

# MINUTES BIG RAPIDS CHARTER TOWNSHIP PLANNING COMMISSION

Tuesday, June 12, 2018 --- 7:00 p.m.

Big Rapids Township Hall, 14212 Northland Drive, Big Rapids, MI 49307

## I. CALL TO ORDER: 7:00 P.M.

Chairman Phil Keating called the regular meeting of the Big Rapids Charter Township Planning Commission to order at the township hall on Tuesday, June 12, 2018 at 7:00 p.m.

## II. ROLL CALL:

Present: Mary Davis, Gordon Oliver, Mark Sweppenheiser, Amanda Wethington, Philip Keating and Carman Bean are present. The record shows a quorum is present. Zach Cook arrived at 7:20 p.m. Also Present: Zoning Administrator and Recording Secretary, Brent Mason

## III. CONFLICTS OF INTEREST:

Mr. Keating asked if any of the Commission members had known conflicts of interest with any item on the agenda for this meeting. No one indicated that a conflict of interest existed.

## IV. MINUTES:

Mr. Keating asked the Commission to review the minutes of the May 8, 2018 meeting. Mr. Bean made a motion to approve the May 8, 2018 minutes as submitted. Mr. Oliver seconded the motion. There was no further discussion. The motion passed unanimously with six ayes.

## V. PUBLIC COMMENT:

There was no public comment for items not on the agenda.

## VI. CAPITAL IMPROVEMENT PLAN WORKSESSION:

Mr. Keating asked Mr. Mason to present the Capital Improvement Plan for 2019 – 2024. Mr. Mason advised the Planning Commission that the CIP draft has been updated for the upcoming fiscal year, and he wished to explain the 2019 changes and the final ranking system. Mr. Mason did discuss that the Department head and supervisor rankings were converted to the 1 to 5 range, and the Planning Commission ranking worksheet compiles all the data that the Planning Commission members consider and delivers a rank from 1 to 5. The composite ranking is an average of the department head, supervisor and planning commission rankings. These composite rankings are shown in the final draft as the rank for each item. Mr. Mason went through each of the 2019 requests and the rankings for each of those items. The road work requests were ranked at 1, the request for an ATV by the grounds department was ranked at a 2. The 2020 fire engine and all the 2019 general fund item rankings were mentioned. Mr. Mason said that he talked with Kevin Cushway, water plant operator for Big Rapids Township and determined that there should be some changes to the CIP for next year. Mr. Cushway recommends that a pump repair or replacement take place for the well that is currently not operating. Mr.

Mason stated that he will make sure that information for that project is included in the 2020-2025 CIP and that the two pipelines be looked at again for feasibility. Mr. Mason finished his presentation by asking if there was any more information he could provide the Planning Commission. Mr. Bean asked if there was an estimated cost for the pump. Mr. Mason replied that a reasonable guess would be \$30,000 to \$40,000. Mr. Keating asked where the funds for the pump would come from if it needed to be replaced, and Mr. Mason suggested that it would have to come from the general fund, as the water department has no capital fund and is already operating at a deficit. Mr. Bean made a motion to accept the Capital Improvement Plan and forward it to the Board of Trustees. Mr. Oliver supported the motion. The motion passed with 5 ayes and one abstention (Mr. Bean). Mr. Mason asked for permission to continue to streamline the ranking process for future CIP meetings, so they might run even more smoothly than they did for this plan. Everyone was in favor of continuing to simplify the process.

## **VII. OTHER BUSINESS:**

Mr. Keating asked for guidance on filling the time before the scheduled Public Hearings. Mr. Bean asked for permission to discuss a few items with the members. Mr. Keating gave Mr. Bean the floor. Mr. Bean mentioned that the Planning commission has had a lot of turnover in the last few years, and that some of the newer members may not have had sufficient training in what their duties and obligations may be. His first item of concern is Ex-Parte meetings, simply a one-on-one meeting with regard to an item of consideration for the Planning Commission. Ex-Parte meetings are not allowed. Members must not engage in conversations about any items that may be decided on at a PC meeting and must let the other individual know that any information must be presented at a PC meeting or in a Public Hearing so that all members have had the same information presented to them. Mr. Bean mentioned that Mr. Keating had conversations with Mr. Bailey, realtors, an appraiser and an attorney before the meeting to decide on a SUP request. Mr. Keating shared all his information with the members, but since the other parties were not present, they could not be questioned by the other members. Mr. Keating and Mr. Bean have already discussed this concern. Mrs. Davis asked if that includes fact-finding. Mr. Bean stated that a second party cannot be solicited for information. He was not certain if they could be invited to the meeting for the purpose of sharing information with the commission. Mr. Keating wondered how the Planning Commission is supposed to obtain objective professional information to assist in the consideration of a project or other land use permit. Mr. Bean did state that when a public hearing is closed, no new information is supposed to be disseminated. Mr. Keating asked if the Public Hearing could be continued at another meeting. Mr. Bean said he wasn't sure, and he would have to look up the requirements for a Public Hearing but didn't know of any reason why it could not be continued. Mr. Bean did suggest that additional Citizen Planner training would be useful for the PC members, and that he has been looking into setting up some training for our PC and also others in the area if interested. As far as a public hearing is concerned, the members have to get information at the same time. Another item Mr. Bean brought up was a concern about the minutes of the meetings and making sure they are prepared in compliance with the Michigan Open Meetings Act. Mr. Bean said the minutes for the public hearing were not available at the next meeting. The unapproved minutes of a meeting need to be available eight business days after the meeting. Once minutes are approved, they need to be available 5 days after the approval. Mr. Bean said these are things we are going to have to deal with. Mr. Bean said he did have a two-page summary about Ex-Parte meetings he downloaded

from the MTA and would like to share with the members. Mr. Keating asked if any of the PC members had any questions. No one indicated that they had a question.

