

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
DECEMBER 17, 2013
7:00PM

**UNAPPROVED
MINUTES**

CALL TO ORDER -

Chairperson Larabel called the meeting to order at 7:00 pm.

ROLL CALL -

Dykstra, Keppel, Webster, Larabel, and Woltjer were present.
Tacoma was absent with notice.

INVOCATION -

Commissioner Dykstra gave the invocation.

APPROVAL OF THE NOVEMBER 19, 2013 MINUTES -

Keppel moved and Dykstra supported the motion that the November 19, 2013 minutes be approved with the exclusion of the word "PLAT", under New Business/Site Plan for Greentree 2.

MOTION CARRIED – UNANIMOUSLY.

APPROVAL OF DECEMBER 17, 2013 AGENDA -

Webster moved and Woltjer supported the motion that the December 17, 2013 Agenda be approved.

MOTION CARRIED – UNANIMOUSLY.

CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

None.

NEW BUSINESS -

***FINAL PRELIMINARY PLAT – BRIDLEWOOD 5 & BRIDLEWOOD 6**

Larabel introduced Bridlewood 5 & 6 for Final Preliminary Plat approval, mentioning the fact that it is unusual for the Planning Commission to be involved at this point. However, the applicant had submitted the Final Preliminary Plan to the Planning Commission, recognizing Ordinance Number 98-009, which requires the Planning Commission to review the landscape plan to ensure compliance with the provisions provided in the JCTSO. He then asked Planner Ransford to elaborate further.

Ransford verified that typically this does not come to the Planning Commission, but there was a need for a landscape plan, in this case. Originally, there had been a problem with the existing Bridlewood Association, but that has now been resolved.

Dale Van Kooten, of 252 State Street, Grand Rapids, representing the applicant, commented that Planner Ransford had explained the situation clearly.

Ross DeJong, of 4605 Caspian Drive, stated that there are now two extra lots, and wanted to know why those lots were allowed. He stated his opinion that there were a number of issues still needing to be addressed.

Larabel clarified that the final approval is given by the Board of Trustees, not the Planning Commission, and that the Planning Commission was brought in only to address the landscaping issue.

Ransford mentioned that the Planning Commission does not do any revisions, and that this

Commission would not have time for a second review.

Larabel requested a motion.

Dykstra moved, and Webster supported the motion to recommend to the Board of Trustees approval for the landscape portion for Bridlewood 5 & Bridlewood 6.

MOTION CARRIED – UNANIMOUSLY.

*** PUBLIC HEARING FOR 32nd AVENUE/M-6 CORRIDOR OVERLAY ZONING DISTRICT**

Larabel introduced the proposed 32nd Avenue/M-6 Corridor Overlay Zoning District Amendment, and explained that the purpose was to clarify and map out the proposed exact district. He then asked Planner Ransford to summarize.

Ransford explained that the purpose of the 32nd Avenue/M-6 Corridor Overlay Zoning District is to provide for orderly commercial development. He then gave examples of commercial regulations and requirements, such as: landscaping, service doors, curb-cuts, buried power lines, and minimum and maximum glass requirements, and stated that the intent is regulation for the sake of aesthetics. He stated that the changes in the 32nd Avenue/M-6 Corridor Overlay Zoning District were largely grammatical changes to amend inconsistencies in the language, and that if a citizen lives within the District, very little has changed for them.

Keppel moved and Dykstra supported the motion to open the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Jason Robinson, of 790 Jackson Street SW, asked if commercial properties are always within the 32nd Avenue/M-6 Corridor Overlay Zoning District. He stated concern in regards to expanding the District to Quincy, and was worried that it would affect the property he and his wife had purchased just two years ago. He wondered if it would mean that his residence could be right next to an Industrial Zone.

Larabel stated emphatically, no. He asserted that if the area was residential, it would stay zoned residential, and that the Corridor Overlay Zoning District is simply a tool to regulate uniformity in order to ensure aesthetics.

Jason Robinson asked if it would mean that he would end up living next door to a gas station.

