8 Feet	Ca. 8 Feet
Rear Yard Setback	3 Feet	Ca. 30 Feet
Maximum Building Height	16 Feet	12.9 Feet

Meets standard. The setback and height requirements for the building have been met. The accessory building will be prefabricated, therefore the height to ridgeline will be 12.9 feet.

The building addition will be of pole barn construction with wood siding. The building is anticipated to feature blue siding with white trim.

Additionally, it is worth noting that there is a discrepancy on the product sheet for the shed, which was provided by the applicant. The product sheet lists the coverage area of the shed as 384 SF, however, when using the listed width and depth to calculate the area of the shed, the calculation yields coverage area of 412 SF. Staff recommends the Planning Commission consider the maximum square footage being requested (500 SF) despite this discrepancy.

C. The type and kind of principal and Accessory Buildings and Structures located on properties in the same neighborhood.

Meets standard. There are several accessory buildings in the surrounding neighborhood, but most are in the 200 SF size range.

D. Whether the Building will affect the light and air circulation or views of any adjoining properties.

Meets standard. The proposed building is not anticipated to affect light or air circulation on surrounding properties.

E. The reason why the applicant has requested an Accessory Building in excess of the maximum floor area.

Meets standard. The applicant desires additional square footage for residential storage purposes. The accessory building will not be utilized for commercial or residential purposes.

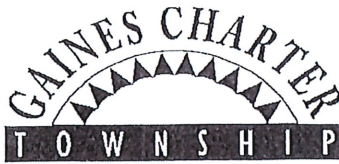
F. The extent the Building absorbs required yards and other open spaces.

Meets standard. The total requested square footage of accessory building coverage is less than 3% of the total lot size.

STAFF RECOMMENDATION

Staff recommends approval of the Special Use Permit with the following conditions of approval:

1. The accessory building addition shall be architecturally similar to the existing building on the site.
2. The existing accessory building must be removed within 30 days after completion of the new accessory building



FILE NO.

240724MR

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Special Use Permit Application

Project Address	7114 CORNERSTONE DR SE, CALEDONIA, MI 49316		
Owner Name	MICHAEL RESMA		
Owner Address	Street Address	City, State, Zip	
	7114 CORNERSTONE DR SE	CALEDONIA, MI 49316	
Parcel Number(s):	41-22-	41-22-	
Description of Proposed Project/Use	BUILDING A SHED. PLANNING OF BUILDING 384 SQ FT SIZE SHED. REQUEST FOR ADDL SQUARE FOOTAGE.		

Applicant/Contact	MICHAEL RESMA		
Applicant/Contact Address	Street Address	City, State, Zip	
	7114 CORNERSTONE DR SE	CALEDONIA, MI 49316	
Contact Info	Home / Office / Cell	E-Mail	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
<i>Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.</i>			

Township Use Only

Current Zoning District:	RL-14	<u>RL-10</u>	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction	☐	Zoning Board of Appeals	☐	Planning Commission	☐	Land Combination	☐					
Site Plan Review	☐	Rezoning / PUD Rezoning	☐	PUD Amendment	☐	Land Division	☐					
Subdivision / Site Condo Review	☐	Special Use Permit	☒	Lot Line Adjustment	☐							
Other:												
Approved	☐	Approved with Conditions	☐	Denied	☐	Withdrawn	☐					
Zoning Administrator:							Date:					

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.

NONE

2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.

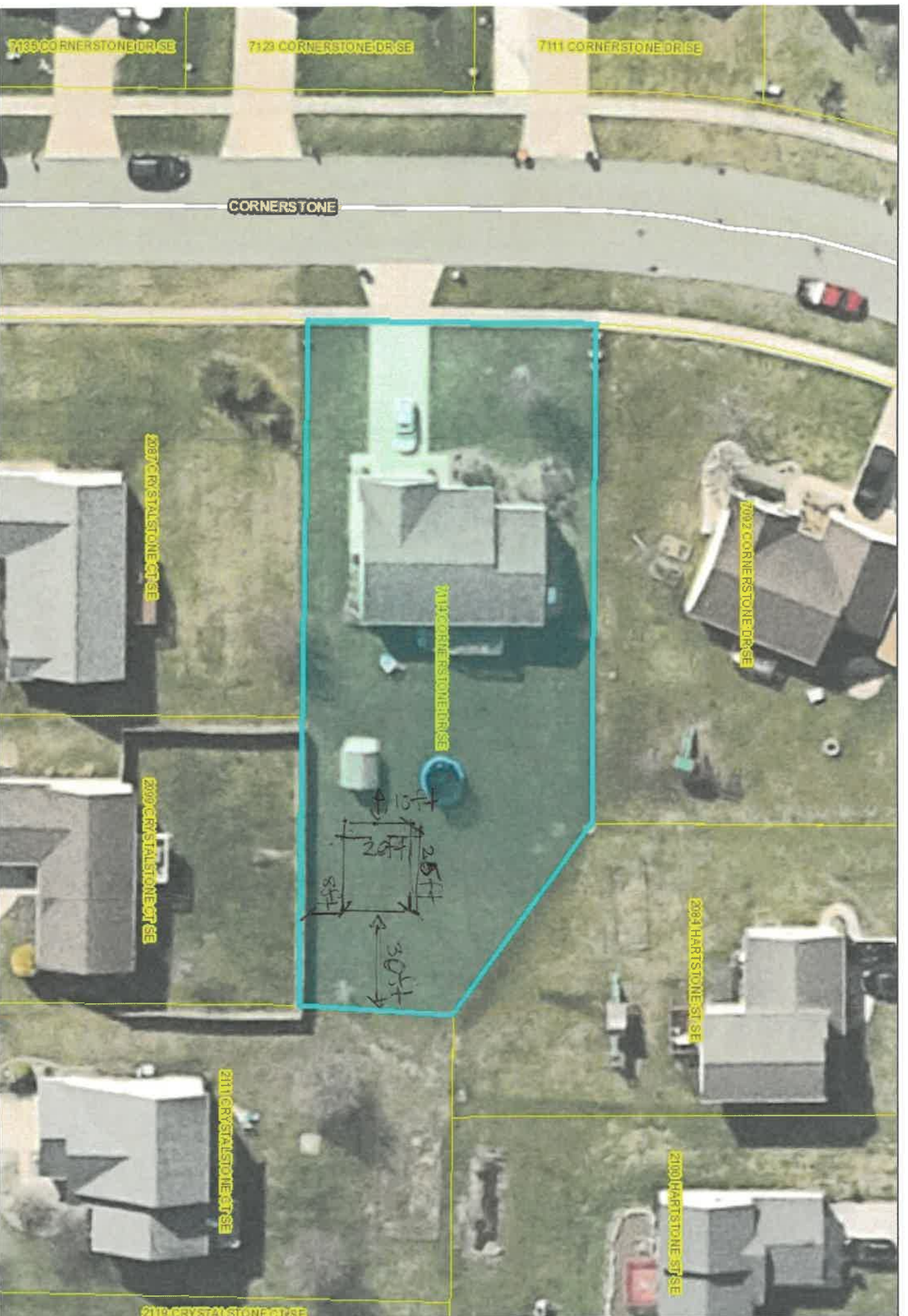
NO

3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.

N/A

4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

N/A





Roof Color Family: **Brown**

Black

Brown

Gray

Unavailable at South Loop

Delivering to 60607

Pickup

Unavailable

Delivery

Aug 29 - Sep 4

66 available

FREE

Delivery Details

-

1

+

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Return this item within **90 days** of purchase. [Read Return Policy](#)

Product Details	
Specifications	
Dimensions: H 154.25 in, W 201.00 in, D 295.75 in	
Dimensions	
Approximate Depth (ft.)	25
Approximate Width (ft.)	17
Assembled Depth (in.)	295.75 in
Assembled Height (in.)	154.25 in
Assembled Width (in.)	201.00 in
Coverage Area (sq. ft.)	384 sq ft
Door Opening Height (in.)	70
Door Opening Width (in.)	96
Exterior Peak Height (ft.)	12.85 ft
Sidewall Height (in.)	146.13
Details	
Assembly Required	No
Capacity (cu. ft.) - Total	3976 cu ft
Color Family	Beige
Door Type	Double

Live Chat

Feedback

Features	Double Door, Loft, No additional features, Shingles included, Vents
Floor Options	With Floor
Foundation	Foundation Not Included
Included	No Additional Items Included
Manufacturers Recommended Assembly Time (hours)	0
Manufacturers Recommended Tools needed for Assembly	None
Maximum Roof Load	30
Maximum Wind Resistance	90
Number of People Recommended by Manufacturer to Assemble	0
Number of Windows	4
Product Weight (lb.)	6000 lb
Returnable	90-Day
Roof Color Family	Black
Roof Material	Asphalt
Roof Material	Shingle
Roof Pitch	5/12
Roof Shape	Peak
Shed Type	Wood
Siding Color Family	Unfinished Wood
Storage Capacity (cu. ft.)	3976 cu ft
Style	Ranch

Live Chat

Feedback

Warranty / Certifications

Manufacturer Warranty	10-year limited material
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How can we improve our product information? Provide feedback.

