

**PLANNING COMMISSION OF THE
CHARTER TOWNSHIP OF GRAND RAPIDS
Minutes April 26, 2011**

A regular meeting of the Planning Commission of Grand Rapids Charter Township was held at the Township Hall on Tuesday, April 26, 2011 at 7:00 pm.

Present were Chair Wayne Harrall, Vice Chair Stephen Fry, Secretary David VanDyke, Commissioners; Edward J. Robinette, Mark Prein, Dave Pierangeli and Beverly Wall. Also present were Township attorney James R. Brown and Clerical Assistant Kara Ronda.

1. Approve minutes of March 22, 2011.

Steve Fry, seconded by **Dave VanDyke**, moved to approve the minutes with the following changes:

- p. 2, 7th bullet under item #3, add 'within the drain easement' after the word 'buffering'
- p. 2, 4th paragraph, insert the word 'south' between 'the' and 'property'
- p. 2, 4th paragraph, last sentence, add 'difference' after the word 'grade'
- p. 2, 2nd paragraph from the bottom, insert the word 'for' between 'Brown' and 'the'
- p. 3, 3rd paragraph, insert 'sign' between 'the' and 'setback'
- p. 5, 4th paragraph from the bottom starting with Wayne Harrall, change 'area' to 'sewer district'
- p. 6, last paragraph, 2nd to last sentence, insert 'proposed storm sewer' between 'the' and 'piping'
- p. 7, 3rd bullet under item #6, insert 'East Beltline' between 'the' and 'drive'

Motion approved unanimously.

2. Public Hearing – Early Advantage Day Care – PUD-3 rezoning request at 1515 East Beltline Avenue which includes a daycare center.

Steve Witte, of Nederveld Inc. representing Early Advantage Day Care, presented the plan:

- proposed property location is at 1515 East Beltline Ave, the southeast most portion
- requesting 3.38 acres be rezoned
- proposed daycare for 168 children
- 11 ft. tall eaves
- using existing drive off the East Beltline
- storm water runoff will be discharged to the pond
- the fence along the drive has been moved to the south

- additional landscaping along the access drive has been added
- all items from the Township engineer and attorney have been addressed
- clarification that KISD will be selling to Early Advantage Day Care, which means the drive will have to be a private drive
- asking the planning commission to approve as a private roadway
- asking for consideration for directional signage
- updated wetland survey: more wetland at northwest corner of the property (area has been modified since previous meeting)
- fence around playground area has been modified (to avoid more of the wetlands)

Steve Fry asked what date is on the plan. Steve Witte stated the revised plan is dated 4/26/11. Steve Fry asked the applicant if they had addressed the GRT Fire Departments concern. Steve Witte explained the hydrant was originally on the east side of the drive but has since been revised and hydrant has been moved west of the driveway per the GRTFD request.

Attorney Jim Brown gave the staff/legal report.

Wayne Harrall referred to the Township engineer's note regarding domestic water service. Steve Witte replied there will be a separate line all the way out to the East Beltline, which is shown on the revised plan.

Steve Fry, seconded by **Ed Robinette**, moved to open the Public Hearing at 7:13 pm.
Motion passed unanimously.

Wayne Harrall referenced a letter submitted from Robert P. Cooper on behalf of Carlson Property LLC.

Robert Skarjune, 3076 Windcrest Way, expressed his concern about noise.

Steve Fry, seconded by **Ed Robinette**, moved to close the Public Hearing at 7:16 pm.
Motion passed unanimously.

Steve Witte addressed concerns from the letter and public comment:

- there will not be a speaker system or bells outside
- there will be outdoor play activities, but will be done so in smaller groups
- outdoor activities will be a substantial distance away from surrounding buildings and the existing trees will not be removed

Ed Robinette questioned if the new designation as a private road meet the proper conditions. Steve Fry stated they can make a condition in the motion. Steve Witte noted the planning commission can grant a waiver, regarding the width.

Bev Wall asked the width of the road. Steve Fry replied 29 ft. Dave VanDyke would like to see an agreement with KISD, re: ingress/egress for access. Wayne Harrall asked

for clarification: the existing road width is 25 ft. and the Township's requirement is 29 ft. Steve Fry stated that is correct. Mark Prein noted there will be 20 staff members with 48 proposed parking spaces and questioned if people would be parking on the road. Steve Witte explained the applicant will be licensed for approximately 168 children with drop-off and pick-up times spread out throughout the day, not like a school.

Steve Fry stated he has trouble, regarding the signage, with setting precedence. Ed Robinette agrees, but is looking from a safety standpoint and accessibility for emergency vehicles.

