

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION MEETING MINUTES

August 15, 2023, 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 Ross De Jong, Dave Kronemeyer, Dana O'Dell, Cal Klooster, Dean Smith, Tim Tacoma, and Randy Zomerlei were present.

ALSO PRESENT: Township Planner Greg Ransford and Township Attorney Ron Redick.

INVOCATION: Commissioner O'Dell opened with the invocation.

APPROVAL OF MINUTES: A motion was made by Commissioner Zomerlei, supported by Commissioner Tacoma, to approve the minutes of the July 31, 2023 Special Planning Commission Meeting as written. Motion carried unanimously.

APPROVAL OF AGENDA: A motion was made by Commissioner Kronemeyer, supported by Commissioner Klooster, to approve the agenda. Motion carried unanimously.

GENERAL COMMENTS REGARDING NON-AGENDA ITEMS: None.

NEW BUSINESS:

- **Public Hearing- 2488 Riley Street, LLC**-0 Riley Street, parcel number 70-18-16-200-041-Rezoning from the Agricultural Rural Residential (AR) Zoning District and the Village Commercial (C-1) Zoning District to the R-2 Residential (R-2) Zoning District. The property is currently vacant and approximately 35.85 acres in area, primarily located off 24th Avenue, with 825 feet of road frontage on 24th Avenue and 33 feet of road frontage on Riley Street.

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

Public Comment:

Kelly Kuiper, Agent of 2488 Riley LLC, presented information regarding the application to rezone the property to R-2. They had previously applied to rezone the property to R-3 earlier this year. The Planning Commission voted to recommend that the Jamestown Charter Township Board of Trustees approve rezoning the property to the R-3 Zoning district, but the Township Board denied that request. 2488 Riley LLC is now seeking R-2 instead of R-3 as they would still be able to accomplish their residential development goals, but will ultimately have less density than R-3 would have allowed and be more consistent with the township land planning documents. Kuiper stated that Chapter 3 of the Jamestown Charter Township Master Plan points to a higher density housing allowance within the village district and Chapter 11 encourages the blending of the historic town center commercial uses with residential uses, and they believe that the R-2 Zoning request will fulfill the goals indicated in the Master Plan. They have also communicated with the Township Engineer regarding the status of sewer capability in that area, and he informed them that the existing lift station is able to serve the first phase of the development, and the second phase would be served by a future sewer project. They believe that residential development at this site will be compatible in density with existing adjacent uses, as this area already has a variety of residential uses such as R-1, R-2 and R-3. While not a consideration of the request to rezone, they have also included a site plan layout with the planning materials to show their idea for development of the property and the wetland constraints that will limit density.

Lou Tenhave, 13726 Pinerock Ln, Houston, Texas, stated that he was a former resident of Jamestown, and that they have spent quite a lot of time choosing a plan and developer that would be beneficial to Jamestown. They have limited the development to 75 units and will be preserving the woods on the property. They feel that the project fits very well with the surrounding land uses and the intent of the Township Master Plan.

Commissioner Zomerlei acknowledged the letter the Planning Commission received opposing the rezoning of the property to the R-2 Zoning District.

A motion was made by Commissioner Kronemeyer, supported by Commissioner Zomerlei, to close the Public Hearing at 7:10 p.m. Motion carried unanimously.

The Planning Commissioners discussed the rezone request, and Chairman Smith noted that there is a limited amount of space in the Township available for residential development. Commissioner De Jong expressed concerns regarding the timing of the development, the capacity of the sewer system to support the development, the compatibility with surrounding land uses, and noted that the Township Master Plan locates higher density adjacent to the city of Hudsonville. Planner Ransford stated that the Water and Sewer department has reviewed the project and has said that the water and sewer system would be expanded to handle the development of the property. Commissioner Kronemeyer

stated that he is happier with R-2 rather than R-3 and that the property is adjacent to a church, with R-1, R-2 and R-3 Zoning Districts nearby. Also discussed was the size of lots in the R-2 Zoning District and whether a developer could utilize the Open Preservation Act to designate the wetlands as green space to achieve higher density. Chairman Smith said he thought that would only be possible in the AR Zoning District.

