

**Minutes of the Planning Commission
Of the City of Portland**

Held on Wednesday, June 12, 2019 at 7:00 P.M.
In Council Chambers at City Hall

Portland Planning Commission Members Present: Grapentien, Fitzsimmons, Roeser, Williamson, Hinds

Absent: Kmetz, Culp

Staff: City Manager Gorman; City Clerk Miller, Paul LeBlanc, AICP of PLB Planning Group

Guests: Joann Pline; Lois Smith; Gary Olson; Jon Moxey of Fleis & VandenBrink; Patrice and Darrin Weber, owners of Portland Assisted Living Center; staff members of Portland Assisted Living Center; David Straub, Chief Operating Officer of Mayberry Homes; Diane Friedrieachsen, Executive Director of The Brook; Sandy Elliot, CEO of The Brook; William Carey and Jim DeWitt, Executive Directors of The Brook; Kimberlee Pappas, Marketing Communications Specialist of The Brook; Scott Perrin of Perrin Construction; Bill Frazier and Katelyn Gress of the Sidock Group, Inc.; Jordan Smith of The Beacon; Nick Grifhorst of the Ionia Sentinel-Standard

Chair Grapentien called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Motion by Williamson, supported by Roeser, to excuse the absence of Member Kmetz. All in favor. Approved.

There were no public comments for items not on the agenda.

Motion by Fitzsimmons, supported by Williamson, to approve the Agenda as presented. All in favor. Approved.

Motion by Williamson, supported by Fitzsimmons, to approve the minutes of the May 8, 2019 meeting as presented. All in favor. Approved.

Under Public Hearings and New Business, City Manager Gorman explained The Brook is requesting an amendment to the Rindlehaven TND PUD to remove a 10-acre parcel for development of an Elderly Housing Facility. They are also requesting the rezoning of the 10-acre parcel from the TND PUD to R-3 Multifamily District and a Special Land Use related to the potential development of an Elderly Housing Facility.

City Manager Gorman further explained that this is the second time going through this process. It came to the City's attention that the first time the notices that were mailed out did not include all residences in the 300' radius of the proposed development. The process was renoticed in order to give all residents an opportunity for comment.

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Bill Carey, Executive Director and Legal Counsel for The Brook, introduced himself and the team representing The Brook and provided a brief history of the company.

Kim Pappas, Marketing Communications Specialist of The Brook, gave a presentation for The Brook Retirement Communities.

Chair Grapentien opened the Public Hearing to consider an amendment to the Rindlehaven TND PUD to remove a 10-acre parcel for rezoning related to potential development of an Elderly Housing Facility by The Brook on a portion of the Rindlehaven Development at 7:17 P.M.

There was no public comment.

Chair Grapentien closed the Public Hearing at 7:17 P.M.

Motion by Williamson, supported by Fitzsimmons, to recommend the amendment to the Rindlehaven TND PUD to remove a 10-acre parcel for rezoning related to potential development of an Elderly Housing Facility to the City Council for approval.
All in favor. Approved.

Chair Grapentien opened the Public Hearing to consider a proposed rezoning, from the TND PUD to R-3 Multifamily, related to the potential development of an Elderly Housing Facility by The Brook on a portion of the Rindlehaven Development at 7:18 P.M.

Ms. Weber asked if the ratio of commercial to residential will be changed, how will it be affected.

Chair Grapentien explained that because the property is being removed from the TND PUD the ratio will not apply.

There was discussion of reopening the first Public Hearing so that Mr. LeBlanc could present information regarding the proposed requests.

Chair Grapentien reopened the Public Hearing to consider an amendment to the Rindlehaven TND PUD to remove a 10-acre parcel for rezoning related to potential development of an Elderly Housing Facility by The Brook on a portion of the Rindlehaven Development at 7:21 P.M.

Mr. LeBlanc noted that removing the 10-acres from the PUD reduces the PUD from 152 acres to 142 acres and presented information on the request stating that the current TND PUD does provide for a much larger senior housing development at the east end of the Rindlehaven Development near Cutler Rd. The proposed elderly housing facility is not a new use as it is part of the original TND PUD; it is only being moved and reduced in size.

Mr. LeBlanc further noted that the proposed area for development was planned as commercial in the TND PUD, since the recession a few years ago communities are tending to reconsider the amount of commercial property that is needed. The City's Master Plan emphasizes the importance of Portland's downtown area. From a planning standpoint a community can only

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support so much commercial property. The amount of commercial planned in the TND PUD is not feasible for the City of Portland.

City Manager Gorman noted that this proposed development by The Brook did not prompt discussions to amend the current TND PUD; these discussions have been taking place for quite some time.