Steve Fry, seconded by **Ed Robinette**, moved to approve the rezoning request with plans dated 4/26/11 and recommended to the Grand Rapids Township Board for final approval with the following conditions:

- must meet all the requirements requested by the Township engineer
- must meet all the requirements requested by GRTFD
- adopt proposed ordinance with modifications regarding change in land ownership and the private road is acceptable in its existing condition

Motion approved unanimously.

3. Public Hearing – Ada Bible Church – Special Land Use request within SR district at 3953 Knapp St. which includes a church.

Edward Shepard, Operations Pastor for Ada Bible Church, and Todd Myers, an engineer with Williams & Works, presented the plan including revisions:

- a landscaping plan was put together and revised by moving plantings around to the north side of Maguire
- plans for signage were submitted
- planning on keeping and updating one barn and demolishing the other
- Todd Myers addressed the Township engineer's comments: explained they are talking with the city regarding frontage and water main connections and they are working with the developer and engineer to the north regarding site drainage

Steve Fry asked if the proposed sign is double or single sided and if it will look as presented on the handouts. Todd Myers stated yes it will look like what is shown and it will be a single sided sign.

Attorney Jim Brown gave the staff/legal report.

Dave VanDyke, seconded by **Steve Fry**, moved to open the Public Hearing at 7:35 pm.
Motion passed unanimously.

Wayne Harrall read two letters submitted from residents to the commissioners.

Stacey Vits, 2240 Maguire Ave NE, is opposed to the plan and submitted a letter to the Planning Commission:

- very disappointed with all the development
- peaceful out there, such a shame to wipe out the existing orchard
- upset about seeing the green space go
- concerned about traffic and safety, also asked about parking spots
- concerned about her water and well
- asked what will happen if the streets are widened, wondered if they will lose their buffer

Braeton Taylor, 2155 Timber Valley Dr. NE, is opposed to the plan and agrees with the previous resident on all her points. His overall concern is with the increase of traffic volume and safety.

Bob Hajek, 3685 Willow Springs Ct. NE, supports the plan:

- very excited about the development
- feels it is a step in the right direction
- plentiful and abundant wildlife
- currently a member of Ada Bible Church and knows they will be very contentious neighbors

Joseph Navarre, 2207 Maguire Ave NE, has concerns with the run off from Maguire.

Devin Hein, 3795 Knapp St. NE, is opposed to the plan and agrees there will be traffic congestion, especially when turning left onto Maguire from Knapp. He also asked if an environmental survey was done with the total development in mind.

Jason Swartz, 2215 Maguire Ave NE, is opposed to the plan:

- agree with the traffic concerns
- concerned with the flooding and sink holes and does not feel like the drainage issue should be taken lightly

Connie Boeske, 2380 Maguire Ave NE, is opposed to the plan:

- agrees with the traffic concerns
- would like to see the whole development pushed back to allow more green space
- would like a thorough evaluation and traffic study done at Knapp and Maguire.

Gabe Beversluis, 4421 Knapp Ct. NE, is ok with the church and noted there will only be more traffic on Sunday mornings.

Jason VanderGround, 2512 Mason Ridge Ct. NE, supports the plan:

- elder at Ada Bible Church, good and professional people are there and they will be good neighbors
- chose to live in GRT for the quality of life here, adding a church adds to the township
- church, school, shopping are all attractive to young people and families and GRT offers that

Mike Garrett, 3895 Foxglove Dr. NE, supports the plan, believes the church using that property is better than a development.

Braeton Taylor, 2155 Timber Valley Dr. NE, asked about the previous comment and questioned what type of development.

Steve Fry, seconded by **Mark Prein**, moved to close the Public Hearing at 7:54 pm.
Motion passed unanimously.

Wayne Harrall reminded the audience the current zoning for the area in question is SR (suburban residential) and the previous plan that was submitted to the Planning Commission was 200-225 units.

Wayne Harrall explained there is a plan with Kent County Road Commission to realign Maguire and Knapp Court. Moving Maguire to the west and Knapp Court to the east with a left turn lane constructed on Knapp Street. Wayne stated there is no plan for a traffic signal at this time. Ed Robinette asked if there will be a left turn lane on Maguire as well. Wayne replied yes.

Wayne Harrall asked the applicant the times and days of the services. Edward Shepard stated services are 9:15am and 11:00am Sunday mornings. Dave Pierangeli asked how many other programs occur during the week. Edward Shepard replied there are Bible studies on Monday evenings.

