

CHARTER TOWNSHIP OF CALEDONIA
PLANNING COMMISSION
APPROVED MINUTES of a meeting held on July 18, 2022

A regular meeting of the Charter Township of Caledonia Planning Commission was held at 7:00 p.m. on Monday, July 18, 2022, at the Township Office, 8196 Broadmoor Ave. SE, Caledonia, Michigan.

1. **CALL TO ORDER / ROLL CALL**

Chairperson Doug Curtis called the meeting to order at 7 p.m. with a quorum present.

Members Present: Doug Curtis, Diane Cutler, Stan Bosscher, Tim Bradshaw, Jodie Masefield, John Eberly

Members Absent: Carol VanLaan

Staff Present: Planner Lynee Wells, Assistant Ellie Koetsier

Others Present: Applicants and Agents, Multiple Twp. Residents, Greg Chandler (Sun & News)

2. **CONSIDERATION OF THE MEETING AGENDA**

Eberly made a motion to approve the agenda.

Cutler seconded the motion.

Voice Vote: Motion approved; agenda approved.

3. **PUBLIC COMMENTS (Brief – Up to 2 minutes, not related to agenda items)**

KETTLE PRESERVE:

Tom Apol (8815 76th Street) shared concern over sewer system and what provisions are going to be made for addition proposed housing.

Julie Ondersma (8246 68th Street) shared concern regarding perking and provisions needed for each home and a concern for the water table.

Diane Metzler (7112 Anchorage Court) shared concern regarding the Kettle Preserve neighborhood and wanting to preserve the trees and wildlife as well as concern about the safety of students from Kettle Lake.

Mykel Barnes (7128 Anchorage Court) shared concern about preserving the tree line and the water table pressure on the school system.

Dan Yablonski (8325 Walnut Lane) stated he has concern about the water table, open sewer discussion from last year and how far that will run into his property.

Roger Wynsma (8556 Garbow Court) has concern about more kids for the school and subsequent traffic. He also stated that the traffic on Whitneyville is going at high speeds with current volume. He also discussed developers buying farmland and wanting to keep with the rural look and the Master Plan.

4. **CONSIDERATION OF MEETING MINUTES**

A. 06/06/2022

Eberly made a motion to approve the 06/06/2022 Planning Commission minutes as presented.

Bradshaw seconded the motion.

Voice Vote: Motion approved; Minutes were approved.

5. INQUIRY OF CONFLICT OF INTEREST

Curtis made a motion regarding his conflict of interest with item 7A (Taco Johns/Meritage) due to his ownership in the company who has Meritage as a client.

Eberly seconded the motion.

Commissioners discussed.

Roll Call Vote:	CURTIS:	Abstained	EBERLY:	No
	CUTLER:	No	MASEFIELD:	No
	BOSSCHER:	No	VANLAAN:	Absent
	BRADSHAW:	No		

Motion Denied. There was no conflict of interest.

6. NEW BUSINESS

- A. Public hearing for a Special Land Use and Site Plan for Taco Johns, 6700 Broadmoor (portion, to be divided), parcel number 41-23-06-426-006 for a Taco Johns Drive Through Restaurant. Agent is Fishbeck, Applicant is Restaurant Holdings LLC.

Wells summarized her memo.

Public Hearing opened at 7:26 p.m. by Chairperson Curtis.

Floor Open to Public Comments:

Tom Apol (8815 76th Street) stated he wants to see the drive-thru part be in the rear of the building compared to the Taco Bell project drive-thru location that was previously approved and how former Chairperson Paarlberg said that was a mistake.

Public Hearing closed at 7:27 p.m. by Chairperson Curtis.

Applicant presents their case:

Ana Pelhank (Restaurant Holdings, LLC) explained the Taco Johns restaurant introduction including being one of the largest Mexican quick-service restaurants and she voiced their excitement to expand to Michigan with this as their first location in the state.

Tony Mourand (Fishbeck) wanted to make sure to state he respects the dialogue with the Township Engineer and Township Planner in getting this project right. He stated that the project before the Commission is much better than his first version due to their comments. He wanted to clarify the electrical controls in the ordinance and in the energy code. He also wanted to address the order window location not being in the rear due to the building size and traffic circulation of the site.

