



Fresh Coast Planning

950 Taylor Avenue, Ste 200
Grand Haven, MI 49417
www.freshcoastplanning.com

Gregory L. Ransford, MPA
616-638-1240
greg@freshcoastplanning.com

Emma M. Posillico, AICP
616-490-9955
emma@freshcoastplanning.com

Brian Werschem
231-206-4821
bwerschem@gmail.com

Meghann Reynolds
616-610-7786
meghanr10@gmail.com

MEMORANDUM

To: Jamestown Charter Township Planning Commission
From: Emma M. Posillico, AICP *emp*
Date: May 10, 2019
Re: West 24 Cottages Planned Development – Final Plan

Pursuant to Section 19.7F – Application and Final Submission of the Jamestown Charter Township Zoning Ordinance (JCTZO), attached is the Final Development Plan for West 24 Cottages Planned Development submitted by Exxel Engineering on behalf of Fusion Properties, LLC to construct 24 duplexes (48 dwelling units) at 0-Quincy Street, parcel number 70-18-09-200-027. The property is positioned on the south side of Quincy Street, between 24th and 32nd Avenues, and accesses only Quincy Street. As you know, the existing street stub of Sun Brook Drive that terminates into the western side of the subject parcel has been approved by the Ottawa County Road Commission to be removed. The subject parcel is located within the R-2 Residential Zoning District.

The application has been reviewed and found complete. As you know, there are several provisions for the Planning Commission to consider as you deliberate regarding this application. Below we outline those provisions as well as provide details concerning the remainder of the submission, and the related Planned Development Ordinance for your review.

Preliminary Plan Findings

As you will recall, following review of the Preliminary Plan, the Planning Commission directed the applicant to return with a final plan that:

1. Provided additional parking

We believe the preliminary plan direction has been satisfied, pending your review. Below we offer our findings and observations regarding the Final Plan for your review.

Findings and Observations

General Notations

- Additional parking – The applicant has responded to your request to provide additional parking by adding six (6) parking spaces. Two (2) spaces have been added to the east of Unit 48; two (2) spaces have been added between units four (4) and five(5); one (1) space has been added to the parking area on the north side of Cottage Way, across from units thirteen (13) and fourteen (14); and one (1) space has been added to the parking area on the south side of Cottage Court, across from units 31 and 32.
- Landscaping – The applicant has provided a site landscaping plan (Sheet L-102) as well as a unit landscaping plan (Sheet L-101) that provide further detail on plant types than what was previously provided. However, the quantity and placement of the proposed plantings have not changed, as you were satisfied with the landscaping during your preliminary review.
- Bylaws and covenants – Per an email dated March 1, 2019 from the applicant, since one (1) owner will maintain control of the entire property and units, there are no bylaws and covenants proposed for the project.

- Planned Unit Development Ordinance – We provided the PD Ordinance to the Township Attorney for his review. Attached is the final draft for your consideration.

Zoning Ordinance Considerations

Section 19.7G – Contents of Final Plan

- Subsection 9 – The Planning Commission is provided the option to recommend that the Jamestown Charter Township Board of Trustees (JCTBT) require evidence of a market need for the use and an economic feasibility, a traffic impact assessment, an environmental impact assessment or a fiscal impact assessment. The Planning Commission should consider whether any or all of these are necessary during its formal recommendation.

For your convenience, below is a copy of Section 19.7G of the JCTZO.

- G. Contents of Final Plan: The final development plan shall contain the same information required for the preliminary development plan and shall contain the following additional information as well as information specifically requested by the Planning Commission in its review of the preliminary development plan:
1. Location and size of all water, sanitary sewer, and storm sewer lines serving the development.
 2. Proposed contour lines at not greater than two (2) foot intervals.
 3. Proposed landscaping including type, number, and size of trees and shrubs.
 4. Location of signs and exterior lighting.
 5. Location of sidewalk, foot paths, or other pedestrian walkways.
 6. Distance of all buildings from lot lines, right-of-ways, and other principal buildings.
 7. Exterior architectural drawings noting building materials, height and area of buildings and accessory structures.
 8. Proposed phases of project.
 9. In the event the property on which the project is to be situated consists of ten (10) or more acres, the Township Board may, after recommendation of the Planning Commission, require one or more of the following as part of final development plan submission:
 - a. Evidence of market need for the use(s) and economic feasibility of the project
 - b. A Traffic Impact Assessment
 - c. An Environmental Impact Assessment
 - d. A Fiscal Impact Assessment

Township Department Reviews

All township departments are satisfied with the proposed plans, pending the items noted by Vriesman and Korhorn within their review letter, which includes payment-in-lieu of construction of the pathway along Quincy Street.

Optional Public Hearing

The Planning Commission is not required to hold a public hearing on the Final Development Plan. However, Section 19.8 of the JCTZO provides the Planning Commission the option to hold a public hearing on the Final Development Plan. As a result, the Planning Commission will need to determine if a public hearing is appropriate.