Steve Fry stated concerns about the church bell and if it will be disruptive to neighbors. Steve believes the proposed signage is ok. He would like trees added to two (2) islands in the parking lot. Steve also stated concerns about the barn that will remain on the property, but feels 2(c) on page 3 of the attorney's resolution touches on the safety and appearance issue.

Mark Prein questioned the relocating of the trees in back of the proposed building. Wayne Harrall asked for clarification from the applicant. Edward Shepard explained they intend to keep every tree they can, not cutting any trees they do not have to. Steve Fry said he would like to see more trees shown around the building itself.

Ed Robinette asked if part of the drainage issues come from the street. Steve Fry said yes. Ed asked if the issues will be fixed with the road improvements and modifications. Wayne Harrall said yes they will.

Ed Robinette, seconded by **Steve Fry**, moved to approve the Special Land Use request and recommend to the Grand Rapids Township Board with the following conditions:

- must meet all requirements required by the Township engineer
- must meet all requirements required by GRTFD
- no external noise permitted beyond the property line
- a final landscape plan with plantings around the building and trees to be planted in two (2) islands in the parking lot must be submitted
- approval of drainage by the Township engineer

Motion approved unanimously.

4. Public Information Hearing – The Lakes at Knapp North & South – Site condominium plan located on Maguire Avenue, north of Knapp St.

Kevin Einfeld, the project manager, gave a brief overview of the project:

- noted the land was purchased 17 years ago
- stated he and Brad Rottschafer (the other project manager for this project), developed numerous developments in Grand Rapids Township such as Flowers Crossing, Flowers Mill, Spring House, Pine Nook and the Blackberry Development
- noted the first plan for this land included over 220 houses, and has changed drastically since the initial plan
- explained the North will be developed by Kevin Einfeld of BDR, it will be the higher end neighborhood which will consist of 52 lots over 50 acres, while the South will be developed by Brad Rottschafer of Mosaic Properties, it will be the middle point neighborhood which will consist of 50 lots
- noted although the neighborhoods will be owned by different people, the developments do connect for pedestrian access and emergency vehicles only

Wayne Harrall asked the applicant if there will be a gate at the north access point. Kevin Einfeld stated they are weighing the decision right now. Noted the south neighborhood will not, but have not reached a decision about the north neighborhood.

Wayne Harrall asked Kevin Einfeld if the surface between the north and south developments will be paved. Kevin replied it will be a honeycomb surface.

Dave VanDyke questioned the applicant about the connectivity between the two developments. Kevin Einfeld explained that is how it works in this area, two different distinct markets.

Jack Barr, the project engineer, of Nederveld, Inc. explained they did not change the number of lots or the general street alignment, but the following items were changed:

- added cul-de-sacs and the end of the streets
- widened the roads to 26 ft. (asking for planning commission's approval for 22 ft. width on cul-de-sacs)
- the open space is clearly defined and meets requirements (including lakes as open space)
- dimensions, setbacks and utilities are accounted for and all compliant
- wetland evaluation has been done on the property
- redesigned connections were done between the two properties (pedestrian access and emergency vehicle use only)
- storm water for church (Ada Bible Church) and both developments will be brought to the center lake
- sidewalks on one side of the road/street

Jack explained a problem with switching from a 40 ft. easement to a 45 ft. easement; he feels they will run out of room and also noted they want to stay consistent with the other projects they have done in Grand Rapids Township.

Attorney Jim Brown gave the staff/legal report.

- Public input was opened at 8:28 pm.

Joseph Navarre, 2207 Maguire Ave NE, asked about population density, use of the pond, who is going to take care of the pond and the weeds and is concerned about the water quality and keeping the pond clean.

Devin Hein, 3795 Knapp St. NE, asked if any studies had been done regarding storm water and drainage issues.

Braeton Taylor, 2155 Timber Valley Dr. NE, questions if adding so many additional children to the area will have an impact on the schools and their infrastructure.

Robert Niemeyer, 2314 Maguire Ave NE, stated it is going to look more like a city street by adding that many homes and is concerned about the water use and sewage for that many homes. Wayne Harrall informed Mr. Niemeyer there will be public sewer and water.

Stacey Vits, 2240 Maguire Ave NE, asked if she will be forced at some point to hook up to city sewer/water and stated drainage is her main concern.

Steve Fry clarified that the Planning Commission is not the school system; they are responsible for projecting growth. Dave VanDyke explained the school has done long range plans and accommodate to growth. Steve also noted this proposal is allowed by right for the property; this meeting is to make sure the applicant is meeting all the required ordinances. Wayne Harrall also noted if it is zoned all residential at that corner and the 230 lots that were previously proposed could have been approved because it fits the ordinance.