Discussion:

Discussion was held between Commissioners and the applicant(s)/agent(s) regarding the following:

Masefield asked for the agent to explain the layout and site traffic off the plans where the front of the building faces the intersection of 68th Street and Broadmoor Avenue.

Eberly wanted to clarify why not to bury a transformer.

Bosscher asked for clarification regarding the updated Planner's memo.

Masefield clarified that there would be no signage approved tonight.

Curtis brought up sheet A31 (3D view) having the drive-thru on the north side but it's really on the south side since the rendering is flipped.

Pelhank stated that architectural plans are not yet available until the site plan is approved.

Bradshaw says this plan set is a nice set of plans but has a few updates; Gaines Township references updated, dumpster enclosure location changed, and it needs to look “nice”.
 Eberly says he agrees with the high-quality dumpster for look and longevity.
 Curtis and Masefield agreed that all sides of the building need to look nice.
 Bosscher asked to clarify on sheet C-2 that the sidewalk is 4” thick and 5’ wide.
 Cutler referenced sheet A31 and the top rendering and asked if the sign will face Broadmoor and 68th Street and the applicant confirmed that the rendering is backwards.
 Eberly wants prints showing the clarification and the green screen/landscaping proposed.
 Curtis asked about outdoor seating and the applicant says no proposed outdoor seating as of now.

Voice Vote:

Bradshaw made a motion to approve the special land use and site plan request with conditions #1-12 from the Township Planner’s letter dated July 18, 2022 adding conditions #13, #14:

1. **The Special Land Use shall at all times adhere to the standards in Chapter 16, including Section 16.4 and Section 16.39.**
2. **All above ground mechanical equipment shall be screened from view.**
3. **Landscaping and buffering areas shall meet the requirements of the zoning ordinance chapters 12A, 28 and 20, and the HC district.**
 - a. **Landscape islands require two (2) canopy trees per island.**
 - b. **Notes shall be added that any landscaping that fails to establish within one year shall be replaced and that all planting areas and turf lands shall be irrigated.**
4. **Signage shall be submitted to the Building Department for review and approval and shall be as per the HC district.**
5. **Building architecture shall adhere to the Zoning Ordinance requirements of section 3.59.**
6. **Lighting controls shall be provided per the Township Zoning Ordinance, section 3.50.**
7. **References on the site plan to Gaines Township shall be replaced with Caledonia Township.**
8. **A four-way stop shall be created at the building entrance point with the interior access road.**
9. **Any assurances, conditions, promises or testimony from the Applicant in written or oral format in advance of or during the Planning Commission meeting shall be considered part of this application and conditions of approval.**
10. **No permits shall be issued until a land division application has been filed, approved, and submitted to the Township and Kent County.**
11. **All conditions of the Township Engineer and Fire Chief shall be met.**
12. **The site plan shall comply with all applicable local, state and federal requirements.**
13. **Split block for the dumpster enclosure.**
14. **Screen transformer with landscape.**

Second by **Bosscher**.

Roll Call Vote:	CURTIS:	Aye	EBERLY:	Aye
	CUTLER:	Aye	MASEFIELD:	Aye
	BOSSCHER:	Aye	VANLAAN:	Absent
	BRADSHAW:	Aye		

Motion Carried.

7. UNFINISHED BUSINESS

- A. Revised Special Land Use and Site Plan Review for the CalPlex/YMCA pool project, at 9733 Kraft Avenue, for an athletic complex which includes a pool. (Postponed on November 1, 2021 and June 6, 2022). Agent is C2AE. Applicant is Caledonia Public Schools.

Wells summarized her memo and stated that she is grateful for the work/effort from the school.

Applicant presents their case:

Team of applicant and agent(s) were present to answer questions; Kevin Makarewicz (C2AE), Shane Napper (Rockford Construction), Matthew Hess (Caledonia Community Schools), Bill Robertson (Bill Robertson Pool Design/Build Inc.), Travis Sage (Stantec).

Discussion:

Discussion was held between Commissioners and the applicant(s)/agent(s) regarding the following:

Curtis clarified that the crosswalk from Duncan Lake Middle School to the proposed YMCA would be 8' since the CalPlex connection is already built.

Masefield said thank you for the additional information and how this project is coming together. She stated to make sure to discuss water drainage and signage.

Cutler asked a question regarding the accessibility and proposed gate that would run inside the fence to provide a walking gate in the shape of a "Z" for wheelchair accessibility.