Questions & Answers

112 Questions

Customer Reviews

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Gaines Charter Township

Planning Commission Memo

Meeting Date: September 26th, 2024

AGENDA ITEM: VI.1.e

PROPOSED REQUEST: Annual Review 2024 and
Operating Plan for 2025

ADDRESS: 10287 Kalamazoo Ave SE

PARCEL NUMBERS: Part of 41-22-33-100-008

APPLICANT: Garrett Singer, Stoneco of
Michigan

FILE NUMBER: 240606GS

PROPERTY ZONING DISTRICT: Planned Unit
Development – Mineral Removal

PROPERTY SIZE:
29 acres (excluding ROW)

REPORT BY: Dan Wells, Community
Development Director and Jeff Gritter,
Township Engineering Consultant



OVERVIEW

StoneCo Ltd. has provided their Operation, Restoration and End Use Plan for 2024/2025 as required by Section 12.12 and 12.13 of the Zoning Ordinance (and by reference Sections 12.9B and 12.10). The Annual Operating Plan is also a requirement of the approval via Township Board of Trustees Resolution No. 2023-10.

The site located at 10287 Kalamazoo Avenue Street was rezoned as PUD-Mineral Removal in 2023 and is approximately 29 acres. It is commonly referred to as the Jeplawy parcel after the landowner.

Site preparation occurred in 2023 that included surface soil stripping and construction of berms. Several neighbors did complain at the time of site clearing due to the burning of tree stumps causing smoke and ash to settle over their properties, but this issue was temporary. No complaints related to operations on the site have been received since early spring of 2024.

Rehabilitation and restoration work will begin at the north end of the parcel in 2025, as operations move southward.

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Sections 12.12 Submittal Requirements for Annual Operating Plan and 12.13 Review Standards for Annual Operating Plan, and the request has been reviewed using the applicable requirements contained in Township Board of Trustees resolution #2023-06.

Standard #1 – Requirements of Section 12.12

Section 12.12 of the Zoning Ordinance covers the annual operating plan submittal requirements and includes a reference back to Section 12.9 and an operation plan for the applicant. Stoneco has met all of the requirements for Section 12.12.

Meets Standards of Section 12.12 (and by reference Section 12.9B).

Standard #2 – Requirements of Section 12.13

Stoneco has submitted maps/plans of the subject properties showing the limits of mining activity in 2024, and the proposed area to be mined in 2025.

Restoration of previously mined areas will occur in the Phase 1 area upon completion of mining activity in Phase 2, and Phase 2 and Phase 3 will be completed after closure of active mining activities.

Meets Standards of Section 12.13 (and by reference Section 12.10).

Requirements of Resolution 2023-10

Staff has not received any complaints from neighboring property owners of conditions or operations on the site that constitute violations of the conditions listed in the resolution.

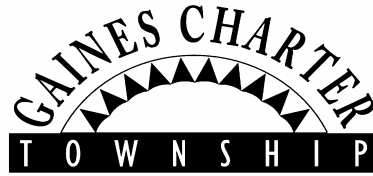
STAFF RECOMMENDATION

The Sand & Gravel Subcommittee met on August 20th, 2024, and recommended the Planning Commission approve the 2024 Operation, Restoration and End Use Plan.

Staff recommends approval of the annual Operation, Restoration and End Use Plan 2024 based on the applicant's compliance with the requirements of the Zoning Ordinance and Resolution No. 2023-10.

FILE NO.

Gaines Charter Township
8555 Kalamazoo Avenue SE
Caledonia, MI 49316
Phone (616)6986640 Fax (616)698-2490



Application for Zoning Approval

Project Address	900 100th St.	
Owner Name	Michigan Materials and Aggregates (Stoneco)	
Owner Address		
Parcel Number(s):	41-22- 41-22-32-100-012, 41-22-32-100-007, 41-22-32-100-013,	41-22- 41-22-32-200-007, 41-22-33-100-021, 41-22-33-100-008
Description of Proposed Project/Use	Sand and Gravel Mine, 2024 Site Plan review (Jeplawy)	

Applicant/Contact	Garrett Singer	
Phone/Email	734-777-3874	garrett.singer@mipmc.com
"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application		
Signature		
For Planning Commission/Zoning Board of Appeals requests, and Land Divisions/Combinations, please complete the appropriate Worksheet as part of your application packet – See staff for more information		

Township Use Only

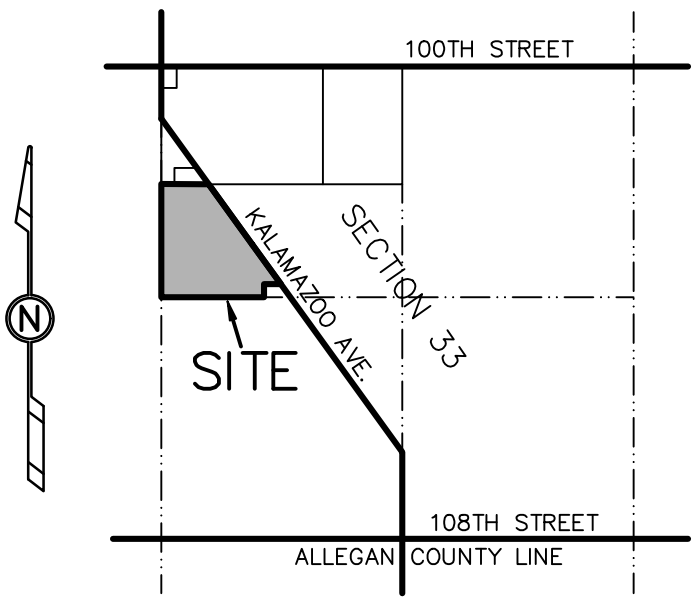
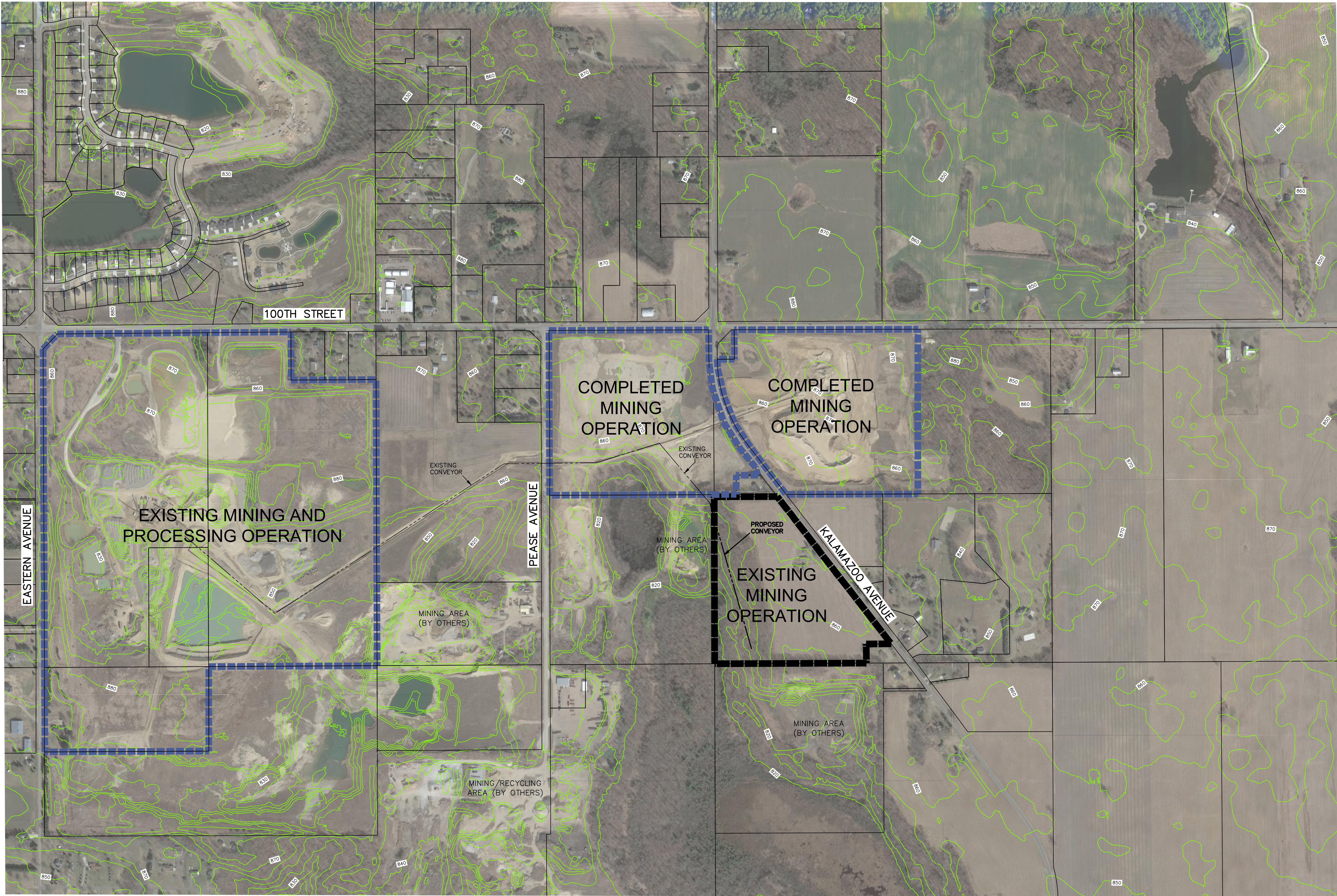
Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
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☐ One/Two-Family Construction	☐ Rezoning/PUD Rezoning	☐ Land Division
☐ Special Use Permit Request	☐ PUD Amendment	☐ Text Amendment
☐ Zoning Board of Appeals Request	☐ Site Plan Review	
☐ Subdivision/Site Condo Review	Other _____	