Connie Boeske, 2380 Maguire Ave NE, understands development happens but does not want to see the existing wet lands disappear. She feels the north properties look more appropriate for a rural area but the south properties look too city like. Her biggest concern is protecting the wet lands.

Jason Swartz, 2215 Maguire Ave NE, agrees with all the previous comments; he asked if there will be a light at the corner of Knapp and Maguire, but his main concern is drainage and over-flow.

Richard Beisel, 3737 Knapp St. NE, is concerned with water and traffic flow.

Joanie Navarre, 2207 Maguire Ave NE, would like to see more green space.

Jason Swartz, 2215 Maguire Ave NE, is concerned about traffic and safety, especially around school times. He also explained he is concerned what will happen to property values and would like to see more green space as well.

Phil Boggiano, 3850 Clearing Way Dr. NE, is concerned about traffic and questioned where the sewer and water system will be coming from.

Dede Esque, 3705 Knapp St. NE, agrees with all the previous concerns and asked that environmental and green space issues be considered.

Kathleen VanderVeen, 2221 Maguire Ave NE, stated she submitted a letter to the Planning Commission.

Steve Harvey, 2194 Timber Valley Dr. NE, is concerned about traffic volume and safety. He asked the timeline for the project and inquired if there were any proposed plans for sidewalks or bike paths on the main roads.

Joe Navarre, 2207 Maguire Ave NE, asked the points of ingress and egress in the south development.

Michelle Gray, 3478 Mason Ridge Dr. NE, asked if there will be more bike and pedestrian paths with the development.

- Public input was closed at 9:03 pm.

Dave VanDyke believes road #2 and road #5 in the North development should have some sort of turn-around because it appears those roads service more than two lots. Dave asked Jack Barr if there is a provision of how each lot accesses the roads. Jack replied on the plans there are specifically identified access roads pertaining to each lot. Dave explained he does not like that there is no way to turn around.

Steve Fry understands why they do not want to connect the two neighborhoods but is struggling with the fact there is no road going out to Knapp. Steve believes it is going to be rough on Maguire.

Steve Fry asked attorney Jim Brown about the township's responsibility in regards to environmental issues. Jim Brown replied there are no separate ordinances of our own nor are we allowed to have environmental regulations, but we do have to follow state regulations.

Dave VanDyke questioned if the commissioner's should require proper cul-de-sac widths, he wants to stay consistent.

Wayne Harrall explained his concerns:

- has a problem with the connectivity, forcing people to go out onto Maguire; would like to see some type of internal connections
- lake level control; concerned where they are at regarding drainage
- thinks the church should be required to put some type of pre-treatment in their water so dirty water is not running into the ponds
- wants to stick with the 26 ft. width requirement except for streets which access two parcels

Mark Prein agrees with Wayne but is also concerned with the slopes going all the way to the lakes, pertaining to the usage of a back yard.

Steve Fry does not feel there is enough from the applicant. He believes there are too many incomplete items and not everyone is on the same page.

Kevin Einfeld informed the commissioners they would like to get this project approved as soon as possible as they intend this to be a 2011 project.

Steve Fry, seconded by **Bev Wall**, moved to table the request and would be willing to meet for a special meeting that can accommodate the township staff.

Motion approved unanimously. (Request is tabled.)

5. Public Information Hearing – Arbor Hills South – Request for residential plat approval at Dunnigan Ave and Mason Ridge Dr.

Zach Voogt, of Moore & Bruggink, Inc., presented the plan:

- project is Arbor Hills Phase 7, the final phase of the development
- the Planning Commission saw this in 2005 when it was first presented
- proposed look and feel similar to Arbor Hills, just a different name
- development will have public water and sewer with a private sanitary lift station
- storm water detention is proposed
- requesting 40 ft. right of way (allows houses to be 5 ft. away) or 30 ft. setback: to hold houses further to the south and on south side holds houses further to the north, which makes it easier to build and develop
- extension of Arbor Hills, but a little larger and slightly higher price point

Jim Brown gave the staff/legal report.

Steve Fry asked if sidewalks are present throughout the rest of Arbor Hills. Wayne Harrall stated no, sidewalks are just on public streets. Mark Prein asked the applicant if the expansion will be a new association. Mick McGraw said yes it will be a new association, per state law, because the allotted time expired.

