

Minutes of the Gaines Charter Township Planning Commission

Regular Meeting held November 21st, 2024, at 7 pm

8555 Kalamazoo Ave., SE, Caledonia, MI 49316

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

MEMBERS ABSENT: None

STAFF PRESENT: Dan Wells, Community Development Director; 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 October 24th, 2024, regular Planning Commission meeting minutes.

Motion: Motion by Haagsma, supported by Wiersema to approve the minutes of October 24th, 2024, with corrections.

DISCUSSION: None.

AYES: Giarmo, Billips, Haagsma, Rober, Thomas, Waayenberg, Wiersema

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (7-0)

IV. INQUIRY OF CONFLICT OF INTEREST

None.

V. PUBLIC COMMENT

Curtis Thompson, Executive Pastor from Kentwood Community Church (1200 60th Street), expressed his desire to see sign regulations updated. The current allowance for directional signs (4 square feet) is smaller than what is preferred for their organization (16 square feet); he added that bigger signs would be beneficial for directing traffic to Kentwood Community Church given the new hotel going up in the immediate area and the additional traffic that will be generated. Community Development Director Dan Wells responded that currently,

one monument sign is permitted per parcel, however, in the updated zoning ordinance, one monument sign will be permitted for each road frontage.

VI. NEW BUSINESS

1. Public Hearings

a. 3316 68th Street – Tentative Preliminary Plat – Thornapple Farms Phase 2

Mike West of Allen Edwin Homes gave a brief overview of the Dutton Center PUD project and explained that the overall PUD plan was approved by the Planning Commission and the Township Board in October. While not necessarily the same development, the Dutton Center PUD will transition seamlessly into the Thornapple Farms plat. West stated that Phase 2 of the Thornapple Farms plat is designed the same as it was presented in the PUD plan, and it will be constructed with several self-imposed conditions, including providing a variety of housing models, variation in front yard setbacks to create a textured streetscape, no garages protruding more than 10 feet beyond homes, sidewalks throughout the entire development, and public streets.

West stated that the plan is to build Phases 1 and 2 of the Dutton Center PUD concurrently with Phase 3 of the Thornapple Farms plat, which will assist in creating sufficient access to Hanna Lake Avenue and Dutton Avenue. Phase 1 was approved, therefore, the development team is able to pull building permits to begin construction; Planner Wells added that the development team will return to the Planning Commission for site plan review approval on the commercial portion of the Dutton Center PUD.

Wells went on to say that staff reviewed Phase 3 of the Thornapple Farms plat and found all standards to be met and harmonious with what was approved in the PUD project. Phase 2 meets all platting requirements and includes a landscaping plan that calls for 1 canopy tree for 80 feet of frontage. A streetlight assessment district will be necessary, and Wells clarified that the Fire Marshall also expressed no concerns with the proposed plat. Wells concluded by stating that staff is recommending the Planning Commission make a positive recommendation for approval to the Township Board.

Chair Giarmo opened the public hearing.

Jay Paul of 6907 Dutton Avenue inquired about fencing requirements, housing types, and how the developer was able to implement such narrow lots in the area. Planner Wells responded that smaller lot sizes were intentional, as the Master Plan calls for smaller residential lots in this area, and that the PUD was approved by both the Planning Commission and Township Board earlier this year. Wells explained that since this was approved as a PUD, the development team has flexibility to request changes from what the underlying zoning in this area would allow for by right. Additionally, the additional rooftops from this development will

likely increase traffic at businesses in the area, and the proposed density also makes these businesses accessible by foot to reinforce Dutton as a village center.

Paul then inquired about price points for homes; Wells responded that although nothing is set in stone with prices, he imagines they will likely be selling for no less than \$300,000. As far as fencing goes, Wells stated that although it was not a requirement of the PUD, it is left up to homeowner preference.

Chair Giarmo closed the public hearing.

Commissioner Wiersema began discussion by inquiring about the engineering report, specifically about whether the development team is still in the process of submitting drainage calculations. Planner Wells responded that the drainage calculations presented during the meeting were dated November 12th, although they could've submitted revised plans recently. Wiersema clarified his inquiry and asked if staff and the development team are sure that the proposed detention pond has the capacity to accommodate runoff in the area; Planner Wells responded that the Township Engineer did approve the drainage plans. Chair Giarmo added that the Township Engineer did impose a recommendation in his report pertinent to the detention pond, and that it is indeed on his radar.

