

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held
Wednesday, December 7, 2016**

Meeting called to order by Chairman Honderd at 7:30 p.m.

Present: Greg Honderd, Richard VanderKlok, Don Hebler, Donna Ferguson, Tim Smit, Jeannine Bolhouse, Steve Hall

Absent: None

Also present: Mannette Minier, Zoning Administrator

#161207-01 – Agenda for December 7, 2016

Moved by Richard VanderKlok, seconded by Donna Ferguson, to approve the agenda as submitted.

MOTION CARRIED UNANIMOUSLY.

#161207-02 – Minutes of the regular November 2, 2016 meeting

Moved by Richard VanderKlok, seconded by Steve Hall, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

#161207-03 – (PUD1602) (Ordinance No. 2016-06) Jag Development, LLC, 2000 Chicago Dr., is requesting (rezoning from LDR to PUD) preliminary planned unit development approval and final development approval for condominiums, along with amenities, on a parcel of land described as P.P. # 70-14-14-100-015, located at 1347 Baldwin, Georgetown Township, Ottawa County, Michigan.

Todd Grasman, developer, was present. Rich Pulaski represented the applicant and presented the request including the following: the proposal is consistent with the Master Plan; the density is less than the allowable density if streets and single family houses were to be built which is allowed; if houses were to be built, no common open space would be required; this development has more than a third of the site as open space including a walking trail; there are significant buffers around the development, which would not be required if houses went in; the condos will go from \$275,000 to \$300,000; with the condos, the buffer would be greenspace, but with houses there could be sheds, swing sets, pools and other things only five feet from the property line.

The Zoning Administrator presented a [staff report](#).

Richard VanderKlok said that the proposal meets the standards of the ordinance and asked for more information about the deviations.

Rick Pulaski provided the following information. With the condos, they are attached dwellings rather than detached, and they are on common ground rather than 85 ft. by 130 ft. lots. The deviation of an 83 foot setback rather than 100 feet from the centerline is because driveways could decrease if the Road Commission widens the road and more right-of-way is taken; but the development will have no driveways on Baldwin since all the units will have access off the interior private street. This allows the units to be more concentrated in an area rather than stretching the area out and bringing it closer to the hill. Doing this also allows more open space and keeps a good buffer to the west. This also helps to provide a feeling of community. The cul-

de-sac will be built to Fire Department standards. There is no other way to get to the back of this property due to the lay of the land. The alternate way to develop toward the east would entail another intersection. A larger sign is requested with the same architectural look.

Jeannine Bolhouse said that the centralized development makes the units more attractive.

Tim Smit said that the deviation for the sign location is a concern and the decel lane is not needed. He asked about trash pick-up.

The Zoning Administrator said that the Township is in favor of deceleration lanes to get the vehicles out of the travel path of other vehicles on Baldwin that are likely going 50 mph.

Rick Pulaski said that they will hire one trash hauler contractor for everyone and trash will be picked up the same way as in any development. He said that the Road Commission will require the decel lane too and that the decel lane will look like the one here at the Township office. In answer to a question, he noted that the trail will not be lit.

Greg Honderd stated the following. The length of the cul-de-sac was okay as long as the Fire Department was okay with it. As a planning principal, it is important to note that interior street access is good in order to have other access points rather than just from the main road. So it was good for the Planning Commission to keep that in mind when reviewing the street layout of plats. However, for this site, this layout is okay because this is in an area developed long ago where no stub streets had been placed adjacent to this site. The distance between buildings is okay because in the LMR district, lots only had to be 70 feet wide with only a total of 15 foot side yard setback which makes the houses closer than this. This proposal has gone beyond the minimum requirement. There is an area where two units look into each other and, if the developer chooses, there is flexibility to eliminate one unit and redesign the layout.

Don Hebel said that the proposal was good.

Steve Hall stated the following. This is a good proposal for this property that has been zoned for this use for decades. Nice buffers are proposed. They did a nice job utilizing the ridge. The deviations are understandable and the grouping of the units together creates more open space which is preferable. The cul-de-sac was okay as long as it was okay with the Fire Department. The sign is good.

Donna Ferguson said that the proposal is good.

The chairman opened the public hearing.

Larry Reed, 7722 Chickadee, asked about the pond and if it would have stagnant water.

Rick Pulaski said that the pond would take the storm water and could either be open water or drain dry after a rain event. He said that if it is water, it would be aerated, but they would likely have a dry detention pond that would fill with rain water during an event and dry after 24 hours.

