Minutes of a meeting held on September 17, 2012

A regular meeting of the Charter Township of Caledonia Planning Commission held at 7:00 p.m., on Monday, September 17, 2012, at the Township Office, 8196 Broadmoor Ave. SE, Caledonia, Michigan.

1. CALL TO ORDER / ROLL CALL

Chairman Warner called the meeting to order at 7:02 p.m. with a quorum present.

Members Present: D. Gunnink, M. Kelly, D. Koopmans, T. Morris, and A. Warner
Members Absent: K. Cavanaugh, R. Parent
Staff Present: Lynee Wells, AICP, Williams & Works, Township Planner
Others Present: Representatives for Crossroads PUD, CVL Land Investments, and members of the press and community.

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 7:02 and closed it at the same time, finding no public comment.

4. CONSIDERATION OF MEETING MINUTES

A. Minutes of the June 18, 2012 meeting.

T. Morris made a motion to approve the minutes of June 18, 2012, as submitted. Motion was supported by D. Gunnink.

VOICE VOTE: All ayes. Minutes of the June 18, 2012 meeting approved.

5. INQUIRY OF CONFLICT OF INTEREST

None declared.

6. NEW BUSINESS

A. Discussion Item: Eric Trierweiler, of Crossroads PUD, concerning sidewalk requirements in the PUD.
Eric Trieweiler with Prime Development came forward, explained he is with the property management company, here as a representative for the property owners. It has come to light that the service drive off 100th Street that serves the Crossroads retail section is actually on the frontage of lots 7, 8, & 9. This has created a challenge for perspective buyers. E. Trieweiler stated he isn’t bringing any formal motions before the commission tonight, but was trying to be proactive by informing them of the potential problems they may want to address formally at some point to provide relief for future development. The setback requirements pose a problem, because the service drive is on the properties, and the back of the properties contain wetlands. Therefore the buildable envelopes for lots 7, 8, & 9 are quite small. E. Trieweiler also proposed a limited pedestrian access instead of more sidewalks.

A. Warner informed him all these things were decided under consent judgment. E. Trieweiler commented now the property is under different ownership, he would like them to consider the potential problems for interested buyers. D. Gunnink commented sidewalks are a must; setbacks issues could be addressed when site plans were submitted. M. Kelly agreed with keeping the sidewalks as required, to provide walk-ability for residents.

D. Koopmans commented that he is concerned about making the setbacks too small in front, could create parking issues; also wants the sidewalks as required. E. Trieweiler feels the need for change to address these issues will present itself; they wanted to be proactive about this, and marketing these lots with these requirements is a challenge. A. Warner stated they will look at whatever is proposed as a solution, but feels the sidewalks are important.

**B. Public Hearing:** Requested by Gerald Clement, for a Special Use Permit to construct an additional Accessory Building, 30’ x 48’, in the A, Agricultural District. Lands commonly known as 5060 92nd St. SE, parcel #41-23-30-100-007.

Gerald Clement came forward and explained to the commissioners that he would like to construct an additional building for his car hobby. He feels the proposed building would not block any of his neighbor’s views, and would be in character with surrounding area. He explained that the new building would be located directly behind his existing building, with a concrete pad of 75 feet between the 2 buildings.

A. Warner opened the floor to public comment at 7:19.

Steve VanderZouwen, 9335 Tiger Lily, came forward and explained that he recently purchased his property to build on for the clear view to the west; this new building would be closer to his property and would obstruct his view to the northwest. He is not opposed to the request, but he would like some sort of a buffer.

Tim Reiffer, 5100 92nd St., came forward; he is G. Clement’s neighbor to the east. He is in favor of the barn, would rather see things stored inside; he supports the request.
A. Warner closed public comment at 7:26, finding no further comments.

M. Kelly commented they look at these requests often; they have been lenient in the past, maybe too lenient. He stated that both buildings will amount to well over double what is allowed in this district, and he is struggling with granting this request. D. Gunnink commented that the property was large enough to be split; he wouldn’t want to see these 2 accessory buildings on one lot.

T. Morris asked where vehicles are currently stored. G. Clement replied they are stored off site, but he would like to bring everything home. He would be willing to stipulate that there would be no land division allowed.

