

ROBINSON TOWNSHIP PLANNING COMMISSION
May 27, 2026

The regular meeting of the Robinson Township Planning Commission was called to order at 7:02 PM. at the Robinson Township Hall.

Present	Absent
Shawn Martinie Bill Maschewske Phil Crum Lydia Brown Kathy Kuck Michelle Gillespie Steve Ambrose	None

Also present were Township Attorney Ron Bultje, Zoning Administrator Gregory Ransford, and thirteen members of the public. The attendance sheet is attached.

Approval of Agenda

A motion was made by Michelle Gillespie and seconded by Shawn Martinie to approve the agenda of the May 27, 2026 meeting as written.
The motion carried unanimously.

Adopting of Previous Minutes

A motion was made by Lydia Brown and seconded by Michelle Gillespie to approve as written the minutes of the May 14, 2026 Planning Commission meeting.
The motion carried unanimously.

Non-Commission Member Inquiries and Questions

Doug Marshall reported that numerous recreational vehicles were parked and occupied on both VanLopik and Limberlost in violation of Section 9.3 of the Zoning Ordinance which requires a Special Use permit. Chairperson Martinie explained that the Planning Commission is not responsible for enforcement, Mr. Marshall will meet with Zoning Administrator Ransford.

Cody and Kyle VandenBosch inquired about their questions at the April meeting regarding multiple uses and principal buildings on one B-2 Zoned parcel. Chairperson Martinie noted this subject was on the agenda and would be addressed shortly.

Reports and Communications -- None

Announcements -- None

New Business

S and M Gravel Clark Farm Earth Change Permit Renewal

The first item on the agenda was the S and M Gravel Clark Farm Earth Change Permit renewal. A package was received by Planning Commissioners at the meeting including the necessary materials for renewal application.

Chairperson Martinie – Which cells are open and which are in interim reclamation?

Phil Johnson of Resource Planning and Design, LLC and representing S and M Gravel was present. He stated Cells 6, 7, and 10 were active and open. Cells 1, 3, and 4 are in interim reclamation. He also stated that they modified the Earth Change permit with the Township in 2023 to do sub-aqueous mining to create a 289- acre lake.

Chairperson Martinie – What is the date of the included aerial photograph of the site?

Phil Johnson – 2024.

Chairperson Martinie – What is the elevation of Cell 4 compared to Cells 7 and 10.

Mark Sloothaak – They are about the same elevation.

Following discussion, it was agreed that a site visit by the Planning Commission would be scheduled at or before the next renewal.

A motion was made by Kathy Kuck and seconded by Michelle Gillespie to recommend to the Township Board renewal of the S and M Gravel Clark Farm Earth Change permit based upon compliance with Article VII, Section 2(e) of the Earth Change Ordinance. The applicant states the site is in substantial compliance with the Earth Change Ordinance. All previous conditions of approval apply.

A roll call vote was taken.

Phil Crum – Yes

Michelle Gillespie – Yes

Lydia Brown – Yes

Bill Maschewske – Yes

Shawn Martinie – Yes

Steve Ambrose – Yes

Kathy Kuck – Yes

The motion carried unanimously.

Love In Action Narrative – Proposed Use Review

The next agenda item was to review the narrative from Love In Action (copy attached) to operate a Civic Center/Food Pantry from the St. Anthony's Catholic Church site. St. Patrick's Catholic Church is proposing to sell the facility to Love In Action if Love In Action is able to obtain Township Approval for their proposed activities. Josh Bytwerk of Love In Action was present to answer questions.

Chairperson Martinie – Is Love In Action a 501(C)(3) organization?

Josh Bytwerk – Yes.

Chairperson Martinie – The question is whether Love In Action can continue to operate a food pantry and other activities per the narrative submitted. The property is zoned R-1 and would need a Special Use Permit per Section 10.3(E) of the Zoning Ordinance. Chairperson Martinie stated that at the level of activity stated in the narrative submitted, it would be eligible for Special Use application and approval. The applicant is to meet with the Zoning Administrator.