Larabel restated that the purpose of the 32nd Avenue/M-6 Corridor Overlay Zoning District was to be a long-term planning tool for consistency and regulation of aesthetics for the sake of Jamestown Charter Township's future development.

Ransford noted that the 32nd Avenue/M-6 Corridor Overlay Zoning District would enhance the aesthetics of future properties, giving the examples of future hospitals, dog kennels, etc. in the Township. He emphasized that it would not affect home-owners, taxes, or tax assessments.

Doug Johnson, of 3530 32nd Avenue, requested clarification for Chapter 15 of the proposed 32nd Avenue/M-6 Corridor Overlay Zoning District in its entirety.

Dick Falbe, of 583 Quincy Street, remarked that he believed this would be a handicap for home-owners.

Brian Meekhof, of 3128 Greenly Street, stated concern that a little slice of property near his own could be purchased by a strip mall. He remarked that he would not want to have garbage cans within his view.

Karen Kelder, of 550 Jackson Street SW, asserted that the language of the 32nd Avenue/M-6 Corridor Overlay Zoning District was confusing. She, too, was concerned about the devaluation of personal property.

Doug Johnson questioned the reasoning behind the choice of borders, and mentioned possible borders to be considered as being 48th Avenue, Adams Street, as well other possibilities.

Keith Brown, of 3681 Andover Lane, asked why the Corridor Overlay Zoning District does not butt up to residential districts.

Ron Koroleski, of 2967 8th Avenue, reflected that it looked to him as if the 32nd Avenue/M-6 Corridor Overlay Zoning District had been expanded, and he advised caution. He was sure that everyone enjoys peace and quiet, and that, personally, he would not want a dumpster, loading dock, or even a dog kennel built next door.

Dick Falbe, of 5830 Quincy Street, wondered if it was a done deal, and asked if these new regulations would make properties less desirable. He asked if the 32nd Avenue/M-6 Corridor Overlay Zoning District could be kept smaller, or be left the way it was.

Paul Dege, of 875 Quincy Street, asked what would happen if he wanted to build a pole barn on his own property. Would the 32nd/M-6 Corridor Overlay Zoning District require an aesthetic design?

Ransford asserted that the regulations did not apply to single-family homes.

Larabel affirmed that the 32nd/M-6 Corridor Overlay Zoning District does not change any of the present zoning, its purpose being to regulate new building aesthetics and landscaping, as well as to clear up inconsistencies in the language of the current 32nd Avenue/M-6 Corridor Overlay Zoning District. He reiterated that these are requirements for future developments - there would be no affect on family or agricultural land, and it would not make re-zoning any easier.

Jason Jackson asked if the changes in the 32nd/M-6 Corridor Overlay Zoning District made it any easier to re-zone properties

Larabel reiterated that no, it did not.

Mr. Koroleski advised that the Corridor Overlay Zoning District be scaled back, and did not see the need for it to be so large.

Commissioner Dykstra noted that it was large because it protected our community. He gave the example of Alpine Avenue, which was not planned, compared to the Rockford business district, which was planned. He pointed out that what the 32nd/M-6 Corridor Overlay Zoning District did for our future was to prevent urban sprawl, and put all the Township's "ducks in a row" before a problem could arise.

Mr. Koroleski remarked that he would like to see landscape barriers, and reflected that, in his opinion, businesses should be invisible.

Dykstra mentioned that a Public Hearing gave residents the opportunity to express opinions like that.

Larabel commented that the 32nd Avenue/M-6 Corridor Overlay Zoning District regulates the landscaping and aesthetic screening and facades of businesses. He also pointed out that the Planning Commission has legal standards to abide by in regards to allowing businesses certain rights.

Webster observed that the problem, without the protection of the 32nd Avenue/M-6 Corridor Overlay Zoning District, was that any businesses could come into Jamestown Township and be less restricted regarding how and what they would build.

Karen Kelder, of 550 Jackson Street, asked why.

Ransford explained that with the 32nd Avenue/M-6 Corridor Overlay Zoning District in place, the Township was protected with higher standards for businesses. He mentioned the possible example of a hospital wanting to build at 24th Avenue and Ottagon. Without the 32nd Avenue/M-6 Corridor Overlay Zoning District, the hospital could build a pole barn, but with the 32nd Avenue/M-6 Corridor Overlay Zoning District in place, it would be held to a higher standard.