A. Warner had visited the property; he commented that there was a commercial operation to the east with several large buildings, and Ag land all around it. The property is zoned A; if it were an ag purpose, the applicant wouldn’t even have to come in for approval. He supports the request, with more screening.

M. Kelly doesn’t feel he can support that argument. A. Warner replied that he has opposed requests before when it was too close to neighbors, but this isn’t. D. Koopmans stated he isn’t against it, but would like to see a deed restriction put in place so that the property could not be divided. G. Clement indicated he was willing to do that. A. Warner also stated he doesn’t want to see a commercial operation run out of there.

T. Morris commented that looking at what is bordering his property - ag use and commercial use - he could support the request with a deed restriction and additional screening. D. Koopmans asked about the color of the siding matching the existing barn & house siding; G. Clement wants it to match as close as possible, D. Koopmans wants that to be a condition of approval.

ARCHIE WARNER ENTERTAINS A MOTION:

D. Koopmans motioned to approve the Special Use Permit for Gerald Clement for the construction of an additional 30’ x 48’ Accessory Building at 5060 92nd St. SE with the following conditions:

- That there be a deed restriction put on the property, indicating that it cannot be divided.
- That evergreen screening be placed along the building per the Township Planner.
- That the siding matches the existing barn and house siding as closely as possible.

The motion was supported by T. Morris.


C. Public Hearing – PUD Amendment: Requested by Michael McGraw, of CVL Land Investments, for an amendment to the John Lepard (Cherry Valley Meadows & Woods) PUD, to reconfigure and reduce overall units. Lands commonly known as 7777 Cherry Valley Ave SE.
Mick McGraw came forward and gave a brief overview of his proposed amendment. His company Eastbrook Homes worked with 5/3 Bank and John Lepard, purchased the site, and met with both the Woods & Meadows homeowner’s associations to develop a plan to restart the community. M. McGraw is proposing a total of 159 units, 60 as single family homes, 99 as condos. He feels the original PUD had too many condos proposed; he is proposing more single family homes, similar in style to the homes existing in Cherry Valley Woods, to be built in the center area called Cherry Valley Trails. In Cherry Valley Meadows, he is changing a few of the buildings, eliminating all proposed 3-unit buildings, now 24 single units and 8 duplex units. In reviewing Planner L. Wells’ staff report, he feels the only potential conflict is with the 3 lots on the proposed private drive off of Cherry Valley Ave., but he feels all the open space requirements are met in this plan. He is willing to work with the township engineer and water department and meet their requirements as well.

A. Warner opened the floor to public comment at 7:48.

Katie Doane of 6248 Summerberry Ct. came forward to voice her concern. She submitted a written statement to the commissioners, explaining how she & her husband built here 7 years ago, and how much they love the wooded neighborhood. The original PUD called for condos with buffer zone between them and the Woods; she doesn’t want to see the PUD changed. But if it is, she would like the commission to require Eastbrook Builders to maintain the same lot size minimums, and the buffer zone to remain as proposed in the original PUD approval. She also commented that the average occupancy of a condo is 1-2 people, while the average occupancy for single family home is 4+; so M. McGraw’s changes do not really decrease density, but potentially increase it, along with traffic and road maintenance costs.

Larry Stimac of 7848 Cherry Valley Ave. across the street from the Meadows came forward. He stated that he has lived here for 18 years, feels the main problem is traffic on Cherry Valley & 76th, would like that to be considered. Tammie Stimac of 7848 Cherry Valley Ave. commented that she would like to see the PUD stay the same and suggested the developer put in bike paths to get walkers and bikers off the road. She is also concerned about utilities; inquired if there will be left turn lanes, and felt the traffic issue wasn’t addressed in the first approval.

Dan Green, 6230 Summerberry Ct. came forward and commented he appreciated the large wooded lots; one concern not mentioned so far was the 3 proposed lots coming off Cherry Valley. This area is currently wetlands, he feels many trees will have to be cut down, feels the sales data supports development the way it was proposed in the original development plan.

