Minutes of a meeting held on February 7, 2011

A regular meeting of the Charter Township of Caledonia Planning Commission held at 7:00 p.m., on Monday, February 7, 2011, at the Township Office, 8196 Broadmoor Ave. SE, Caledonia, Michigan

1. CALL TO ORDER / ROLL CALL

Chairman Warner called the meeting to order at 7:00 p.m. with a quorum present.


Members Absent: T. Morris

Staff Present: Michael Clark, AICP, Williams & Works

Others Present: Members of the media, representatives of T&M Partners, Township citizens

2. CONSIDERATION OF THE MEETING AGENDA

Agenda accepted as presented.

3. PUBLIC COMMENTS (BRIEF – UP TO 2 MINUTES)

A. Warner opened the floor to public comment and found no comment from the audience.

4. CONSIDERATION OF MEETING MINUTES

A. Minutes of the January 17, 2011 meeting.

D. Gunnink made a motion to approve the minutes of January 17, 2011, as amended. Motion was supported by M. Kelly.

VOICE VOTE: All ayes. Minutes of the January 17, 2011 meeting approved.

5. INQUIRY OF CONFLICT OF INTEREST

A. None.

6. UNFINISHED BUSINESS


ARCHIE WARNER ENTERTAINS A MOTION:
A. Warner motioned to approve the 2010 Planning Commission Report as submitted; supported by D. Koopmans.

**VOICE VOTE:** All ayes.  Motion Carried.

7. **NEW BUSINESS**

   A. **Public Hearing: Rezoning Request** – By T&M Partners LLC, for the rezoning of land from the C-2, General Business District, and A, Agricultural District, currently under enforcement of Consent Judgment, to PUD, Planned Unit Development. Lands commonly known as The Crossroads of Caledonia.

   Steve Witte of Nederveld provided an overview of the request. The consent judgment has been modified 6 times - the PUD would allow for simplification of process for new businesses, agrees with the provisions outlined in the staff report (prepared by Mike Clark from Williams & Works). The new plan gives an updated vision for new buildings, as required by master deed, and would eliminate list of uses and allow C-2 uses. Future expansion to the east would be for additional housing, understanding the water & sewer district would need to be expanded. All new uses/buildings would need Planning Commission approval for signage, liquor licenses (units 4-10), and connection to water and sewer.

   A. Warner opened the floor for public comment; no public comment, closed public comment.

   A. Warner inquired if the original site condominium documents would be in force, S. Witte indicated they would be amended to include easements.

   A. Warner asked about exterior construction standards for the residential and commercial buildings, and the assisted living facility; S. Witte explained there is nothing proposed, but whatever would be proposed in the future would need Planning Commission approval; possibly future assisted living complex would be the same as the one already there.

   A. Warner questioned why should expansion be approved? S. Witte answered the intent was to provide for the future, realize it would be good to plan ahead.

   A. Warner inquired if there would be sidewalk access to all commercial buildings; S. Witte answered that the driveways were widened to allow walking paths alongside; D. VanderArk (from T&M Partners) commented that sidewalk can be added as needed, some are included on plan.

   A. Warner asked about liquor licenses; D. VanderArk indicated they wanted to make sure they are in place as provided for in the consent judgment before the consent judgment is dismissed.

   D. Gunnink asked about Porter Hills, thought that they already had approval for 2nd complex, M. Clark indicated they would still need final site plan approval before they could go ahead with construction.

   S. Witte commented that unit 2 had been split for finance purposes.

   R. Parent commented that sidewalks should be included to commercial areas.

   D. Koopmans indicated he was not sure how this approval works in the process, not sure if the additional 7 acres should be approved. Inquired how big are the condos? D. VanderArk answered 1150 to 1175 square feet. D. Koopmans asked how many are sold? D. VanderArk indicated 7 are sold, but are now phased for FHA approved loans. Condo requirements specify residents be over 50; only one currently not. D. Koopmans
commented concern is they would fill up with kids, what would be the impact on the schools? A. Warner is concerned about age.

M. Clark provided an explanation of the process.

D. Koopmans asked was the 7 acres included before? D. VanderArk responded that the seven acres was included on this plan as “expanded area” and is included in the condominium documents owned by the developer.

D. Koopmans observed this would increase the condo units by 65%.

D. Gunnink commented that he does not see the need to include the expanded area at this time, could keep it as a future option, but it is making this request difficult.