Terry Sparks, 7684 Chickadee, asked if it would be a gravel sand basin and if the open space would remain.

Rick Pulaski said that the pond would have turf that would be mowed and the open space would be kept in perpetuity. He noted that if this was developed as houses, there would be no open space and no open space would be kept in perpetuity.

Kathy Harder, 7711 Bluebird, asked if the path would leave the area as woods and if the Township would still put the path down the road.

Rick Pulaski said that the woods would be as shown on the plan and the trail would be woodchips. He said that the trail would be designed to go around trees and they would work with the land.

Greg Honderd said that the Township path would still go in because this was a private path for the use of the condo residents.

Randy Underdahl, 7648 Chickadee, said that there would be a problem making a left hand turn out of Chickadee.

Greg Honderd said that the Road Commission dictates the decel lane and other road issues because they are the experts. He said that the market for the condos likely would be for a higher percentage of retired people who would not be leaving for work at the same time.

Terry Sparks asked if this development would cause his taxes to increase.

The Zoning Administrator said that likely this development would not affect taxes in a different development and it would mean more people paying taxes.

Richard VanderKlok said that taxes would go up based on the value of a home, not related to a different project.

Ron Harder 7771 Bluebird, asked about the water, drainage, wetlands and if the DEQ had been contacted. He was concerned that more water could be added and there could be problems with floods.

Greg Honderd explained that the approval process starts with the Township and then the developer gets approval from other agencies.

Jennifer Weyhmiller, 7754 Chickadee, said that rare wild life lives in the woods and they should try to save the white pine and big Maple tree.

Rick Pulaski said that the trees would be saved in the buffer and grading would take place no closer than 20 feet from the trees.

The chairman closed the public hearing.

Moved by Richard VanderKlok, seconded by Tim Smit, to adopt the [staff report](#) as finding of fact and to recommend to the Township Board to approve the following resolution:

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2016-04)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2016, beginning at 7:30 p.m. and after the second public hearing was held, Township Board Member _____ made a motion to adopt this Ordinance, which motion was seconded by Township Board Member _____:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE, AS AMENDED, AND MAP**

THE CHARTER TOWNSHIP OF GEORGETOWN (the "Township") ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

(PUD1602) (Ordinance No. 2016-06) Jag Development, LLC, 2000 Chicago Dr., (rezoned from LDR to PUD) preliminary planned unit development approval granted for condominiums, along with amenities, on a parcel of land described as P.P. # 70-14-14-100-015, located at 1347 Baldwin, Georgetown Township, Ottawa County, Michigan, as shown on the following documents:

1. [Preliminary and Final Development Plans](#)
2. [Application, narrative and letter](#)

Based on the determinations that:

1. **The proposal is consistent with the Master Plan.**
2. **The proposal meets the ordinance requirement for pedestrian walkways.**
3. **The proposal meets the ordinance requirement for architecture.**
4. **The proposal meets the ordinance requirement for traffic.**
5. **The proposal meets the ordinance requirement for open space.**
6. **The proposal meets the ordinance requirement for uses that are allowed.**
7. **The proposal meets the standards of approval.**

Based on the findings that:

1. The qualifying conditions in Sec. 22.2 are met;
2. The information as per Sec. 22.5 is provided, and
3. The plan meets the ordinance requirements of Sec. 22.10 as follows:
 - a. The qualifying conditions in Sec. 22.2 are met;
 - b. The proposed PUD is compatible with surrounding uses of land, the natural environment, and the capacities of public services and facilities affected by the development;
 - c. The proposed uses within the PUD will not possess conditions or effects that would be injurious to the public health, safety, or welfare of the community;
 - d. The proposed project is consistent with the spirit and intent of the PUD District, as described in Section 22.1 and represents an opportunity for improved or innovative development for the community that could not be achieved through conventional zoning;
 - e. The proposed PUD meets all the site plan requirements of Chapter 22 including Section 22.8, D.

