

Minutes of the Gaines Charter Township Planning Commission

Regular Meeting held May 22nd, 2025, at 7 pm

8555 Kalamazoo Ave., SE, Caledonia, MI 49316

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

MEMBERS ABSENT: Wiersema, with notice

STAFF PRESENT: Rod Weersing, Township Manager; Dakota Swan, Assistant Planner

I. CALL TO ORDER AND ROLL CALL

Chair Giarmo called the meeting to order at 7:00 PM.

II. CONSIDERATION OF MEETING AGENDA

No changes to the agenda.

III. CONSIDERATION OF MEETING MINUTES

Consideration of the April 24th, 2025, regular Planning Commission meeting minutes.

Motion: Motion by Haagsma, supported by Waayenberg to approve the minutes of April 24th, 2025, as is.

DISCUSSION:

AYES: All

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

IV. INQUIRY OF CONFLICT OF INTEREST

None.

V. PUBLIC COMMENT

VI. NEW BUSINESS

1. Public Hearings

a. 148 79th Street – Special Use Permit – Accessory Building

Jay Niewick, the homeowner and applicant for this request, explained that he is seeking a Special Use Permit to allow for the construction of a 3,456 square foot (SF) pole barn for the storage of a motor home and other personal items. Niewick explained that the building will feature a 40 x 14 open-air porch, and several of his neighbors have expressed support for the project. The maximum height of accessory buildings in the Suburban Residential (SR) zoning district is 16 feet; the proposed building is over 19 feet tall when measured at the midpoint between the peak and eaves. Niewick explained that the walls of the building are 16 feet to allow for the installation of a 14-foot-tall garage door to accommodate his motorhome.

Assistant Planner Swan explained that the subject property is just under 3 acres, which would permit the construction of one 1,296 SF accessory building, plus one additional building that is 200 SF or less; the request for a Special Use Permit is 2,160 SF in excess of what the Zoning Ordinance permits by right. Swan gave an overview of the standards of review from Sections 18.20 and 27.40 of the Zoning Ordinance that staff found to be either unsatisfied or undetermined. Staff found it to be undetermined whether this request is consistent with the intent of the Master Plan and Zoning Ordinance due to the size of the building being so much in excess of what the Zoning Ordinance permits. She explained that with regard to precedence and reasonable land use, the scale of the building is atypical for the area, however, the Planning Commission must determine whether negative precedence will be set if the request is approved. The building is planned to be near the western property line, which could potentially have an obtrusive visual impact on adjacent properties if several trees need to be cut down to accommodate the new building. Swan reiterated Niewick's earlier point regarding the height of the building, confirming that the proposed building is noncompliant with guidelines outlined in the Zoning Ordinance for accessory buildings in the SR zoning district. Swan concluded by stating that if the parcel was planned to be divided down the line, the proposed location of the building could impede the landowner's ability to gain an access easement to the southern portion of the parcel.

Chair Giarmo opened the public hearing.

Doug Leech of 145 79th Street, John Lyne of 170 79th Street, and Tim Zoppa of 120 79th Street all submitted letters of support as public comments to the Planning Commission.

Chair Giarmo closed the public hearing.

Commissioner Waayenberg and Commissioner Haagsma discussed the necessity for a 14-foot garage door clearance to accommodate the motorhome and noted that they each have 10 foot and 12 foot garage doors (respectively) that are able to accommodate their motorhomes. Waayenberg stated that although he "love[s] big pole barns", he is hesitant about this request due to the noncompliant height. Waayenberg noted that other requests for oversized accessory buildings have not had issues complying with the height regulations outlined in the Zoning Ordinance.

Chair Giarmo explained that the Planning Commission does not have the authority to approve a building that is so clearly noncompliant with the height regulations; Waayenberg added that approving this request would certainly set a negative precedent for development in the SR zoning district. Giarmo reiterated that the Planning Commission is obligated to adhere to the height regulations in the Zoning Ordinance.