Jim Brown noted this could be a brand new site plan versus a residential plat. Mick McGraw stated he had thought about that route, but would rather it be a plat with a private road.

- Public input was opened at 9:40 pm.

Sean Maltbie, 2548 Mason Ridge Ct. NE, expressed his concern about a new association being established. He would like to see the two associations linked together since they are both part of Arbor Hills.

Kim & Carl Seymour, 3472 Mason Ridge Dr. NE, are concerned with construction traffic and kids safety within the neighborhood. They are also concerned with the green space and wooded area disappearing.

Ed Gray, 3478 Mason Ridge Dr. NE, asked if there will be a 40 ft. buffer and if the applicant intends to take trees out. Mick McGraw confirmed there will be a 40 ft. buffer and explained in order to address that issue they will have to remove some trees.

Michelle Gray, 3478 Mason Ridge Dr. NE, asked if the applicant intends to clear cut everything. Mick McGraw replied no, they are going to save everything they can.

- Public input was closed at 9:51 pm.

Wayne Harrall feels there are a couple items to address, referring to the setback and sidewalks. Dave VanDyke said he would keep all setbacks consistent. Wayne Harrall asked the applicant about drainage, if they intend to use the detention pond by Dunnigan Ave. Mick McGraw replied yes they do. Mick explained the pond is pre-established, they could not ask for anything better.

Wayne Harrall clarified the sanitary sewer will be public and the sanitary lift station will be private. Zach Voogt confirmed both those statements to be correct.

Jim Brown brought the 'open space' and buildable areas to the commissioners attention, explaining the open space is in the backyard of some of the lots, therefore those people would actually own the 'open space'.

Dave VanDyke, seconded by **Bev Wall**, amended by **Steve Fry**, moved to approve the preliminary plat request and recommend to the Grand Rapids Township Board for final approval with the following conditions:

- rear yard setback of 25 ft. between buildable area and do not disturb line for lots 1 thru 8
- right of way narrowed by 5 ft. all the way around the current design to a minimum width of 40 ft. at the standard section

Motion approved unanimously.

6. Discussion – Smile by Design – Conceptual development review for PUD-5 rezoning request at 2957 Knapp St. which includes a dentist office.

Mark Tomasik of Innovative Design PC is representing the applicant, Smiles by Design. Mark explained the applicant is requesting to rezone a parcel of land from R-1 to PUD-5 in order to build a dental office on the property. He also explained the biggest problem for the applicant is extending sanitary sewer to the site.

Jim Brown gave the staff/legal report.

Wayne Harrall noted 7 of the proposed parking spots may impact future cross easements. Jim Brown stated there potentially could be cross access across the front of the lot.

Steve Fry stated his issue with the proposed dumpster location. He asked the applicant if they would consider moving the dumpster to the back northeast corner and attach it to the building. Mark Tomasik stated that would not be a problem and made the noted changes.

Wayne Harrall questioned the property lines shown on the plan provided and suggested the applicant double check the lines. Steve Fry commended the applicant on the nice job of saving the trees on the proposed plan. Steve Fry explained he has no problem with approving the dental office for that location, but would have a problem with another office type/business going in due to traffic flow and volume. Jim Brown said he will make sure that is noted in the ordinance.

Wayne Harrall asked the applicant if they ran numbers on the estimated cost of sanitary sewer. Mark Tomasik said yes and is aware it may be rather expensive. Wayne noted there may be potential of rebuilding part of Knapp Street and will be extremely costly.

Steve Fry wondered about the request to rezone to PUD-5 and the requirements for that particular PUD. Jim Brown explained the difference and identified the reasoning in the ordinance. Wayne Harrall suggested a request for a PUD-3 versus PUD-5. Ed Robinette stated there is not much land between PUD-5 and the city limits, no room left for 10 acres. Wayne Harrall asked the applicant if the neighbors are aware of the proposed plan. Mark Tomasik stated he was not sure. Wayne Harrall explained his main concern regarding the proposed plan is the cost and impact of sanitary sewer.

Steve Fry, seconded by **Ed Robinette**, moved to recommend the proposed idea/plan to the next step, following the storm water and sanitary sewer have the proper authorization per the Township planning staff and/or engineer.

Motion passed unanimously.

7. General Public Comment.

No Township residents spoke during Public Comment.

8. Update from township planning staff.

The Planning Commission was informed there will be a meeting in either May or June regarding ITT Technical Institute proposing to move into the old D&W building on 4 Mile Rd and Plainfield Ave.

The meeting was adjourned at 10:40 pm.

David VanDyke – Secretary