

PROPOSED MINUTES
LAKETOWN TOWNSHIP
PLANNING COMMISSION
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423
(616) 335-3050

September 7, 2016

ARTICLE I. CALL TO ORDER

Chairman Bob Cook called the Planning Commission meeting to order at 7:00PM.

MEMBERS PRESENT: Bob Cook, Bob Slikkers, Linda Howell,
Jim Lorence, Randy Becksvoort
MEMBERS ABSENT: None
STAFF PRESENT: Al Meshkin – Township Manager
Ron Bultje – Township Attorney
Diane Ybarra – Recording Secretary

ARTICLE II. APPROVAL OF MINUTES

The Commission reviewed the minutes of the August 3, 2016 meeting. **A motion was made by Slikkers and seconded by Becksvoort to approve the minutes as submitted. Chair Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. REVIEW OF MASTER PLAN

Chairman Cook tabled this item until the next meeting

B. OBBINK PLANNED UNIT DEVELOPMENT AMENDMENT REQUEST

Rod Obbink Builders, owner or agent of property located at 858 West 32nd Street, Holland, MI, that being tax parcel #0311-001-001-10, requests an amendment to a planned unit development to allow for the construction of a three-unit residential condominium building on the above parcel.

Chairman Cook explained the township attorney prepared an amended contract. Slikkers clarified Exhibit B 3.f. should be stated as, “The three-unit residential condominium building shown on the Development Plan shall be reduced one-half foot to comply with the setbacks of the Zoning Chapter.”

Following discussion, **a motion was made by Slikkers and seconded by Lorence to approve the report as amended for the Obbink Planned Unit Development Amendment Request contingent on it being in compliance with provisions put forth in contract with noted correction to Exhibit B 3.f., completion within one year, compliant with the application submitted, with all federal, state, county and township laws and ordinances and the verbal representation provided at this meeting and in the minutes. Chairman Cook called for a roll call vote on the motion. Roll call vote: 5 ayes 0 nays UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE IV. NEW BUSINESS

A. HAVLIK REZONING REQUEST

Nancy Havlik, owner or agent of property located in section 1 of Laketown Township, that being tax parcels 03-11-001-024-00; 03-11-001-030-00; 03-11-001-026-00 (6155 147th Avenue); 03-11-001-031-11; 03-11-001-031-00 requests parcels be rezoned from R-2 Low Density Residential District to R-3 Medium Density Residential District.

Kelly Cavanaugh of Nederveld Engineering gave a brief overview asking for a rezone of the properties from R-2 to R-3. One large parcel in the center is currently R-3 and we are asking for the remaining of the parcels to be rezoned to R-3 to move forward with the project. Cook asked to demonstrate where the R-3 parcel is and the parcels being proposed for R-3. The R-2 allows for single family and two -family units whereas R-3 would allow for two and three family units under a Planned Unit Development. It meets the criteria of the master plan, served by municipal water and sewer, also fits with the neighboring developments. Cavanaugh shared the previously approved site plan which showed 193 units and this plan in comparison is proposed at 148 units with approximately 2.33 units per acre for the 63 acre plan. The apartments and condos near here are compatible with the area and public utilities available. This plan is conceptual but shows the intent of the developer. The developer is proposing lower density than was previously approved to meet the current market trend.

Chairman Cook explained that this request is for rezoning only and not to approve the project. Chairman Cook opened for public hearing.

Mike Short of 810 Myrtle Avenue stated that the presenter made the case for R-3 based on what the Master Plan states but that plan is for the future and not current. The Master Plan is not open for review by the residents; we have a map but no justification. Short asked who the developer is, Havlik or someone else? Short presented letters from over 20 people in the neighborhood expressing opposition to the proposed rezoning and project. Short cited Section 38.118 and the five applicable conditions pertaining to the request. Attorney Bultje explained that this is not a variance request but a rezoning request. Short argued that it is a dimension variance and Bultje further explained that this request is to change the zoning ordinance and map not violate the zoning ordinance. Short pointed out that these parcels are wet and referenced over 20 acres of wetlands in the area including the parcel zoned R-3. The MDEQ would have to permit the rezoning. The 60-acre property could become 35

acres according to wetland recording map. Future develop must be approved through MDEQ and should be taken into consideration. One of the properties in question is almost fully wetland.

Kent Lee of 6187 147th Avenue stated that he realizes it would have to be rezoned for the proposed project but feels an accurate plan should be submitted prior to the rezoning approved to assure what is being proposed. He added that R-2 district still provides for a lot of opportunities so why change it. He is opposed to the request.

Ryan Bosscher of 967 Laketown Drive spoke in support of the request and feels it would be compatible with surrounding developments. He added that there is a growing need for higher density close to the city.