City Manager Gorman stated that Keith Cook, one of the original Rindlehaven developers, was at the May 8, 2019 Planning Commission meeting and stated his feeling that when the Rindlehaven plan was developed it was the type of development desired by the City although it wasn't what he had foreseen. Because of the downturn in the economy the development did not happen. Mr. Cook further stated the development shouldn't have been a TND and the proposed use is part of what was originally planned.

Mr. LeBlanc stated that he recommends the approval of a recommendation to the City Council to amend the Rindlehaven TND PUD based on the following reasons (as outlined in his memo to the Planning Commission):

- The scale of the approved PUD has been shown to be overly ambitious.
- The planned commercial component on the subject property is determined to be infeasible and not in the best interest of the City and its business community.
- The amendment would open an opportunity for an elderly housing development that is needed by the community and is consistent with the mixed-use character envisioned by the City Master Plan for this area.
- An elderly housing project on this parcel would generate far less traffic than the uses proposed in the approved PUD plan and would add a potential customer base for nearby businesses.

Chair Grapentien stated that he was on the Planning Commission when the existing Rindlehaven TND PUD was approved. He agreed with the current commercial space was appropriate but he also agrees The Brook would be a good fit for the area.

Ms. Weber asked if the original TND PUD will be redeveloped.

Chair Grapentien stated that the Planning Commission is requesting the TND PUD be amended.

City Manager Gorman noted that the remaining TND PUD is firmly in place until Mayberry Homes presents a plan to amend it.

Chair Grapentien closed the Public Hearing at 7:32 P.M.

Motion by Williamson, supported by Fitzsimmons, to recommend the amendment to the Rindlehaven TND PUD to remove a 10-acre parcel for rezoning related to potential development of an Elderly Housing Facility to the City Council for approval.
All in favor. Approved

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Chair Grapentien reopened the Public Hearing to consider a proposed rezoning, from the TND PUD to R-3 Multifamily, related to the potential development of an Elderly Housing Facility by The Brook on a portion of the Rindlehaven Development at 7:33 P.M.

Mr. LeBlanc noted the criteria the Planning Commission needs to consider for rezoning as outlined in Section 42-33 (b)(2) of the Zoning Ordinance.

Mr. LeBlanc stated that he recommends the approval of a recommendation to the City Council to approve the rezoning to R-3, multi-family residential, based on the following reasons (as outlined in his memo to the Planning Commission):

- The rezoning request satisfies the criteria of Section 42-33 (b)(2).
- The R-3 zoning district permits a range of uses that would be compatible with the existing and planned development on the surrounding property.
- As noted in the Master Plan, there is an expressed need for alternate housing choices in the City that would be allowed in the R-3 district.

City Manager Gorman stated that the City's engineers have reviewed the proposed development and have no concerns with City services being negatively impacted.

Jon Moxey of Fleis & VandenBrink gave an overview of the Rindlehaven Infrastructure Review that was conducted.

Chair Grapentien closed the Public Hearing at 7:48 P.M.

Motion by Roeser, supported by Williamson, to recommend the proposed rezoning, from TND PUD to R-3 Multifamily, to the City Council for approval.
All in favor. Approved.

Chair Grapentien opened the Public Hearing to consider a request for a Special Land Use Permit related to the potential development of an Elderly Housing Facility (Section 42-341) by The Brook on a portion of the Rindlehaven Development at 7:49 P.M.

Mr. LeBlanc stated that Elderly Housing is permitted in the R-3 district with the approval of the Planning Commission; but would be contingent on amending the PUD and rezoning of the property by the City Council. Pursuant to the Zoning Enabling Act, if all criteria are met then the request must be approved.

Mr. LeBlanc presented the criteria that must be met per the City of Portland Zoning Ordinance, as outlined in his memo to the Planning Commission. Per Section 42-341 (p)(1), since the May Planning Commission meeting the applicant will has verified the number of parking spaces and does meet this requirement. Per Section 42-341 (p)(4), all units in the building shall have a minimum of 450 sq. ft. per unit. This criterion was discussed at length during the May Planning Commission meeting. The applicant stated that some of the units are 416 sq. ft. but because there are central common areas the actual living space goes well beyond the 450 sq. ft. requirement. Per Section 42-341 (p) (5) a covered drop-off and pick-up area shall be provided on-site in close proximity to the main entrance and walkways shall be provided from the main building to the sidewalk along the adjacent street. A covered drop-off area at the front entrance is shown on the

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preliminary site plan and the final site plan does show the required sidewalks so that standard is met.