Curtis said the "Z" shape pass is for bike traffic to slow down the speed of traffic.

Applicant stated the gate at Kraft and traffic island is per Kent County Road Commission request.

Eberly discussed reference to drainage permitting needed through the State/EGLE.

Masefield brought up signage and Eberly says this area is zoned R-2 but it's not really residential but more educational.

Voice Vote:

Boscher made a motion to approve the special land use request at 9733 Kraft Avenue conditional on the Township Planner's report #1-9 dated July 11, 2022:

- 1. The Special Land Use shall at all times adhere to the standards in Chapter 16, including Section 16.4 and Section 16.35.**
- 2. The sidewalks depicted on the pedestrian plan, including connecting to the middle school, as well as the mid-block crossing, shall be constructed prior to certificate of occupancy. Sidewalk connections to the pathway shall be 8' wide.**
- 3. A 5' paved sidewalk shall be extended from the new Athletic Facility to the Cal-Plex pathway system north of the YMCA building. The sidewalk shall be installed prior to certificate of occupancy.**
- 4. Lighting shall include a note related to system dimming or lights turning off after hours per section 3.50 of the Township Zoning Ordinance.**
- 5. Signage shall be provided as per the architectural plans, including an additional 67 square feet of area.**
- 6. All above ground mechanical equipment shall be screened from view.**
- 7. All conditions of the Township Engineer and Fire Chief shall be met.**
- 8. Any assurances, conditions, promises or testimony from the Applicant in written or oral format in advance of or during the Planning Commission meeting shall be considered part of this application and conditions of approval.**
- 9. The site plan shall comply with all applicable local, state and federal requirements.**

Second by Masefield.

Roll Call Vote:	CURTIS:	Aye	EBERLY:	Aye
	CUTLER:	Aye	MASEFIELD:	Aye
	BOSSCHER:	Aye	VANLAAN:	Absent
	BRADSHAW:	Aye		

Motion Carried.

- B. Revised PUD Rezoning and Site Condominium Review for the Kettle Preserve residential development located at 7153 Whitneyville, 78-acres of R-2 zoning on parcel 41-23-11-100-011. Agent is Roosien Associates. Applicant is Whitneyville Investors. (Postposed on February 21, 2022 and June 6, 2022).

Wells summarized her memo and addressed some of the public comments from earlier in the meeting with commissioner explanations stating that the Master Plan is the guide.

Applicant presents their case:

Howie Hehrer (Whitneyville Investors) had revised the plan after discussion and comments from the Township and previous meetings. He listed the benefits of the proposed development; gazebo, shared green space, playground, etc., where the new homes will be priced at roughly \$600,000-\$700,000 with 100' wide lots to give it a more rural look and feel.

Discussion:

Discussion was held between Commissioners and the applicant(s)/agent(s) regarding the following:

Curtis clarified saying there isn't any signage as of now as well as no lighting proposed. He also asked about trees and screening with preservation of trees and the applicant said most trees on sites and on the perimeter are to remain.

Masefield said with the revisions to the PUD plan, it makes the most sense as a preferred option.

Eberly explained his view/concern about the project from previous meetings.

Bosscher asked what happens if the lots don't "pass" and it was discussed that the lots would either be added to another lot to make it bigger or that the applicant would need to do more borings.

Curtis asked to confirm that the PUD/site condo "locks in" the layout to go the Board.

Wells clarified that the potential lot changes will need to be looked at for next steps.

Bradshaw wants a green space easement and that the property tax/cost is part of each owner's "fee" since he wants to see if as an easement so the green space doesn't change owners down the road/go to the County for auction.

Discussion was held regarding an open space maintenance agreement and a master deed note regarding the green space.

Curtis clarified that the green space is all green space not within each building lot including natural green growth preservation.

Cutler asked about the green spaces and neighbors whose property back up to the common green space will be addressed in the Master Deed/exhibit documents for usage of those areas to be kept common not for the closest lot homeowner.

Bradshaw is concerned about the developer not footing the cost/bill for the sewer and likes the by-right plan while appreciating the discussion.