Mr. Bean had one other item to discuss. He would like to suggest that communications towers be required to be sited on parcels that are at least 10 acres in size. He believes that a two or three-acre parcel is just too small. Mr. Bean mentioned to the audience that we don't currently have a minimum parcel size for communication towers, only setback requirements to provide protection in case the tower falls. He is proposing an additional requirement that communication towers cannot be placed on a parcel which is less than 10 acres in size. Mr. Keating asked for comments or questions. Mr. Keating asked Mr. Mason to bring other examples of zoning ordinance language for communications towers to the next meeting for the Planning Commission to review. Mr. Mason said that there are lots of different examples of language for communications towers and mentioned that the Planning Commission might want to consider an overlay zone for towers and certain other "utility" uses instead of specifying them in just certain zoning districts. Mr. Bean went on to say that the decision has been made and he wants to stay out of it, but he is worried about how another decision of this type might affect the next person. Mr. Bean just wants the members to consider this issue. Mr. Keating asked that it be placed on the agenda for the next month. That will give people a chance to review the tower zoning language and have some sample ordinances to look at. Mr. Keating asked if there were any other comments or questions. The Planning Commissioners did not indicate that they had any comments.

#### **VIII. PUBLIC HEARING FOR THE CAPITAL IMPROVEMENT PLAN:**

Mr. Keating opened the Public Hearing for the Capital Improvement Plan at 7:22 p.m. Mr. Keating asked if any members of the Public had any comments on the Capital Improvement Plan. Mary Luchies of 14196 – 205<sup>th</sup> Avenue, BR stated that she had a question about the statement in the plan that suggests the plan has already been approved. She wanted to know if the public comments were used in the review of the items being considered. Mr. Keating indicated that they were. She read the highlighted line in the Plan that said, "The Planning Commission held a public hearing on June 12, 2018 and unanimously recommended that the Board of Trustees adopt the 2019 – 2024 Capital Improvement Plan. The Township Board of Trustees adopted the Capital Improvement Plan on July 3, 2018. It is on the website. Mr. Mason affirmed that the language is on the website that way. Mrs. Luchies stated the language suggests it is already recommended and adopted, which makes her feel uncomfortable. She asked if they were really taking in the public comments before they vote, because it is published that they have already voted and recommended the plan, and that it is then adopted next month. Mr. Keating agreed that was a good point and thanked her for bringing it to the Commission's attention. Mr. Keating said that we should change that language until it has actually taken place. Mr. Bean agreed. Mr. Mason apologized and said that he would remove those lines until they actually occur for any future plan. Supervisor Stanek mentioned that it was difficult to hear in the far end of the building and requested that everyone speak up. Mr. Keating wondered if we should relocate to the Fire Hall, and Mr. Stanek stated that there were less chairs down there and that it would be just as difficult to hear. Someone asked if people could fill in the back of the main room and Mr. Keating said that they could. Mr. Keating asked if anyone else had any comments about the Capital Improvement Plan. Mary Beth St. Onge Beamer had a question about whether this was a regular occurrence or a fluke thing, putting dates in documents for things that

haven't happened. Mr. Mason advised that this particular document was done this way only as a prompt to make sure to edit them later, and that he got ahead of himself. He stated that he will remove that language completely. Mr. Keating asked if there are any other comments. No one indicated that they had more to say on the Capital Improvement Plan, so he closed the Public Hearing at 7:30p.m.

#### **VIII. PUBLIC HEARING FOR THE ZONING ORDINANCE AMENDMENT, ZOA 18-001:**

Mr. Keating opened the Public Hearing for ZOA 18-001, an application from Rick A. Lyons of 4843 Pierce Street, Suite A, Allendale, MI, to rezone property owned by Gordon C. Gilbert and Pamela Gilbert of 13601 Seneca Drive, BR. The request pertains to property ID# 54 05 022 013 300 and 54 05 022 015 200 to rezone from A-Residential to Commercial for the purpose of building and operating multifamily dwellings. Mr. Lyons indicates that he does have a purchase agreement for the property. Mr. Keating asked if there needed to be any more identification of the property in question, and Mr. Mason responded no. Mr. Keating gave a summary of the request to rezone a piece of property from A-Residential to Commercial. Mr. Keating acknowledged that there were a lot of people here for this hearing and he requested that everyone speak up so that they could all be heard. He ran down an outline of how the meeting would go. First, all written correspondence or pertinent data will be read into the record. Next will be any reports from governmental entities or organizations. Verbal comments will be made starting with the applicant, then any others in favor of the request, followed by any people opposed to the request. Because there are several people that want to talk, Mr. Keating asked that everyone keep their comments brief, about three minutes in length. He asked that everyone identify themselves and give their address. He also requested that if their comment is the same as one that has been made, that they simply identify themselves and state that they are in agreement with the comment of "John Doe," so that we don't take up a lot of time with repetitious comments. Once everyone has had an opportunity to be heard, the public hearing will be closed and the Planning Commission members will deliberate and review the request, hopefully culminating with a decision to make a recommendation to the Board of Trustees.