Standards for Approval

As you are aware, the Planning Commission is tasked with providing a recommendation of approval, denial or approval with conditions to the JCTBT regarding the Final Development Plan in accordance with Section 19.9 of the JCTZO. A copy of Section 19.9 is provided below for your convenience along with our comments regarding each in italic font to assist with your review. We have drafted our comments in the affirmative given your support of the Preliminary Plan.

SECTION 19.9. STANDARDS FOR APPROVAL. Following the public hearing, the Planning Commission shall either approve, deny, or approve with conditions the final development plan and make its recommendation to the Township Board. In making its recommendation, the Planning Commission shall find that the proposed PD meets the intent of the PD District and the following standards.:

- A. Granting of the Planned Development rezoning will result in a recognizable and substantial benefit to the ultimate users of the project and to the community where such benefit would otherwise be unfeasible or unlikely to be achieved.

Certainly, without the Planned Development rezoning it would not be possible to achieve the residential density proposed by the applicant. In addition, in accordance with the Jamestown Charter Township Master Plan, the rezoning will provide for a range of residential styles and densities to meet the needs of the community's diverse population while conscientiously integrating developments into the landscape of existing neighborhoods

- B. In relation to underlying zoning, the proposed type and density of use shall not result in a material increase in the need for public services, facilities, and utilities, and shall not place a material burden on the subject or surrounding land or property owners and occupants or the natural environment.

We are unaware of any increased burden on public services, facilities or utilities. In fact, the Fire Department, the Township Engineer, and the Township Superintendent of Water and Sewer have not expressed any concerns in this regard. Consequently, it appears the proposed meets this standard.

- C. The proposed development shall be compatible with the General Development Plan of the Township and shall be consistent with the intent and spirit of this Chapter.

As noted during the Preliminary Development Plan, the proposed development appears to be compatible with the Master Plan. Given that no significant changes occurred from the Preliminary Plan to the Final Development Plan, and that the applicant appeared to follow your direction, it is reasonable to conclude that the proposed remains compatible with the Master Plan. In regard to the intent and spirit of the Planned Development Chapter, we provide a copy of those provisions further below. Consequently, it appears the proposed meets this standard.

- D. In relation to underlying zoning, the proposed development shall not result in an unreasonable negative economic impact on surrounding properties.

We are unaware of any contentions that the proposed would cause an unreasonable economic impact on surrounding properties. Again, pursuant to Section 19.7G9 (provided further above) of the JCTZO, the Planning Commission could recommend that the Township Board require a study be commissioned in this regard. Otherwise, it appears the proposed meets this standard.

- E. The Planned Development shall not change the essential character of the surrounding area.

The proposed development is relatively near to existing residential neighborhoods of similar character. Consequently, it appears the proposed meets this standard.

- F. The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall not prohibit a transfer of ownership or control on due notice to the Township Clerk.

We believe this standard has been met.

As you will note in the introduction to Section 19.9, the proposed Planned Development shall also meet the intent of the Planned Development (PD) chapter. For your convenience, below is Section 19.1 – Definition and Purpose, in part, which provides the intent of the PD chapter.

It is the intent of this Chapter to authorize the consideration and use of Planned Development Regulations for the following purposes:

- A. To encourage the use of land in accordance with its character and adaptability.
- B. To promote the conservation of natural features and resources.
- C. To encourage innovation in land use planning and development.
- D. To promote the enhancement of housing, employment, shopping, traffic circulation, and recreational opportunities for the people of the Township.
- E. To promote and ensure greater compatibility of design and use between neighboring properties.
- F. To provide for the regulation of legal land uses not otherwise authorized within this Ordinance.

Proposed West 24 Cottages Planned Development Ordinance

As you are aware, any recommendation from the Planning Commission shall include a proposed Planned Development Ordinance to accompany the site plan. Included with the attached application, we provide a draft West 24 Cottages Planned Development Ordinance for your consideration.

Planning Commission Considerations and Recommendation

During your deliberations and as you reach your recommendation, we believe the following require your review and consideration. They are listed in no particular order. We believe a recommendation of approval is likely appropriate.

- Finalization of the parking provided on site
 - Whether the six (6) additional spaces provided are adequate and placed appropriately
- Payment in-lieu of construction of the bike path along Quincy Street
- Compliance with the content of the Township Engineer's letter
- Whether evidence of a market need for the use and an economic feasibility, a traffic impact assessment, an environmental impact assessment or a fiscal impact assessment is necessary
- Whether a public hearing should be conducted by the Planning Commission on the Final Plan
- The content of the proposed West 24 Cottages Planned Development Ordinance

The application has been scheduled for your May 21, 2019 meeting. The applicant is expected to be in attendance. If you have any questions, please let us know.

EMP
Associate Planner

Attachments

cc: Ken Bergwerff, Township Supervisor
Duane Meidema, Township Fire Chief
Steve Boss, Township Superintendent of Water & Sewer
Nate Vriesman, Township Engineer
Jon Male, Exxel Engineering