Voice Vote:

Masefield made a motion to approve the Whitneyville Investors PUD request for recommendation to the Township Board conditional on revised comments of the Township Planner’s letter dated July 11, 2022 and the Township Engineer’s letter dated May 27, 2022: with

1. Approval shall be conditioned upon approval of the rezoning of the lands to PUD and the draft ordinance provided for consideration.
2. An open space easement or other agreement ensuring the lands remain as open space in perpetuity shall be included in the Master Deed and Bylaws. The easement or conveyance shall meet the requirements of Section 15.5 (g).
3. The master deed and bylaws shall stipulate that detached accessory buildings shall not be permitted unless lot area exceeds 1 acre due to site constraints with well and septic areas.
4. Building permits for homesites shall not be issued until street and crosswalk improvements have been completed.
5. The landscape plan shall be updated to include the quantity of street trees, planting requirements, and type.
6. A pathway easement along Whitneyville Avenue shall be provided per the Township’s Pathway Ordinance.
7. The Township Attorney shall review and approve the Master Deed and Bylaws.
8. If any additional signage is proposed, the applicant shall submit signage details in accordance with Chapter XIX to be reviewed and approved by the Township Planner or Zoning Administrator.
9. The applicant shall comply with the stipulations of the Township Engineer and Fire Chief.
10. Prior to the issuance of any permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to this request.
11. The applicant shall obtain all necessary county, state, or federal permits and approvals.
12. Any assurances, conditions, promises or testimony from the Applicant in written or oral format in advance of or during the Planning Commission meeting shall be considered part of this application and conditions of approval.

Second by Eberly.

Roll Call Vote:	CURTIS:	Aye	EBERLY:	Aye
	CUTLER:	Aye	MASEFIELD:	Aye
	BOSSCHER:	Aye	VANLAAN:	Absent
	BRADSHAW:	No		

Motion Carried.

C. Sidewalk Ordinance.

Wells verbally summarized her memo regarding the sidewalk ordinance for discussion.

Discussion:

Discussion was held between Commissioners and the applicant(s)/agent(s) regarding the following:

Lot size, where people/community are going to walk, concern regarding mandating expensive resources not going to any destination, strong passion of members to safely move community, question why the sidewalk ordinance is not part of the zoning ordinance, Board jurisdiction versus Planning Commission jurisdiction may be due to previous “payment in lieu” practice, and discussed examples of developments in the township with and without sidewalks and how that traffic flow and safety feels for both walking community and vehicle traffic.

No Motion Needed.

8. PUBLIC COMMENTS (Extended – Up to 5 minutes)

None.

9. COMMISSIONERS COMMENTS

A. Michigan Association of Planning Training Opportunities (Wells)

Wells wanted to encourage members to look into continuing education/training via conferences both online and in-person with some of the provided training opportunities. Commissioners discussed potentially partnering with a nearby community or taking part in MSU Extension options for classes to share with the commissioners.

B. Zoning amendments for landscaping requirements (Wells)

Wells reminded commissioners that a zoning group consisting of commissioners Eberly and VanLaan is hoping to meet soon to go over some text amendments to the Zoning Ordinance from a compiled list including tree canopies, community septic lot size connection requirements., etc., to be worked through with the Township Attorney and in compliance with Michigan laws.

10. CORRESPONDENCE

Cutler thanks Masefield for asking for explanation on the “by-right” development to help educate the community. Wells provided a helpful education to the public.

Curtis thanked PC members for slowing down the meeting speed.

Bradshaw asked about any updates on the M-37/farmer parcel development and Wells said ideas were being presented soon.

MTA mail was on the commissioner’s chairs as well as the Village of Caledonia’s letter stating they were going to update their Master Plan document.

Wells asked about upcoming attendance for the next meetings; August 1: Masefield will be absent, August 15: Curtis and VanLaan will be absent.

11. **ADJOURNMENT**

Motion by Bradshaw.

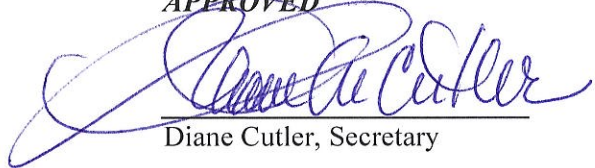
Second by Eberly to adjourn.

Voice Vote: Motion carried.

Meeting adjourned at 9:13 p.m.

CALEDONIA TOWNSHIP PLANNING COMMISSION

APPROVED



Diane Cutler, Secretary

Submitted,
Ellie Koetsier, Building/Planning/Zoning Administrative Assistant