Mr. Keating invited Mr. Lyons to begin with his presentation. Mr. Lyons deferred his statement to his attorney, Mr. Kevin Huss of 380 West Western Avenue, Muskegon, MI. Mr. Huss began with the 2015 Master Plan as it relates to this request. The vision for 2035 includes a suburban character in the area between US 131 and the city, with a variety of medium and high-density housing types to serve the needs of the residents, who will include an increasing number of people commuting to employment in the Grand Rapids metropolitan area. Through this increased interest in condominium type housing, the growth in student apartment living that has been supported through effective planning and zoning. Prudent land use has been instrumental in maintaining open space within the township, with the land west of US131, many areas east of the Muskegon River, and areas to the south and northeast directed at residential and agricultural uses. It is important to notice that within that Master Plan there is a strong focus on the growing need for student housing and that is the plan that has been submitted here tonight. The request is to change the zoning of this property with the pretext of a conceptual housing plan that you can see here before you tonight, of multifamily housing for potential students or others in the community that desire to live in that type of facility. It is important to note that Mr. Lyons is in fact purchasing this property. He has a purchase agreement that has not been closed yet, but he has significant experience in managing

these types of properties in the past. He has managed several properties in the Big Rapids area in the past and currently works in the Allendale area and has a successful track record of maintaining and managing excellent facilities of the highest quality. This proposal consists of possibly 197 units of mixed types. One point I think is extremely important is that the entrance to this project is not from the north, but through the existing student housing project to the east, by way of Gilbert Drive. There will not be any access from the north or the west. The property is more than 29 acres in size, and the western edge of the property, as you can see on the conceptual site plan, will maintain many of the natural features that are already there, providing a buffer between this proposal and the existing properties to the west. This proposal would take a parcel of land that is currently zoned as residential and change the zoning to commercial. As I mentioned, this is in line with the Township's master plan, but it is important to note that this would also have a significant impact on the tax base for the township. It would change from homesteaded residential to a commercial basis. This development is different than the vast majority of other student housing or multifamily housing that is available in the area. Mr. Lyons believes in using an onsite security company to maintain security and keep the noise and activity that are associated with student housing in check. This type of development, if approved, is attractive to students who desire a quiet, clean, new place to live. The question will come up about whether there is a market to support this, and quite frankly, we are going through the process to evaluate that, but we believe that, at this point, a market does exist for this project. We do not believe that this would oversaturate the market, although we don't have data to support that yet. We believe that the buffer area that is proposed is sufficient to maintain the character of the properties to the west. The proposed development would impact pasture areas of the current property while the impact to wildlife, trees and the like would be minimal. There is a drain that runs through the property that will obviously have to be maintained. We believe that this project conforms really well with the Township's Master Plan vision of what the Township will look like in 2035. We believe that the request is reasonable and that the impact of this request on the tax base is a big win for the township, and we ask that you strongly consider approving this request. Mr. Hull offered to answer questions later so as to not take up too much time during the public hearing.

Mr. Keating asked if there was anyone present that would like to speak in favor of rezoning the property from A-Residential to commercial. Mr. Keating requested that he would like to hear their comments at this time. No one else indicated that they wanted to speak in favor of the project. Mr. Keating said that he would now hear from those opposed to the rezoning request.

Van Fox, representing Campus Creek Apartments, here along with his business partner Al Johns, mentioned that he has a bias as he is the adjoining property owner. Mr. Fox does not share the same view of the proposed site plan as Mr. Lyons. They have invested millions of dollars in their aesthetically pleasing property and developed the property in accordance with the existing Master Plan and Zoning. His concern is that the proposal is not in adherence with the master plan in that it is requesting a change to the zoning of the property that adjoins his property, that they planned specifically to adjoin when they developed their parcel. He is concerned that the proposed project might change the character of the area and not take into account the existing character of his investment. He doesn't feel that the proposal meets the same criteria that Campus Creek developed. He continued saying that he just doesn't feel this property should be

changed from single family to commercial when they developed their project with the understanding that this property was A-Residential, and that this type of a project does not fit there.

Dr. Margret S. Gingrich, 20480 Arthur Road, BR. Started by saying that she did not receive any notification that this was going on. She read it on the internet, and that was a concern for her. This is a quiet neighborhood and she is already concerned about the traffic in the area. It takes her 15 minutes to get from her home to her office near Subway in Big Rapids. She has heard that this project will have access to 205<sup>th</sup> Avenue. With the additional traffic, are there plans to widen the roads? She stated that she has seen plain stupidity with the students driving. She is very concerned about the traffic congestion that already exists before this project even is taken into account. She thanked the Commission for listening.

Mitchell & Kristi Barron, 20460 Mulberry Lane, BR. Moved to the area because they wanted a quiet neighborhood. 205<sup>th</sup> Avenue is busy as it is because it provides a cutoff to get to Ferris and the Perry Avenue shopping area. He feels that many people are concerned about traffic and the condition of 205<sup>th</sup> Avenue and 15 Mile Road by the High School. Then he mentioned the Master Plan. He wanted to know when the plan was last dated. Mr. Keating said that it was last written in 2015. Mr. Barron asked how it was decided to pursue more student housing, and Mr. Keating replied that the applicant requested the rezoning. Mr. Barron asked why the Master Plan suggested the change in student housing, and Mr. Bean replied that the Master Plan review was based on a vision for several decades into the future. Mr. Barron replied that his questions were answered.