DENIED _____	APPROVED _____	APPROVED, WITH CONDITIONS _____	WITHDRAWN _____
ZONING ADMINISTRATOR SIGNATURE _____		DATE _____	

Operational Update
**STONECO 100th STREET OPERATION – 900 100th STREET,
BYRON CENTER, MICHIGAN 49315
June 3rd, 2024**

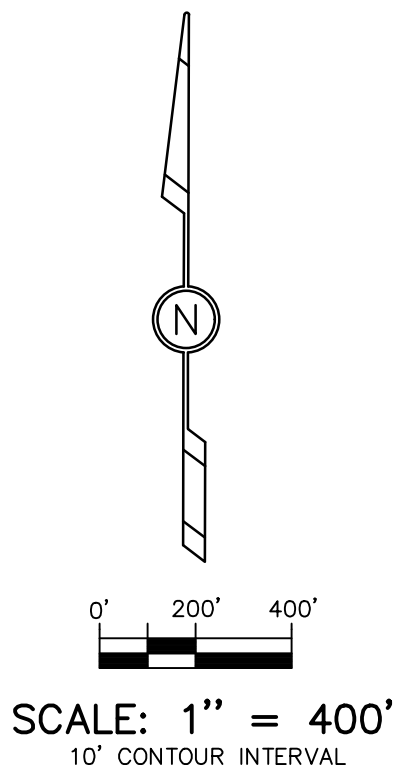
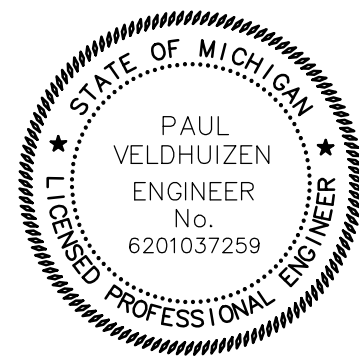
Stoneco has Started Mining on the “Jeplawy” Parcel located west of Kalamazoo Avenue. See attached site map regarding current a predicted mining areas. Stoneco has previously stripped some area on the property and built berms. It is likely Stoneco will need to strip the remaining portion of 2024 mining area to maintain market demand late summer or early fall. Original stripping operations were limited due to lack of space for overburden, remaining overburden 2024 mining area will be used to backfill the area to be restored in 2025. Berms on site have been seeded to maintain slope stability.



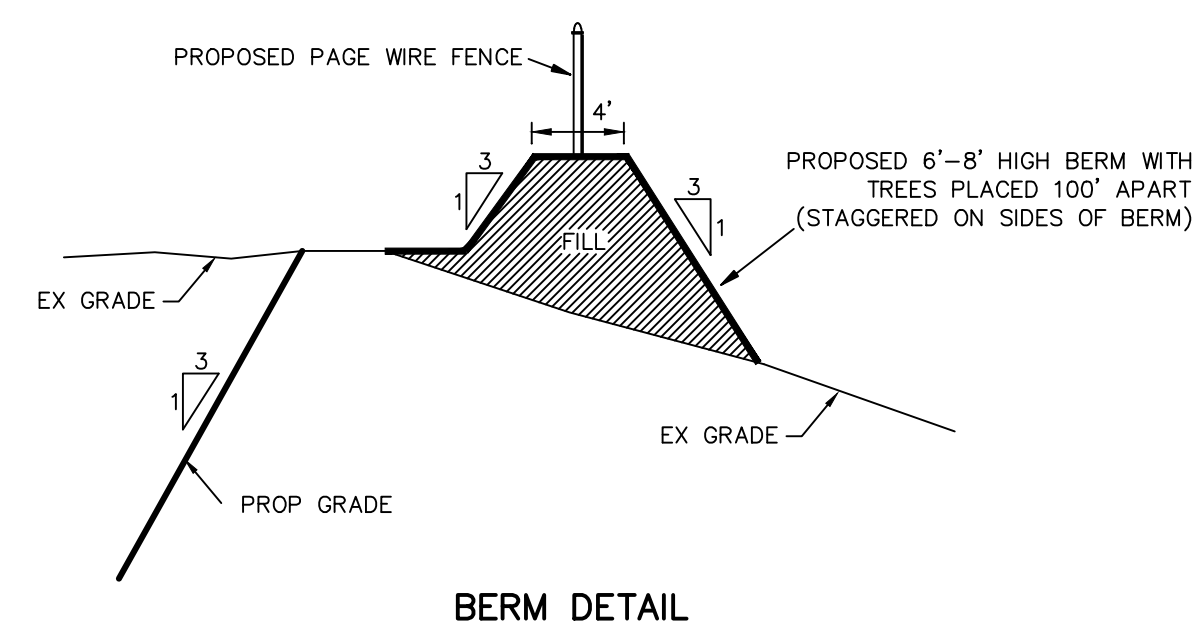
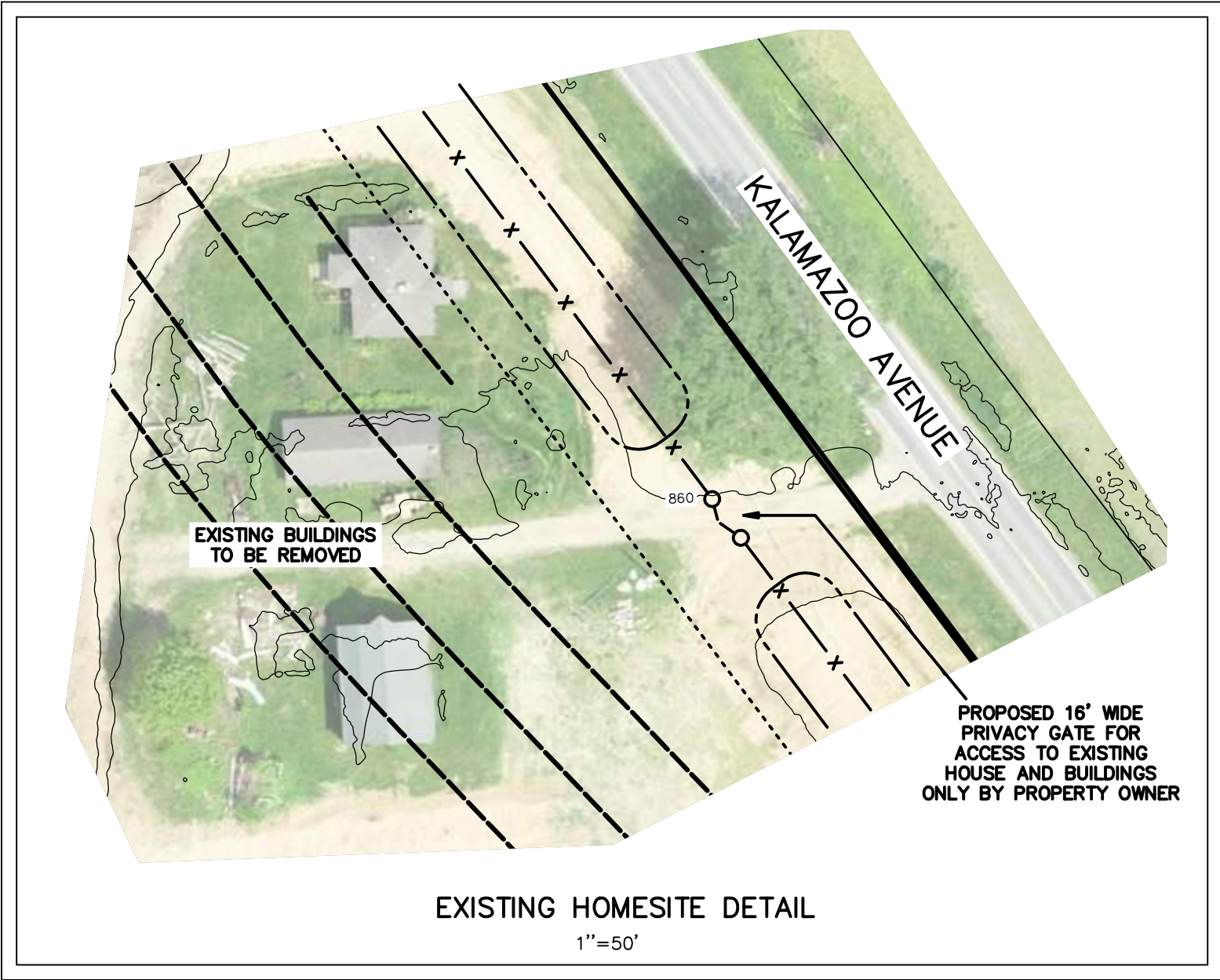
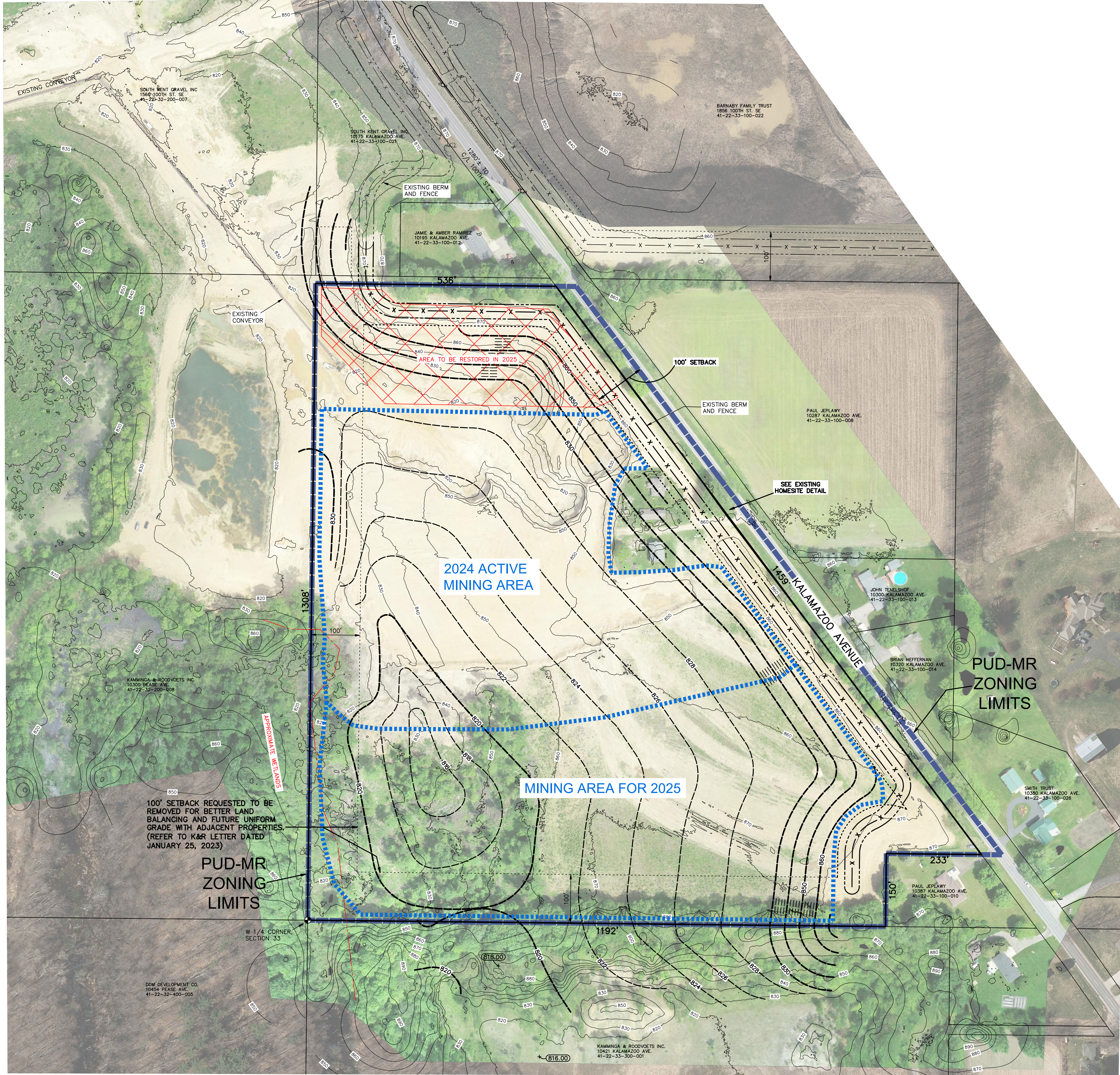
LOCATION MAP