Dave Robertson of 6162 147th Avenue expressed concern regarding traffic as the proposed plan shows the road coming out across from his driveway. The morning rush hour, school busses, increased traffic on 147th Avenue and 64th Street are a concern already and this would only add to that. People have moved into Laketown Township for the low density of the area and want to keep it that way. There are plenty of areas already planned for R-3.

Jeff Johnson 6149 147th Avenue supported Robertson's comments regarding traffic issues. The Master Plan shows the future but is that now? The 2005 Master Plan on the Township website shows a quiet rural area, rural and serene is what attracts us to the area and this proposed density is not wanted. In contrast the zoning of the current developments in this block are R-2 and only Springbrook is R-3 so why is it necessary for this to be rezoned. Having a personal stake in it he encourages the Commission to pause on approval without a firm plan.

Mary Hofman of 896 Lugers Road expressed similar concerns: density is out of character with Laketown Township; natural wetland encompassing must be protected and wildlife; water drainage and flooding are already issues in the condos; (noted the property was too wet so no basements); increased traffic, noise and light will negatively impact the ambiance and safety of existing neighborhoods.

Maynard Schrottenboer of 4723 61st Street and 927 Lugers Road stated that he has looked across that field over several decades and seen multiple amounts of water. Last time something like this was presented, it was noted that there was a wet spot in the whole area. When he bought the property, it was rural and projected to remain rural with a natural wetland area that promotes wildlife which congregates in that area behind his house, a mother and small fawn, several bucks in the area; it is a refuge area for the deer and other wildlife. The thing is, this was rural area when he moved in until now. He added that he was once the constable in Laketown and has witnessed the increase in traffic and speed of the drivers clocking one individual around 147th Avenue at city limits going 65mph. The 25 mph zone is not enforced and speed going into town is accelerated on 62nd Street. The request to go to R-3 will create a tremendous amount of traffic. He added that 61st Street is also has a bike path, 20% of which is used by bikers that do not even stop at 147th Avenue. He asked that the request be tabled until factors such as drainage and the impact on traffic can be studied. He also asked if additional law enforcement would be considered.

Steve Heerspink of 1126 Ardmore Street stated the speed limit used to be 25 mph but is now up to 40 mph coming south off of 147th Avenue. The logical thing is to go up 62nd Street into town and people are driving over 45 mph and the traffic is heavy there as well.

Joy Zomer of 1106 Ardmore Street expressed an emotional response to this having moved to the area 9 years ago for the quiet of the woods in her backyard. This development would take that away and would there even be a tree line or would that come out as well? Springbrook has a lot of noise, more people and kids out at night taking away the serenity. What is the reason to add more density in this area? Would there be any design around how to protect the surrounding properties? If all of these units went in, she would consider leaving as it would be too congested.

Jeff Buhner of 6179 147th Avenue asked what percentage would be rental versus owner occupied and how much would the population increase if all are sold and occupied?

Vice Chair Slikkers read onto record the names of those submitting letters:

Ryan Bosscher of 967 Laketown Drive
Marvin and Mary Hofman of 896 Lugers Road
Beth A. Peter, MD of 6149 147th Avenue
Mike and Donna Short of 810 Myrtle Avenue
Richard Bouman of 4747 62nd Street
Becky Cusatis of 6169 147th Avenue
Edward P. DeVries of 4677 Terra Vita Circle
Craig and Judy Hop of 4722 62nd Street
William C. Kaiser of 6178 147th Avenue
Jacquelynn Ledbetter of 1125 Ardmore Street
Kylie Leeuw of 4667 Terra Vita Circle
George Magee of 823 Lugers Road
Nancy Mohler of 1115 Ardmore Street
Lyle Morris of 4723 62nd Street
David Robertson of 6162 147th Avenue
Michael and Elizabeth Roelofs of 4659 Terra Vita Circle
Jon Shannon of 6169 147th Avenue
Steve Van Loo of 4728 62nd Street
Joy Zomer of 1106 Ardmore Street
Steven Heerspink of 1126 Ardmore Street
Delbert and Rosemarie Bos of 4746 62nd Street
Kim de Boer of 830 Myrtle Avenue
Mark and Marlena Hackney of 1144 Ardmore Street
Sheryl Schrotenboer of 1143 Ardmore Street
Thomas and Elaine Praamsma of 868 Lugers Road
Mark Pinney of 825 Myrtle Avenue
Elezar Mendoza of 4717 62nd Street
Mary Kalkman of 6182 147th Avenue

Maynard Schrottenboer of 927 Lugers Road and 4723 61st Street
John Meiste of 6150 147th Avenue
Maurice Minnema of 4738 61st Street and 906 Lugers Road
Jeffrey Johnson of 6149 147th Avenue
David and Jessica Cook of 888 Lugers Road
Glenn Slenk of 4737 61st Street
Karen Scholten of 4737 62nd Street

Following discussion, **a motion was made by Howell and seconded by Becksvoort to close the public hearing. Chairman Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

Cavanaugh addressed the following questions/comments:

Master Plan – Cavanaugh has worked for multiple municipalities, was a planning commissioner, township board member, etc., so from that perspective she understands master planning and the area of discussion is master planned for medium density residential. The future land use map represents research by the board and the upper northeast quadrant is the area intended for this density and the proposed plan follows suit. It was purposefully identified as medium density residential with public utilities. A rezoning request does not require a plan and can be a point of contention. The development is compatible with the R-3 zoning and surrounding development. It is a rural township and 80% is designated as rural residential; the northeast portion is not where it is meant to be preserved. The state requires all types of developments and more people would have access to the benefits the township has to offer.