Commissioner Wiersema also inquired about the house plans provided, as front porches are a self-imposed condition, although less than half of the house models provided depict front porches. West replied that the house plans provided are a sample portfolio, and Allen Edwin has the ability to add porches during construction, although they are not depicted in the renderings. West also stated that stormwater mitigation was the primary driver behind going through the PUD process for this development; the PUD has largely been designed with stormwater management in mind. Chair Giarmo clarified that the development team intends to remain in communication with the Township Engineer, to which West confirmed yes, discussion with the Township Engineer will be ongoing.

MOTION:	Motion by Waayenberg, supported by Thomas to make a positive recommendation for approval to the Township Board of Trustees.
DISCUSSION:	The Township Board will review this request at their December meeting.
AYES:	ALL
NAYS:	None
ABSTAIN:	None
DECISION:	Motion Carried (7-0)

2. Site Plan Review

a. None

3. Items not requiring a Public Hearing

a. Draft Zoning Ordinance

Planner Wells introduced the Zoning Ordinance update by stating that this is a massive overhaul, and he is unsure if the Zoning Ordinance has ever been updated to this degree before. Several sections of the existing ordinance have been reorganized to make the document more user friendly, and new subsections have been introduced to also increase readability and consistency with the Master Plan. Although much of the content within the ordinance remains unchanged, the overall reorganization of the document makes for a better flow and ensures that the ordinance reads in a sensible way. Wells clarified that he would be giving an overview of the biggest changes, and this meeting serves as an introduction of the new ordinance to the Planning Commission; if changes or edits are necessary, there is still time to read and revise, as the document is still a draft.

The new ordinance is split into five major sections that feature specific chapters within. Part I is the introduction to the ordinance and general provisions, Part II outlines regulations for specific zoning districts, which is arguably the most vital section of the document. Part III features building and development requirements, including setbacks, and size/height regulations. Part IV contains review processes and standards, and Part V is the administrative section.

Planner Wells spent some time going through the new Zoning Ordinance draft chapter by chapter to share some of the highlights and major changes with the Planning Commission.

Chapter 3 outlines Rules for Measurement, and Wells stated that this chapter features new graphics to ensure that regulations are described well and easy to interpret. Regulations pertaining to the depth-to-width ratio stipulated by the Land Division Act were added, and backyard setbacks for conventional condominium developments were also added.

Chapter 4 introduces the Rural Residential zoning district, which is a combination of the two existing rural zoning districts: Agricultural/Agri-Business (A-B), and Agricultural/Rural-Residential (A-R). The minimum required lot area in this zoning district is 2 acres, and the rear setback requirement has been modified to 50 feet as opposed to the 100 feet that was originally required. Language pertaining to OSP-PUD developments was modified and removed to encourage developers to look at this option in a less complicated way. In OSP-PUD developments, 50% of the land will be required to be set aside as open space, as stipulated by state law.

Chapter 5 outlines the Suburban Residential zoning district, which is a combination of the two current suburban residential zoning districts: Residential (RL-10), and Single Family Residential (RL-14). Functionally, these two zoning districts are very similar, and for efficiencies sake, staff and the Township's Planning Consultant felt it was appropriate to combine them into one designation. Lots in RL-10 are required to maintain 10,000 SF minimum, and lots in RL-14 are required to maintain 14,000 SF minimum, so the logical conclusion for the new Suburban Residential designation was to require a minimum lot size of 12,000 SF.

Chapter 6 offers an overview of a new zoning district, Village Residential. This designation is intended to accommodate various single-family and attached housing sizes across scale and encourage communities to maintain a strong neighborhood identity, with walkability and neighborhood character being highly encouraged. The Village Residential zoning district somewhat replaces the existing Multiple Family Residential (R-3) zoning district but does not account for apartments. The current zoning map does not designate any lots as Village Residential, however, the Future Land Use Plan from the Master Plan does; residents could rezone their parcels to Village Residential to allow this kind of design by right without the need for a PUD.