Mary Luchies, 14196 - 205<sup>th</sup> Avenue, BR stated that she has met with several concerned citizens from the neighborhood near the proposed rezoning, and many people have requested that she speak for them. She brought a few visual aids because she thinks that they may help everyone stay focused on what they are talking about. We are here to talk about rezoning 2 parcels from A-Residential to Commercial. We are not here to pick a fight. We are not anti-student or anti-development. We are just Big Rapids township residents that want to talk about where we are. She mentioned that Big Rapids Township has a Planning Commission, which is meeting tonight, and a Board of Trustees which the residents elect to run the township. The Board appoints the Planning Commission members to make certain decisions for the township. The Planning Commission is tasked with making a recommendation to approve or deny the proposed zoning request to the Board of Trustees, who make the decision to rezone or not. The board may follow the recommendation or not. Before the recommendation is made, you take in all kinds of information including the concerns, interests and conversations from the public present at the Public Hearing. She mentioned the rural character, and that is a key element that the residents are concerned about. She and her husband moved from the City of Big Rapids in 1996 because they like the rural atmosphere. People are still buying in the area because they like the setting. The rural character is still bringing in people. We are not opposed to short term people moving into the area, but we are interested in the need for changing the zoning of this particular parcel to commercial. We want to have a better understanding of "why there?" in what appears to be kind of a land locked area with one access. Do we need another development?

Ryan Werner of 20222 Glenwood Drive, BR took the floor to share some data. He feels that he may be the most affected by decreased property value if this proposal were to be developed. He got information from the Ferris fact book that shows the total enrollment for Ferris has gone down 1,500 students over the past three years. The proposed enrollment for 2018 is 13,229 students. In 2015 it was 14,715. He said the percentage of on-campus students hovers right around 70% and the rest is dual enrollment, online, Kendall and other off-site campuses. The on-campus numbers have been pretty consistent. The proposed number of commuters for 2018 is 6,204, with approximately 3,200 needing housing. Currently there are 3,100 beds available in the existing apartment complexes, not including single rooms for rent or individually owned apartments and students who choose to cohabitate (share a bed). He mentioned that some of the existing apartment complexes have site plans that allow for expansion but they are not expanding because there is no need for additional beds. He said that there are some apartment complexes at 52% occupancy. There seems to be enough apartments in the area for the number of students that need rooms.

Mary Luchies spoke on behalf of Geri Hannah, 14150 - 205<sup>th</sup> Avenue. An important consideration is that we maintain our community, and whether the developer has our best interest at heart. Dick & Geri got a letter the same day they got the notice for this meeting. The Letter is from the Woodward Land Company in Bloomfield Twp., MI offering to purchase their 4.58-acre parcel for a cash offer of \$4,503. Currently there are approximately 800 beds that use Gilbert drive as their access point. The proposed project would bring that number up to 1,600. This parcel could provide access to 205<sup>th</sup> Avenue from the properties for rezoning consideration. It may just be a coincidence but it is an interesting one. Dick & Geri Hannah have lived on their property for over 50 years. Dick wasn't able to attend the meeting tonight because of his declining health. They are enjoying their rural property in their retirement years. Are there unintended consequences if we go forward with this request? No one knows for sure. She is also concerned that the property may have wetlands and wondered if the DEQ has reviewed the plan.

Jim Williams, 14695 Campus View Court. He opposes this zoning change. He asked if there has been a traffic impact survey done for the project, either on Northland Drive or on 205<sup>th</sup> if that were ever to happen. He mentioned that the condition of 205<sup>th</sup> Avenue would be a concern if more traffic uses that road. What impact will there be regarding traffic enforcement. What about wetlands, the drain basin, air quality, impact on wildlife, birds, mammals and their habitat. The habitat is a major concern. He wondered if the Mecosta County Drain Commission has been notified of this proposal, as all of the neighbors were just notified of a project with the Tonkin Drain. He is concerned about the storm water plan for this project, and where that water is going to go. He mentioned wetlands and the possible need for mitigated space somewhere else if required by the DEQ.

Mary Luchies returned to the Master Plan and the future land use goals as stated in the 2015 Master Plan. Preserve the Muskegon River and other Township lakes, rivers and streams as a resource for recreation and enjoyment. This is not really applicable here. Land Use and Township Character. That is important. Maintain the rural pace and comfort of a rural lifestyle for township residents. Residential Growth and Development.

Provide for orderly residential growth within the township that provides value and variety in housing while maintaining environmental quality. She thinks that is kind of where we are asking questions. Commercial and Industrial Growth and Development: Promote the area's primary commercial and industrial centers, while avoiding unnecessary sprawl into rural township locations. We love our commercial areas and I think there is an appropriate place for that growth. Public Services and Infrastructure: We have some concerns related to this. Do we have public services available for a possible 1,600 bed, one access, facility? We don't know. The Public service infrastructure under our Master plan says that we will provide appropriate services and infrastructure to existing and planned development without unnecessary and costly extensions. There is a lot to consider there. Quality of Life: Promote a high quality of life in Big Rapids Township through planning and zoning with healthy, balanced and appropriate land uses. We are not opposed to development. If the Gilberts wanted to sell this property to a developer that wanted to bring in a little subdivision, we would be supportive and loving neighbors. We are not saying we oppose development. What we are saying is we oppose the rezoning of this particular area from its current zoning, and it doesn't fit with the Master Plan and the Future Land Use/Land Cover Map. She was asked to give the names of all the neighbors she was representing, and it was agreed that the names would be written down and attached to the minutes. She had just one last question. After this, the Planning Commission makes a recommendation, and the request goes to the Board of Trustees for a vote. We don't get notified of that, do we? We were notified of the Public Hearing if we lived near enough. Mr. Mason advised the distance is 300 feet. After the decision is made, does it go on the public website? How do we find out? Mr. Mason said that would be in the minutes of the Board of Trustees meeting. Mrs. Luchies acknowledged that information. Mr. Keating advised that the Board of Trustees meeting is open to the public. Mrs. Luchies stated that she was aware of that. She asked if the board decides at that meeting that they are going to approve that zoning change, the citizens have seven days to file a written letter saying that they intend to petition that decision. After that they have 30 days to gather signatures from 20% of the township voters who voted in the last election for governor. She is not clear on the next step. If they collect that number of signatures, it either gets put on the ballot for a vote at the next general election or the Board of Trustees has to have a 4/5<sup>th</sup>'s majority vote. She is not sure which way it goes and will need to contact the Board of Trustees to get clarification on that issue. She said different townships have different requirements for that situation. Mr. Bean asked if she had a statute number so the board could look it up. Mrs. Luchies said she would email that information. She thanked the Commission members for listening to her concerns and her voice that spoke for many.