- PROPERTY DESCRIPTION OF PROPOSED MINING LIMITS:
PART OF THE NW 1/4 OF SECTION 33, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN, DESCRIBED AS:
THAT PART OF THE SOUTH 1/2 OF SAID NW 1/4 LYING WESTERLY OF THE CENTERLINE OF KALAMAZOO AVENUE
EXCEPT: THE NORTH 16.5 FEET THEREOF
ALSO EXCEPT: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF KALAMAZOO AVENUE AND EAST-WEST 1/4 LINE,
THENCE WEST ALONG THE EAST-WEST 1/4 LINE 347.90 FEET, THENCE NORTH PERPENDICULAR TO THE EAST-WEST 1/4
LINE 160 FEET, THENCE EAST PARALLEL WITH THE EAST-WEST 1/4 LINE 232.93 FEET TO SAID CENTERLINE, THENCE
SOUTHEASTERLY 189 FEET ALONG SAID CENTERLINE TO THE PLACE OF BEGINNING.
APPROXIMATELY 30.1 ACRES (29.0 ACRES EXCL. R/W)
- EXISTING ZONING: A-B AGRICULTURAL/AGRI-BUSINESS
PROPOSED ZONING: PUD-MR MINERAL REMOVAL
ADJACENT ZONING:
NORTH: PUD-MR AND A-B
EAST: A-B AGRICULTURAL/AGRI-BUSINESS
SOUTH: A-R AGRICULTURAL/RURAL-RESIDENTIAL
WEST: A-R AGRICULTURAL/RURAL-RESIDENTIAL
- NO SANITARY SEWER OR WATER SERVICE IS PROPOSED AT THE SITE. WORKERS AT THE SITE WILL UTILIZE THE
EXISTING FACILITIES OF THE SOUTH KENT GRAVEL SITE DOWN THE ROAD FROM THE SITE
- THIS PROJECT IS LOCATED IN AN AREA THAT DOES NOT PARTICIPATE IN THE NATIONAL FLOOD INSURANCE
PROGRAM. TOTAL AREA OF PROPOSED MINING = 29 ACRES±
TOTAL AREA TO BE EXCAVATED (ALL PHASES) = 27.2 ACRES (SEE SHEET 2 FOR PHASE DETAILS)
- SIGNS SHALL BE CONSTRUCTED TO THE STANDARDS SET FORTH BY CHAPTER 17 OF THE GAINES CHARTER
TOWNSHIP ZONING ORDINANCE. THERE WILL BE A DIRECTIONAL SIGN.
- BEST PROJECT MANAGEMENT PRACTICES WILL BE UTILIZED. THESE WILL INCLUDE THE USE OF BERMS AND A GATE
AT THE ENTRANCE TO THE SITE.
THIS PROJECT IS BEING COMPLETED IN A MINIMUM OF THREE PHASES.
REHABILITATION = TOPSOIL SHALL BE STABILIZED W/ PLANTINGS TO PREVENT EROSION.
- NO STORAGE OR DUMPING OF STUMPS, BOULDERS, OR OTHER DEBRIS SHALL BE PERFORMED ON THE
REHABILITATION SITE.

- NO LIGHTING IS PROPOSED AT THE SITE.
- PROJECT WILL BE FENCED AS SHOWN ON THE PLAN INCLUDING GATES AT PROPOSED ENTRANCES.
- THE PROJECT WILL COMMENCE WITHIN ONE YEAR OF APPROVAL AND WILL END WITHIN 15 YEARS OF
COMMENCEMENT.
- HOURS OF OPERATION WILL BE 7 AM — 7 PM MONDAY THROUGH FRIDAY; 7 AM — 3 PM SAT. WORK WILL EXCLUDE
CHRISTMAS, THANKSGIVING, NEW YEARS DAY, MEMORIAL DAY, LABOR DAY, AND THE FOURTH OF JULY.
- DUST WILL BE CONTROLLED BY WATER TRUCKS AS NEEDED AND BY SPRAY BARS LOCATED AT DISCHARGE POINTS
ON PRODUCTION EQUIPMENT.
- EQUIPMENT USED SHALL CONSIST OF A LOADER, STACKING CONVEYORS, A SEEDER (JAW CRUSHER), A GENERATOR,
AND SUPPORT EQUIPMENT (SCREENING AND SMALL CONVEYORS). PLEASE NOTE THAT THE CONFIGURATION OF THE
EQUIPMENT WILL CHANGE THROUGHOUT EACH PHASE. PLEASE NOTE THAT EVERY PIECE OF EQUIPMENT IS
PORTABLE. PLEASE NOTE THAT THE MINE SAFETY AND HEALTH AGENCY CONTROLS THE NOISE LEVEL OF THE MINING
OPERATION. PER SECTION 12.10(D) OF THE GAINES TOWNSHIP ZONING ORDINANCE, OTHER THAN BEEPERS THAT ARE
REQUIRED BY LAW, ANY EQUIPMENT USED IN THE MINING OPERATION WHICH EMITS NOISE LOUDER THAN 85
DECIBELS AT A DISTANCE OF 50 FEET WHEN OPERATING SHALL NOT BE LOCATED CLOSER THAN 1320' TO THE
NEAREST OCCUPIED BUILDING.
- ALL PROCESSING OF MINED MATERIAL TO TAKE PLACE AT EXISTING PROCESSING PLANT LOCATED AT 100TH STREET
AND EASTERN AVE. ALL PROCESSED MATERIAL WILL BE STOCKPILED HERE AS WELL.
- A SOIL EROSION, SEDIMENT CONTROL PERMIT AS REQUIRED BY STATUTE SHALL BE OBTAINED PRIOR TO
COMMENCEMENT OF ANY EARTHWORK.
- AN NPDES PERMIT AS REQUIRED BY STATUTE WILL BE OBTAINED PRIOR TO COMMENCEMENT OF THE PROJECT.
- AS THE DEVELOPMENT PROGRESSES TO THE NEXT PHASE, THE PREVIOUS PHASE WILL BE RECLAIMED. STOCKPILES
WILL BE LOCATED ON THE CURRENT PHASE.
- ALL STORMWATER RUNOFF TO BE CONTAINED ON SITE DURING MINING OPERATION.
- APPLICANT IS REQUESTING A 7 YEAR MINING PERMIT WITH OPTION TO REQUEST (4) 2-YEAR EXTENSIONS AS MAY BE
REQUIRED.



