

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION MEETING MINUTES

May 18, 2021 at 7:00 p.m.

Jamestown Charter Township Hall, 2380 Riley St., Hudsonville MI 49426

CALL TO ORDER: Chairman Smith called the meeting to order at 7:00 p.m.

ROLL CALL: Commissioners Jeff Dykstra, Kevin Gilliam, Dave Kronemeyer, Dean Smith, Tim Tacoma, Randy Zomerlei and Planner Greg Ransford were present. Commissioner Diane Pater was absent.

INVOCATION: Commissioner Gilliam opened with the invocation.

APPROVAL OF MINUTES: A motion was made by Commissioner Dykstra, supported by Commissioner Kronemeyer to approve the minutes of the April 20, 2021 Planning Commission Meeting. Motion carried.

APPROVAL OF AGENDA: A motion was made by Commissioner Zomerlei, supported by Commissioner Gilliam to approve the agenda. Motion carried.

GENERAL COMMENTS REGARDING NON-AGENDA ITEMS: None.

NEW BUSINESS:

- **PUBLIC HEARING** for a Site Plan Review and Special Use application from ALDI Inc. to construct a 19,054 square foot grocery store with a one hundred and two (102) space parking lot, as well as site improvements including but not limited to, the installation of landscaping and related infrastructure in the General Commercial (C-2) Zoning District and the 32nd Avenue/M-6 Corridor Overlay Zone. The property is located on the east side of 32nd Avenue, north of Quincy Street, at 4010 32nd Avenue, parcel numbers 70-18-04-300-202 and 70-18-04-300-026.

A motion was made by Commissioner Tacoma, supported by Commissioner Dykstra to open the Public Hearing at 7:01 p.m. Motion carried unanimously.

Christopher Grzenkowicz from Desine Inc. was present to give an overview of the project. ALDI is combining two parcels to create one 5.2 -acre parcel on the northeast corner of 32nd Avenue and Quincy Street, which is the highest and driest portion of the property. He presented information regarding the existing features of the property that would either be removed or preserved. An existing house and outbuildings would be removed. They plan to preserve the existing wetlands and wooded areas. There is also an existing county drain which crosses the property and an approximately 30-foot change in elevation from 32nd Avenue to the county drain, which has prompted them to focus all of the development on the northwest corner of the property. There will be a parking area that wraps around the west and south sides of the building and a retaining wall with a maximum height of 22 feet that will run along the south and east sides of the parking lot. The retaining wall will allow them to maintain the existing wetland and wooded areas as much as possible. They have also indicated a future expansion area on the plans for the north end of the building. He also presented details regarding the design features of the building and cart enclosures which will be next to the building and not located in the parking lot. The cart enclosures will be enclosed on three sides with a roof.

There were no public comments.

A motion was made by Commissioner Kronemeyer, supported by Commissioner Dykstra to close the Public Hearing at 7:09 p.m. Motion carried unanimously.

Commissioners questioned Grzenkowicz regarding whether the wetlands on the property are protected, if traffic studies have been done, whether the proposed location of the drive will increase traffic conflicts near the intersection, the possibility of a shared drive agreement with the adjacent Lake Michigan Credit Union (LMCU) to the north, which is in the City of Hudsonville, and the anticipated number of cars per day.

Grzenkowicz replied that approximately 180 square feet of wetland will be filled in, and that they have a permit from EGLE. He also stated that ALDI had a traffic study done and has been working with the Ottawa County Road Commission to address potential traffic concerns as drivers enter and exit the parking lot, and that the Road Commission has recommended a "right in" and "right out" entrance across from the Meijer entrance. He stated that the traffic issues that exist at the intersection are not caused by ALDI and that they shouldn't be required to totally finance road

improvements at the intersection. He suggested that the township consider creating a special assessment district to pay for any road improvements. Various options were discussed, such as signal improvements, widening Quincy Street, additional lanes, relocating the proposed drive so that it doesn't line up with the Meijer drive, and a shared drive agreement or an access road constructed behind LMCU.

Grzenkowitz stated that they designed the site to allow for shared access with LMCU, the adjacent property, but that is not an option as the owners of that property are not interested in a cross connection at this time due to the impact on their traffic patterns.

Planner Ransford said that he had talked to the Township engineers regarding the traffic study, and if there isn't a degradation in the current level of service the road provides per the traffic engineer manual, then there aren't as many concerns in terms of the need for improvements.

Grzenkowitz estimated that there would be up to 80 cars at ALDI during peak times, and he answered that the drive cannot be relocated further from the intersection due to the natural features of the property.