Shelly Skriba of 6501 Journey’s End, commented she is also concerned about the traffic on Cherry Valley, feels the addition of a sidewalk or bike path would be wonderful.
Kellie Hulst of 6225 Summerberry Ct. remarked that she and her family are invested in this community; she appreciates the way the community is being developed, and loves the wooded lots here. She feels the condo traffic would be less if developed as first proposed; the single family homes now proposed would create more traffic. She also wants to see the buffer zone between the condos & single family homes stay. The PUD was in place when Mr. McGraw purchased; he was aware of the plan. His proposal may be less homes overall, but there will be more people and drivers per home, thus more traffic.

Edward Johnson of 7636 Gooseberry Drive came forward, stated that he is the President of Cherry Valley Woods Homeowners Association. Their board members support Mr. McGraw’s plan. There has been a lot of discussion, but he feels he and the board represent the majority of the homeowners.

Mike Beering of 7657 Black Cherry Way commented that he would like to see the open space maintained according to the original plan.

Dan Greene returned to the podium, remarked that there had never been a vote taken in the homeowner’s association. Edward Johnson replied that a meeting was held, with 7 days notice, and there was much dialogue and debate at the meeting. A. Warner asked if there were any signed petitions of support; E. Johnson replied no.

Tom Kapteyn of 7847 Cherry Valley Ave. came forward, commented that he had never been asked about any of it. (His property is surrounded by the development.) He was originally shown a plan with a park behind him; instead he got everyone’s backyard, and is surrounded by homes. He would like to see the 3 homes proposed off Cherry Valley to the north of him denied, and to keep the original PUD.

A. Warner closed at public comment 8:15, finding no further comment.

M. McGraw responded to the concerns raised, stated that he had had meetings with homeowners prior to purchasing this development, wasn’t going to buy the property if he didn’t have the support of the current owners. Cherry Valley Meadows had supported his plan unanimously; Cherry Valley Woods didn’t take a vote, but they asked that M. McGraw not do anything with the property for a year, and he complied.

M. McGraw stated that he has continued to work with the Woods community, to understand their feelings and concerns. As far as the density, the number of units is decreasing from 174 to 159; he feels that will reduce traffic. As for the buffer zone, he feels the plan he is proposing is better. They could keep buffer zone if the rest of the lots were reduced in size, but then they wouldn’t have the same consistency of housing as the Woods. The lots are already only about half the size of those in the Woods. Sewer and water mains are already in place, and he can’t change them to reconfigure home sites. He acknowledges they will lose some trees, but the wetlands won’t be touched.
A. Warner questioned what the underlying zoning was for this PUD; L. Wells found underlying zoning is R-R, which would require a 15,000 sq. ft. minimum lot size. A. Warner commented these lots are slightly smaller than that, but more open space is gained by this proposed change to the PUD.

M. McGraw feels his plan is superior to the original; he has compromised and worked with the homeowner’s associations. At this point, he would have to completely redraw everything. He is confused by the opposition, he thought he had things well resolved.

A. Warner remarked there is a promise made with the original PUD of a buffer zone. He sees no problem with most of the plan, but feels the open space that was originally planned for should remain. He doesn’t feel a bike path or sidewalk is the responsibility of M. McGraw.

D. Gunnink feels there should be a traffic light at 76th & Cherry Valley; would like to see traffic slowed down. He commented that since open space becomes the property of the condominium association, losing some of the open space isn’t a bad thing in his mind, because it will become someone’s property and they will take care of it, as opposed to common property which often isn’t maintained. He doesn’t have a problem with the plan except for the proposed private drive and homes off of Cherry Valley. He remarked that he doesn’t know what can be done about the traffic; unfortunately solutions are driven by number of accidents. A. Warner agreed with the traffic concerns on Cherry Valley and with not putting in a private drive there; besides, the neighbor to the south was promised there would be no homes there.

M. Kelly agreed that the private drive and home sites wouldn’t be fair to the current property owners. He commented that the buffer zone should remain, and agreed that single family homes will create more traffic, because of families occupying the homes, not just couples.

A. Warner wants to poll commission, see if there is any support for this plan; M. McGraw commented he feels there is more privacy, less loss of trees with what he is proposing.

D. Koopmans remarked that he remembered from the original approval that there was always the intent to keep the buffer area between the condos and homes; feels it is critical that the existing property owners are protected. He stated the private drive is another issue, and that he sees a big difference in the lot sizes between the Woods and these proposed in the Trails.

