

Leighton Township Planning Commission Minutes

Date: October 12, 2022, 7:00 PM

Members Present: Stephen Shoemaker, Brad Geers, Harry DeHaan, Ben Potts, Matt VanDuyn, Matt VanderEide, John Hooker.

Members Absent: None

Also Present: Planner Tricia Anderson with Williams & Works, Zoning Administrator, Jason Derry with PCI, applicants, and several members of the public were present.

1. **Call to Order:** The meeting was called to order by Chairman Harry DeHaan at 7:00 PM
2. **Approval of Minutes from September 12, 2022.** Minutes accepted with the change of Commissioner VanderEide being absent with notice, rather than absent without notice.
3. **Public Comments for items not on the agenda:** None
4. **Inquiry of Conflict of Interest:** None
5. **Public Hearing:** None
6. **New Business:**
 - a. **Special Use Permit Review (PUBLIC HEARING)– Type II Home Occupation – Salon in an Accessory Building – 4722 Patterson Road – Brandon Cavagnaro**

Mr. Derry read the public hearing notice for the item. Applicant Brandon Cavagnaro, provide a summary of his request to the Planning Commission. He also added that the plans have been changed from the original submission to comply with the square footage restriction of 400 square feet maximum being dedicated to the home occupation use. Some of the space within the building was removed from the salon area and named general-purpose storage rather than as a specific function of the salon.

Ms. Anderson provided some highlights from her staff report and added that the request is classified as a Type II Home Occupation as it is proposed to be operated within an accessory building, thus requiring a special use permit. She also explained that home occupations in accessory buildings are limited to 400 square feet or 25% of the total floor area of *all* onsite buildings, whichever is less, so as to remain incidental to the principal use.

Chair DeHaan asked the Planning Commission for comments. Commissioner VanderEide asked if a condition is to have an extra parking space. The applicant said yes, the revised plan does show the parking on the west side of the accessory building.

Public comments: The public hearing was opened. No one wished to comment.

Motion: Commissioner Potts made a motion to approve the special land use, with support from Commissioner VanderEide, to allow Mr. Cavagnaro to operate a salon out of his future accessory building, as proposed, in accordance with the revised plans submitted at the meeting.

Motion carried unanimously.

b. Rezone Request (PUBLIC HEARING) – 4501 Division Avenue – AG to R-3 and O/I – GRI-Moline, LLC (DJ VanderSlik / Todd Stuive, Exxel Engineering)

Todd Stuive of Exxel Engineering gave a brief presentation to the Planning Commission on behalf of the applicant. He provided the acreages for the R-3 and the O/I proposed zoning districts and gave zoning designations for each of the parcels that abut the subject site. He added that from the standpoint of the Master Plan, the proposed R-3 zoning district is consistent with the future land use designation. He added that the existing utilities have the capacity for the proposed development. He explained that they could have requested R-3 for the entire parcel, however, because there are already some adjacent industrial districts, he felt it would be appropriate. He noted that the proposed use of the parcel would be exterior access self-storage with some commercial storefronts along Division and a multi-family apartment complex on the remainder of the parcel.

Chair DeHaan asked for comments from Ms. Anderson.

Ms. Anderson provided a description of the request and added that the Planning Commission was being asked to review the rezone request and provide a recommendation to the Township Board. She went through the highlights of her staff report and focused on the criteria that the PC would use to review a rezoning request. She provided her analysis as it relates to whether the requested zoning districts are consistent with the Master Plan, whether the proposed uses are compatible with the surrounding uses if there would be any adverse impacts on public services such as police and fire services as well as utilities and existing streets and surrounding intersections, and lastly, would the proposed zoning district be a better fit than the current zoning district.

Ms. Anderson indicated each criterion may be met, but added that the Planning Commission should carefully consider the comments from the public and facts presented to them to determine if the proposed zoning district and associated land uses would have an adverse impact on public services (fire, police, utilities, and traffic). She indicated that the Planning Commission may want to request that the applicant provide a traffic study and more

information as it relates to the impacts the development would have on water and sewer capacities.

Public Hearing: Chair DeHaan opened the public hearing at 7:32 pm.

Ron and Marge Cook. 4467 Division. Fire protection, sewer and water rates will go up. Who will pay the bills? It bothers him to see good agricultural land taken out of production. The corner is very dangerous as people tend not to follow the limit.

Sandy Simon. 4524 12th. The ACRC redesign of the Division/12th St intersection has impacted the value of his property. Drainage is a major concern, even after methods for addressing it are included. Division/12th is a very dangerous intersection. He is concerned that the density of the project will create some substantial increases in traffic counts. Any added improvements would result in increase in cost to taxpayers.

Martin Doyle. 4144 Ranchero. He indicates that he is ok with development, but not at the expense of good farmland. The school districts and transportation are already quite full and this will further strain them.

Tammy Tullar. 4351 Division. Numerous apartments will add a large number of new trips. The intersection is dangerous as is without these new trips. Further, she feels that the multi-unit buildings will not have to pay as much for utilities as single-family homes in the area.