Section 4.28 – Lot Use and Draft Section 4.37 – Principal Buildings on a Lot or Parcel of Land

This inquiry regarding multiple uses on a B-2 Commercial Zoned parcel located at the South West corner of M-45 and 104th Ave was initiated by Cody and Kyle VandenBosch, who were present. Also present was Robert Buist of Aker and Company Real Estate.

Mr. Buist – Is the property Zoned B-1 or B-2?

It was stated it is Zoned B-2.

Mr. Buist – Stated the focus is on providing space for toy barns for car collectors and storage for boats.

Kyle and Cody VandenBosch – Stated they would like to have 10 units that would be available for business storage also. They are thinking of having an association of owners or occupants.

The Planning Commission recommended they contact the Ottawa County Health Department regarding well and septic.

Chairperson Martinie – How did we approve the Rotman commercial buildings on the North East corner of 104th Ave. and M-45 that also included multiple commercial uses and multiple buildings?

Discussion followed in which it was suggested it was a mistake.

Terry Hodgson – Will this facility be fenced, have outdoor lighting, and security? She feels fencing and lighting are required for storage buildings.

Chairperson Martinie – Noted that Ms. Hodgsons concerns were not the immediate question since no application has been submitted.

Zoning Administrator Ransford – Stated the immediate question regards allowing multiple uses and principal buildings on one lot.

Township Attorney Bultje – Stated the Planning Commission correctly concluded the Rotman multiple uses on one parcel was allowed under the Zoning Ordinance as one commercial operation.

Robert Buist – Noted the Zoning Ordinance could allow the site to be developed as a gas station or liquor store.

Chairperson Martinie question of the Township Attorney– Would the proposed self-storage multiple uses proposed by Kyle and Cody VandenBosch be permitted with the current Zoning Ordinance wording?

Township Attorney Bultje – Yes.

Bill Maschewske – Requested Township Attorney Bultje draft language for a Zoning Text Amendment to clarify Sections 4.28 and 4.37 regarding multiple uses and multiple principal buildings on one parcel in specific Zoning Districts.

The Township Attorney agreed to provide drafts of both Sections for review.

Chris Markatos – Feels Section 4.28 adds both Farms and Farm Dwellings because a Farm Dwelling is defined.

Township Attorney Bultje – That is not correct. Farms and Farm Dwellings can be in multiple Zoning Districts.

Chairperson Martinie – Stated based upon the preceding discussion, he sees no reason for the VandenBosch's to not proceed with their Site Plan and Special Use Application. The proposed activity would appear permitted per the current Zoning Ordinance.

Old Business

Emerald Lake Estates Proposed Preliminary Development Plan

Bill Maschewske – Questioned what the content of the Recommendation from the Planning Commission should include.

Township Attorney Bultje – It should include line by line responses to Section 20.5 of the Zoning Ordinance.

Section 20.5 of the Zoning Ordinance was reviewed with the consensus of the Planning Commission noted. Numeration follows that of the Zoning Ordinance.

Section 20.5

A. The necessary materials have been submitted. Lot sizes do not comply with the underlying A-1 Zoning District. Compliance with R-1 lot sizes specified by the applicant is questioned.

B. 1. (a) Accept the comments from Zoning Administrator Ransford in his Memorandum dated March 11, 2026 Regarding Emerald Lake Estates Planned Unit Development Preliminary Development Plan (copy attached).

(b) Acceptable and accept Zoning Administrators Memorandum comments.

(c) through (f) Acceptable and accept Zoning Administrators Memorandum comments.

2. Not applicable.

3. Not applicable.

4. Accept the Zoning Administrators Memorandum comments. Additionally, the sizing of the water main and the on-site septic systems will require approval from the Ottawa County Health Department and possibly the Ottawa County Road Commission.