Mr. LeBlanc stated his recommendation that the Planning Commission approve the Special Land Use Permit subject to the following (as outlined in his memo to the Planning Commission):

- Approval is conditioned on obtaining a rezoning of the site to R-3 Multifamily by the City Council;
- All special use requirements of Section 42-341 (p) be satisfied;
- A complete final site plan, as required by Section VI of the Zoning Ordinance, be submitted for review and approval prior to any construction.

There was no public comment.

Chair Grapentien closed the Public Hearing at 7:59 P.M.

Motion by Fitzsimmons to approve the Special Land Use Permit for an Elderly Housing Facility by The Brook upon the condition the City Council's approval of the rezoning of the property and a complete and final site plan review.

Second by Williamson because all of the general criteria and the additional criteria specific to elderly housing have been met.

All in favor. Approved.

Bill Frazier, of The Sidock Group, presented the proposed site plan for The Brook. They meet and exceed the 25-year and 100-year storm water requirements of Ionia County. The water main has been looped to increase flow rates. The required 63 parking spaces have been included. The required hookups for sanitary sewer have been provided for. They have exceeded the minimum requirements for roadway widths.

Mr. LeBlanc presented his review of the proposed site plan. The proposed site plan includes a new median cut on Rindle Bluff Dr. The proposed landscaping meets the City's requirements. A potential issue with the location of the dumpster enclosure located at the NE corner of the parking lot was raised during the initial site plan review. The parking lot dead ends at both ends so the trash hauler will have to drive in and then back all the way out which may be cumbersome. Mr. LeBlanc noted that Fire Chief Krizov has reviewed the site and is satisfied with the layout.

Mr. LeBlanc stated his recommendation that the Planning Commission should approve the final site plan, based on its compliance with the standards of Section 42-379, as noted, and subject to the following conditions:

- Approval by the City Council to rezone the property to R-3;
 - Special use approval by the Planning Commission for elderly housing;
 - Approval of all utility, grading, stormwater, and other related improvements by the City engineer;
 - Approval of the emergency access and related improvements by the City fire department;
- and

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- Conformance of all proposed signs with City requirements.

Jon Moxey, of Fleis & VandenBrink, provided an overview of his review of the proposed site plan. From a utility standpoint, the proposed site plan is well within what has been contemplated and meets the City's ordinance requirements with some minor details to be addressed by City Staff.

Mr. Moxey stated his recommendation that the Planning Commission should approve the proposed site plan with minor changes to be addressed by City Staff.

City Manager Gorman noted that both Portland Area Fire Authority Fire Chief Krizov, Ambulance Director Gensterblum, and Police Chief Thomas were all involved in the review of the preliminary site plan. There were no concerns expressed in regard to emergency service personnel's ability to access the proposed development.

Mrs. Smith asked for clarification on where Rowe Ave. is located in relation to the proposed development by The Brook and if there will be another entrance to the development.

Chair Grapentien noted the location of Rowe Ave. to the development and the proposed addition of sidewalk that would be installed and connect near the River Trail. He stated that there will not be another entrance to the development.

Gary Olson inquired about the type of outdoor lighting that will be used for the development.

Mr. Frazier stated there will be 18 ft. tall poles with down lighting used for the outdoor lighting.

City Manager Gorman noted that the lighting meets the standards of the Zoning Ordinance.

Chair Grapentien noted the proposed site plan is a nice plan, it meets all requirements and, in some cases, it goes beyond the standards.

Motion by Fitzsimmons, supported by Williamson, to approve the proposed site plan for The Brook to construct an Elderly Housing Facility on a portion of the Rindlehaven Development contingent on the approval by the City Council to rezone the property to R-3, special use approval by the Planning Commission for elderly housing, and approval of all utility, grading, stormwater, and other related improvements by the City engineer.
All in favor. Approved.

City Manager Gorman noted that the Planning Commission has previously approved a site plan and special land use for the Muffler Man, located at 738 E. Grand River Ave. They are still working on the back part of the property to bring into compliance with the previous approvals but the weather this Spring has made it difficult. They plan to expand the paved area in the rear of the building. City Manager Gorman stated that he will determine if this additional request can be approved administratively or if they will need to come back to the Planning Commission for approval.

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Under Planning Commission Member Comments, Member Bill Roeser, President of Sparrow Ionia, noted that the Sparrow Clinic at the corner of Grand River Ave. and Cutler Rd. has outgrown its current location. Sparrow is working diligently on a plan and programming for its new facility to be located on Cutler Rd.

City Manager Gorman noted that Mr. Roeser will be recuse himself from voting on all decisions related to the Sparrow Development.

Chair Grapentien thanked the public for attending tonight's meeting.

Motion by Williamson, supported by Roeser, to adjourn the meeting at 8:23 P.M.
All in favor. Approved.

Respectfully submitted,

Jason Williamson, Secretary