Commissioner Thomas echoed earlier concerns about setting a negative precedent for development. Haagsma noted that he doesn't have much concern about the square footage of the building, as the parcel

is quite large and absorbs the impact of the building sufficiently, however, the noncompliant height is an issue, and he is not comfortable approving a request that deviates from the required height. Vice Chair Rober agreed.

Chair Giarmo added that if approval is granted, the Planning Commission may want to make a condition of approval that as much of the westerly treeline as possible must remain intact; Niewick explained that the satellite imagery of the parcel is outdated and many of the trees in that area have died or been removed. Chair Giarmo responded that the Planning Commission will likely require a fence or another means of screening to lessen the visual impact on the neighbors.

Niewick inquired about the possibility of having his request for excess height heard by the Zoning Board of Appeals (ZBA), to which Giarmo and Haagsma responded that they both previously served on the ZBA, and they see the height discrepancy as a self-created problem, which would likely not result in the issuance of a dimensional variance. Giarmo and Haagsma advised Niewick to proceed cautiously and thoroughly familiarize himself with the standards of review for dimensional variances should he choose to go to the ZBA for consideration.

MOTION: Motion by Waayenberg, supported by Billips, to deny the Special Use Permit for a 3,456 square foot accessory building due to the requirements of Section 18.20.A being unsatisfied.

DISCUSSION: Waayenberg noted that should the project move forward, screening will likely be required by the Planning Commission.

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

b. 6326, 6330, and 6338 Hanna Lake Avenue – PUD Rezoning and Final Site Plan Review

Jordan Teichen, the Development Director for Continental Properties, explained that they are seeking a positive recommendation to the Township Board for a PUD rezoning and approval of final site plan review for a 336-unit multifamily community called Authentix Gaines. Continental sought consideration from the Planning Commission on January 23rd and February 27th, 2025, and received preliminary approval at the meeting on March 27th. On May 12th, Continental spoke with the Township Board regarding their intention to dedicate 3.6 acres of land to the Township for a new public park, specifically about plans for management and ownership. Although no decision was made, several options were presented for further consideration.

Teichen highlighted that the landscaping plan adheres to standards required in the updated zoning ordinance, including several native species, a landscape buffer within the island on the boulevard, and canopy trees throughout the site. Building elevations were updated to reflect the Planning Commission's prior feedback, which includes masonry details on the clubhouse, and an expanded color palate for residential buildings to create variation throughout the community. Teichen explained that with regard

to architecture, Continental is seeking two PUD modifications: one to allow 24 units per building instead of the 16-unit maximum stipulated in the Zoning Ordinance, and one to allow them to offer studio and one bedroom units that are less than 720 square feet, which is the minimum square footage required by the Zoning Ordinance for units as such. With regard to lighting, Teichen noted that requirements for pole heights and fixture types are met, and Continental intends to abide by the Dark Sky principles. The addressing plan for Authentix Gaines still needs to be finalized and approved at the County level, however, there will be internal street signage provided by Continental.

Assistant Planner Swan elaborated on the staff review of this request and began by noting that the request for a PUD rezoning and final site plan review are being processed and reviewed differently. The recently updated Zoning Ordinance now designates Planned Unit Developments as overlay districts, whereas in the old Zoning Ordinance PUD's were a zoning district of their own. Swan explained that since Continental received preliminary approval for the PUD rezone under the old Zoning Ordinance, the request would still be reviewed using standards of review from the old Zoning Ordinance, and the subject parcel will become what staff has coined a "legacy PUD" rather than an overlay on the underlying zoning district. However, the site plan review will be reviewed using standards of review from the updated Zoning Ordinance.