5. Accept the Zoning Administrators Memorandum comments. Additionally, the applicant has proposed a buffer around a large portion of the proposed project. Input from the Planning

Commission Advisory Public Hearing indicated that the surrounding residents favored the 100 ft. wide buffer extend around the entire perimeter. The request for screening with additional landscaping was dependent upon the amount and type of existing vegetation present in what would be the buffer area.

6. Accept the Zoning Administrator Memorandum comments.

7. The Planning Commission accepts the Zoning Administrators comments in his Memorandum with the following additions. The usefulness and value of the open space buffer areas is so great that the Planning Commission recommends it extend around the entire perimeter of the proposed project. Lake access for properties not directly abutting the lake is an important feature. The underlying Zoning District is A-1 Agricultural and it would not seem that deviations from the required yard requirements would be necessary.

8. The proposed development would be compatible with itself, however, it is not compatible with adjoining properties. The subject property is primarily surrounded by larger lot Rural Residential parcels and Agriculture. The applicant is proposing lot sizes consistent with or slightly less than the R-1 Residential Zoning District. The Planning Commission recommends the size of lots 1 – 9 and 32 – 37 be similar to Rural Residential lot sizes which would provide a better transition in density to the adjacent properties. The Planning Commission does not agree with the Zoning Administrators conclusion regarding compatibility.

9. Accept the Zoning Administrator comments in his Memorandum in addition to the following. The proposed development is not compatible with the Township Master Plan. The Zoning Administrator comments in his Memorandum provide some features that could be considered Agricultural, however, the property will not be used for Agriculture and would clearly be much more compatible in areas of the Township where the Master Plan designates Medium Density Residential. The proposed development is not compatible with the underlying A-1 Zoning District.

10. Existing and future agricultural activities may not be compatible with the proposed density of residential use. Citizen input from the Planning Commission Advisory Public Hearing indicated the residents along Fillmore St. and abutting the proposed private road within the development want a buffer at their North property line.

Summary of Emerald Lake Estates Preliminary PUD Development Plan

1. In 2001, the Township previously noted in Section 2(b) and (c) of the Resolution to approve the rezoning to M-1 Mining District from A-1 Agricultural, that the end use plan submitted is not currently compatible with the Robinson Township Master Plan. The lot sizes are not compliant with the underlying A-1 Zoning District. The Planning Commission consensus is that to rezone from the underlying A-1 Zoning to Residential PUD with R-1 or smaller lot sizes would be too

large of a change, inconsistent with the Robinson Township Master Plan, and incompatible with surrounding lot sizes and uses. To do so would change the essential character of the surrounding area. Combining two lots into one around the perimeter lots (lots 1 – 9 and 32 – 37) could help transition compatibility.

2. Updated EGLE and or Ottawa County Water Resources Commission permits will be required.
3. The original Site Plan included a 100 ft. wide buffer around the entire perimeter of the project. With the revised Site Plan and the additional land added, including additional lots, the buffer area is not complete around the perimeter. The advisory public hearing held by the Planning Commission indicated strong citizen interest in extending the 100 ft. wide buffer around the entire perimeter.
4. Landscaping – The Planning Commission advisory public hearing revealed mixed feelings among the citizens regarding landscaped or natural vegetation in the perimeter buffer area, largely dependent upon existing vegetation.
5. The proposal to use on-site septic systems is not currently approved by the Ottawa County Health Department. Their input could alter the Site Plan.

Chairperson Martinie inquired about time limitations on the duration of the Preliminary PUD Plan Approval, since the applicant has stated they may mine for up to 5 years before submitting a Final Development Plan. The Township Attorney responded that the Township would deal with that issue at the time of Final Site Plan submission.

Chairperson Martinie also expressed concern about mining activity and Site Development at the same time.

Township Attorney Bultje once again responded that this would be dealt with at a later time.

