Minutes of a meeting held on July 18, 2011

A regular meeting of the Charter Township of Caledonia Planning Commission held at 7:00 p.m., on Monday, July 18, 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: D. Gunnink
Staff Present: Lynee Wells, AICP, Williams & Works, Township Planner
Others Present: Members of the media, citizens of the township, representatives from Highpoint Real Estate & Development, Valley Point Industrial Park LLC, and Milestones Child Development Center

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 at 7:01, and closed it at the same time, finding no public comment.

4. CONSIDERATION OF MEETING MINUTES

A. Minutes of the June 20, 2011 meeting.

R. Parent made a motion to approve the minutes of June 20, 2011, as submitted. Motion was supported by T. Morris.

VOICE VOTE: All ayes. Minutes of the June 20, 2011 meeting approved.

5. INQUIRY OF CONFLICT OF INTEREST

R. Parent disclosed that he is employed by Farmers Insurance, which has offices within the PUD, but has no conflict.
6. UNFINISHED BUSINESS

A. Sign Ordinance – Tabled since June 20, 2011. Consider recommendation to the Township Board of revised ordinance from Township Planner.

ARCHIE WARNER ENTERTAINS A MOTION:

R. Parent motioned to untable the sign ordinance. Motion was supported by D Koopmans.

VOICE VOTE: All ayes. Motion carried.

Warner commented they had previously looked at the ordinance, made some changes, and the township planner had recorded those changes.

In the Preamble of the ordinance, paragraph 1, A. Warner felt “visual clutter” was too subjective. K. Cavannah stated “safely direct motorists” is least subjective, they could leave that in. D. Koopmans clarified “minimizing visual clutter” is the subjective part, they could take that out. A. Warner commented that one person’s definition of visual clutter may be very different from someone else’s.

Page 2 – A. Warner cited “visual clutter” again, not needed, no specific definition. He feels that commercial signs are being singled out as visual clutter, and the preamble has a negative tone toward signs. A. Warner suggested striking 2nd paragraph, T. Morris commented it’s almost redundant, could be summarized with more neutral wording.

A. Warner suggested adding “occasionally” to page 2, paragraph 1, line 3, and striking paragraph 2. L. Wells commented that leaving the preamble as is gives the foundation for enforcement later. M. Kelly commented that as a businessman, the tone toward signs here seems very negative. Commissioners agreed to Warner’s suggested changes, directed L. Wells to make changes and forward to the Township Board.

ARCHIE WARNER ENTERTAINS A MOTION:

M. Kelly moved to send the sign ordinance as amended on to the Township Board. Motion was supported by K. Cavannah.


7. NEW BUSINESS

A. PUD Extension - Request from D3, LLC to extend the Meadowridge PUD approval at 9401 Kraft Ave. SE, parcel #41-23-30-226-003, 38.29 acres.

There was no representative from D3, LLC, so L. Wells gave an overview of the
application. D3, LLC purchased this property in May out of foreclosure, and understand that the approved PUD has expired. They are requesting an extension of the PUD until they have had a chance to fully explore the potential uses for this property in the current market. L. Wells stated that no one had submitted for an extension previously because the property went into foreclosure.

A. Warner asked how many extensions are allowed, L. Wells responded there is no limit, the commission can decide. K. Cavanaugh asked what the future land use is, L. Wells responded MDR.

R. Parent stated the one year has been and gone, the PUD should be done with. He commented that in L. Well’s staff report, it cites the Zoning ordinance section 15.6 (f), which allows extension if “initiation is imminent”, but there is no evidence to support that. A. Warner found that a requirement of the motion could stipulate that there would be no more extensions granted.

ARCHIE WARNER ENTERTAINS A MOTION:

M. Kelly moved to approve the PUD extension until August 1, 2012, with the understanding that there will not be another extension granted if project is not acted upon. Motion was supported by T. Morris.


B. Public Hearing – PUD Amendment: Submitted by Highpoint Real Estate & Development, for an amendment to the Foremost Planned Unit Development, requesting a modification to existing signage at the Campbell Group Building. Land commonly known as 5664 Prairie Creek Drive SE.

Nancy Atman, 5664 Prairie Creek, gave brief overview of the request. They want to add a 13 inch metal cabinet with the same lettering on top of existing Campbell Group sign to include parent company Acrisure.

A. Warner opened the floor for public comment at 7:28, closed at the same time seeing none.

M. Kelly asked if they are looking at changing the wall signage, applicant responded probably at a later date. A. Warner clarified with L. Wells that the PUD was very specific about materials and size for this sign.