Swan gave an overview of the PUD modifications that are being requested. She reiterated Teichen's earlier explanation of both architectural modifications from Sections 17.20.E and 7.20.D of the Zoning Ordinance. Swan noted that Continental is also seeking a modification to the requirements of Section 19.20.F.2 to use wall mounted lights to illuminate parking stalls that are more than 10 feet from building walls, and areas of the site that aren't necessarily adjacent to parking lots. Continental is seeking a PUD modification for parking requirements as well: Section 20.50.D of the Zoning Ordinance requires 2.25 spaces per dwelling unit for multi-family construction, and Continental is proposing a reduction to 1.81 spaces per dwelling unit, totaling 626 parking spaces. Swan concluded by explaining Continental's request for PUD modifications to stipulations from Chapter 24 of the Zoning Ordinance, which pertains to signage. Continental is requesting PUD modifications to allow for their entryway ground sign to be internally illuminated, a wall sign in excess of 32 square feet, and for wall signs to be internally illuminated. One of the proposed wall signs is planned to be on the back of Building 6, facing M-6, and will not be illuminated.

Chair Giarmo opened the public hearing.

Henry Spenski of 6375 Hanna Lake expressed that he feels as though this is the wrong location for high-density housing and inquired about whether the developer intends to preserve any sensitive environmental features on the parcel. Assistant Planner Swan explained that the presence of cattle on the parcel over the last several decades has decimated the wetlands and creek segment that runs through the parcel, both of which will require mitigation and revegetation as part of the site development plan. Continental's site development plan attempts to address existing environmental concerns and restore the creek and wetlands on the parcel. Chair Giarmo added that the drain crossing depicted on the site plan will also minimize any impacts to the creek, and the 3.6 acres of dedicated park space will also serve as open space for the development.

Chair Giarmo closed the public hearing.

Chair Giarmo expressed concern regarding the requested reduction in parking. Teichen explained that Continental uses data from other communities as a basis for determining how much parking is necessary; typically, with Authentix communities, 1.75 spaces per dwelling unit proves to be sufficient, and Continental is proposing 1.8 spaces per unit. Township Manager Rod Weersing added that the Township Engineer uses a baseline of 1.8 parking spaces per dwelling unit when determining water/sewer consumption. Commissioner Haagsma added that he trusts the ability of a developer as experienced as Continental to determine the needs of their residents. Teichen noted that if parking proves to be insufficient, Continental would be willing to install additional parking stalls down the line.

Commissioner Billips inquired about the color palates of the buildings, hoping to see elevations that featured brighter colors; Teichen explained that the intention is to make the buildings bright rather than grey-toned, and offer more vibrant colors on front doors. Chair Giarmo expressed that she is pleased to see a sidewalk network throughout the development.

Vice Chair Rober expressed that she is still not fond of the size of the buildings, as the unit count per building is higher than what is permitted under the Zoning Ordinance. Commissioner Haagsma noted that most buildings will not be visible from the roadway, and that he is relieved the height of the buildings is not 3 stories.

MOTION: Motion by Waayenberg, supported by Haagsma, to approve Resolution No. PC-25-05-22 and make a positive recommendation to the Township Board for a PUD rezoning for Authentix Gaines.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

MOTION: Motion by Waayenberg, supported by Rober, to approve the site plan review for Authentix Gaines with the following conditions:

1. A draft document showing maintenance provisions shall be submitted to the Planning Department and Legal Counsel if the land transfer of open space to the Township is agreed to by the Township Board of Trustees.
2. Secure all Township department and outside agency approvals:
 - a. Township Engineer/BGUA.
 - b. Fire Department.
 - c. Kent County Road Commission (access and SESC).
 - d. Kent County Drain Commission.

e. Department of Environment, Great Lakes, and Energy.

DISCUSSION: None
AYES: ALL
NAYS: None
ABSTAIN: None
DECISION: Motion Carried (6-0)

c. 1264 100th Street – Rezoning – A/RR to VR

Todd Stuive with Exxcel Engineering, on behalf of the applicant, Koetje Builders, explained that a rezone to Village Residential is being requested on a 46-acre parcel that was previously used for mineral extraction. There is a large depression towards the southern portion of the parcel that will not be suitable for building, therefore the applicant intends to develop the northern part of the parcel. Stuive explained that the parcel itself and roadways in the area have been deemed capable to support Village Residential development and noted that a water and sewer connection is available through the stub in Preservation Lakes to the west.