A motion was made by Commissioner De Jong, supported by Commissioner O'Dell, to recommend that the Jamestown Township Board of Trustees deny the request to rezone the property to the R-2 Residential Zoning District as the timing is not sufficient pursuant to Section 31.5F of the Jamestown Township Zoning Ordinance regarding sewer capacity for the proposed use and pursuant to Section 31.5D regarding compatibility with surrounding uses. Motion failed- two ayes, Commissioners Klooster, Kronemeyer, Smith, Tacoma and Zomerlei opposed.

A motion was made by Commissioner Tacoma, supported by Commissioner Kronemeyer, to table further discussion until the meeting next month. Motion carried unanimously.

- **Site Plan review** for Quincy Street Industrial-0 Quincy Street, parcel number 70-18-05-400-026-to construct an Industrial Incubator building of approximately 192,500 square feet on the south two thirds of the property, and a self-storage facility of approximately 48,960 square feet on the north third of the property. The property is located within the Planned Industrial Zoning District.

Todd Stuve, from Exxel Engineering, presented information on behalf of the applicant. The property is approximately 22.5 acres on the north side of Quincy Street just east of Royal Court. They are constructing incubator or "spec" buildings, and there are no current tenants. Two driveways are proposed, a shared driveway with Camp Bow Wow on the west side of the property, and the other on the east side of the property. The proposed east drive apron is within 250 feet of the neighboring drive apron and would therefore require that they apply for a variance from the Jamestown Charter Township Zoning Board of Appeals unless they relocate the drive. He stated that they have been working with the Ottawa County Road Commission on the location of the drive. He also stated that the site has topographic challenges with ravines and woods that they plan to leave untouched. They are proposing to construct a bike path along the frontage of their property. They are requesting a waiver for buffering requirements, as they propose to utilize existing vegetation along the side and rear property lines. They stated that the meter and utility locations are not on the side of the building facing the street and they believe the locations for these on the site plan are acceptable per ordinance. Raised concrete curbing will be placed where cars are parked and along the front of the building, but they are requesting to utilize valley gutter in the more remote drive areas. They feel that bituminous curb functions as well as concrete curbing for stormwater control, and it would be costly to install concrete curbing in all areas. They are also requesting deferred parking as they do not have specific tenants yet and do not wish to construct more parking than is necessary.

Eric Starck, Attorney from Miller Johnson on behalf of the applicant, discussed the Township Planner memorandum and the Township Engineer letter regarding curbing. He stated that the Planning Commissioners had expressed opinions during discussion in a prior meeting that valley gutter is as good as rolled concrete curbing as long as storm water is being managed and should therefore not be reserved for rare situations. The Township Engineer is requiring rolled concrete curbing in all areas. Starck stated that valley gutter should be approved unless data is provided by the Township Engineer that would support requiring rolled concrete. He also discussed the requirement for construction of a pathway and agreed that bike paths and sidewalks are good for the community, but that they should be funded by the entire community rather than certain development of certain parcels. They would like to request that the Planning Commission waive the obligation to include a bike path for Quincy Street Industrial and a fee in-lieu of construction for Jamestown Industrial.

Planner Ransford stated that he had asked the Township Engineer if concrete curbing was really needed, and he was adamant that it be required for this development throughout the site.

Chairman Smith stated that the ordinance requiring concrete curbing with limited exceptions was the product of Planning Commission discussion.