A motion was made by Kathy Kuck and seconded by Michelle Gillespie to grant Preliminary Plan Approval for the Emerald Lake Preliminary PUD Application based upon the conditions in the findings in the minutes and the recommendations to the developer with copies to the developer and the Township Board.

A roll call vote was taken.

Phil Crum – Yes

Michelle Gillespie – Yes

Lydia Brown – Yes

Bill Maschewske – Yes

Shawn Martinie – Yes

Steve Ambrose -- Yes

Kathy Kuck – Yes

The motion carried unanimously

Pay Bills

A motion was made by Shawn Martinie and seconded by Lydia Brown to pay Planning Commission salaries for the May 27, 2026 meeting (all members present).
The motion carried unanimously.

Any and All Other Business That May Come Before the Board -- None

Adjournment

A motion was made by Lydia Brown and seconded by Kathy Kuck to adjourn the Planning Commission meeting at 9:15 PM.
The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

Attachment:

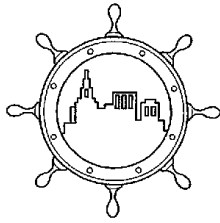
Memorandum from Zoning Administrator Gregory Ransford dated March 11, 2026 regarding Emerald Lake Estates Planned Unit Development Preliminary Development Plan

Attendance Sheet for the May 27, 2026 Planning Commission Meeting



SIGN IN SHEET
Regular Meeting of the
Planning Commission
Wednesday, May 27, 2026 - 7:00 pm

PRINT NAME	SIGNATURE
Doug Masterson	
Dan Toulon	
Josh Bytwerk	
Mark Stouthoek	
Dan Lubbers	
Phil Johnson	
Luke Peters	
Cody Vanden Bosch	
Jack Dykstra II	
Robert Buist	
Kyle Vanden Bosch	
Chris Markkanday	



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MEMORANDUM

To: Robinson Township Planning Commission
From: Gregory L. Ransford, MPA
Date: March 11, 2026
Re: Emerald Lakes Estates Planned Unit Development Preliminary Development Plan

Pursuant to Chapter 20 – PUD Planned Unit Development Zoning District of the Robinson Township Zoning Ordinance (RTZO), attached is an application for a Preliminary Development Plan for a Planned Unit Development (PUD) from Dykstra Excavating to establish 37 single family site condominium units around the existing lake. The property is located on the east side of 120th Avenue, north of Fillmore Street and is positioned within the Mining Zoning District. As a result of that zoning district and as you know, the applicant currently conducts a mining operation, which has existed for over 25 years and resulted in the creation of a lake, yet to be completed. As you will note within the site plan materials, the applicant intends to apply for expansion of the mining area to the east within additional property. At the same time, the site is due for its renewal.

The application for the Preliminary Development Plan has been reviewed and found complete. We do not have any ordinance deficiencies to note regarding the Preliminary Development Plan. In advance of the Final Development Plan submission, we outline the original end use plan as well as your review procedures of the RTZO for Preliminary Development Plans. Pending your conclusions regarding items listed below, we believe Preliminary Development Plan approval may be appropriate.

Original End Use Plan

While the Township is in possession of the “approved” end use plan submitted during the original application to conduct mining operations within site, the size of that plan is too large to include with this memorandum. However, we were able to confirm that site condominium units within the application materials representing 1 through 32 are an accurate representation of the end use plan. Site condominium units 33 through 37 and the land on which they are located, were never part of the original end use plan. We will have the end use plan that is in possession of the Township available at your meeting.

In that regard, an applicant can apply for a Non-clustered Residential PUD or a Clustered Residential PUD, the latter of which is ultimately sought by the applicant given the size of the sites within the original end use plan related to the underlying zoning district, which we presume is the Agricultural Zoning District. Subsequent to the Preliminary Development Plan review, the applicant is subject to the review standards of Chapter 31 – Site Plan Review of the RTZO, which includes that the proposed uses and development activity will be substantially consistent with the Robinson Township Master Plan (RTMP). While your review provisions for a Preliminary Development Plan, provided further below in this memorandum, include its compatibility with the RTMP, we will provide more significant details from the RTMP at the time of application for the Final Development Plan.