Assistant Planner Swan explained that staff found this request to be consistent with the intent of both the Master Plan and Zoning Ordinance, as this parcel is designated as Village Residential in the 2023 Master Plan. Village Residential calls for a variety of housing models, including two-unit homes, at moderately higher densities than the Suburban Residential zoning district; Village Residential can also act as a buffer between Suburban Residential and higher density zoning districts. Swan noted that staff found this request to be consistent with adjacent land uses, and there is no indication that property values in the surrounding area will be negatively impacted. Although no characteristics of the parcel itself are prohibitive to using it for uses permitted under the current A/RR zoning designation, a rezoning to VR will likely result in an improvement to the site. Swan stated that staff is recommending approval and found the request to be rather straightforward.

Chair Giarmo opened the public hearing.

Bob Woronko, owner of SE Agricultural & Commercial Solutions at 1235 100th Street, stated that he is in favor of the project overall, and inquired about how the water and sewer expansion may affect other residents in the area. Woronko also expressed concern regarding the increase in traffic on 100th Street as a result of the project. Planner Swan noted that further details on water and sewer plans will be discussed when a project comes to the Planning Commission for site plan review and will all be subject to review by the Township Engineer and Water and Sewer Administrator.

Dan Brown of 1267 100th Street explained that while he thinks more housing in the Township is a good thing overall, he does have concerns about traffic in the area. Brown also inquired about whether residents would be forced to connect to water and sewer prior to selling their homes, as connection fees are typically costly. Weersing asked Commissioner Haagsma if he is aware of any time in which someone has been forced to connect to water and sewer, other than in cases where the septic system fails and

they are within 200 feet of a connection. Haagsma responded that he does not ever recall such a scenario, and that in most cases a mortgage company is the entity that would require connection into the public water and sewer system rather than the Township.

Jackie Yonker of 1347 100th Street inquired about how many units are being proposed; Stuive explained that the request under consideration is solely for the rezoning of the land. Swan displayed the preliminary site plan to give a general idea of what's to come. Stuive noted that the site plan contains 53 single-family detached homes, and 32 condo condominium units.

Chair Giarmo closed the public hearing.

Haagsma began discussion by saying "we knew this was coming"; the area was designated as Village Residential in the 2023 Master Plan, and for years has been intended to be used for residential development after restoration of the areas used for mineral extraction.

Haagsma and Chair Giarmo agreed that although the preliminary site plan was displayed for reference, the Planning Commissions job is solely to decide upon the rezoning of the parcel without any consideration for the preliminary site plan.

MOTION: Motion by Haagsma, supported by Rober, to make a positive recommendation to the Township Board of Trustees for a rezoning from A/RR to VR at 1264 100th Street SE.

DISCUSSION: Chair Giarmo inquired about whether there is any plan to implement traffic calming measures in the area; Haagsma responded that the introduction of traffic calming measures in the immediate area is highly unlikely.

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

d. 2319 Crystal Meadows Street – Tentative Preliminary Plat – Hoffman Meadows Phase III

Applicant and builder Chris VanderHoff of Bosco Construction explained that he is seeking approval for a tentative preliminary plat for Phase III of the Hoffman Meadows development in the Suburban Residential zoning district. This phase of development will feature 50 single-family lots, and houses will be priced between \$500,000 and \$600,000. VanderHoff noted that the development has been underway for 4 years, and the comprehensive plan featuring all phases of development was approved. Two years ago, a new plan was submitted to reflect engineering and stormwater calculations for stormwater controls. VanderHoff said that he is looking forward to continuing with the project as it has been going on.