The Planning Commissioners discussed the bike path worksheet developed by the Township Planner and Township Engineer that is now being used for all developments to determine whether installation of a bike path or payment in-lieu is required. The worksheet gives the rationale for that particular parcel along with data to support the determination to require a construction of a bike path or pay in-lieu. They also discussed building material standards and noted that while the meter and utility boxes and dumpsters are not located on the side of the building facing the street, they are still visible from the road. The applicant stated that the dumpsters would be enclosed. Regarding deferred parking, the Planning Commissioners determined that based on the size of the building and not knowing what uses might occupy the building, it would be advisable to require the maximum number of parking spaces based on the square footage of the

building. They also discussed the landscaping requirement and determined that the site plan as presented meets the requirements of the ordinance with no additional buffering needed as long as the wooded areas remain. They noted that the applicant will need to apply to the Zoning Board of Appeals for a variance regarding the location of the east driveway. Chairman Smith would like to get clarification from Township legal counsel regarding the curbing requirement.

A motion was made by Commissioner Tacoma, supported by Commissioner Kronemeyer to table further discussion of the site plan to obtain clarification from Township Legal Counsel and the Township Engineer regarding the section of the ordinance that requires concrete curbing. Motion carried unanimously.

- **Site Plan Review** for Jamestown Industrial-0 Central Parkway, parcel number 70-18-08-200-036-to construct an Industrial Incubator building of approximately 49,084 square feet, containing three (3) units to be used as industrial incubators for all permitted uses in the I-2 Planned Industrial District as well as related parking and landscaping. The 3.5-acre property is located at the south end of Central Parkway, south of Quincy Street.

Todd Stuive, from Exxel Engineering, presented information on behalf of the applicant. The property has been recently rezoned to the I-2 Planned Industrial Zoning District. As with Quincy Street Industrial, they are showing a bituminous pathway on the site plan but are proposing pay in-lieu of constructing a pathway as there are no sidewalks or pathways on Central Parkway. They are requesting a landscaping waiver for a buffer yard along the western property line of the project. The site will be accessed via a driveway off Central Parkway. There will also be a private shared driveway along the west side of the building to access the rear of the building and to accommodate future development. They are proposing areas of valley gutter as well as rolled concrete curbing.

The Planning Commissioners discussed the site plan, and Chairman Smith provided a communication received earlier in the day from the Ottawa County Road Commission (OCRC) which stated that the OCRC “will not issue a permit for a driveway at the south end of Central Parkway without the extension of the road to at least the south property line.” This is the result of a requirement by the OCRC following the construction of Kent Quality Foods that future development extend Central Parkway to Greenly Street. Chairman Smith recommended tabling further discussion of the site plan as this requirement would affect the landscaping waiver request and the pathway or pay in-lieu requirement.

A motion was made by Commissioner Zomerlei, supported by Commissioner O’Dell, to table further discussion of the site plan to allow the applicant the time to obtain more information from the OCRC regarding the extension of Central Parkway and the Planning Commission the opportunity to receive clarification from the Township Engineer regarding the rolled concrete curbing requirement. Motion carried unanimously.

- **Site Plan Review** for Waterton Station-Site Condominiums Phase 1. This cul-de-sac phase was rejected by the OCRC for plat approval, so the applicant is applying for approval of the phase through Chapter 27-Review and Approval of Site Condominium Projects of the Jamestown Charter Township Zoning Ordinance (JCTZO) to establish the single-family residential street as condominium sites rather than subdivision lots.

Rick Pulaski, from Nederveld, presented information on behalf of the applicant. He stated that there were no changes from the Planned Development plan submitted in 2020. This phase will consist of sixteen (16) site condo units on a private road with a cul-de-sac, as they are not allowed by the OCRC to have another public road cul-de-sac. The single-family homes will be owner occupied with thirty-foot driveways and two or three stall garages.

Commissioner Tacoma expressed concerns regarding parking, storage, and unit density. Chairman Smith reviewed the considerations from the Township Planner’s memorandum.

A motion was made by Commissioner Tacoma, supported by Commissioner Zomerlei, to adopt the Resolution for Preliminary Site Condominium approval. Motion carried unanimously.