M. Kelly decided to abstain from voting since he built the original building.

R. Parent commented the sign is only seen in the development, not by the road. D. Koopmans commented it added about 8 square feet to the sign, not a problem in this PUD. A. Warner commented the whole project is first class, and since the sign is only seen by the development, he feels it’s not a problem. K. Cavanaugh felt it was an appropriate addition.
ARCHIE WARNER ENTERTAINS A MOTION:

R. Parent moved to recommend approval of the PUD amendment to allow additional signage of 13 inches by 8 feet to the existing Campbell Group sign. Motion was supported by K. Cavanaugh.

VOICE VOTE – ALL AYES. Motion Carried.

C. Public Hearing – PUD Amendment: Submitted by Valley Point Industrial Park LLC for an amendment to the Valley Point South Industrial Park PUD, to allow/include C-1 permitted uses; and gas/service stations and restaurants with drive-thru service as allowable uses within the PUD. Lands commonly known as Valley Point South Industrial Park PUD.

Jack Barr with Nederveld came forward as representative for this PUD amendment and also the following site plan review. They are requesting this amendment to avoid potential future amendments by broadening the PUD to include C-1 uses, as well as gas/service stations and restaurants with drive-thru service.

A. Warner opened the floor to public comment at 7:34, and closed it at the same time seeing none. (There was a letter from James Dally, Managing Member of Caledonia Care, LLC, to be considered at public comment time by the commissioners, opposing the construction of another child care facility.)

A. Warner commented this area is becoming heart of Caledonia, which would support C-1 uses. D. Koopmans is concerned with traffic and safety. A. Warner suggested discussing requiring sidewalks and the township fire chief and township planner’s recommendation for a right-in/right-out island at Wendy’s. M. Kelly commented that 8 of the 11 parcels have been developed without sidewalks on any of them; perhaps requiring them for this project would create a hardship for developer. A. Warner clarified that they wouldn’t need to connect to any of the other buildings in the PUD with sidewalk. M. Kelly commented on pond next to parcel, for safety and wellbeing of children should pond be fenced? K. Cavanaugh reminded commissioners that this part of the meeting was just for the proposed use changes.

A. Warner feels that requiring the applicant to construct a right-in/right-out island would present the same hardship as requiring sidewalks. R. Parent asked why C-1? Those uses are for benefit of neighborhoods. This isn’t just a benefit to a neighborhood, more of a general commercial use is being proposed. J. Barr indicated they didn’t apply for C-2 zoning because they didn’t want to allow all C-2 uses. R. Parent is concerned that there are already C-1 properties are out there undeveloped. T. Morris has a problem with this request because this PUD was intended to be industrial park, and commercial uses will add more traffic than an industrial use would. He also feels that if this is indeed becoming a township hub, we have to start somewhere with adding sidewalks etc.

M. Kelly is also concerned about the traffic; need a reconfiguring of the M-37. R. Parent asked what was the benefit to the township, to approve C-1 uses here, instead of approving each project as presented. A. Warner clarified it requires a PUD amendment every time a commercial use is proposed, so this would amend it once and for all. R.
Parent commented it is already developing as commercial instead of industrial. T. Morris doesn’t feel a gas station would suit the corner lot.

M. Kelly inquired about a traffic study; A. Warner clarified that the proposed amendment would require the next proposed project to do a study. L. Wells stated they can require one now for this project. M. Kelly feels the traffic is too big of an issue, it needs to be thought out, reconfigured. A. Warner questioned L. Wells about M-DOT, has there been communication for a left turn lane on M-37? L. Wells responded she hadn’t, but knows it has been discussed before. M. Kelly isn’t opposed to development, but the traffic is a big issue. A. Warner indicated that recommendation for a right-in/right-out at Wendy’s is coming from Public Safety committee. They would like a flashing light there and signs for the Fire Department; there has been communication with the state about those.

K. Cavanaugh commented that in approving this, they will still have site plan review for every project; but there seems to be enough concern now to warrant a traffic study. The right-in/right-out would force people all the way down to 76th street before they would be able to head back south. D. Koopmans feels a traffic study would answer their questions. A. Warner indicated because there are only a few lots left for development, the developer would be burdened by having to pay for additional traffic lanes. Maybe the township should absorb some of the cost if their fire trucks are having trouble getting out there. R. Parent feels changing this to allow C-1 uses is only going to generate a higher volume of traffic.

