

7450 14 Mile Road
Rockford, MI 49341
Phone (616) 866-0622



Matt McConnon, *Supervisor*
Susan K. Hartman, *Clerk*
Colleen L. Brown, *Treasurer*

AGENDA
COURTLAND TOWNSHIP PLANNING COMMISSION
Courtland Township Hall
TUESDAY, December 19, 2023

Depending on public health conditions and applicable orders and directives, the meeting may be changed to a virtual electronic meeting. Interested persons should check the township's website at www.courtlandtwpmi.gov or call the Township at 616-866-0622 up to the day of the meeting for any changes and instructions.

1. Pledge of Allegiance and Roll Call
2. Approval of Agenda
3. Approval of Minutes: November 21, 2023
4. Public Comments
5. Old Business:
 - Rezoning: Patricia Smith
 - 4850 14 Mile Ct.
 - Rezoning from R-R to R-2 Two Family and Multi-Family District
6. Old Business: Master Plan Update
7. Zoning Administrator Report
8. Township Attorney Report
9. Township Board Representative Report
10. Zoning Board of Appeals Representative Report
11. Adjournment

Courtland Township Planning Commission

Minutes

November 21, 2023

1. **Pledge of Allegiance and Roll Call:** Wood, Pfeifer, Miedema, McIntyre, and Moore were all present. Also present was Attorney Jim Scales, Zoning Administrator Colleen Brown, and approximately 20 members of the public.
2. **Agenda: Motion to approve as presented by McIntyre. The motion was supported by Pfeifer and carried 5-0.**
3. **Minutes from 10-17-2023: Motion to approve was made by Meidema as noted to include the addition of Andersen letter for Braeside Estates and the list 5 comments phoned into the Township Hall regarding inquiries for KleMac Farms. The motion was supported by Pfeifer and carried 5-0.**
4. **Public Comments for Items not on the Agenda:** None
5. **Public Hearings:**
 - a. **Patricia Smith – 4850 14 Mile Ct: Proposed rezoning from RR to R2.** Attorney Jim Scales provided an overview. The property is located at the SE corner of 14 Mile Ct and Northland Drive. The applicant desires to construct a duplex on the site which would be allowed under R2. Multi-family would also be permissible there under R-2, although it is not clear how many units could be accommodated. The Master Plan designates this property as Country Residential which does not contemplate duplexes, but it is along Northland Drive and the impact of the rezoning may be limited. The Zoning Ordinance requires a minimum of 750 square feet per unit, which doesn't seem possible with the current building and the PC should ensure that is feasible on the site.

Aaron Smith 8353 Lamplight Drive in Jenison (son of the applicant) was present. The downstairs of the house is unfinished with a bathroom. The upstairs is finished with 1,600 square feet. The downstairs would also have 1,600 square feet and the garage space would be finished. There are two electrical and two gas meters on the site. The plan is to rent the downstairs with a unit or two. The applicants want at least three units on the property and do not want to limit the site to just a duplex. He is willing to remove the trailer. There are two septic systems on the site and a large well. Someone is living in the trailer currently. The site is nonconforming due to the extra dwelling. Mr. Smith stated that up to 4 units could be located on the property under the existing well and septic system.

Wood opened the public hearing at 7:15 PM

1. One resident asked how large the property was. Applicant stated it was about 4 acres.
2. Chris Heckman 5615 Courtland Meadows Court. Asked if this is a slippery slope where they can do more than what is intended or expanded development?
3. Bob Stager 13140 Redmond Avenue. Asked about the nonconforming situation on the site with the trailer.

Wood closed the public hearing at 7:18 PM

Moore felt that splitting up the house into two units would not be allowed unless the trailer was removed. Scales thought the trailer would be nonconforming and could stay, in addition to the house being divided into two units.

Zoning Administrator Colleen Brown stated that anything more than a duplex requires special land use approval.

McIntyre felt that the health department would limit any large-scale development on the property.

The applicant stated he would be willing to limit himself to 8 units on the property through a conditional rezoning offer. Anything more than 3 units would be subject to special land use approval.

After discussion timing there was a **motion by Wood/Meidema to table the application to the next meeting to allow the applicant to draft an offer of conditions as indicated above. The motion carried 5-0.**

6. Old Business

At this time Kim McIntyre recused herself from the meeting due to a conflict of interest.

- a. **Kle-Mac Farms LLC – Proposed PUD (10280 Courtland Drive).** Dan Hula representing Kle-Mac farms provided an overview of the site. 75 lots are proposed as a site condominium. The site is roughly 50% open space. The layout is unchanged from the last meeting.

Arn McIntyre stated that they talked to the KCRC about sight distances, and they provided a letter to that effect that states that the two entrances greatly exceeded the sight distance requirements.

Wood asked about the locations of other houses on the west side of Courtland Drive.

McIntyre stated that they are trying to have as many homes as possible about areas of open space, and the plan accomplishes that for all but approximately eight lots. The homes built along Courtland Drive are proposed across from existing houses. He said they are trying to minimize the earthwork on the site and are following the existing lay of the land as much as possible. Low points are going to be located in common areas, so they are preserved naturally.

McIntyre also said that they are willing to increase setbacks along Courtland Drive as much as possible.

Hula provided a series of sketch plans for individual lots along Courtland Drive showing most of them 150-180 feet or more from the right of way, with a few around 50 feet from Courtland Drive to the north.

McIntyre provided additional information related to why the development is located where it is and stated that they sought to find the best soil and follow the land as much as possible. They have checked the soil and had the KCHD check the site to make sure they are suitable for drain fields. All of the sites were suitable.