- f. The deviations, regulatory modification from traditional district requirements, are approved through a finding by the Planning Commission that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards, with deviations as follows:
1. In the current LDR zoning, single family houses are allowed; however, attached dwelling are not allowed by strict zoning standards. They are allowed in the higher density residential districts. The plan proposes 39 total units with 12 duplex buildings having a total of 24 units and with 5 triplex buildings having a total of 15 units. Of the 17 acres, about 3 acres is wetlands and is not used in the density computation as per Sec. 3.2. For the 14 acres used in the density computation, with 3 units allowed per acre as per the Master Plan, 42 total units are allowed. The proposal is for 39 which is less than the amount permitted.
 2. The Zoning Ordinance currently requires a front yard setback of 100 feet from the centerline of Baldwin. The proposal is for the front yard setback to be 83 feet from the centerline, a deviation of 17 feet from the conventional zoning.
 3. Chapter 24 footnote (j) requires a minimum of 25 feet between buildings and only a minimum of 18 feet is proposed, a deviation of no more than 7 feet.
 4. The cul de sac length of 1,525 exceeds the maximum length of 800 feet allowed in Sec. 50-51 in the Code of Ordinances. However, this is a private street and is not bound by the plat ordinance.
 5. The plan notes that the sign will be 7.25 feet in height, a deviation of 4.25 feet from the maximum of 3 feet allowed for a sign to an entrance to a multifamily development. The plan notes that the sign will be 96 square feet in area, a deviation of 32 square feet from the maximum of 64 square feet allowed. The sign is proposed to be 58 feet to the centerline of the road, a deviation of 12 feet from the 70 feet required.

And with the following conditions:

1. **A Storm Water Drain Permit (written approval by the Drain Commissioner's office) shall be submitted to the Township prior to the submission of the first building permit application.**
2. **Utilities are to be coordinated with the DPW and Drain Commissioner's office.**
3. **As per Sec. 22.11, a recorded PUD agreement shall be submitted to the Township prior to the submission of the first building permit application.**
4. **Approved permits are required for all signs and all signs shall meet the details listed in the submittal documents or in the ordinance standards.**
5. **As per the note on the plan, the hill along Baldwin will be graded and the retaining wall removed, and sidewalks replaced as necessary.**
6. **As per language in the letter dated October 26, 2016 (narrative), and as per note 11. under General Notes, and as per a note on the plan by the driveway entrance to the development, the developer is voluntarily providing the deceleration lane to be constructed as per [Ottawa County Road Commission standards](#).**
7. **The approval of the final development plan is contingent upon the Board approving the preliminary plan with rezoning. The approval of the final development plan is effective upon the effective date of the rezoning.**

8. A demolition permit is required to be obtained for the demolition of the existing house and if the house is not demolished by June 30, 2017, the sewer would be hooked up and the fee of \$2,800 will be paid to the Township.

Except as expressly modified by the above, the balance of the Zoning Map of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

- Yeas:
- Nays:
- Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2016

By _____
Richard VanderKlok
Georgetown Charter Township Clerk

MOTION CARRIED UNANIMOUSLY.

Moved by Richard VanderKlok, seconded by Steve Hall, to adopt the staff report as finding of fact and to approve the final development plan contingent upon the Township Board approving the preliminary development plan and the approval of the final development plan to be effective upon the effective date of the PUD preliminary plan rezoning, with the following conditions:

- 1. A Storm Water Drain Permit (written approval by the Drain Commissioner's office) shall be submitted to the Township prior to the submission of the first building permit application.**
- 2. Utilities are to be coordinated with the DPW and Drain Commissioner's office.**
- 3. As per Sec. 22.11, a recorded PUD agreement shall be submitted to the Township prior to the submission of the first building permit application.**
- 4. Approved permits are required for all signs and all signs shall meet the details listed in the submittal documents or in the ordinance standards.**
- 5. As per the note on the plan, the hill along Baldwin will be graded and the retaining wall removed, and sidewalks replaced as necessary.**
- 6. As per language in the letter dated October 26, 2016 (narrative), and as per note 11. under General Notes, and as per a note on the plan by the driveway entrance to the development, the developer is voluntarily providing the deceleration lane to be constructed as per Ottawa County Road Commission standards.**
- 7. A demolition permit is required to be obtained for the demolition of the existing house and if the house is not demolished by June 30, 2017, the sewer would be hooked up and the fee of \$2,800 will be paid to the Township.**

MOTION CARRIED UNANIMOUSLY.

Moved by Don Hebler, seconded by Tim Smit, to allow the sign to be moved back further from the street without returning for further approval.

MOTION CARRIED UNANIMOUSLY.

#161207-04 – Other Business

James Kiel, 1305 Monte Carlo, asked the Planning Commission to revise the Zoning Ordinance to allow up to three bee hives for honey bees in the LDR district.

Greg Honderd said that he has the right to apply for a Zoning Ordinance amendment that would guarantee consideration by the Planning Commission; or else he could present some additional language with standards from other model ordinances for the Planning Commission to review.

#161207-05 – Public Comments

#161207-06 – Adjournment

The meeting was adjourned at 8:55 p.m.