Department Reviews

Fire Department

The Robinson Township Fire Department has reviewed the plans and did not provide any access or public safety concerns.

Review of Preliminary Development Plan

As you know, any application for a PUD Preliminary Development Plan shall be reviewed by the Planning Commission and its recommendations shall be provided to the applicant based on certain provisions within Section 20.5 – Review of Preliminary Development Plan of the RTZO. For your convenience, below is a copy of Section 20.5 of the RTZO along with our comments in *italic font* regarding each provision to assist you with your review.

Section 20.5 – Review of Preliminary Development Plan

The Planning Commission shall review the preliminary development plan and make recommendations to the applicant based on:

- (A) The requirements of this Ordinance; and

While not included within this memorandum, the applicant was required to provide a site plan submission that met the provisions of Section 20.4 – Preliminary Development Plan – Submissions and Content of the RTZO. Following our review of the same, we found these provisions to be met.

- (B) The following specific considerations where applicable.

- (1) Ingress and egress to the property and proposed buildings and structures thereon, with particular reference to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe. Right-of-way widths and construction details for public streets shall be governed by the rules and specifications of the Ottawa County Road Commission for County roads; right-of-way widths and construction details for private driveways shall at a minimum conform to the following requirements:

As aforementioned, the Robinson Township Fire Department expressed that they do not have any access or public safety concerns. In addition, with the acquisition of the property to the east, the applicant now proposes to improve internal access to the site from the original end use plan by extending the road to intersect with Fillmore Street. Further, the northernmost street is proposed to provide for a temporary cul-de-sac and easement to allow for future expansion to the north.

- (a) The driveway shall be constructed in a good and workmanlike manner upon and parallel to the center line of an easement which is established by a duly recorded conveyance and which is not less than sixty-six (66) feet in width for its entire length.

As you will note on Sheet 1 of 3 and Sheet 2 of 3, the applicant has provided compliance with this provision.

- (b) The driveway shall be constructed so as to sufficiently control storm water runoff and permit effective storm water drainage, such as by means of ditches constructed parallel to and on either side of the driveway, by sloping the sides of the driveway from the center thereof, or by other effective methods.

As you will note on Sheet 1 of 3 and Sheet 2 of 3, the applicant has provided a storm water system to meet this provision. While the

Township does not retain the services of a professional engineer, it may be appropriate to do so to confirm the system provided by the applicant.

- (c) The driveway shall have a sand and gravel base of not less than twelve (12) inches in depth of which not less than six (6) inches in depth shall be only gravel.

As you will note within the Typical Road Cross Section on Sheet 1 of 3, the applicant has provided compliance with this provision.

- (d) The driveway shall have a road bed not less than twenty-four (24) feet wide for its entire length.

As you will note within the Typical Road Cross Section on Sheet 1 of 3, the applicant has provided compliance with this provision.

- (e) The driveway shall be constructed over adequate culverts where necessary and as may be required by the Ottawa County Road Commission (or as would be required by the Ottawa County Road Commission if the driveway were a public street).

As you will note on Sheet 1 of 3 and on Sheet 2 of 3, the applicant has provided compliance with this provision.

- (f) The driveway shall be covered with bituminous blacktop paving material of not less than one and one-half (1-1/2) inches in depth at any point and of not less than twenty (20) feet in width for its entire length.

As you will note within the Typical Road Cross Section on Sheet 1 of 3, the details on the same sheet, and the details on Sheet 2 of 3, the applicant has provided compliance with this provision.

- (2) Off-street parking and loading areas where required, with particular reference to the items in Section 20.5 (B){1} and the economic, noise, glare, or odor effects of each use in the proposed planned unit development.

No off-street parking or loading areas are proposed with this development. As a result, this provision does not apply.