OVERALL PLAN			
10287 KALAMAZOO AVENUE SE			
FOR: STONECO OF MICHIGAN, INC.			
ATTN: GARRETT SINGER			
3700 PATTERSON ROAD			
MIDDLEVILLE, MI 49333			
IN: PART OF SECTION 33, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN			
			
5252 Clyde Park, S.W. • Grand Rapids, MI 49509 Phone: (616) 531-3660 www.exxelengineering.com			
DRAWN BY: JDR	PROJ. ENG.: PV	SHEET	
APPROVED BY: DDG	PROJ. SURV.: VAD	1 of 2	
DATE: 2/22/25	DATE: 06/03/24		
REVISION	BY		



TEST HOLE #1 AT CENTER OF PROPERTY
0'-1' TOPSOIL
1'-3' CLAY OVERBURDEN
3'-18" SAND AND STONE

TEST HOLE #2 AT SOUTH END OF PROPERTY
0'-1' TOPSOIL
1'-5' CLAY OVERBURDEN
5'-20" SAND AND STONE

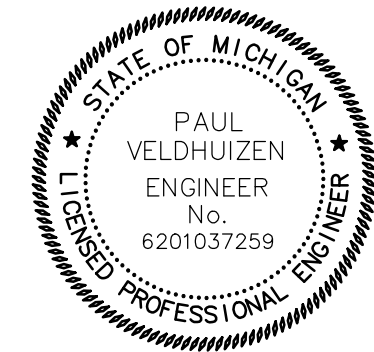
TEST HOLE #3 AT NORTH END OF PROPERTY
0'-1' TOPSOIL
1'-6' CLAY OVERBURDEN
6'-19" SAND AND STONE

TEST HOLES TAKEN ON 01/23/23 BY STONECO

RESTORE FINISH SURFACE OF SITE WITH TOPSOIL AND SEED FOR VEGETATIVE COVER. LAND END USE TO BECOME AGRICULTURAL, CONSISTENT WITH THE ORIGINAL ZONING FOR THIS SITE.

LEGEND

- RESTORATION AREA
- UTILITY POLE & GUY WIRE
- OVERHEAD WIRES
- EXISTING CONTOUR (10' INTERVAL)
- PROPOSED CONTOUR (10' INTERVAL)
- APPROXIMATE WETLANDS PER NATIONAL WETLANDS INVENTORY



MINING PLAN — OPERATION PLAN 2024/2025

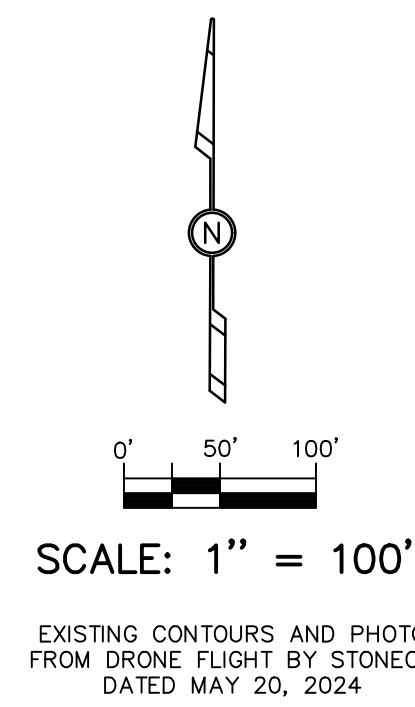
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DRAWN BY: JDR
APPROVED BY: DDG
DATE: 2/22/25

PROJ. ENG.: PV
PROJ. SURV.: VAD
DATE: 06/03/24

SHEET
2 of 2



SCALE: 1" = 100'

EXISTING CONTOURS AND PHOTO FROM DRONE FLIGHT BY STONECO DATED MAY 20, 2024

Gaines Charter Township

Planning Commission Memo

Meeting Date: September 26th, 2024

AGENDA ITEM: VI.3.a

FILE NUMBER: 231219DL

PROPOSED REQUEST: Rezoning
to PUD, and Phase 1 Site Plan Review

PROPERTY ZONING DISTRICT: Residential-10 &
-14, Office-Service, Neighborhood Commercial

ADDRESS: 3316 68th Street SE

PROPERTY SIZE: ca. 30.8 acres

PARCEL NUMBER: 41-22-11-101-017

REPORT BY: Dan Wells, Community
Development Director

APPLICANTS: J & A Post Family Farm, LLC;
Michiana Land Development LLC



OVERVIEW

The applicant requests to rezone a single parcel of approximately 29.32 acres to a Planned Unit Development (PUD) named Dutton Center to create a mixed use residential and commercial development that will integrate with the existing historic urban fabric of Dutton. This project is intended to tie into the Thornapple Farms development to the south seamlessly and provide a denser housing type to fulfill the Master Plan vision for Dutton as a Village Center.

A resolution has been prepared for the Planning Commission to consider based on prior Planning Commission discussion.

PROCESS

Review of the PUD amendment application is subject to the following process:

1. Preliminary PUD plan review and Planning Commission approval based on Section 11.1 (approved May 23rd, 2024)
2. Public hearing held by the Planning Commission regarding PUD Amendment and final site plan review based on Section 25.3 (June 27th, 2024)
3. Planning Commission meeting regarding PUD Amendment and final site plan review based on Section 25.3 (August 22nd, 2024)
3. Review by the Township Board at first reading (September 9th, 2024)
4. Consideration of the PC resolution with Board recommendation (September 26th, 2024)
5. Review, public hearing, and consideration of the final PUD plan and rezoning by the Township Board at second reading (October 14th, 2024)

STAFF RECOMMENDATION

If the Planning Commission finds the resolution accurate, staff recommends they make a positive recommendation for approval to the Township Board of Trustees.

If the Planning Commission finds the Phase 1 Site Plan to meet the standards and conforms to the proposed PUD Staff recommends approval.

Staff recommends the following conditions;

1. Site plan approval for Phase 1 is contingent on receiving approval for the PUD rezoning by the Township Board of Trustees.
2. Phases 2 (plat), 3, 4, and 5 shall be subject to the final site plan review process by the Planning Commission.
3. Secure all Township department and outside agency approvals:
 - a. Township Engineer/BGUA.
 - b. Fire Department.
 - c. Kent County Road Commission (SESC), if applicable.
 - d. Kent County Drain Commission, if applicable.
 - e. Environment, Great Lakes and Energy, if applicable.

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

**RESOLUTION NO. PC-24-09-01
DUTTON CENTER PLANNED UNIT DEVELOPMENT REZONING**

The following Resolution was offered and adopted by the Gaines Charter Township Planning Commission at a regular meeting held on _____, 2024 at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present: _____

Member Absent: _____

The following Resolution was offered for adoption by Planning Commissioner _____ and supported by Planning Commissioner _____ to document the findings and the approval by the Gaines Charter Township Planning Commission ("PC") regarding a request made by Michiana Land Development, LLC to consider the rezoning of land to the Dutton Center Planned Unit Development (PUD).