Chapter 7 is Multiple-Family Residential regulations, which cover apartment buildings. Single family detached homes and townhouses are still permitted within this zoning district, however, apartments are accounted for as well. Building height on apartments will be limited; within 100 ft of a primary road, building height can not exceed two stories, however, if farther than 100 ft from a primary road, building height can go up to 3 stories. Side setbacks for this zoning district are not set in stone, and Planner Wells suggested that perhaps they might vary depending on what zoning district the building is adjacent to. Wells added that this matter will be up for discussion over the next few months as the ordinance is finalized.

Chapters 8 through 13 did not undergo many significant changes; Planner Wells skipped to Chapter 14, which offers details on Planned Unit Developments (PUD's). Chair Giarmo inquired about whether or not the Township has the ability to create a PUD, to which Wells responded yes. Chair Giarmo inquired further and asked if the Township is able to preemptively rezone any given parcel to a PUD so that when developers come in, the Planning Commission has more flexibility; Planner Wells stated that the Township Board has the ability to rezone anything they see fit, however, they must balance that ability with landowner rights.

Chapter 15 is all about Land Use Regulation; this chapter has been heavily reworked and has had information from other chapters in the current ordinance imbedded into it to make for a coherent place to seek out permitted uses. A Land Use Regulation Table is included in this chapter, which outlines all permitted uses across all zoning districts at once, whereas in the current ordinance, permitted uses are scattered across individual zoning district chapters. Section 15.50 specifically contains an Accessory Land Use Regulation Table, which has been color coded to further improve the readability of what uses are allowed.

Chapter 16 contains Building Requirements, which are intended to ensure architectural diversity, high quality buildings, and a human-scale built environment. Wells added that currently, there is no minimum apartment size; developers generally like to have the option to create smaller units for the sake of attainability, however, this is a subject for the Planning Commission and Township Board to debate as the new ordinance gets closer to being finalized.

Chapter 18 is titled "Specific Use Requirements", and outlines regulations pertinent to special land uses. Wells stated that recently, regulations regarding solar energy collectors, a special land use, had come up in conversation. Wells encouraged the Planning Commission to consider what an appropriate maximum height for solar energy collectors might be and suggested that to account for new technology, it could be beneficial to measure solar panel height as an average. Wells added that this debate needs to be balanced with potential visual impacts to any neighbors.

Commissioner Wiersema pointed out that solar panels in commercial districts are permitted to be 20 feet tall; Wells responded that this is exactly why this matter needs a little more attention and discussion, as the visual difference between a 16 foot and 20-foot-tall solar panel seems mildly arbitrary.

Chapter 19 outlines lighting regulations and has undergone some significant changes. In Section 19.30, examples of compliant and noncompliant light fixtures are provided as graphics to ensure they are easily understood and accessible, and also to make staff's ability to conduct enforcement efforts on noncompliant fixtures easier. There are also new limitations on color temperature, which will be limited to 2,700 K in residential districts, and 4,000 K in commercial districts. Additionally, the Planning Commission will have the ability to make modifications to certain requirements based on the preference of applicants.

Chapter 20 contains all things Parking; there are new landscaping requirements in Section 20.40 that limit row length and require end caps to be garnished with landscaping. Three rows of parking require a pedestrian walkway or greenspace to be implemented in the parking lot design. Wells added that inspiration was taken from Ann Arbor's approach to parking and loading requirements, and walkability is highly valued and encouraged in this updated chapter. Additionally, there is a new section in this chapter that regulates charging stations for electric vehicles.

Chapter 21 is about Mobility, and largely covers regulations pertinent to traffic and access. Traffic impact study requirements are outlined in this chapter, which were modified to maintain consistency with Kent County Road Commission stipulations. The Planning Commission will have the authority to modify some of these requests.

Chapter 22 is titled "Private Streets and Driveways" and has undergone significant revisions. The current ordinance allows 4 parcels to access a private drive, and after additional parcels are created, it must be upgraded to a private street. The number of parcels that can access a private drive before requiring an upgrade to private street status is still up for debate. As far as private streets are concerned, Planner Wells encouraged the Planning Commission to consider whether they would like to continue the practice of allowing new lots so long as the residents provide a maintenance agreement to the Township. Township Attorney Cliff Bloom advised Wells that this method leads to issues in the long term, however, not everyone agrees. Currently, Section 22.60 reads that no additional lots served by private streets would be permitted to be created until the roadway is deemed compliant.

Chair Giarmo commented that the expectation is that it's not the Township's responsibility; applicants pay for legal advisory services to ensure that private road agreements are sufficient. Commissioner Haagsma added that residents could potentially work around the regulations and build additional driveways off of a private street, rather than additional lots accessing the private street directly.