- (3) Refuse and service areas, with particular reference to the items in Section 20.5 (B){1} and Section 20.5 (B){2}.

No (centralized) refuse and service area is proposed with this development. As a result, this provision does not apply.

- (4) Utilities, with reference to locations, availability, and compatibility (potable private water supplies and on-site disposal of sewage or household wastewater shall be governed by the rules of the Ottawa County Department of Public Health).

As you will note on Sheet 2 of 3, the applicant proposes to install an eight (8) inch public water main to serve all of the sites. As you will note within Sheet 1

of 3, (general note) number 4a) indicates the sites will use on-site septic systems.

- (5) Screening and buffering with reference to type, dimensions, and character.

Consistent with the original end use plan, the applicant proposes a buffer zone around the perimeter of the property that is a depth of no less than 100 feet, except for where the proposed road is present in the southwest corner of the development.

- (6) Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with adjoining properties in the proposed planned unit development.

No street lights are proposed for the development. We are unaware of any development signage that is desired by the applicant.

- (7) The usefulness and value of open spaces and the need for deviations from the minimum required yards which would be required by the underlying zoning district

In our experience, a buffer zone of no less than 100 feet along the perimeter of a development property is significant. The applicant also provides adequate access for the occupants of the development to the lake at the west end of the water abutting the buffer zone. Given that we are unsure of the underlying zoning district, we cannot provide comment whether there is a need for deviation from the minimum required yards.

- (8) General compatibility with adjoining properties and properties in the proposed planned unit development.

As you will note on Sheet 3 of 3, the applicant illustrates that the majority of surrounding property is either vacant, agriculturally used, or are single-family residential lots. While the surround lots are generally larger than the proposed lots, we believe the proposed development is generally compatible with adjoining properties.

- (9) Compatibility of the Township's Master Land Use Plan and existing zoning with the proposed planned unit development.

RTMP

While we again presume that the underlying zoning district is the Agricultural Zoning District, our application of the Agricultural Uses Chapter of the RTMP is limited because the language therein is primarily designed for the preservation of agricultural lands. Nonetheless, we outline a relevant goal and recommendation below, along with our comment under each.

- *Goal: Preserve rural character*
 - *Rural Character is defined by the RTMP to include ponds and other bodies of water. Given the substantial lake feature in the site, this type of rural character has been provided.*
- *Recommendation: Encourage the design of a "no-cut" zone along rights-of-ways to protect the natural landscape, maintain open space*

and rural character, as well as preserve the natural drainage system to provide soil erosion and sedimentation control and reduce flooding.

- o *As aforementioned, the applicant has provided a buffer zone around most of the perimeter of the property to a depth not less than 100 feet.*

The Transportation Chapter identifies 120th Avenue as an Arterial street for its entire length in the Township. Except for Lake Michigan Drive and M-213, which are Principal Arterials, 120th Avenue is likely the most traveled Arterial street after the Principals. A relevant goal and recommendation includes:

- *Goal: An emphasis on interconnected drives and streets should be promoted so that internal trips can be made without compelling drivers to enter and exit the main road multiple times*
 - o *As aforementioned, the proposed development will provide for a roadway to intersect with Fillmore Street to the south and a roadway deigned for future extension to the north.*
- *Recommendation: Minimize traffic disruptions on arterials, while keeping through traffic off local residential streets.*
 - o *While temporarily the number of sites within the development will increase traffic on 120th Avenue, the development also provides for an exit onto Fillmore Street.*

Existing Zoning

Similar to our comments in number eight (8) above, the primary surrounding zoning district provide for agricultural uses and single-family residential uses, which are present on most of said lots. Unfortunately, it was not until the date of this memorandum that we noticed the conditional zoning of Neighborhood Commercial to the southwest abutting the subject property. We do not know the limitations of that property and are unable to access information in that regard in time for the agenda distribution.

(10) Any potential interference with adjacent permitted uses.