Assistant Planner Swan noted that the Planning Commissions job is to review this request for consistency with the Zoning Ordinance and subsequent subdivision requirements. This application was submitted prior to the adoption of the new Zoning Ordinance, which went into effect on April 26th, 2025; the updated Zoning Ordinance stipulated a minimum lot size of 10,000 square feet in the SR zoning district, whereas the updated Zoning Ordinance calls for a minimum lot size of 12,000 square feet. The plat submitted for tentative preliminary review depicts 31 of 50 lots as being less than the 12,000 square foot minimum, as the plat map was created using guidelines from the old iteration of the Zoning Ordinance. On March 31st, 2025, the applicant withdrew the application from the April agenda and requested to seek consideration from the Planning Commission at the May 22nd meeting. Staff consulted the Township's legal counsel to determine how to review and process the request; the Township Attorney advised staff that the proprietor has no vested right to a 10,000 square foot minimum lot size since Phase III and the associated application has not been reviewed by the Planning Commission. As a result, the request was reviewed using standards outlined in the updated zoning ordinance, and Standards 5.20.C of the Zoning Ordinance and 22-62 of the Code of Ordinances were found to be unsatisfied by staff. All other standards of review were found to be met. Swan said that staff is recommending denial solely based on the noncompliant lot sizes depicted on the proposed plat map. Swan noted that with regard to standards from Section 22-65 of the Code of Ordinances, which regard water and sewer infrastructure, the cost of water and sewer connections to a development with 10,000 square foot lots versus 12,000 square foot lots would be similar, as the engineering would be largely the same regardless of the lot sizes.

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

Commissioner Waayenberg inquired about whether the application meets the requirements for 10,000 square foot lots under the old Zoning Ordinance, to which Swan responded yes. Waayenberg said that since this was laid out under the old Zoning Ordinance, he does not have any issue with the lots being too small. Commissioner Haagsma and Chair Giarmo agreed with Waayenberg, but noted that the Planning Commission does not have the authority to approve a plat that does not adhere to the dimensional requirements of the Zoning Ordinance. Swan noted that since this public hearing is the first part of development for Phase III, and it was not previously reviewed by the Planning Commission before the new ordinance went into effect, it will be held to the new standards in the updated ordinance as recommended by the Township Attorney.

Commissioner Haagsma inquired with Weersing about whether there is a clause in the updated Zoning Ordinance to protect applicants in instances as such and allow them to choose which standards of review they'd like to adhere to. Weersing responded that the Township Attorney determined that this request would need to be reviewed under the new Zoning Ordinance.

Haagsma inquired about if there was any written correspondence on this matter from the Township Attorney, to which Swan responded no; the determination was made verbally on a phone call with the Township's legal counsel. Waayenberg added that it would be nice to have some type of written explanation from the Township Attorney.

MOTION: Motion by Haagsma, supported by Rober, to postpone this request and get a written opinion from the Township Attorney prior to the next Planning Commission meeting.

DISCUSSION:

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

2. Site Plan Review

a. None

3. Items not requiring a Public Hearing

a. None

VII. GENERAL DISCUSSION

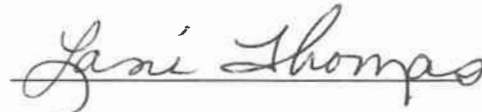
VIII. ADJOURNMENT

The meeting adjourned at 8:49 PM.

CERTIFICATION:

I hereby certify that the above is a true copy of the minutes from the May 22nd, 2025, Planning Commission Meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

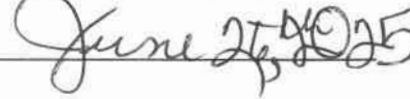
Respectfully submitted,

A handwritten signature in cursive script that reads "Lani Thomas". The signature is written in dark ink and is positioned above a horizontal line.

Lani Thomas,

Secretary

Gaines Charter Township Planning Commission

Date: A handwritten date in cursive script that reads "June 25, 2025". The date is written in dark ink and is positioned to the right of the word "Date:".