T. Morris agreed that the character separation between the 2 communities is important to maintain. He found from M. McGraw that the road is slated to go through on both plans.

A. Warner stated that he owns property to the south that is zoned commercial and it is planned for commercial development at some point; he wants people who may purchase here to be aware of it.
D. Gunnink commented that he is surprised that the commission seems to be supporting more condos, less single family homes; he feels single family is more desirable. M. McGraw would like to work with them all, is there a venue for that? A. Warner recommended talking with the planner.

D. Gunnink asked if there were any way to get a private drive off the cul-de-sac on Red Ash Ct. instead of off Cherry Valley, M. McGraw responded he could look at it. A. Warner recommended that he not eliminate the originally planned open space on his next plan.

ARCHIE WARNER ENTERTAINS A MOTION:

M. Kelly motioned to table the proposed amendment to the John Lepard (Cherry Valley & Woods) PUD, for the applicant to work with the neighbors and the Township toward a different plan.

The motion was supported by D. Gunnink.

VOICE VOTE: All ayes. Motion carried.

7. UNFINISHED BUSINESS

Discussion Item: Master Plan

Planner L. Wells explained that the amendments before them were the same as the previous draft, they had submitted this draft to the board; they had no comment. She would like them to officially request to send it on to the Township Board for notification and distribution to surrounding communities.

A. Warner asked about the term “mixed use development” in paragraph 3, page 1; he would like to see the terminology more vague; D. Gunnink suggested dropping “mixed use”. A. Warner found spacing area on page 3, 3rd paragraph.

ARCHIE WARNER ENTERTAINS A MOTION:

D. Gunnink motioned to forward the Master Plan draft on to the Township Board.

The motion was supported by T. Morris.

VOICE VOTE: All ayes. Motion carried.

At recent township staff meeting a community survey was discussed, the last one was taken in 2006. It would include questions about trails, open space, traffic – things that attract development. A. Warner asked about cost, doesn’t see the need for one at this time. M. Kelly agreed. L. Wells felt it would clarify the desires of the community so the Board and Planning Commission know the direction they would like to take.
ARCHIE WARNER ENTERTAINS A MOTION:

A. Warner motioned that if the Township Board does a community survey, the Planning Commission should be included.

The motion was supported by D. Koopmans.

VOICE VOTE: All ayes. Motion carried.

T. Morris asked how comprehensive the survey would be; A. Warner replied the content would have to be somewhat limited or people won’t bother to complete it. M. Kelly remarked if it takes longer than 20 minutes to complete, they won’t get a good response.

L. Wells asked if they wanted to wait with amendments to the Master Plan until the survey was complete; the commissioners didn’t feel that was necessary.

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

A. Warner opened the floor to public comment at 9:04 p.m.

Kathy Jackson of 9574 100th St. came forward to invite them to a meeting about parks, trails, and a community pool on Tuesday, September 25 at 8:00 a.m. at the Township Boardroom. She is trying to get all these recreational groups on the same page; would probably involve a survey to find out what the community wants and what they are willing to pay for. They would like to form partnerships with Davenport, Caledonia Schools, the Township, Farmers Insurance, and the YMCA, as well as other entities to fund this. D. Gunnink recommended including Cal-Plex. A. Warner commented he supports these things, but that business owners and large property owners who end up paying a disproportionate share for these privileges don’t like having things shoved down their throats.

K. Jackson understands A. Warner, her husband is also a business owner, but feels like they have to start the talks if we want recreational activities for the community. L. Wells asked if she had the current Parks and Rec Plan and the non-motorized trail plan; staff could make that available to her.

K. Jackson also commented that in her opinion there aren’t enough condos available in the community.

A. Warner closed public comment at 9:10, finding no further comment.

9. COMMISSIONER’S COMMENTS

A. Warner congratulated Commissioner Kelly Cavanaugh on winning a seat on the Township Board; thanked everyone for their time and effort.
10. ADJOURNMENT

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

VOICE VOTE – all ayes – Meeting adjourned at 9:11 p.m.

CALEDONIA TOWNSHIP PLANNING COMMISSION

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Duane Gunnink, Secretary
Approved: November 5, 2012

Sincerely,

Angela Burnside
Recorder