STATEMENT OF FINDINGS

Section I General Background:

1. The Planning Commission is authorized to review and recommend approval or denial for Planned Unit Development site plans and associated private roads and site improvements to the Township Board of Trustees for consideration.
2. The PUD is legally described as:

PART OF NW 1/4 COM 610.50 FT N 89D 52M 09S E ALONG N SEC LINE FROM NW COR OF SEC TH S 0D 09M 34S E 165.0 FT TH S 89D 52M 04S W 610.50 FT TO W SEC LINE TH S 0D 09M 34S E ALONG W SEC LINE 643.41 FT TH N 89D 52M 04S E 660.0 FT TH S 0D 09M 34S E 682.44 FT TH N 89D 50M 26S E 162.77 FT TH S 77D 36M 32S E 72.12 FT TH N 89D 24M 24S E 226.47 FT TH N 89D 51M 03S E 66.0 FT TH N 0D 08M 57S W 70.38 FT TH N 89D 24M 24S E 130.0 FT TO SW COR OF C H DEMING'S ADD TH N 0D 08M 57S W ALONG W LINE OF SD PLAT 1010.85 FT TO CL OF DUTTON AVE TH N 36D 22M 34S W ALONG SD CL 523.59 FT TO N SEC LINE TH S 89D 52M 04S W ALONG N SEC LINE 395.97 FT TO BEG * SEC 11 T5N R11W 30.82 A.

3. The development will include five phases of single-family and multi-family residential, mixed-use, and commercial buildings that are compatible with existing and future development patterns.

The residential aspect of the overall PUD includes 208 dwelling units, with potential for up to 238 depending on the final use of the mixed-use buildings.

- 14 single-family “Veranda” homes (Phase 1)
- 47 four-unit and two-unit attached townhomes (Phase 1)
- 51 detached single-family homes on minimum 5,800 square foot lots (Phase 2)
- 96 multiple family apartment units (Phase 3)

Mixed-Use aspects include:

- Two, 2-story 15,400 SF mixed use commercial/residential/office buildings along Hanna Lake (Phase 4: 30,800 SF total).
 - Up to 30 additional multiple family apartment units on the second story of mixed-use buildings,
 - Or, 30,800 SF commercial on second floor
 - The mixed-use buildings second floor use will be determined based on highest and best use by end users, and may be residential or commercial in nature.

The Commercial aspect includes:

- Two, 1-story 6,250 SF commercial buildings along 68th Street (Phase 5: 12,500 SF total)

4. Private streets within the amended PUD meet dimensional requirements under the Zoning Ordinance.
5. The PUD will be developed according to the PUD Plan dated August 29th, 2024.
6. The Planning Commission held a public hearing on the PUD rezoning on June 27th, 2024.

REVIEW FINDINGS

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance (“the Zoning Ordinance”), the applicant’s presentations at the public hearing, Township Staff’s recommendation, and other factors, the Planning Commission hereby adopts the following findings:

Section 11.1 Planned Unit Development General Review Standards

A. Consistency with Master Plan and Zoning Ordinance: meets standard. The main body of the proposed PUD is currently zoned Office-Service, Neighborhood Commercial, Residential-10, and Residential-14 at the south end. The Future Land Use Plan is future zoned as Village Center.

The Planning Commission finds that the Dutton Center PUD meets the vision for a Village Center development that integrates Village Residential, Neighborhood Commercial, Mixed-Use into a unified development. The overall PUD exhibits a variety of housing types, enables pedestrian access to businesses in Dutton, reinforces the economic development of Dutton in a positive manner by integrating into its historic fabric, and promotes compact residential single-family homes.

Proposed setbacks and uses for all phases of the PUD are as follow:

- A) Phase 1 Rear-Loaded Veranda Homes (V1-V14)
 - 1. Maximum building height = 35 ft. or 2 stories, whichever is less
 - 2. Minimum building to building separation (foundation wall to foundation wall) = 10 ft.
 - 3. Minimum porch to ROW Distance = 10 ft.
 - 4. Minimum garage (foundation wall) to alley pavement distance = 22 ft.
 - 5. Minimum distance from PUD boundary = 20 ft.

- B) Phase 1 Townhomes (TH1-47)
 - 1. Maximum building height = 35 ft. or 2 stories, whichever is less
 - 2. Minimum building to building separation (wall of foundation to wall of foundation) = 15'
 - 3. Minimum distance from PUD boundary = 20 ft.
 - 4. Minimum distance to single family lots = 25 ft. (proposed & existing adjacent)
 - 5. Minimum garage (foundation wall) to alley pavement distance = 22 ft.
 - 6. Minimum porch or building to ROW Distance = 10 ft.

- C) Phase 2 Single Family Detached Lots (Lots 1-51)
 - 1. Minimum lot width at front yard setback = 50 ft.
 - 2. Minimum lot size = 6,250 SF
 - 3. Maximum building height = 35 ft. or 2 stories, whichever is less
 - 4. Setbacks:
 - a) Front yard setback = Varies 25-30 ft.
 - b) Secondary front yard setback on corner lots = 15 ft.
 - c) Side yard setback = 5 ft.
 - d) Rear yard setback = 20 ft.

- D) Phase 3 Multiple Family Buildings (A1-A8)
 - 1. Maximum building height = 45 ft. or 3 stories, whichever is less, or 35 feet or 2 stories within 50 feet of PUD boundary
 - 2. Minimum distance to PUD boundary = 30 ft.
 - 3. Minimum distance to adjacent ROW = 10 ft.
 - 4. Minimum building to building separation (foundation wall to foundation wall) = 25 ft.
 - 5. Minimum dwelling unit size = 720 SF

- E) Phase 4 Mixed Use Buildings (MU1-MU2)
1. Maximum building height = 35 ft. or 2 stories, whichever is less
 2. Minimum distance to PUD boundary (excluding frontages) = 30 ft.
 3. Minimum distance to adjacent ROW = 10 ft.
 4. Minimum building to building separation (foundation wall to foundation wall) = 15 ft.
 5. Minimum dwelling unit size = 720 SF
 6. Allowable first story uses = permitted uses within the Office Service (OS) and Neighborhood Commercial zone (NC). Allowable second story uses = multiple family dwellings, permitted uses within the Office Service (OS) zone, and permitted uses within the Neighborhood Commercial zone (NC)
- F) Phase 5 Office/Commercial buildings (C1-C2)
1. Maximum building height = 25 ft. or 1 story, whichever is less
 2. Minimum distance to PUD boundary (excluding frontages) = 20 ft.
 3. Minimum distance to adjacent ROW = 10 ft.
 4. Minimum building to building separation (foundation wall to foundation wall) = 15 ft.
 5. Allowable uses = permitted uses within the Office-Service (OS) and Neighborhood Commercial district (NC)

B. Aesthetics: Meets standard. The applicant submitted proposed elevations that meet current ordinance standards for smaller single family detached and townhome buildings. Elevations of the apartment, mixed use, and commercial buildings have not been provided but will be provided and subject to site plan review when each phase is submitted for consideration. The developer intends to follow ordinance requirements for landscaping, screening, and signage based on the appropriate zoning for the specific commercial or residential context of the development.

C. Compatibility with Adjacent Uses: Meets standard. Mixed use and commercial buildings along the main roads follow the development pattern established historically and are in scale with existing businesses. Although there is not a similar residential development in the immediate area in terms of smaller lot sizes, it is residential development and is compatible with surrounding uses. It will integrate into the Thornapple Farms plat to the south seamlessly and create a logical transition between larger lots in the south portion and smaller ones in the north.

D. Density: Meets standard. The proposed PUD includes apartments, townhouses, and single-family detached homes on lots smaller than currently allowed in R-3 zoning. The Master Plan calls for density of townhouses and single-family detached homes in the Village Neighborhood context ranging from 8-14 units per acre, and the proposed net density for this project is 8.1 (which does not include roads, right-of-ways, open space, and water detention areas).

Village Center density would be anticipated to be potentially higher due to the integration of mixed-use buildings with apartments or condominiums. The Planning Commission has determined that the R-3/Village Neighborhood density is appropriate for the area designated as Village Center.

E. Traffic: Meets standard. The increase in residential parcels will certainly increase traffic along main roads leading to the development; combined with the Thornapple Farms plat, there will be up to 441 homes between both developments. A traffic study has been completed and reviewed by Kent County Road Commission to better understand the potential impacts of increased traffic in the area, and to develop plans to adequately manage the increase of residential traffic.

Sidewalks have been expanded and detailed on the revised plan and create good pathways for pedestrian access both internally and to surrounding road corridors.

Two main entrances are proposed, one on Hanna Lake about 630 feet south of the Hanna Lake/68th Street intersection, and one on Dutton Avenue, which will help disperse traffic entering the major roads. The Kent County Road Commission will determine necessary safety controls at those intersections.

F. Protection of the Natural Environment: Meets standard. The proposed project will be constructed on current agricultural land, and no natural features have been identified within the proposed PUD.

G. Schools Impact: Meets standard. The proposed project will certainly appeal to families, thus increases in the numbers of school-age children are likely. Three schools are located within walking distance to the development: Dutton Elementary (public), Dutton Christian Elementary (private), and Dutton Christian (private). It is likely that children will both walk and rely on parents driving or bussing to and from school. Pedestrian elements such as sidewalks will be located throughout the development, enabling school children to either walk directly or gather at bussing pick up points.

H. Public Facilities: The Planning Commission shall consider the impact a project will have on:

1. Public safety and protection services.
2. Water and sewer facilities.
3. The costs for such services.

Meets standards. The developer will install fire protection utilities approved by the Fire Inspector as the plans are developed to ensure adequate response times and access. Water and sewer utilities are currently available for the proposed PUD within the 68th Street and Hanna Lake Avenue rights-of-way. All utility work will be paid for by the developer.