While the six adjacent parcels located along Fillmore Street will abut the proposed road at their north ends (and east side for the southeastern most parcel) it appears that the roadway is a reasonable distance from all of the single-family dwellings and any habitable building by neighboring persons.

Recommendations to the Applicant

At the conclusion of the deliberations of the Planning Commission, you are required to provide recommendations to the applicant regarding the Preliminary Development Plan along with any changes or modifications sought by the Planning Commission. The Planning Commission may call an advisory public hearing on the Preliminary Development Plan. A copy of Section 20.6 – Transmittal of Planning Commission Recommendation of the RTZO outlining these steps is provided below for your convenience.

Section 20.6 – Transmittal of Planning Commission Recommendation

The Planning Commission shall transmit its recommendations pertaining to the preliminary development plan along with any recommended changes or modifications thereof to the applicant. A copy of the Planning Commission's recommendations shall be transmitted to the Township Board. In the course of its consideration of the preliminary development plan, the

Planning Commission may call an advisory public hearing and give such notice thereof as it shall deem appropriate.

While the language within Section 20.6 of the RTZO does not explicitly indicate that the Planning Commission can direct the applicant to return with a revised Preliminary Development Plan prior to submitting the Final Development Plan, we believe the Planning Commission has that ability, should prefer to provide that direction.

Final Development Plan Submission, Public Hearing, and Next Steps

Final Development Plan

Following your action and direction regarding the preliminary plan, pursuant to Section 20.8 – Final Site Plan Content of the RTZO, the applicant shall provide a Final Development Plan in accordance with the provisions therein, including the requirements of Section 31.7 of the RTZO.

Public Hearing

As you know, a public hearing shall be held during consideration of the Final Development Plan and for the rezoning to the Planned Unit Development Zoning District.

Next Steps

In addition to the PUD process outlined above, it is important to note that the applicant intends to seek site condominium units within the development. Typically, we will process the site condominium application simultaneously to the PUD plan, however, the steps for both do not quite align. That is, according to Section 21.4(D)(2) – Review of Preliminary Plans by the Planning Commission for site condominiums, the Planning Commission shall hold a public hearing on the preliminary plan, whereas a public hearing for the PUD Preliminary Development Plan is optional. Given this, we wanted to verify whether the preference of the Planning Commission is to hold a public hearing on both preliminary plans together, or complete the PUD process and require the applicant to return subsequently with a site condominium application pursuant to the RTZO.

Coupled with this, in the instance the Planning Commission “approves” the Preliminary Development Plan, the following steps need to occur:

1. A rezoning of the eastern (acquired) property to the Mining Zoning District
2. Subsequent to PUD approval, if provided, the applicant would need to return with a Class B Earth Change application to mine the rezoned property.
3. The Final PUD approval would need to be conditioned/related to the completion of the lake.
4. The Final PUD site plan and its rezoning, site condominium application, and the Mining Zoning District rezoning can be sent to the Board concurrently.

Planning Commission Considerations and Responsibility

Considerations

As the Planning Commission deliberates regarding this application, we believe the following warrant your review and consideration. They are listed in no particular order:

- The original end use plan
- The provisions of Section 20.5 – Review of Preliminary Development Plan, with particular regard to the provisions from the RTMP
- Whether an advisory public hearing should be held on the Preliminary Development Plan
 - Whether the site condominium application should be reviewed simultaneous to the PUD plan and a public hearing is held on the preliminary site condominium plan

Responsibility

After deliberations of the above considerations and as aforementioned, the Planning Commission shall determine whether an advisory public hearing is necessary and or provide direction to the applicant regarding the content of the Preliminary Development Plan to subsequently return with a Final Plan submission.

The Emerald Lake Estates PUD Preliminary Development Plan has been scheduled for your March 25, 2026, meeting. If you have any questions, please let us know.

GLR
Planner

Attachments

cc: Adam MacMillan, Supervisor