A. Warner asked if they should table this contingent on a traffic study? Tim Fredricks of Valley Point PUD, 8155 Cherry Valley comes forward; doesn’t want to amend the PUD, states that if it had been developed as intended, it still would have created traffic, but the traffic problem isn’t because of the industrial park. We all know there is a problem, but it is for the state to figure out how to fix it. He feels the township came here with the Fire Department and their offices and did things without PUD approval. He feels it isn’t fair for him to have to pay for costly lanes etc. to fix the traffic problem. M. Kelly stated the planning commission has to consider the safety of the township.

There was unrecognized commenting from representatives of the proposed Milestones project; Warner called point of order. He clarified that the proposed daycare is the next project, they still have to decide if they want to approve the PUD amendment, or table for a traffic study. He feels the road issues need to be addressed, but they have already allowed other commercial uses in this PUD. T. Fredricks feels the proposed daycare would be a good use for this parcel, softens the blow next to residential parcels, asked if the PUD amendment can just be for the daycare, not the C-1.

M. Kelly commented he is uncomfortable letting this project go forward without a traffic study. K. Cavanaugh noted a traffic study would specify the ingress and egress improvements. T. Fredricks does not think the KCRC would allow another drive off Cherry Valley. M. Kelly commented the biggest impact would be on corner of 84th and Cherry Valley.

A. Warner asked T. Fredricks about his timeline for this project; T. Fredricks answered they were hoping the daycare could be completed by January. He feels township should contribute to the traffic study since they contribute to the problem. R. Parent asked what would traffic study solve; found with it M-DOT would tell them what they needed to do.
R. Parent asked if the developer would be willing to pay for the upgrades recommended, if not, he doesn’t want to waste his time and money. T. Fredricks commented they had already made improvements when they first put the development in; why should he have to pay for more upgrades? D. Koopmans commented a lot has changed since it was first developed; he also stated that M-37 is supposed to have been a boulevard, but with state funding the way it is, he doesn’t see that happening anytime soon. R. Parent commented the reason that T. Fredricks may have some responsibility for additional road recommendations is because none of these commercial uses were intended uses of the industrial PUD, and they generate more traffic.

A. Warner feels that if this project is mainly accessed by Cherry Valley, that would alleviate the M-37 concerns, wondered if it could have its own access. T. Fredricks doesn’t think KCRC would allow him another drive, not enough frontage for required setbacks. R. Parent doesn’t support the daycare use there, too many problems - traffic, the pond, feels like it is ripe for accidents; also he doesn’t think people will use Cherry Valley, but go through the park to get to M-37. A. Warner commented that the exact same conditions and use exist on the other side of the road in the Valley Point West Industrial Park. R. Parent stated that he doesn’t understand why the commission continues to allow commercial uses in this industrial park.

ARCHIE WARNER ENTERTAINS A MOTION:

M. Kelly moved to table the PUD amendment until a traffic study, can be done. Motion was supported by T. Morris.

A. Warner commented that because the PUD amendment was not approved, they would also need to table the site plan review.

VOICE VOTE: Five ayes, one nay; Motion Carried.

D. Site Plan Review – For Milestones Child Development Center, to construct a day care facility at 8270 Broadmoor Ave. SE, in the Valley Point South Industrial Park PUD.

ARCHIE WARNER ENTERTAINS A MOTION:

D. Koopmans moved to table the site plan review. Motion was supported by M. Kelly.

VOICE VOTE – ALL AYES. Motion Carried.

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

A. Warner opened public comment at 8:30 and closed it at the same time, seeing none.
9. COMMISSIONER’S COMMENTS

M. Kelly feels like this was a difficult decision, but this is a difficult intersection, and he can’t vote to approve with a clean conscience.

R. Parent stated they have approved too many changes to this PUD, allowing uses not foreseen as an industrial PUD. As a word of caution, he feels they need to be careful about amending these uses.

Warner stated M-37 is both a curse and a blessing, but they need to consider the traffic and the safety. Developers continually come in with a tight timetable, but the commission has other things to consider; he feels they made the right decision.

Koopmans agreed, feels they made the right decision, too important to rush through, maybe township could contribute to traffic study. He agreed with R. Parent; he feels the changes they have made are because they want to accommodate the owners, but they need to do due diligence.

Morris agreed. R. Parent also warned they are giving up the township’s Industrial spaces, that contributes to the tax base, and they need to consider the long-range plan.

10. ADJOURNMENT

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

VOICE VOTE – all ayes – Meeting adjourned at 8:37 p.m.

CALEDONIA TOWNSHIP PLANNING COMMISSION

______________________________
Duane Gunnink, Secretary
Approved: ____August 15, 2011_____

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
Sincerely,

Angela Burnside, Recorder