I. Water, Sewer, and Drainage Systems: The developer has provided initial engineering plans for utility extensions that have been reviewed by the Township Engineer. All future and final development and utility plans will be subject to Township Engineering and Byron-Gaines Utility Authority review.

J. Open Space: Meets standard. No natural features exist on the site that have high recreational, aesthetic or wildlife value. A “wet” water retention pond will be constructed for stormwater management, and this will become an open space amenity since it will be circled by a paved footpath.

Other proposed public park spaces include:

1. Tot lot playground oriented for children ages 2-5 years old including a play structure, swings, and a balance bridge.

2. A sport court sized 60' by 105'. The brushed concrete court with painted lines will allow for basketball or up to three pickleball courts. Basketball hoops and pickleball nets will be modular and maintained by the property management organization.
3. A 12'x16' pavilion that will include picnic tables. The pavilion will incorporate white vinyl finishes.
4. A nearly 6,000 square foot dog park accessible for the most residentially dense portion of the project.

K. Non-Motorized Transportation Network: Meets standard. The 2010 Non-Motorized Plan does not designate any paths through the proposed PUD area. The approval of the Thornapple Farms plat will create a secondary road network that can serve as the basis for a marked bike path or trail to connect the PUD area to both Shadyside Park, and to the Paul Henry Thornapple Trail (via the dedicated path at Merrieville Court). Shared streets with bike path markers would be the minimum bike trail design. Staff recommends a condition that the developer define a specific trail with markers that directs cyclists towards Paul Henry Thornapple Trail.

Section 25.6 Site Plan Review Standards

A. Adequacy of Information: Meets Standard, with consideration. The site plan mostly complies with the ordinance requirements, with some proposed PUD modifications to be considered.

Buildings/structures/signs.

The proposed architectural layout and design of the “veranda” homes and townhouses is compatible with the surrounding area in terms of mass and scale. Townhouses are a relatively new building form in the area but are not out of place considering typical building height and size along 68th Street. Building materials are a combination of vinyl siding and manufactured stone and brick veneer.

Dumpster Enclosure. Trash management will be via individual rolling carts stored within each property.

Dimensional Requirements. Requested PUD setbacks are listed in Section 11.1 Planned Unit Development - General Review Standards (A), above. If these dimensional requirements are approved by the Township Board, this standard will be met.

Parking. For the rear load townhomes an attached 2-stall garage is incorporated along with a driveway that would permit parking for two additional cars. Up to four cars can be parked at each 3-bedroom unit. Parallel parking along the private street has been incorporated into the site design to serve townhouse residents and their guests.

The detached veranda homes incorporate a detached 2-stall garage and a driveway that would permit parking for two additional cars. Up to four cars can be parked at each unit.

Additional parallel parking has been added along Cloudcroft and Steamboat Streets (25 and 18 spaces respectively) for guests visiting residents.

Lighting. A lighting plan has been submitted in accordance with Section 18.5. The light poles are compliant with the height requirements at 14 feet.

Note that the lighting plan in the Phase 1 area meets requirements for R-3 zoning, but slightly exceeds R-10 standards (0.2 footcandles) along several building facades. Also, the Kelvin rating of the lighting is not specified; the Township recommends a maximum of 3700K LEDs for streetlights in residential areas.

Landscaping. A landscaping plan for Phase 1 was submitted in accordance with Section 16.3. Since Phase 1 covers both frontage and residential portions of the site plan, it will be evaluated per Sections 16.9 Front Yard and 16.13 Residential Landscaping. Subsequent phases will be evaluated based on current ordinance standards at the time of submittal.

Frontage landscaping along Dutton Avenue exceeds the required 297 points and is located within the required parkway. Street trees in the residential area are placed with appropriate spacing and are located within the required parkways. Appropriate screening is provided where the development abuts adjacent properties. Plant species selected for the development are varied and there is a focus on native Midwest species.

B. Compliance with Township Master Plan: Meets Standard. Please Review Standard 11.1 (A) above. The project is being proposed as a PUD, which leaves room for design flexibility to carry out the goals and intent of the Master Plan. The Planning Commission finds that the standards of review for Sections 11.1 and 25.6 are met, and compliance with the ordinance is achieved.

C. Compliance with all Township Ordinances and Other Laws: Meets standard, condition recommended. The applicant is required to secure all applicable township and outside agency approvals prior to site development, including the Township Engineer/Byron-Gaines Utility Authority, Fire Department, Kent County Road Commission, Kent County Drain Commission, and Department of Environment Great Lakes & Energy as needed.

D. Configuration of Uses: Meets standard. The proposed final PUD plan has been modified throughout the review process to meet the guidelines of the Gaines Charter Township 2023 Master Plan and the zoning ordinance standards.

E. Preservation of Natural Features: Meets standard. No notable natural features are present on the site. Some grade changes will need to be made, which will require a soil erosion and sedimentation control permit from the KCRC prior to the start of any site work. The proposed landscaping will help to keep the site in keeping with the general expectations for neighborhood development.

F. Privacy: Meets standard. The landscaping on the northern and eastern boundaries will provide reasonable privacy measures for adjacent properties.

G. Safety: Condition recommended. All site plans, along with measures for fire protection and access, are subject to review and approval by the Fire Inspector.

H. Vehicular Circulation: Meets standard, condition recommended. Traffic within the development will be served by private streets with four separate access points; Hanna Lake, Dutton Avenue, and two to the south into the Thornapple Farms plat. Within the development itself, the street plan has been designed to adequately move traffic internally. Roadway widths vary from 30 feet on Pileated (public) and Steamboat (public) to two 20-foot lanes on the divided Cloudcroft Street (private). Access alleys for the townhouses and Veranda homes are 20 feet wide.

All work within the public right-of-way and public roads must be approved by the Kent County Road Commission and adequacy of emergency vehicle access by the Fire Inspector.

I. Pedestrian Circulation: Meets Standard. The site plan has been designed to promote pedestrian circulation throughout the development. Each residential building is served by a sidewalk, and there are sidewalks on both sides of the street along the main streets.

Sidewalks are not planned for the rear sides of the homes where driveways lead into the homes (Palisades Street), or along Toggenburg Street. The Planning Commission has determined they are not required in those areas due to the number of driveways along those roads that would interrupt sidewalks at a very short interval making an uneven walking surface.

J. Drainage: Condition recommended. Stormwater will drain into the pond at the intersection of Pileated and Dutton Avenue where it will be held as a wet pond. Stormwater and utility plans are subject to review and approval by the Township Engineer.

K. Traffic Impact: Meets standard. A Traffic Study has been prepared that will allow the Kent County Road Commission to review driveway access to the development and will help determine if traffic controls are warranted.

L. Hazardous Materials: Not applicable.

M. Public Health, Safety, or Welfare: Meets standard. The site plan has been designed to promote the goals and intent of the zoning ordinance and master plan and is connected to utilities. Emergency services are practically across the street and can fully access the site. The landscaping plan will ensure an aesthetically pleasing mixed-use development, and the residential house plans are in keeping with appropriate architectural styles.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission has determined that the preceding findings support the approval of the Dutton Center PUD rezoning and site plan.

Planning Commission recommends that PUD rezoning approval is subject to the following conditions:

1. Site plan approval for Phase 1 is contingent on receiving approval for the PUD rezoning by the Township Board of Trustees.
2. Phases 2 (plat), 3, 4, and 5 shall be subject to the final site plan review process by the Planning Commission.
3. Secure all Township department and outside agency approvals:
 - a. Township Engineer/BGUA.
 - b. Fire Department.
 - c. Kent County Road Commission (SESC), if applicable.
 - d. Kent County Drain Commission, if applicable.
 - e. Environment, Great Lakes and Energy, if applicable.

The vote on the motion to adopt this Resolution and Conditions of approval was as follows:

YES: _____

NO: _____

ABSTAIN: _____

RESOLUTION DECLARED:

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Planning Commission at a meeting held on June 27th, 2024.

Respectfully submitted,

Lani Thomas, Secretary
Gaines Charter Township
Planning Commission

Dated: _____

Gaines Charter Township

Planning Commission Memo

Meeting Date: September 26th, 2024

AGENDA ITEM: VI.3.b

PROPOSED REQUEST: Dutton Mill–PUD
Amendment & Site Plan Review for Marathon
Gas Station

ADDRESS: 3495 68th Street

PARCEL NUMBER: 41-22-02-377-006

APPLICANT: Adam Bryant, Irish Design & Build

FILE NUMBER: 240424AB

PROPERTY ZONING DISTRICT: PUD

PROPERTY SIZE: 0.59 Acre

REPORT BY: Dan Wells, Community
Development Director



OVERVIEW

The applicant requests to build an addition for a refrigerated walk-in cooler at the Marathon Gas Station at 3495 68th Street, which is part of the Dutton Mill Village Planned Unit Development. The addition would extend into what would normally be a 25-foot rear setback from the property line in General Commercial, and create a 15.3-foot setback, thus the need for a PUD amendment and site plan review.

