

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF DECEMBER 12, 2005**

Chairman Daniel Murray called the meeting to order at 7:30 p.m.

Members present: Daniel Murray, Toby Van Ess, Dewey Bultsma, Donald Smith
Marvin Bennink and Matthew Fenske

Member absent: Dewey Bultsma

Also present was Greg Ransford, Township Planner

The minutes of the September 12, 2005 meeting were approved as presented.

1. Preliminary Review – Dave Dishaw is requesting preliminary review of a proposed Planned Unit Development for parcel number 70-10-24-300-060. This parcel is located at approximately 0-525 Lake Michigan Drive and is zoned C-2 in the front along Lake Michigan Drive and Rural Preserve in the northerly portion of the property.

Mike Bruggink of RJM Design was present at the meeting along with Dave Dishaw and Jack Rogers of Field and Stream. Jack Rogers noted that the Zoning Board of Appeals approved their request for a variance from the maximum density permitted for this proposed Planned Unit Development at their November 17 meeting. Mr. Dishaw and Mr. Rogers represent Land Acquisitions who have owned the property since June of 2000.

The front 14 acres starting at M-45 is planned for 8 commercial lots for businesses such as a restaurant, bank, car wash or general office buildings. The 70 acres to the north are proposed as 91 owner occupied duplex condominium buildings with 182 units on Sessions Drive, the private road which will be built to Ottawa County specifications. All lots will be serviced by public water and sewer from M-45. The proposed new lift station would be funded by the developer. The development is set up for a 100 year flood event with a 3 acre detention pond for the residential area and a one acre pond for the commercial area.

Street lighting, landscaping, and sidewalks are indicated on the site plan. They anticipate an approximate value from a sales perspective of \$160,000 – 190,000, most units having approximately 1200 square feet per side on the main floor.

Daniel Murray asked about the front yard setbacks. Dave Dishaw wanted to leave existing trees on site and felt if the buildings were closer to the street and clustered it would preserve the natural amenities of the site. This allows for the courtyard/middle area to be larger.

Matthew Fenske, also a member of the Zoning Board of Appeals, referred to the road having a cul-de-sac. The road will be built to Ottawa County specifications and designed in such a way that it could be extended out to Leonard and be dedicated back to Ottawa County.

Greg Ransford said the township does not allow for private roads in the commercial district. Toby Van Ess said the Township Board could grant a variance or it could be public. Dave Dishaw said the county will not take ownership of this road as it is proposed with the dead end. Matthew Fenske explained that the Zoning Board of Appeals thought it was a good plan.

Donald Smith asked why they did not propose a public road. Dave Dishaw said the county will not accept the road as proposed. They would like to see a second road if it services more than 75 units, or to extend all the way through.

Gary Voogt, township engineer, said this property doesn't lend itself to a grid system with the power line to the west and a two-track to the east. Camelot Estates is blocked off on the end of its roads, so the only way left is to the north. The county has an arbitrary rule if a development has more than 75 houses. Gary Voogt recommends a cul-de-sac at the end of the commercial portion, which they have proposed, so he recommends approval.

Marvin Bennink asked if Greg Ransford had reviewed the plan for Zoning Ordinance compliance in regard to lighting and signage. Mr. Ransford said he is not as worried about those things since this is just the preliminary review. Mr. Bennink is more concerned about the lighting in the commercial portion. Mike Bruggink said each commercial use/lot would need to come to the Planning Commission for Site Plan review; however they should still be consistent.

Daniel Murray is concerned about the traffic on M-45. Dave Dishaw said there will be a boulevard at the beginning of Sessions Drive by M-45 that will help with the flow. Gary Voogt said M-45 is now seven lanes wide, five for traffic and two for bikes, and with the new light by the Meijer store and the new light by 8th Avenue it will be no problem.

Toby Van Ess asked about the length of the driveways. Mr. Dishaw answered they will be 35 feet to the edge of the right-of-way.

Greg Ransford referred to a checklist of items in his review, as follows:

1. A 30-foot buffer between the commercial and residential property must be shown on the plan.
2. Proof must be provided to complete the requirements of Sections 14.03(6) and 14.04(d). (This proof is simply ownership and restrictive covenants.)
3. Compatibility of mixed used must be proven by expert analysis in accordance with Section 14.04(b).
4. In accordance with Section 14.06(b), R-1 zoning must be indicated on the plan for the property located to the south.

Mike Bruggink addressed those items.

1. The new plan indicates a 30' buffer with trees and landscaping.
2. Mr. Bruggink said he handed out the papers showing ownership and covenants. Mr. Ransford said they still need the specific wording required by the Zoning Ordinance.
3. Mr. Bruggink provided a handout to address the mixed uses, which Mr. Ransford said was sufficient.
4. Mr. Bruggink said the zoning is now indicated.