Commissioners continued discussion of their concerns regarding existing and future traffic issues and the feasibility of locating a drive behind LMCU. Landscaping was also discussed, and it was determined by the Commissioners that as compliance with the zoning ordinance for foundation plantings would shift the building further into wetland areas, the proposed landscaping and screening is adequate.

A motion was made by Commissioner Tacoma to deny the request for a Special Use. The motion failed for lack of support. **A motion was made** by Commissioner Zomerlei, supported by Commissioner Dykstra to table the request for a Site Plan Review and Special Use application from ALDI Inc. for the property located on parcel number 70-18-04-300-202 and 70-18-04-300-026 until ALDI provides more information about the drive going out. Motion carried unanimously.

- **SITE PLANS**

- **Preliminary Site Condominium application for Peace Field Site Condominiums**, located on parcel number 70-18-35-100-002 on the south side of Adams Street between 16th Avenue and 8th Avenue, to establish 40 single-family site condominium units within the AR Agricultural Rural Residential Zoning District (AR) with an open space provision.

Dennis Cole from Nederveld, along with project developer Wayne DeYoung, were present to give an overview of the project. The 73.5-acre property is located on the south side of Adams street and consists of many natural features such as trees and wetlands as well as non-contiguous farmland areas. They will be utilizing the open space concept which will cluster housing units in the already tilled areas. With the open space design, the applicants would be able to use the density bonus allowed by Chapter 28-Open Space Preservation Projects of the JCTZO. They will have 30 percent open space on the site, which will allow for a 30 percent bonus density. They determined that 31 two-acre lots accessible by roadways would be permitted along with the 30 percent bonus of nine lots for a total of 40 lots that are at least one (1) acre in size, meeting the minimum lot size for bonus density. The lots will be served by septic systems and wells. They have already worked with the Ottawa County Health Department regarding the septic systems, and all the building sites perc.

Chairman Smith questioned the applicant regarding well testing and there was discussion regarding how deep the wells would be. Cole referred to the information provided by the Ottawa County Health Department that indicates test wells and a hydrogeological study will be required to determine whether the aquifer would be able to meet the proposed use. The applicant indicated the storm water management on the plans and stated that runoff would be discharged into the inter-county drain. They have also discussed the entry into the development with the Ottawa County Road Commission, and there will likely be a center turn/bypass lane. They have provided an easement for a potential future bike path along Adams Street.

Commissioner Dykstra commented that this project would go against their commitment to save agricultural land and not develop south of Byron Road.

Chairman Smith commented that the number one issue for development in Ottawa County is sustainable, potable drinking water, and he was concerned that 40 wells in that area would not be sustainable.

Cole stated that they will work with the county on any water issues, and DeYoung stated that residential water use is much less compared to agriculture.

There was Commissioner discussion regarding the ordinance language for bonus development and Planner Ransford provided information regarding the state law governing open space development. The Planner's memorandum was reviewed, and it was decided to require payment in lieu of construction for the pathway. The

Township Engineer's letter was also reviewed. There was further discussion regarding the open space preservation proposal, and Chairman Smith noted that the applicant meets all of the requirements of the zoning ordinance as it is currently written. Planner Ransford stated that the Planning Commission would need to adopt the resolution for Preliminary Site Condominium approval and provide feedback to determine the final plan. There was discussion regarding the master plan and the current ordinance language that allows developments in the Agricultural rural Residential zoning district.

A motion was made by Commissioner Kronemeyer, supported by Commissioner Zomerlei to adopt the resolution for Preliminary Site Condominium Open Preservation Plan with the following conditions:

1. The applicant shall satisfy the content of the Vriesman and Korhorn letter.
2. That the applicant submit payment in lieu of construction for the required pathway.
3. That additional screening be provided along Adams Street and the north edge of the parcel for lots 34-40.

Motion carried unanimously.

- **Site plan review for a private road application submitted by 84th Street Development, LLC** to construct a private road serving eight (8) single-family residential lots within the Agricultural Rural Residential District (AR), parcel number 70-18-01-400-035.

Matt Cole, from Roosien and Associates, was present to give an overview of the project. At this meeting they are only requesting approval for a private road about 1,000 feet long at the northwest corner of Quincy Street and Kenowa Avenue. They intend to apply for nine land divisions in the future. They have obtained a permit from the Ottawa County Road Commission for the driveway entrance, and they have permission from the Ottawa County Water Resource Commission for the crossing of the county drain. There is an existing 36-inch pipe for a drive going back that they will be replacing with a 42-inch pipe. They also already have a soil erosion and sedimentation control permit from the County. The road will have valley gutters with storm drains. They are keeping a buffer of vegetation along the west property line and restricting the maximum grading around lots 4 and 6 to 1 on 3 or 1 on 4 slopes per the recommendation of the Township engineer. They will also submit a pathway easement for review, although they wish to defer constructing the bike path or submitting payment in lieu of construction until they are in the development phase.