Mitchell Barron of 20460 Mulberry Lane said they recently built their house and mentioned how they had to make changes in their site to accommodate the high water table. The Health Department said that the site was very difficult to build on. They had to bring in a lot of sand to raise the site so they could build. He is concerned how the roads would handle the construction traffic because of the wet soil. Kristi Barron requested to add a comment about having a dream of moving their kids into a neighborhood closer to town but with a rural feel. As she sees the neighborhood, there are either families with younger children or older folks who have lived here for a long time. Neither group wants to live right next to college housing with the noise and other associated problems. Ferris enrollment is down and we don't need more housing for students. They are not filling the dorms or the current apartments so it just isn't necessary. She has heard that the

property just north of her home is owned by Ferris but that they can't build on it because it is protected wetlands, and that is only a short distance from this proposed property. She just doesn't think it is necessary.

Brian Balch, 20650 Edgewood Drive, BR. He mentioned that there is a lot of pedestrian (walking and running) traffic and also a lot of wildlife (deer and turkeys). He is concerned about the loss of habitat for the wildlife and the encroachment of the animals into the urban setting is very under-researched. He has heard from Ferris professors that enrollment is down. Housing doesn't bring student to a school, programs do. It doesn't make sense to build more housing when enrollment is declining.

Sandy Burns, 14145 – 205<sup>th</sup> Avenue, BR. She is a Ferris Faculty member and she wants to mention that she is being told at the university level that enrollment is down, and the growth that has happened has been online and in Grand Rapids and with commuters. Therefore, she doesn't think we need more student housing. She is concerned about traffic increasing on 205<sup>th</sup> Avenue. There have been traffic deaths on that road because of drag racing. We don't need that extra traffic. She hopes everyone thinks of that as their residential area.

Lenny Vaughn, 14720 – 205<sup>th</sup> Avenue, BR. He has lived there for 19 years and has a 4 and an 8-year-old. The Zoning changes have already affected the traffic on 205<sup>th</sup>. It used to be a rural road and has been repaved twice since he lived there. The road isn't capable of supporting anymore traffic. There is a 45 MPH speed zone in place. This development will only increase traffic because people use 205<sup>th</sup> as a bypass for the city since it is so congested.

Ron Cobb, 20570 Edgewood, BR. He built his house 16 years ago in the rural community. He loves that rural community and is completely against this project.

MaryBeth St. Onge Beamer, 20421 Mulberry Lane, BR. This isn't supposed to be emotional. No one in the community wants college kids living next to them. But that is not the reason she is opposed. She would be supportive if she thought it would be good for the area. She doesn't think it is needed and this is not a good area for this type of development because of the roads and traffic. It just isn't compatible with the area. The numbers are down. She thinks it is not good for the community. She thinks that the needs of the present citizens who support this community should be considered.

Mr. Keating stated that he wants everybody who wants to speak to have a chance, but the Commission has heard about roads, traffic, rural community, environmental considerations and buffer. He asked if there was anyone who had something new to bring to the Commission members.

Iggy Konrad, 20670 Edgewood Drive, BR. Two weeks ago the Drain Commissioner had a meeting about the Tonkin Drain having to be redone because it can't handle the run-off. With this much additional hard-scape in that area, what is the run-off going to be and are we going to be looking at another five to seven years down the road, having the county come back and hit everyone again with a fee because the Tonkin Drain cannot handle that much run-off. Many people downstream get flooded often, and he is concerned that the cost for any other improvements will continue to go up.

Riley Johnson, Oakwood Apartments, 19700 – 14 Mile Road, BR. She came from a large city, and what brought her to the south end of town was the community. She has run into a lot of the residents who have homes out here. It is very nice to come to a small community and feels that more apartments would only destroy the community feel of the area. She said that currently there are many options for college students to live in, such as dorms, rental homes and multiple different apartments in the area. She wondered where they got the information that an apartment complex was needed. She feels like there is a large number of college students that don't want to irritate the residents in the area. She stays all summer and she doesn't want to see hard feelings between the full-time residents and students. She also cares about the environment.

Dick Burns, 14145 – 205<sup>th</sup> Avenue, BR. Wants clarification about the 2015 Master Plan being a carry over of the 2010 Master Plan regarding the area in question between 205<sup>th</sup> and Northland Drive south of town. Someone mentioned that the area had not been changed. He said not to worry because the only access would be east bound on Gilbert. There will be no north bound or south bound access but nothing was said about west bound. The Hannah property purchase offer is concerning. He asked if any traffic or environmental survey have been done. He mentioned due diligence and unintended consequences. His question to the Commission is are they ready to pull the trigger on this project. As to unintended consequences, if there is 1,600 people going out Gilbert an average of 3 time a day, which he thinks is typical, and they return, you're talking about 10,000 events a day, the majority of them turning left onto Northland Drive going northbound with a speed limit of 55 MPH. What happens if somebody gets killed out there. Can there be a traffic light? Will there be a road to the west put in by eminent domain? Mr. Keating interjected that this is speculation, and Mr. Burns agreed. But no one can guarantee that it couldn't happen. If we create a problem by approving this today, do we have unintended consequences that have to be remedied with another problem like 205<sup>th</sup> Avenue.