The current building is 3,200 square feet, and lies 43.1 feet from the northern property line which conforms with a general 25-foot setback requirement for General Commercial. The proposed 28x50 foot (1,400 square feet) addition would extend 28 feet to the north, narrowing the rear setback to 15.3 feet. This would be similar to the side setback on the east side of the building which is 16.7 feet. The addition would not extend into the access easement that lies on both the east and north side of the building, but would bring it immediately adjacent.

A resolution has been prepared for the Planning Commission to consider based on prior Planning Commission discussion.

PROCESS

Review of the PUD amendment application is subject to the following process:

1. Planning Commission preliminary PUD plan review and approval based on Section 11.1 (approved May 23rd, 2024)
2. Planning Commission public hearing regarding PUD Amendment and final site plan review based on Section 25.3 (July 25th, 2024)
3. Township Board review at first reading (September 9th, 2024)
4. Planning Commission consideration of a resolution with Board recommendation (September 26th, 2024)
5. Township Board public hearing, review, and consideration of the PUD amendment at second reading (October 14th, 2024)

STAFF RECOMMENDATION

Staff first recommends approval of the site plan and a positive recommendation for the PUD amendment to the Board of Trustees via formal resolution with the following conditions:

1. The parking requirement is waived, and 12 parking spaces be permitted for the site.
2. Signage and lighting for the site will be regulated under General Commercial standards, and must be noted on the site plan under "Requirements".
3. Asphalt on the north side of the addition must be resurfaced as indicated on the site plan.

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

**RESOLUTION NO. PC-24-09-02
DUTTON MILL VILLAGE PUD AMENDMENT**

The following Resolution was offered and adopted by the Gaines Charter Township Planning Commission at a regular meeting held on September 26th, 2024 at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present: _____

Member Absent: _____

The following Resolution was offered for adoption by Planning Commissioner _____ and supported by Planning Commissioner _____ to document the findings and the approval by the Gaines Charter Township Planning Commission ("PC") regarding a request made by Adam Bryant, Irish Design & Build Inc. for Dutton BP, LLC to consider a site plan and amendment to the Dutton Mill Village Planned Unit Development (PUD) for 3495 68th Street SE (parcel number 41-22-02-377-006).

STATEMENT OF FINDINGS

Section I General Background:

1. The Planning Commission is authorized to review site plans and recommend approval or denial for Planned Unit Development site plan amendments to the Township Board of Trustees for consideration.
2. The parcel is legally described as:

PART OF E 1/2 SW 1/4 COM 566.62 FT 90D 00M W ALONG S SEC LINE FROM S 1/4 COR TH 90D 00M W ALONG S SEC LINE 155.0 FT TO E LINE OF WEST MILL RUN /76 FT WIDE/ TH N 0D 00M ALONG SD E LINE 200.0 FT TH 90D 00M E 155.0 FT TH S 0D 00M 200.0 FT TO BEG * SEC 2 T5N R11W 0.71 A.
3. The amendment will include: construction of a 28x50 foot, 1,400 square foot addition for a refrigerated walk-in cooler, and associated site improvements including new landscaping, repaving degraded asphalt, adding drive land marking, and on-site trash facilities.
4. The PUD will be developed according to the PUD Plan dated August 30th, 2024.

5. The Planning Commission held a public hearing on the PUD amendment on July 25th, 2024.

REVIEW FINDINGS

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance (“the Zoning Ordinance”), the applicant’s presentations at the public hearing, Township Staff’s recommendation, and other factors, the Planning Commission hereby adopts the following findings:

PUD AMENDMENT STANDARDS

The PUD amendment request has been reviewed using the applicable review standards of Section 11.1, Planned Unit Development - General Review Standards. Additional information is included over the following pages concerning review considerations and standards.

A. Consistency with Master Plan and Zoning Ordinance: Meets Standard. The parcel is currently zoned Planned Unit Development, so setbacks are determined by the approval of the Board of Trustees. The use of the property as a gas station and party store would be permitted in General Commercial zoning, which is the equivalent zoning category for the overall PUD.

B. Aesthetics: Meets standard. Several changes to the site plan have been made since Dutton Mill Village was approved in 1981 that reduced the amount of green space on the gas station site. The landscaping approved in 1981 has not been maintained, but the applicant has provided a plan to make landscaping improvements to the property that meets current zoning requirements.

C. Compatibility with Adjacent Uses: Meets standard. The immediate surrounding uses are commercial and civic. The Future Land Use Plan for the surrounding area is commercial.

D. Density: Meets standard. There is no minimum lot area, coverage ratio, or width requirement in the General Commercial zone.

E. Traffic: Meets standard, condition recommended. Traffic has adequate ingress/egress from the parcel, and adequate circulation within. The applicant has indicated they will be adding “turn arrow” striping at the exit points on West Mill Run that may help direct drivers into specific lanes to help avoid conflict, but no striping is proposed onto 68th Street.

On the north side of the building asphalt is degraded and potholed. The applicant indicates that this area will be resurfaced, and this should be a condition of approval.

The Planning Commission determined that the building addition could be brought to the edge of the 30-foot access easement immediately north of the building as it is wide enough for emergency vehicle access.

F. Protection of Natural Environment: Not Applicable. No natural features are present on the site.

G. Schools: Not Applicable. The project will have no effect on schools.

H. Public Facilities: Meets standard. Overall, the project will have no impact on public services or utilities.

I. Water, Sewer, and Drainage Systems: Meets standard. The Township Engineer has reviewed the project and has no concerns.

J. Open Space: Not Applicable.

K. Non-Motorized Transportation Network: Not Applicable.

SITE PLAN REVIEW STANDARDS

The request has been reviewed using the applicable review standards of Section 25.6 Site Plan Review. Additional information is included on the following pages concerning site plan review considerations and standards.

A. Adequacy of Information: Meets standard, condition recommended. A site plan and scaled building elevations have been submitted for review and all the required information has been provided.

Dimensional Requirements: Since the building is in a PUD, there is flexibility in dimensional requirements, but the proposed addition is similar in height to the existing building and is at the rear, so it won't alter the overall look of the site, nor exceed commercial height limits.

Parking: Twelve parking spaces are provided on site, and there is plenty of parking in the lot immediately to the east. The Planning Commission determined that twelve spaces is adequate, and permits a reduction from the standards contained in Section 15.2 as it has determined that the requirements of this Chapter would result in an unneeded number of spaces.

Dumpsters: The site plan indicates that a screened enclosure has been added on the north side of the building that will adequately screen trash dumpsters.

Signage: No change to signage is proposed. Signage must conform to General Commercial sign regulation.

Lighting: No change to lighting is proposed. New lighting must conform to General Commercial lighting regulations.

Landscaping: In total, one shade tree, 4 ornamental trees, and 47 shrubs will be added to the 68th Street and West Mill Run frontages. 178 points of landscaping are required and 179 are provided.

B. Compliance with Township Master Plan: Meets standard. The 2023 Future Land Use Plan anticipates General Retail and Services on this parcel. See Standard 11.1 (A) above.

C. Compliance with all Township Ordinances and Other Laws: Meets standard. The Fire Inspector and Township Engineer have reviewed the plans and have no concerns.

D. Configuration of Uses: Meets standard. Short of reducing the overall size, staff believes that the project has been designed to allow for reasonable use of the property while not impacting adjoining and nearby properties.

E. Preservation of Natural Features: Not applicable.

F. Privacy: Meets standard. The proposed landscaping will help to screen the view of the site from adjacent properties.

G. Safety: Meets standard. The Fire Inspector has reviewed the plans, and no issues were identified.

H. Vehicular Circulation: Meets standard. The gas station will be accessed by existing curb cuts on 68th and West Mill Run. Turn markers will be painted at egress/ingress points.

I. Pedestrian Circulation: Meets standard. No changes to sidewalks are proposed.

J. Drainage: Not applicable.

K. Traffic Impact: Meets standard. No adverse traffic impacts are anticipated.

L. Hazardous Materials: Meets standard. The Fire Inspector has reviewed the plans, and no issues were identified.

M. Public Health, Safety, or Welfare: Meets standard. The proposed site development is not anticipated to negatively impact adjacent properties, natural resources, or the future development of the area.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission has determined that the preceding findings support the approval of the Dutton Center PUD amendment and site plan dated August 30th, 2024.

Planning Commission recommends that PUD amendment approval is subject to the following conditions:

1. The parking requirement is waived, and 12 parking spaces be permitted for the site.
2. Signage and lighting for the site will be regulated under General Commercial zoning ordinance.
3. Asphalt on the north side of the addition must be resurfaced as indicated on the site plan.

The vote on the motion to adopt this Resolution and Conditions of approval was as follows:

YES: _____

NO: _____

ABSTAIN: _____

RESOLUTION DECLARED:

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Planning Commission at a meeting held on September 26th, 2024.

Respectfully submitted,

Lani Thomas, Secretary
Gaines Charter Township
Planning Commission

Dated: _____, 2024