Chairman Smith read comments from the Township Planner memorandum that addressed the desire of the applicant to not commit to the lots as shown but are only seeking approval of the private road. "If the nine parcel divisions were not approved, the private road would not serve any lots. If the entirety of the site plan, including all of the lots and the remaining property, were not evaluated now based on Section 3.29-Private Roads of the JCTZO with particular regard to road construction requirements, the private road would awkwardly be the only portion of this development that may be approved. Doing so creates uncertainty and a lack of ability of the Planning Commission to approve the proposal in compliance with the JCTZO. As a result, the road and lots together must be considered in one phase." Planner Ransford added that the ordinance requires certain road construction standards based on the number of lots, and that you can't approve a private road without the lots shown. Other site plan review standards require knowing how many lots there will be, as there would be an impact on the fire department and traffic.

There was discussion regarding splitting off the portion of the property along Kenowa Avenue (lot number five) and just considering the remaining eight lots as shown on the site plan in order not to be subject to payment in lieu of construction for the pathway at this time. There was discussion regarding the through easement shown on the plan north of the cul-de-sac, and whether it is intended for future expansion of the road. It was determined that the site plan as shown was complete except for removing lot number five. Planner Ransford stated that the road has been reviewed by planning and the township engineers and is okay for the lots shown, and if the applicant separates the property along Kenowa (lot number five) from the proposal, they are not subject to payment in lieu of construction for the bike path and they then have a site plan that can be considered today. There was also discussion regarding landscaping, and the applicant said that the ordinance does not require landscaping on a private road, but the 20-30 feet along the west edge will remain wooded.

Kronemeyer asked if there has been a review yet by the Water Resource Commissioner and Cole responded that they have already been issued permits.

The Commissioners discussed the existing bike path along Quincy that the applicant will be removing and replacing in order to accommodate the taper lane and drive entrance and the conditions outlined in the Planner's memorandum.

A motion was made by Commissioner Dykstra, supported by Commissioner Zomerlei to approve the application from 84th Street Development LLC for a Private Road, parcel number 70-18-01-400-035, with the following conditions:

1. That 1 on 4 sloping be used.
2. That the applicant submit payment in lieu of construction for the existing pathway along Quincy Avenue, less the frontage that they are reconstructing.
3. That a completed site plan showing the rest of lot nine be submitted.
4. The applicant shall satisfy the content of the Vriesman and Korhorn letter.
5. That sidewalks be an option on one side of the street if the applicant returns with an amended site plan.

Motion carried unanimously.

OLD BUSINESS: None.

EXTENDED PUBLIC COMMENTS REGARDING AGENA ITEMS ONLY: Dana O’Dell, 3570 Jamesfield Dr. stated concerns regarding the ALDI Inc. application and traffic issues at the 32nd Avenue and Quincy Street intersection.

CORRESPONDENCE: None.

PLANNING COMMISSION MEMBER COMMENT:

Language in the zoning ordinance regarding performance guarantees was discussed, and the Commissioners decided that an ordinance amendment should be pursued to change wording from “may be required” to “shall be required” anywhere financial guarantees are indicated, with a threshold of a particular number of lots or a certain length of road or any other criteria that would not adversely affect smaller businesses. Planner Ransford recommended that an irrevocable letter of credit be required instead of a bond. He will present draft language for the Planning Commission to consider.

Chairman Smith also discussed the issue of developments in the Agricultural zoning district, and how such development might be discouraged with changes in the ordinance. After discussion, Planner Ransford was directed to draft language for an ordinance amendment that would require public water for private roads, site condos, PUD, and plats, to be considered at the same time as a public hearing for the ordinance amendment at the June planning commission meeting.

Planner Ransford informed the Commissioners that some of the Waterton Plat and Condominium application and Phase 6 of the Spring Groves Farms Plat would be on the June 15, 2021 agenda.

ADJOURN: A motion was made by Commissioner Dykstra, supported by Commissioner Tacoma to adjourn the meeting at 9:12 p.m. Motion carried

Respectfully submitted by,

Maureen Carmody, Recording Secretary
Planning Commission

Minutes approved on

_____ by _____
(chair)