Kevin Tucci, owns 20420 Thornapple Drive, BR. Also runs Peak Properties. His concern is not about growth. He feels if someone wants to invest in our town or community, that is their privilege to do so. He wonders if there is another location that is already zoned correctly for this project. We have to ask ourselves why we are changing something that may already exist someplace else. To him, that is the only thing that needs to be looked at, because if a place for this project already exists, they can be where it is already zoned correctly. As a property manager, if they want to come in here and they want to compete with the existing businesses, that is their right, but they need to use property that is already zoned for the use.

Margaret S. Gingrich for her mother, Margaret A. Gingrich, 14757 – 205<sup>th</sup> Avenue, BR. She has been there 38 years. Back in the early 2000s she and her father were looking at this very property as a place to build a dental office and asked the Supervisor, Maxine McClelland, about rezoning that property to commercial. They were told to not even try because it was zoned residential. Now there is a proposal to rezone the property. She also mentioned about the fatal accident on 205<sup>th</sup> and that her parents were concerned about her safety while she was growing up some 30 years ago.

Alan Johns, Owner of Campus Creek Apartments. He brought up the issue that if the property is rezoned, any approved commercial district use could potentially go in there. Retail, restaurant, grocery store, big box store, gas station, adult use, massage parlor, you name it, it could go in there. That might happen when they start doing there due diligence and look at demand and start looking at that site. We ran into problems at our site with a lot of wetland issues to overcome, and we had to revamp our whole site plan to work around the wetlands. The other concern is the provision of utilities and that the DEQ will require that the water system be looped back to another main somewhere. He doesn't know where that could happen because there is no water on 205<sup>th</sup> avenue, and they would have to loop it up through his property. He won't give them an easement. We got site plan approval for our 132 apartments, which are four-bedroom units. That is a lot of bedrooms. Our first phase was 66 units, and they were finished last year. We filled those up, and we waited until December to start the next 26 apartment units. The market changed, and now there is some push back on occupancy of the units. Vacancy rates are starting to rise a little bit in the township and in the city. Campus Creek is full and is going to be full so we are not too worried, but I am worried for everybody else. We have already heard that enrollment levels are going down on campus, so we are keeping that in mind too. We could build more units, but we most likely are not going to at this time because we want to try and be a good neighbor too. We don't want to empty out everybody else in the area. He is sure there are people that have invested their life savings into rental housing, and he doesn't want to hurt them just so he can make a buck. That is not what we are here for. We want to be a good neighbor and we are cognizant of the fact that vacancy levels are starting to creep up, so we believe that we are going to start slowing down on our development. He doesn't see any more building for them right now, even though he has the land and the money to do it, but he doesn't know if it is the wise thing to do. He is concerned that once they start doing their due diligence, if this property is rezoned, and they don't build a multifamily development, what might go in there then. He said there could be a strip mall, a home depot project come in there. If you think multifamily is bad, let's get a gas station or something like that in there, too. Not that it will, but it could because it is allowed by right in the commercial zone. He thanked the Commission for listening.

Kristi Barron asked what this might do to property values. What does the rental property do to the neighboring property values? If a gas station comes in, that could cause the value to fall even more. She wasn't sure how this would be beneficial to the township, but another person mentioned that the township would stand to gain a lot of revenue because the taxes on this large of a project would be a huge amount to the county, the school and the township. The population would likely go up, but the actual number in the area would likely stay flat, they would just relocate.

Sonny Metoki, for his family at 20425 Thornapple Drive, BR. He currently serves as housing academic staff at another institution, so he does have some experience with this type of information. Enrollment is down. Ferris has a very low retention rate of about 20% or more leaving Ferris after the first year, which cuts into the big population. Ferris is currently expanding their housing department in an effort to keep students on campus and to keep revenue in the university. So creating a student housing project in an area that is not affiliated with Ferris is taking money away from Ferris and the students, and that can potentially hurt the students and the university, as well as the community. No one wants this type of project near their home, because it can cause disturbances for the

people that live here, especially the families and the older residents. We are also not sure about the viability of this project because they don't have any market research, which is a little bit troubling. Why would they want to invest that much only to have it half occupied? How viable will this be for the community. He also serves as an on call responder for the institution he works for, and while having an onsite security presence is good for responding to issues, it by no means prevents them, so there will still be the same nuisance activities such as drugs, alcohol, theft, parties and noise that they are claiming to control. In my personal opinion, this is not particularly productive for our community.

Mr. Keating asked if there were any other comments that they haven't heard. Mr. Hull asked to make a comment. He advised that the letter referencing access to 205<sup>th</sup> Avenue is in no way related to his client, Mr. Lyons.

Mr. Keating started to close the public comment period. Mr. Mason advised that he would like to mention the letters that he received on the issue.

Sharon Walt of 20476 Glenwood Drive wrote a letter dated June 6, 2018 that references mostly the same information. She states that there is no proven need for further student housing in the Big Rapids area. She has a quote from FSU President Eisler stating that enrollment is decreasing. The current student population will almost always move to the newest developments, leaving multiple vacancies in the older housing facilities. She has enjoyed living in Big Rapids Township with its close proximity to town and its quiet location. High density student housing would adversely affect our peaceful neighborhood. She is concerned about buffering to protect the families and residents of the neighborhood that she lives in. She included an attachment that the members of the Planning Commission have received.