Brian Meekhof, of 3128 Greenly, stated concern about the proximity of his property to 32nd Avenue if Meijer built nearby.

Larabel asserted that any and every portion of the proposed Meijer Store would have to meet the 32nd Avenue/M-6 Corridor Overlay Zoning District requirements, regulations, and restrictions.

Ransford reiterated that the entire building is subject to these regulations.

Paul Dege asked if the citizens had any say in the decision to expand the 32nd/M-6 Corridor Overlay Zoning District.

Larabel once again pointed out that the 32nd/M-6 Corridor Overlay Zoning District was

protection for everyone in the Township. He explained that there are loopholes for businesses in the old 32nd Avenue/M-6 Overlay Zoning District that needed to be closed.

Mr. Dege asked if his property were to be re-zoned commercial, if there was a way to stop that re-zoning.

Larabel asserted that a Public Hearing was required in order to re-zone a property. He also mentioned the Jamestown Charter Township Master Plan, which is a guide, not a law, and also helps with the Township's future development. He pointed out that many of the concerns expressed by the residents are hypothetical and very unlikely.

Ransford used a large posterboard with a drawing of the proposed 32nd Avenue/M-6 Corridor Overlay Zoning District to illustrate to residents that the likelihood of the scenarios they were concerned about were "slim to none".

Paul Dege again expressed his concern regarding the increase in commercial development.

Larabel agreed that if a Meijer Store was built along 32nd Avenue, commercial development will increase. Along 8th Avenue, however, he remarked, there is no water and sewer, at present. He noted that someday, someone may invest in water and sewer there, and then other commercial developments would come.

Webster observed that the question was, "How do we want our community to develop?"

Bruce Mannes, of 760 Jackson Street SW, mentioned the example of Celebration Bible Church, which was built as a pole barn a number of years ago, and asked if these new regulations would prevent that type of scenario.

Larabel explained that a church could be built in an agricultural or a residential zone and that the regulations of the proposed 32nd Avenue/M-6 Corridor Overlay Zoning District would provide restrictions.

Ransford observed that this situation should and would be addressed.

Mr. Mannes noted that his neighbor had planted a row of trees because the church was not pleasant to look at.

Larabel reflected that these new standards would apply in such a case.

Dick Falbe was concerned that the Township is catering to people who have money.

Keith Brown, of 3681 Andover Lane, remarked that he felt what the Commissioners were doing is good, that curb appeal is very important, and that the proposed regulations should be in place in all commercial areas.

Doug Johnson, of 3530 32nd Avenue, expressed the opinion that the 32nd Avenue/M-6 Corridor Overlay Zoning District should be made even larger. He gave the example of two huge pole barns that did not seem to comply with any regulations.

Larabel commented that it was time to close the Public Hearing.

Dykstra moved and Keppel supported the motion to close the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Webster reflected that the 32nd Avenue/M-6 Corridor Overlay Zoning District seemed to be unsupported by some neighbors.

Larabel explained why it is important to follow the Master Plan, and stressed the need for guidelines.

Keppel asserted that it was important not to think just five years out, but to plan for ten or even twenty years in the future. He observed that the 32nd Avenue/M-6 Corridor Overlay Zoning District would help keep our Township attractive.

Larabel mentioned that every five years the Planning Commission takes another look, reviews, and recalculates. He mentioned that having water and sewer along 8th Avenue could bring big changes.

Keppel noted that there were no long-range plans for water and sewer along 8th Avenue.

Larabel encouraged the Commissioners to make a motion.

Ransford pointed out that he would amend any motion to clarify Section 15.2C by striking this language, in lines two and three, "a five percent (5%) or greater increase in parking, for any change in use on a site which does not meet the standards of the Chapter, or for."

Commissioners briefly discussed this recommendation.

Larabel asked the Commissioners for a motion.