Daniel Murray referred to page 121 of the Zoning Ordinance, regarding the PUD District and maintaining underlying zoning requirements, specifically the setbacks. The Zoning Ordinance does address exceptions in paragraph two, which may be authorized only if there are alternate features or planning mechanisms designed into the project for the purpose of achieving the objectives intended to be accomplished by each of the regulations from which a departure is sought. Mr. Murray said this needs to be addressed. Daniel Murray then asked about the lawsuit settlement. Greg Ransford had spoken with Ron Bultje, township attorney, and if Panda was not constructed on this site, then the zoning was per that ruling, otherwise it would go back to its original zoning.

Toby Van Ess asked about the lift station. Gary Voogt said water-sewer rates are going up drastically, and one reason is that Tallmadge only has about 100 customers, although it is in front of about 200 houses. The only solution is to grow our way out of it. He then referred to the proposed Sanitary Sewer Master Plan. The lift station at 8th Avenue and Leonard can serve the north ½ of

Camelot Estates, which have been under county order since 1991. Gary Voogt recommends a lift station to be placed on the south side of M-45 to service this development, having the developer pay for it, and the township can also use it for the south ½ of Camelot Estates. Panda had put in 30” casing and 10” under M-45 that can be used. The Township Board can negotiate with the developer.

Toby Van Ess said the Zoning Board of Appeals held a Public Hearing for this project in November, and there was no opposition. Several members of the Township Board have met with Jack Rogers, and he has done everything requested so far. Mr. Van Ess is all for it.

Donald Smith asked who would be responsible to turn the road over to the county. Toby Van Ess said they will have to come back to the township when they want to extend the street, and the township will require that then. Marvin Bennink is concerned that if people purchase a condominium, they may not want the street to be public or go through to Leonard. Gary Voogt said if that is the case, then it will be just like it is proposed now. Donald Smith pointed out that in ten or twelve years the road will need to be upgraded. Gary Voogt said he would like the road to be public now. Dave Dishaw again stated that there was resistance from the Ottawa County Road Commission. He said they could try again, or they could work out language in the covenants that the road would have to be upgraded and the owners would be responsible for the costs. Donald Smith said that would suffice as a second choice, however he would prefer the road to be public.

Toby Van Ess asked about their time frame. Dave Dishaw said he could guess, five years would be their goal, possibly seven years, and they will phase the infrastructure. The first phase would likely be the C-2 portion and first section of residential, phase two would be roughly two years later and phase three would be two years after that. They are proposed four or five different elevations with different mixes and matches of colors and construction materials. Greg Ransford said they answered three of his four conditions, however they still need the language or text in the covenants that would meet the requirements in Sections 14.03(6) and 14.04(d). Daniel Murray is concerned about the front yard setback.

Marvin Bennink moved, Donald Smith supported, motion CARRIED to recommend APPROVAL to the Township Board of the preliminary Site Plan with the following conditions: 1. Provide a document addressing alternate features or planning mechanisms designed into the project for the purpose of achieving the objectives intended to be accomplished by each of the regulations from which a departure from the front yard setback is sought. 2. Language or text in the covenants that would meet Sections 14.03(6) and 14.04(d) requirements. 3. Public road; encourage further tries for Sessions Drive to be a public road or put text in the covenants that the road would have to be upgraded and the owners would be responsible for the costs for the road to be turned over to the county. Ayes: Daniel Murray, Toby Van Ess, Dewey Bultsma, Donald Smith, Marvin Bennink and Matthew Fenske. Nays: none.

Greg Ransford said he still needs six additional copies for the Township Board meeting in January.

2. Discussion – Christian Wisser discussion regarding utilities.

Mr. Wisser’s father was present on his behalf and his engineer was present also. The engineer referred to his plan indicating an area with frontage on Lake Michigan Drive for a restaurant with storage buildings behind that and residential further yet to the south. They have an area available for a lift station further downhill on this property to the south. They are looking to come to the Planning Commission next month with a proposal and a possible tradeoff, giving land for lift station.

Daniel Murray went over the plan showing the north section as commercial for a restaurant, south of that proposed as storage units and further south as residential, all accessing off M-45 on the western portion of property.

Greg Ransford said the township is in the process of updating the Master Plan, and is considering Lake Michigan Drive as primarily commercial. Mr. Wisser's father said there are existing trees and a ravine between the proposed storage and residential areas.

Mr. Wisser's father said his goal was for the storage units. He is not counting on selling the back for residential. Marvin Bennink said the storage units would be good for development across the street, however he would prefer them to be placed by the power lines. Toby Van Ess said it is not the Planning Commission's decision whether it is a good idea, just to make sure it meets the criteria of the Zoning Ordinance.

Daniel Murray feels storage units fit better in Industrial for aesthetic reasons. The engineer said the restaurant and power lines would provide screening, and due to the configuration of parcel it is tough to come up with a reasonable use. They intend for the storage to be all inside, even boats and fifth wheels. Dave Dishaw talked to Christian Wisser and is of the understanding that the township is considering commercial zoning 335 – 350' deep, so he is comfortable with Mr. Wisser's proposal since there would be a buffer. Gary Voogt said the township needs to be flexible to allow that lift station on the south side.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Denise Lanting, secretary