Another letter dated June 11, that Mr. Mason received today, so the PC members have only gotten it tonight.

Mr. Mason and the Big Rapids Township Planning Commission, I am submitting this letter to oppose ZOA18-001, the request to change two contiguous parcels from A-residential to Commercial for the construction of multiple family student housing. My parents, Jim and Emma Wink, built their first house on Edgewood in 1967. They selected the lot because, having lived in town and both growing up in metropolitan Detroit, they wanted their family to experience life in the country, continuing with the amenities there. My parents loved Edgewood so much that after their kids had gone off to college, they built a smaller home two lots north of their first home. My mother is 95 and still living in the home that they built in 1976. She expresses her gratitude daily for the natural beauty and the wildlife she is surrounded by. She feels extremely fortunate. If you interviewed other neighbors in the vicinity they would no doubt tell you the same thing. She goes on to make a list of concerns: unnecessary destruction of the extensive, irreplaceable natural habitat, noise, nuisance and traffic, lack of buffer between new commercial properties and established residential homes, diminishment of property values and not enough demand or student enrollment to sustain such a massive development. I implore the Planning Commission to oppose this request to stop unnecessary commercial encroachment from Northland across 205<sup>th</sup> Avenue. Signed, Susan Wink

Mr. Stanek received an email from Julie Tetsworth, and she makes a couple of points. Ferris enrollment has declined, and it will probably continue to do so as more classes will be offered online nationwide and worldwide. Ferris has recently completed brand new housing facilities for students. We believe there is more than adequate student housing now. Growing populations of seniors are looking for maintenance free townhouses or condos. The older population is rapidly growing in our area. We do not have enough housing of this type to keep up with the demand. Many of us are sadly being forced out of the area we love, and are having to move to another city simply because we don't have that availability. Please consider this growing need rather than approving unneeded excess student housing.

Jamie Smith, 20476 Glenwood Drive, BR. She thinks Sharon made a very good point. It sounds like we are relocating students, and that is a very good point. The students seem to fit in our community very well where they are at, and to bring them out from where they fit, isn't that going to create a bunch of empty houses and apartments in town and elsewhere in the area. If you look at cities with huge empty apartment complexes, I can't imagine that is going to do our area any good.

Riley Johnson mentioned that when she moved to her apartment, it was the place to go, and it is starting to die down now. She has nothing against Campus Creek, but she is just stating that there are places for students to go. She loves her apartment, and if they could push the community aspect, then the existing apartments should be able to handle the need without building in areas that could be developed for single family homes.

Hearing no further public comment, Mr. Keating closed the public hearing at 8:55 p.m. He thanked those in attendance for their input, opinions and concerns. The Planning Commission will now take this information and consider whether they will recommend to the Township Board of Trustees to approve or deny the request that there be a change in the zoning. He told the audience that if they wish to stay, they are welcome to, but this will be the Planning Commission's part of the meeting, so there will not be any more public comment. The PC took a brief recess at 8:57p.m

Mr. Keating called the Planning commission back to order at 9:01 p.m. The Planning Commission will undertake the consideration of whether the Gilbert Parcels should be rezoned from A-Residential (single family residential) to Commercial. He requested comments or questions from the members.

Mr. Bean began by referencing the current zoning map and the future land use map. The future use map does not provide for this to be considered as commercial parcel. It is currently A-residential and there are no plans in the future use maps for any changes to this parcel. There were some very good points made. Mr. Bean believes that the Master Plan guides the decision making process. He believes we have a duty to maintain the rural pace and the comfort of a rural lifestyle for the township residents. He thinks this proposal, in no way, shape or form, does that. He thinks it does not provide for orderly residential growth. He thinks it does not promote commercial land and industrial centers and growth while avoiding unnecessary sprawl into rural township locations. He is a little concerned about the infrastructure that would be required, and he also believes that it doesn't promote a high quality of life consistent with our Master Plan and our zoning. There are 41 uses listed for commercial zoned property. That does not include those

items which are allowed by special use permit. I think that is lot of liability on our part and that may put the citizens and the taxpayers in that area in a manner of living that they find unacceptable. Quite frankly, I do too.

Mrs. Davis asked Mr. Huss if the sale of this property is contingent on the rezoning. Mr. Huss answered that it is. Mrs. Davis wondered if they were going to consider putting something else there if the rezoning didn't take place, and Mr. Huss reiterated that the sale is contingent on the rezoning. Mrs. Davis mentioned that she agreed with Mr. Bean, that it is not consistent with our Master Plan. She mentioned that the setback on the north property line of 20 feet to an adjoining residential property. She doesn't know anybody that would want that in the rural setting.

Mrs. Wethington thought that Gilbert Drive was a huge concern. She mentioned that at our January meeting, Mr. Bean had expressed concern about getting a traffic light there. She can only imagine another 10,000 cars attempting to go north every day. She stated that she lives on 14 Mile Road, and to get out onto Northland Drive in the morning with all the students going to school is crazy enough, and it would be even crazier to try and avoid everyone trying to come out from Gilbert Drive in the morning on the way to school. We would have to have a light there.

Mr. Bean advised that would be up to MDOT, not us. They would have to do their study. He finds it to be disruptive to the entire area.

Mrs. Davis said she lives south of town on 12 Mile Road and coming into town on Northland Drive she is always very careful going by Gilbert, only because a lot of those students are inexperienced drivers pulling into the center turn lane waiting for an opening to pull into northbound traffic. It is crazy. She never goes the speed limit past that road already.