S. Witte explained it is being requested now because of the application fees and process, it would be more convenient; let’s show expanded area as possible.

A. Warner indicated there are a number of condos built that are unoccupied; would like to wait to see if there is a need for additional units.

D. VanderArk withdrew the expanded area from the request.

M. Kelly asked if this is a final approval if approved? M. Clark explained that final site plan approval would be required for every site as use is determined.

D. Koopmans inquired how is age requirement regulated? D. VanderArk answered site doesn’t lend itself to young family age group.

D. Koopmans indicated that items in the consent judgment should be retained; has concerns with these condos being rented out.

D. Gunnink commented that residents should be 50 or above.

K. Cavanaugh asked wouldn’t the occupancy requirements limit the commercial uses? Why restrict the age? What is the intent – that would seem exclusive/restrictive.

A. Warner explained that this project was independent, it was zoned Ag, and this was the compromise.

D. VanderArk explained that the 2nd amendment to the consent judgment required that 2/3 of the development be for 50 or older; condo bylaws, new section 10 requires 2/3 of condos must be sold to ages 50 or older.

A. Warner inquired if more residential units needed to be required before additional commercial could be built; he would not have a problem with that provision being removed.

D. VanderArk commented that the consent judgment provided for specific use limitations; now would be limited be C-2 zoning requirements.

D. Koopmans commented that this plan is nothing like what was originally approved. He likes the PUD with the exception of the additional 7 acres.

M. Kelly commented that he likes the new design; better for commercial development without the limitations.
A. Warner agreed, said the C-2 requirements would allow for more market driven development.

K. Cavanaugh asked about reviews by the township engineer and Fire Department; M. Clark indicated they had not yet been received.

D. Koopmans inquired about signs; S. Witte provided review of signage. A. Warner questioned if it would meet the sign requirements as proposed; M. Clark responded yes, it was 25% of approved signage.

A. Warner asked if this would be referred to the Township Board for approval; M. Clark confirmed it would.

**ARCHIE WARNER ENTERTAINS A MOTION:**

A. Warner motioned that the rezoning request be approved with the following conditions:

1) Final site plan review must be approved for each unit;
2) Provisions of the consent judgment be retained as proposed;
3) The expanded area is withdrawn from the request;
4) Subject to all other Township approvals and requirements;
5) Waive Section 19.10 related to signage.


A. Warner called a 5 minute recess.

**B. Site Plan Review:** By T&M Partners LLC, for The Crossroads of Caledonia.

S. Witte provided an overview of site plan, no longer including the expanded area. Sidewalks and landscaping could be part of the plans if needed. A. Warner replied they need to see that when the future buildings are constructed. S. Witte indicated that sidewalk does exist along the private drive and residences, could be added at final site plan approval, possibly deferred.

D. Gunnink commented that it may take a while for all the sidewalks to get connected. A. Warner asked if lots 7, 8, & 9 get developed, should sidewalks be completed? M. Kelly commented there must be access to any developed site, might not be possible with 100th Street. D. Gunnink indicated that lots 7, 8, & 9 have no sidewalks drawn on the plan; put in as developed to connect.

D. VanderArk commented that the sidewalks could be connected to the Rails to Trails project. D. Gunnink stated sidewalks along driveways and across parking lots are a liability.

S. Witte addressed the proposed lighting, A. Warner confirmed that parking lots and signs are lit, D. VanderArk indicated that intersections are clearly defined.

D. Koopmans questioned the placement and direction of commercial signage. D. VanderArk responded that they would meet whatever the requirement is.

**ARCHIE WARNER ENTERTAINS A MOTION:**

M. Kelly motioned that the conceptual site plan be approved with the following conditions:

1) Sidewalk be completed when lots 7, 8 & 9 are developed.

2) Signage is approved as proposed.
3) Letters of support from Township Engineer and Fire Department.

4) Final site plan is submitted.

5) Waive Section 19.10 related to signage.

Motion was supported by R. Parent.


8. PUBLIC COMMENTS (EXTENDED – UP TO 5 MINUTES)

None.

9. COMMISSIONER’S COMMENTS

None.

10. ADJOURNMENT

R. Parent made a motion to adjourn. Motion was supported by D. Gunnink.

VOICE VOTE – all ayes – Meeting adjourned at 8:30 p.m.

Duane Gunnink, Secretary
Approved: March 7, 2011

Sincerely,

Mike Clark