Steve Wolbrink. 411 Janice. He stated that the Township is one year into the expansion of the WWA. We are doubling the capacity. It is an \$8million project and we are currently loaned those funds. The Township is required to expand at 80% capacity and this project will really speed up how fast we reach that threshold again. If another loan cannot be secured, the cost for taxpayers would be increased.

Jess Weirs. 4343 Division. She feels that traffic is awful and the intersections in the area are dangerous.

Brenda Huizenga. 1181 144th. The police can't handle the traffic on 144th as is since they've taken down the speed limit signs. That is a sign that public/emergency services can't handle this increase.

Anonymous. Why apartments and not homes. We have the trailer park for low income.

Molly parker. "12th St". So much traffic it is crazy. People keep crashing and getting hit around 12/Division going into Moline. She stated that the developer is ruining the town.

Greg Alison. 994 144th. Stuffing as many units as possible onto a piece of property to profit off of low-income people. He questioned if this is how people should be brought into our community. Mr. Stuive indicated that the apartments will be market rate. Not subsidized. He added that the public should be cautious of speculating on the type of people that may move into these apartments.

Anonymous. She is tired of seeing dollar stores and storage units being built in our areas.

Ken Park. 1203 Peony. The trailer park second entrance was added *not* on Division to keep traffic away, but this is the opposite of that.

Public hearing closed: 7:52 pm.

Chair DeHaan asked for comments from the Planning Commission.

Commissioner Shoemaker is concerned about the impact it will have on the sewer system. Is there land for the WWA to expand? Wolbrink says yes. Shoemaker reiterates that the WWA will have to apply for a second bond not long after this is approved which is concerning. He asked if individual renters would be responsible for their own water bills? Supervisor Wolbrink predicts that water will be billed to the complex in whole and cost passed along to renters per the owner.

The applicant asked what the difference is between the proposed development using sewer capacity as opposed to single family homes using the sewer capacity? Supervisor Wolbrink responded that the units are to be billed (likely) the same as single-family homes because of the use. The applicant added that it will be up to the WWA to determine billing and RU determination.

Commissioner Shoemaker added that he is also is concerned about traffic and thinks the new intersection did not do the Township any favors in dealing with a project like this.

Commissioner VanderEide stated that the difference is the pace at which these many units are being put into place.

Commissioner Shoemaker added that he thinks it would be wise to include decel lanes in the project.

Mr. Stuive added that he doesn't see any path forward here without a full left-turn lane and the inclusion of sidewalk along the Division frontage. If a study is required, they will be looking into all of this, but they are also likely going to need a study per the Road Commission anyway. Mr. Vanderslik added that the intent is to push traffic to the north, however, two points of access are needed so the Division entrance is not to be the primary entrance.

Commissioner VanderEide asked how wide are roads were planned to be. Mr. Stuive said 26 feet.

Chair DeHaan asked how long the driveway is. Mr. Stuive said 25 feet.

Commissioner Shoemaker noted that all units on the south side of the south service road all have additional parking spaces. Mr. Stuive added that parking spaces are for overflow and guests, not necessarily for constant use. He also added that sidewalks will be included throughout. He reminded the Planning Commission that they are there to discuss the rezoning of the property, not site plan specifics.

Supervisor Wolbrink asked Mr. Stuive if a study had been conducted pertaining to water and wastewater with the Water Authority yet. Mr. Stuive indicated that they reached out but

have not yet had anything started. Supervisor Wolbrink added that he knows that care must be taken on the end of Electric Ave with the fire trucks because there is potential for it to go dry.

Commissioner Potts indicated that he is not willing to make a recommendation tonight.

Commissioner Geers agreed and added that a traffic study is something that everyone seems to want.

Motion: VanderEide offers a motion to postpone, with support from Potts, based on the finding that additional information is needed to ensure that the rezone and subsequent development would not produce adverse impacts on utilities, traffic and emergency services. The Planning Commission has asked the applicant to provide the following before being placed on a future agenda:

1. Traffic Impact Analysis,
2. Township Engineer review and approval of the WWA and WA reports
3. Police and fire chief review of concept plan

Motion carried unanimously.

7. Old Business. None

8. Public Comments:

Anonymous. They tried putting hundreds of units over in Gaines Township and this is denser than that.

Tammy Tullar is very worried about the sewer system and what this will bring to it. For reference, the mobile home park doesn't pay as much per unit as they do in single-family homes. She is also very worried about traffic.

Don Benedict. Since the trailer park went in, it's been ridiculous. He has to wait for traffic at 4:50 in the morning.

Anonymous. Semis come through on Division and that will be concerning for that many people in those apartments.

Commissioner Shoemaker. Can Supervisor Wolbrink provide any data on the cost per mobile home toward the quarterly payment for reference? Supervisor Wolbrink stated yes.

9. Correspondence: None

10. Commissioner Comments: Chair DeHaan offered his resignation to the Planning Commission, effective December 31, 2022.

11. Adjournment 8:23 pm.

Motion by Commissioner Potts to adjourn, with support from Commissioner VanDuyne.

Motion carried unanimously.