Mr. Bean mentioned that he doesn't want any of the residents to get upset with him, but he turns on to Arthur and goes up 205<sup>th</sup>. Mrs. Davis acknowledged that she does the same thing.

Mr. Sweppenheiser contacted Mr. Mason today because our zoning ordinance doesn't seem to have any regulations or requirements for rezoning. The whole zoning ordinance is silent on the issue of rezoning. Mr. Mason looked up a list of considerations from a Township Planning and Zoning Decision Making Handbook items A through F. A is consistency with the goals, policies and future land use map of the Master Plan. If conditions have changed since the Master Plan was adopted, the consistency with the recent development pattern in the area should be evaluated. He doesn't believe it meets criteria A, or C, the compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses in terms of suitability, land, impacts on the environment, density, nature of the use, traffic impacts, aesthetics and structure, and potential influence on neighboring property values. It says when making a recommendation on any petition for an amendment to the official zoning map, the Planning Commission must, and the Township Board may, consider these following criteria, which is A through F. Mr. Sweppenheiser does not believe they meet A or C, and he could argue B and D also.

Mr. Keating asked if there were any other comments. Hearing none, he asked if anyone would make a motion.

Mr. Sweppenheiser moved to recommend denial of the rezoning request ZOA18-001. Mr. Bean supported the motion. Mr. Keating asked if there were any questions. Hearing none, Mr. Keating asked for a roll call vote.

Mr. Bean	Abstained
Mr. Cook	Yes
Mrs. Davis	Yes
Mr. Oliver	Yes
Mr. Sweppenheiser	Yes
Mrs. Wethington	Yes
Mr. Keating	Yes

The motion passes with 6 ayes and 1 abstention.

Mr. Sweppenheiser asked on behalf of the audience, when the decision will go before the Board of Trustees. Mr. Mason replied that the decision will take place at the next regular meeting of the board on July 3, 2018 at 7:00 p.m. A member of the audience asked if there would be more public hearing at that time. Mr. Mason replied that they have the option of holding another public hearing if they choose to, but there is no requirement for them to have another public hearing. Mr. Stanek spoke up and said that there will not be a public hearing at the Board meeting. The Planning Commission members thanked the audience member for their participation. The vast majority of the audience left the room.

## **IX. SITE PLAN REVIEW FOR DESHANO DEVELOPMENT – BIG RAPIDS ASSISTED LIVING**

Mr. Keating began the discussion of the site plan review for the Big Rapids Assisted Living project on 16 Mile Road by asking if the Developer had received the engineering review from Progressive AE. Mr. Mason stated that a copy of the report had been forwarded to them. Mr. Keating asked if they had made any response to the review. Mr. Mason replied that he was not aware of any. Mr. Bean requested clarification on whether the plan has been reviewed by our engineer, and Mr. Mason advised that Mr. Oezer has reviewed the site plan. Mr. Keating stated that he did not see any reason to not follow Progressive AE's recommendations. Mr. Keating continued by saying that our approval of the site plan would be based on the developer following the recommendations made by Progressive AE. Mrs. Wethington requested to see the parcel in question so she can get an idea where it is located. Mr. Mason brought the GIS aerial view up on the screen. He identified Ryan's Creek Apartments Phase I and Phase II and the area where the proposed Assisted/Nursing/Independent living center would be located. Mrs. Wethington asked for clarification about exactly what level of care they would be providing, and Mr. Mason replied that he wasn't sure, but thought it could be similar to The Brook or Evergreen Terrace, with independent and assisted living areas, and possibly nursing home level care as well. The project will start out with the first phase of 20 beds, and possibly expand to 3 phases, for a total of approximately 60 beds. Mr. Bean said there definitely is a need for it, his mom was on a waiting list for a facility. The Property is zoned commercial.

Mr. Sweppenheiser asked if the other development was on a PILOT, and Mr. Stanek stated that they have come to the Board to renew the PILOT on the Phase I part of the apartment complex. They are asking for 20 years, and the Board is going to consider some action at the next meeting. Phase II does not have a PILOT.

Mr. Sweppenheiser thinks this proposed project is a big need in the community. Mr. Bean agreed.

Mrs. Davis asked if Mr. Mason knew what the two other phases would be, and Mr. Mason answered that he didn't know for sure, but believed that they would be a continuation of the other possible uses, independent, assisted or nursing care living centers. They haven't specified exactly how they plan to classify the beds. Mrs. Davis asked if that information was something they would have to come back to the PC for when they want to go ahead with phase two, and Mr. Mason said not necessarily. Mrs. Davis said she thought it would be really nice to have another facility like that in the area. Statements made earlier tonight indicated that there is a need for this type of housing in the community.

Mr. Keating asked if someone wanted to make a motion. Mr. Bean made a motion to approve the site plan for Deshano Development Big Rapids Assisted Living Center contingent on it being brought into compliance with the recommendation of Mr. Oezer. Mr. Oliver seconded the motion. Mr. Keating asked if there were any questions or comments. Hearing none he called the question. The motion passed unanimously with 7 ayes.

## **X. ADJOURNMENT:**

Hearing no further business for the Planning Commission, Mr. Keating entertained a motion to adjourn at 9:26 p.m. The motion was made by Mr. Bean and seconded by Mrs. Wethington. The motion carried unanimously with seven ayes.

Motion to approve the Planning Commission minutes of June 12, 2018 by: Mr. Sweppenheiser, Seconded by: Mr. Bean. Roll call vote carried with seven ayes.

\_\_\_\_\_  
Philip Keating, Chairman  
BIG RAPIDS CHARTER TOWNSHIP  
PLANNING COMMISSION

\_\_\_\_\_  
Date Approved