This was not a public hearing, but Wood opened the floor for public comments.

1. Tony Henges 10222 Tefft. Asked the difference between a public hearing and public comments. Wood stated that a hearing requires notice.
2. Chris Hekman 5615 Courtland Meadows Court. Wanted to see the parallel plan again. Scales stated that 75 lots meet the requirements of the Zoning Ordinance.
3. Joel McCullough 5831 Terrace Ridge. Asked about the size and price point of the homes. McIntyre said these would be mid-level move up homes. They want houses that fit the neighborhood. Sizes would range from 1,200 to 1,900 square feet.
4. Rod Sager 13140 Redmond Avenue. Question on phasing and timing. McIntyre it would be three phases starting next summer.
5. Steve Despres 11094 Tefft. Thought it made sense to bring one of the roads out to Tefft to minimize the impact on Courtland.
6. Ron Moore lives on Courtland near 13 Mile Road. States that traffic is heaviest on 12 Mile and 13 Mile Road. Concerned about traffic on Courtland Drive. And the potential for additional houses off the west side of Courtland Drive and was concerned about drainage. Arn McIntyre stated that it is designed so that no water would leave the property. There will be roadside ditches.
7. Rod Sager 13140 Redmond Ave asked who will build the homes? McIntyre will be the builders and there will be semi-custom homes.
8. Jane Borduin 5610 Courtland Meadows Court. They live behind lots 72-73. During a hard rain there is standing water. They are concerned about possibly more standing water. McIntyre stated that the pond they have proposed is intended to keep all the water on the site and would not affect that; if anything, it may improve that situation.
9. Ann McIntyre Herrington. Her family has owned the property for more than 100 years. Arn knows the property and has done a ton of work to make it a good project. They are not just a cookie cutter builder coming in to build homes. They are trying to make it as nice as possible. They will make the best use of the land as much as possible.
10. Chris Hekman 5615 Courtland Meadows Court. Asked Scales if this plan is still a permissive approval; the PC does not have to approve it. Noted that with the lots along Courtland won't be able to have any trees near the street.

Wood closed public comments.

Hula said that the amount of traffic generated is a drop in the bucket relative to what the AASHTO book requires. Usually, they don't worry too much until we are looking at 2,000 trips per day and this project would add about 750 trips a day.

Meidema asked about some of the fill proposed on the south side of the project.

Pfeifer was concerned about the lots fronting Courtland. Could they be made into 2 acre lots? He felt that the lots on Courtland should be on the neighborhood streets. McIntyre offered to have shared driveways for those lots if the Commission thought that would work.

Moore felt that the project was probably as good as they were going to get. Despite concerns as to whether or not the project was a good idea, it appeared that the applicant was doing everything possible to preserve open space and minimize earthwork.

Scales reviewed his approving resolution that was provided at the last meeting. It was generally accepted as is except that the PC wanted anything facing Courtland to have a setback of at least 50 feet from Courtland Drive.

PC agreed to have shared drives for lots 4-5, and 6-7 share a driveway.

Wood made a motion to adopt a resolution recommending approval of the proposed Kle-Mac Farms LLC Planned Unit Development to the Township Board with the following changes:

- **Paragraph 5 changed to refer to Site Condo.**
- **Condo docs to be reviewed and approved by the Township attorney.**
- **Open space can be used for agricultural purposes subject to one-year lease negotiated annually.**
- **7b would be amended to allow for the removal of nuisance and invasive trees.**
- **Item 9 would add "except as permitted by Zoning Ordinance."**
- **Homes shall have a minimum 50' setback from Courtland Drive.**
- **Units 4-5 share a driveway and units 6-7 will share a driveway.**
- **Sidewalks are required on one side of the street.**
- **Open space for the complete project must be set aside starting with phase 1.**

Motion was seconded by Miedema and carried 5-0.

At this point, Kim McIntyre rejoined the meeting.

- b. **Master Plan Update.** Williams & Works provided a draft Master Plan document last month for review. PC members want to review it at the December 19 meeting to work out any final details.

- 7. Zoning Administrator Report.** No new business to report.
- 8. Township Attorney Report.** Scales noted that the state approved legislation that preempts local authority to regulate wind/solar and battery facilities over a certain size. It will not go into effect for a year. The Township can adopt a "compatible" ordinance, and Mika Meyers is working on one. It is unclear what our next steps are at this time.
- 9. Township Board Representative Report.** McIntyre provided a report regarding new recreational improvements in the community.
- 10. ZBA Representatives Report.** Brown stated there will be a meeting on December 13 for a setback variance.
- 11. Adjournment. Motion by Pfeifer to adjourn. The motion was supported by McIntyre and carried 5-0.**

The meeting was adjourned at 9:36 PM.

Respectfully Submitted,

Andy Moore, Secretary

To: Colleen Brown and Courtland Township Board

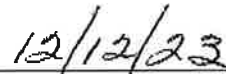
RE: Rezoning of 4850 14 Mile Ct., Rockford, Michigan

I, Patricia Smith, owner of 4850 14 Mile Ct., Rockford, Michigan 49341, PP 41-07-18-101-001 4.22 acres, request a conditional rezoning from RR, Rural Residential to R-2 Two-Family & Multiple Family Zoning. The condition will be that I will not construct or develop over 8 units on the property at 4850 14 Mile Ct., Rockford, Michigan per the Township Board approval for zoning.

However, I do understand that an applicant could request to remove the condition of 8 units on the property for this site by making a request for rezoning application and going through the rezoning process at that time.



Patricia Smith



Date