Dykstra moved and Webster supported the motion that the Planning Commission recommend to the Board for approval the proposed 32nd Avenue/M-6 Corridor Overlay Zoning District Amendment, with the exception of the wording in section 15.2C, reading, "a five percent (5%) or greater increase in parking, for any change in use on a site which does not meet the standards of the Chapter, or for".

MOTION CARRIED – UNANIMOUSLY.

***2013 ANNUAL REPORT**

Larabel noted that there had been only eleven Planning Commission Meetings – the February meeting being canceled due to inclement weather.

Keppel moved and Woltjer supported the motion to pass the 2013 Annual Report onto the Jamestown Charter Township Board.

MOTION CARRIED – UNANIMOUSLY.

***2014 MEETING SCHEDULE RESOLUTION**

Commissioners briefly discussed the benefits of staying with the same schedule for the year 2014.

Webster moved and Keppel supported the motion to approve the 2014 Meeting Schedule Resolution.

MOTION CARRIED – UNANIMOUSLY.

OLD BUSINESS -

None.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY -

Ross DeJong desired clarification regarding Final Preliminary Plat approval for Bridlewood 5 & Bridlewood 6.

Larabel re-explained that the Planning Commission had been brought in to assure compliance with Ordinance Number 98-009 regarding landscaping, provided for in the Jamestown Charter Township Subdivision Ordinance.

Mr. De Jong was concerned about lots 162 and 163, regarding the lot depth minimum, which he stated was met only when measured on an angle. He explained that, in his opinion, the plan currently restricts access from the roads to parks, in order to squeeze in two more lots.

Larabel mentioned that he was involved in the PUD negotiations, and the removal of flag lots had been an improvement, in his opinion. He reflected that the Planning Commission would not review the Final Preliminary Plat Approval for Bridlewood 5 & Bridlewood 6 after passing on their recommendation to the Board.

DeJong asked for information about the bike path on 22nd Avenue.

Larabel remarked that historically the Township had required developers to pay half of the cost for a proposed bike path. He pointed out that in this case, the developer owns both sides of the road.

Ron Koroleski requested clarification of the landscaping regulations in the 32nd Avenue/M-6 Corridor Overlay Zoning District. He asked if the required plants/trees die, who is responsible for their replacement?

Adrian Bontje, of 901 Quincy Street, stated that buffering was required when commercial property abutted residential property. He observed that the owners of the property are responsible for

the maintenance of the required landscaping, as well.

Ransford made the comment that he goes out and counts trees. He gave the example of a business office that did not irrigate its landscaping, and were required to replace any and all dead trees and shrubbery. He made the observation that any laxity in this area was to be corrected by the Township.

Dykstra pointed out that ninety percent (90%) of what the Planning Commission does is complaint-driven.

Larabel agreed that if there is a problem, a neighbor will complain, and the Planning Commission will take it from there.

CORRESPONDENCE -

None.

PLANNING COMMISSION MEMBER COMMENT -

Commissioners discussed the proposed closed session in order to act on the Special Use and Map Amendment Application by Mark Pater, of 3700 24th Avenue SW, considered in the November 19, 2013 meeting.

Ransford reminded Commissioners that legal counsel would need to be present in any closed session. He explained that there are six or seven legal reasons for a closed session and that he would be willing to consult with "Ted", the Township's Attorney about this. Ransford also mentioned that Ken Bergwerff, Jamestown Charter Township's Supervisor, had asked to be present at the proposed meeting.

Woltjer commented that he did not know how else it was to be done, other than a closed session.

Further discussion ensued including: clarification of conditional re-zoning, Ken Bergwerff's involvement, the Planning Commissioners needing a copy of guidelines prepared by the Michigan Township Association, PUD (Planned Unit Development) implications, zoning already in place in the neighborhood, the Township's lawyer putting recommendations in writing, decisions regarding legal questions, the affect on other properties, the consideration of precedence for future decisions, and the consequences of either the approval or denial of the conditional re-zoning.

ADJOURNMENT -

Dykstra moved and Webster supported the motion to adjourn at 8:45pm.

MOTION CARRIED – UNANIMOUSLY.

MINUTES SUBMITTED BY -

Sandy VanAntwerp