Planner Wells stated that another key principle of Chapter 22 is to encourage safer roads with fewer access points onto main roadways.

Commissioner Wiersema said that safety is a priority, and he wants to allow homeowners to have some freedom if they have larger parcels, however, if the Planning Commission involves themselves heavily in this matter, it subsequently opens the Planning Commission up to adverse impacts from these decisions as well.

Planner Wells added that the Township very well could wash its hands of the private road issue and leave this matter entirely in the hands of homeowners.

Chair Giarmo inquired about whether there is a happy medium between having no regulations or having substantially high standards for public roads. Planner Wells responded that several nonconforming roads exist in the Township currently, and that usually maintenance is managed through handshake deals or spoken agreements between neighbors. He continued and stated that oftentimes issues arise when residents split a lot and begin new construction, and contractors damage the road, for which there are no regulations in place. Wells asked the Planning Commission to consider how heavily they would like to see themselves involved in the matter of private road maintenance.

Commissioner Waayenberg chimed in to say that if we want good citizens, we need to ensure that agreements are in place to hold them accountable in instances as such.

Commissioner Haagsma added that he isn't sure if roadway standards for private roads need to be as high as standards that regulate private drives accessing 4 or more parcels.

Planner Wells responded that usually adding lots or living units accessing the private roadways is what requires upgrades to bring the road into compliance and added that the Fire Department will likely have comments on Chapter 22 as well for the sake of emergency access.

Chapter 23 pertains to landscaping regulations and has been modified to be substantially more user friendly. The point system in place under the current ordinance was omitted from the updated ordinance, and buffering requirements have been updated and clarified for the sake of readability. Planting separations by zoning district have also been implemented, and the prohibited species list has also been updated.

Chapter 24 serves as the Sign Ordinance; arguably, the biggest change within this chapter is the introduction of perspective-based sign scaling. Essentially, the further from a roadway a wall sign is, the more square footage they will be allowed, as things become harder to see the farther, they are. If a sign is 100 feet or more from the roadway, they will get an extra 50 SF in sign allowance, and an additional 50 SF with every additional 50 feet from the roadway it is located. In the current zoning ordinance, wall signs are limited to 100 SF.

Commissioner Wiersema inquired about where to find regulations on monument signs and frontage; Planner Wells responded that Section 24.90 breaks down that information by zoning district. Wells added that generally speaking, size is what is being regulated.

Chapter 25 is Administrative Processes, which contains a nifty table to help applicants understand the order of operations and submittal requirements for several Planning and Zoning processes. Additionally, PUD developments now will require a neighborhood meeting to be held before their application is considered by the Planning Commission to ensure that the developer and the Planning Commission get an idea of what the neighbors are thinking prior to public hearings.

The Planning Commission took some time to discuss PUD-OSP developments further; Chair Giarmo suggested that although preservation designs featuring community septic systems are required to be a development option by law, they are a concern for the Township. Chair Giarmo recommended that the Planning Commission consider how to tighten up regulations regarding community septic systems and

clarified that while the Planning Commission doesn't discourage development, they want to ensure there are proper guardrails in place to maintain adequate and appropriate development. Furthermore, Chair Giarmo added that since bigger swaths of land to the south/ southeast won't be eligible to connect to public utility systems for the foreseeable future, there needs to be safety nets put in place for these areas.

Commissioner Waayenberg added that people build on larger lots out of personal desire, and that the overwhelming presence of clay soils in the Township ultimately limit what people are able to do.

Planner Wells clarified that guardrails currently in place include review and consideration of STEP systems by both the Township Engineer and the Kent County Health Department to determine if the system would work, however, these analyses don't necessarily consider long term implications of these systems. Wells added that although the State did implement OSP-PUD developments as a way to allow higher densities and set aside the other land for open space, they also didn't consider soil profiles and how that may impact implementation of these types of developments across different regions of Michigan.

VII. GENERAL DISCUSSION

VIII. ADJOURNMENT

The meeting adjourned at 8:58 PM.

CERTIFICATION:

I hereby certify that the above is a true copy of the minutes from the November 21st, 2024, 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 the printed name.

Lani Thomas,

Secretary

Gaines Charter Township Planning Commission

Date: December 19, 2024