- **Site Plan Review** for Banyan Tree-4067 Central Parkway-to construct an Addition of 15,223 square feet. The property is located at the northwest corner of Central Parkway and Quincy Street within the Planned Industrial Zoning District.

Justin Longstreth, engineer from Moore and Bruggink, presented information regarding the application. This is the third and final phase for Banyan Tree. The driveways, utilities and landscaping were installed with the initial construction. He asked the Planning Commission for clarification on why they recommended pay in-lieu of constructing a pathway only on Quincy Street and not Central Parkway in 2015 but are now requiring pay in-lieu of pathway on Central Parkway. Chairman Smith responded that the Planning Commission had been remiss in overlooking the pay in-lieu requirement for Central Parkway in 2015, which by ordinance should have been required.

The Planning Commissioners discussed the bike path worksheet developed by the Township Planner and Township Engineer as well as façade requirements and whether the addition meets current ordinance building materials standards. The applicant stated they are trying to be consistent with the original building construction. Planner Ransford

assumed that the Planning Commission would approve the same materials they approved in 2015, and he indicated that what the applicant is proposing complies with the percentage requirements for façades in Section 14.7C of the JCTZO.

A motion was made by Commissioner Tacoma, supported by Commissioner Zomerlei, to approve the site plan as written with the following conditions:

- Payment in-lieu of construction of pathway along Central Parkway shall be provided pursuant to the content of the pathway worksheet.
- That a financial surety is provided for the cost of the related improvements for the project, pursuant to Section 17.1K of the JCTZO.
- That the applicant must satisfy the content of the August 8, 2023 review letter provided by the Township Engineer.
- That the applicant must satisfy content of the Township Planner memorandum
- That all Site Plan Review Standards of Section 17.1E of the JCTZO are met.

Motion carried: Six ayes, Commissioner Kronemeyer abstaining as he has pricing on the project through his business.

OLD BUSINESS:

- **Discussion items**

- Accessory Building Height

There was continued discussion regarding potentially changing how the average height for accessory buildings is calculated and increasing the total allowed height for accessory buildings. The Planning Commissioners will continue discussion of this issue at the September 19, 2023 Planning Commission meeting before having the Township Planner draft language for total building height for accessory buildings in the JCTZO. Chairman Smith also suggested that the Planning Commissioners discuss whether anyone had reviewed the Master Plan to identify any parcels that didn't seem to fit the proposed zoning, especially R-3, and what should be the size of the Village of Jamestown overlay district. Planner Ransford stated that the overlay district language has been reviewed by the Township Attorney, and will be an agenda item for discussion at the September 19, 2023 Planning Commission meeting.

EXTENDED PUBLIC COMMENTS REGARDING AGENA ITEMS ONLY: Lou Tenhave spoke again regarding the request by 2488 Riley Street LLC to rezone property to the R-2 Zoning district. The Township Master Plan calls for medium density and commercial in this area. He also stated that the sewer route is laid out, easements secured and funding available, with existing capacity to support the first phase.

CORRESPONDENCE: None.

PLANNING COMMISSION MEMBER COMMENT: Commissioner Zomerlei commented regarding the tendency of asphalt curbing to crumble over time, especially with truck traffic and rain, causing maintenance issues. Attorney Redick informed the Planning Commissioners that the ordinance states rolled curbing shall be used, but the Planning Commission may allow valley gutter in certain circumstances. If the Planning Commission decides not to allow valley gutter, they should provide reasons to not grant a departure from the rolled curbing requirement and to get the basis of the Township Engineer's recommendation for curbing.

ADJOURN: A motion was made by Commissioner Zomerlei, supported by Commissioner De Jong, to adjourn the meeting at 9:00 p.m. Motion carried unanimously.

Respectfully submitted by,

Maureen Carmody, Recording Secretary
Planning Commission

Minutes approved on

_____ by _____
(chair)