Traffic concerns: most is already zoned R-2 district which allows for single family and duplex units; by rights we could have up to 220 units but are proposing 148. A plan like this maintaining a buffer is the benefit of a P.U.D. Right now the request is for rezoning only. These commissioners work very hard to make sure these projects are top notch with conditions imposed to have a high quality development.

Wetlands: typically there are high water tables in the area but we work closely with the Drain Commissioner, DEQ and township engineers to meet all required standards and often the drainage is equal or better than before the development.

Who is developer – the developer is Space Source which is owned by Dan Dykgraff.

Chairman Cook again, confirmed that tonight is only to address the rezoning not the development plan which will come later and only if it is zoned appropriately.

Becksvoort asked if you are allowed to do most of what you want within the current zoning, why is it necessary to make this request? Cavanaugh responded to remain consistent with the Master Plan and seek the ability to do the multi-unit development.

Slikkers said the property owner and future land use is the future not today and future can happen anytime from when it was made to ten years from now. We are looking at it again now and we planned for R-3 in that area with the necessary services so it feels like it fits and he has no specific questions on the rezone.

Howell asked if the general criteria are met with R-2 zoning for the proposed development, why it can't be done as it is currently zoned and just reposition to utilize the current zoning. Cavanaugh stated that the developer does not want to be restricted to placement of the multi-family units only where the current R-3 exists. Howell clarified with Bultje that multi-family dwellings would have to be in accordance with the P.U.D.

Lorence had no questions.

Cook asked if the previously approved P.U.D. had multi-family homes in the plan and if so, can they be in R-2 district if they are a condition of the P.U.D. Bultje said multi-family units are allowed in R-2 district as long as they are in compliance with the density limitations. Meshkin said we have several examples of multi-family units in R-2. Meshkin sees single-family potential in 85 ft. wide lots with R-3 zoning; there really is a need for a more affordable typical sized house.

Bultje clarified the property as zoned R-2 in the previous P.U.D. allowed for 220 units allowed and Cavanaugh said yes it was as the entire development is 63 acres. Bultje suggested conditional rezoning as an option which would be up to the developer. It is understood that the plan presented tonight is conceptual and the developer would have to come back with a specific number with assurance that the property would not be developed at maximum density. Following discussion Cavanaugh stated that she would prefer to stay the course with the request and have further discussion with the developer.

Cook suggested looking at the parcels individually. Howell suggests tabling it for tonight and Lorence does not feel he has enough information. Howell asked if the developer could come back with a P.U.D. that would cover these zones. Cavanaugh responded that proposal meets the criteria of public utilities, compatible with the Master Plan and adjacent zoning so prefers to stay with the request.

Howell said the developer could come back with an offer of a conditional rezoning. Bultje said yes but a P.U.D. is also a form of a contract that could potentially include the rezoning request in one set package. Cook suggests tabling the rezoning request to allow the developer to consider the P.U.D. process.

Following discussion, **a motion was made by Slikkers and seconded by Lorence to table the request pending additional information from the developer. Chairman Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE V. CITIZEN COMMENTS

A resident asked if the Township Board creates the master Plan. Chairman Cook explained that the Planning Commission creates the Master Plan which is then recommended to the Township Board for approval.

A resident asked for clarification that a decision has not been made on the request and Chairman Cook stated that is correct. The resident also asked who Cavanaugh represented and the response was she represents Nederveld Engineering.

Mike Short asked for clarification of who the applicant was and how the developer is related. Bultje responded that focus should be on the land use and not the ownership. Short also asked if R-3 allows for trailer parks and Meshkin stated that it does not, R-4 district allows for trailer parks.

A comment was made about the northeast corner of the township being zoned R-3 and people moving into the township 30 years ago did not see the huge developments coming and the changes that have happened. Is that a good way to run a township? People moved out here to live in the country not with more developments.

Chairman Cook said this has been medium density residential for 30 years and recently looked at again in 2008. Slikkers added that it is important for property owners to do due diligence and research when considering a purchase. Tom Crum said realtors need to expose that when selling a home or property.

A resident asked if traffic studies were done on the township roads and Bultje responded that is up to the county road commission and not the township.

ARTICLE VI. ADJOURNMENT

A motion was made by Slikkers and seconded by Howell to adjourn the meeting at 8:42pm. Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED