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**HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
April 9, 2024**

Chairman Randy Kortering called the meeting to order at 6:00 pm and asked for a roll call of members present.

Present: Chairman Randy Kortering, Vice-Chairman/Secretary Jack VanderMeulen, Members, Leo Barajas, Doug Becker, Angela Huesman, Evan Sharp and Russ TeSlaa. Also present were Community Development Director Corey Broersma, Assistant Planner/Zoning Administrator Kate White and Recording Secretary Tricia Kiekintveld.

Absent: None.

Public Comment:

Michelle Rowden, 3816 140th Ave., Holland, 49424 - Ms. Rowden thanked the Commission for including 2 outlets for the proposed apartment complex on 140th Ave. She stated that she still has some concerns with the development. Ms. Rowden said that she is concerned about too many people living in a small area and when that happens, crime rates are known to go up. She also noted that these apartments back right up to her property and already she has people climbing her fence and leaving beer bottles in her yard. Ms. Rowden noted that she is not against apartments, as she at one point lived in an apartment herself, however, she is worried about the safety of the roads, kids and the noise that adding another apartment complex will produce.

Alicia Chrysler, 3738 140th Ave., Holland, 49424 - Ms. Chrysler addressed concerns with the same apartment complex on 140th Ave. She stated that her main concern is with the safety of the children at the 2-3 schools in the neighborhood. She feels that as a Township we all have a responsibility to keep the school children safe. Ms. Chrysler suggested that she would like to see a retention pond on the property along the property line that borders the homes that are already there.

Minutes:

** It was moved by Barajas and supported by TeSlaa to approve the minutes of the regular meeting of March 5, 2024. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Public Hearings:

Chairman Kortering opened a public hearing for consideration of an amendment to the Zoning Ordinance and Map of Holland Charter Township submitted by Mike Siereveld and Steve Hunderman of Eagle Creek Homes, LLC. Said lands are located at 0 (vac) Paw Paw Dr., described more specifically as Parcel Numbers 70-16-23-400-067, -068, 069, -070 & -071. To change the subject lands from C-2 Community Commercial to R-1 Low Density Residential. The subject properties contain a total of 3.7 acres.

Present for this request was Peter Rhoades of Rhoades McKee, 11377 James St., Holland, 49424.

Chairman Kortering reminded commissioners of the process previously undertaken to amend the Future Land Use Map for the subject property and opened the meeting up for public comments.

There was no one present to speak to this request.

** It was moved by Becker and supported by Sharp to close the public hearing. All in favor. Motion carried.

The Commissioners went through the Zoning Map Amendment Criteria

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Comprehensive Plan; or, if conditions have changed significantly since the Comprehensive Plan was adopted, whether the map change would be consistent with recent development in the area.

Mr. Kortering noted that this has been addressed.

2. Whether the proposed district and the uses allowed are compatible with the physical, geological, hydrological and other environmental features of the site.

The Commissioners agree with this.

3. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values, and traffic impacts.

Mr. Kortering noted that they have talked through this.

4. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting.

Mr. Kortering noted that they have talked through this.

5. Other factors deemed appropriate by the Planning Commission or Township Board.

The Commissioners noted that there is nothing further to discuss.

** It was moved by Becker and supported by Huesman to recommend approval to the Township Board of Trustees to change the subject lands from C-2 Community Commercial to R-1 Low Density Residential. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Chairman Kortering opened a public hearing for consideration of an amendment to the Special Land Use Permit for the expansion of an existing Contractor's Facility with Outdoor Storage, submitted by Timothy Kraal of Butch Properties, LLC. Said lands are located at 892 &

912 Black River Dr., described more specifically as Parcel Numbers 70-16-25-475-003 & 70-16-25-475-002.

Present for this request was Becky Page, Holland Engineering, 220 Hoover Blvd., Holland, 49423 and Steve Kraal, Excell Electric, 3115 Dixie SW, Grandville, 49418.

Ms. Page stated that they are proposing to expand the contractor's facility and outdoor storage to the property next door. The property is zoned C-3. She noted they have submitted the application to combine the parcels to the Township. Ms. Page said they will get the permit for the driveway from the Ottawa County Road Commission. She also noted the site is part of a 433 County Drain, so the storm water storage is provided on the developed property. Ms. Page said that there are similar uses in the area, so this use fits in well.

Mr. Kortering asked about the long utility poles they may keep on the property. Mr. Kraal answered they do keep poles on the property for a period of time. He stated they use the poles during construction as temporary utility poles on construction sites then bring them back to their site until needed at the next construction site. Mr. Kraal thought that they did have approval for outdoor storage until they came before the Commission some time ago and apparently lost the outdoor storage, which they were made aware of about a month later.

Staff noted that the Township can defer the buffer landscaping requirement with progress towards constructing the new building, but recommends buffer installation no later than November 15, 2025 if the building is not built. Staff believes the front yard landscaping should be installed with the parking lot.

Mr. Kraal stated that they have prepped a parking lot pad on the site but do not want to lay down the asphalt yet because once they start construction on the new building the large trucks will ruin the asphalt, they would like to keep the asphalt millings there and use the parking area for employee parking at this point. Mr. Kortering asked what their timeline is for building the new building. Mr. Kraal said they are not sure at this point as they are working on developing another piece of property in the same area first.

Ms. Page noted that at this point they are only proposing landscaping for the parking area, not for the future building.

Mr. Sharp asked if the placement of the driveway has been approved by the Ottawa County Road Commission. Ms. Page answered that they have not submitted it to the Ottawa County Road Commission yet.

Staff stated they are glad to hear that an application has been submitted to combine the lots and they see the parking area on the drawings, but they do not see any outdoor storage indicated on the drawings nor do they see screening for any storage area. Staff is asking for clarification if the applicant is asking for outdoor storage.

Mr. Kraal answered that they want outdoor storage on the original lot directly to the east of the building. They plan to use the extra parking area for employee parking only. He said their goal is to make it all look good so they will do whatever is necessary for landscaping.

There was discussion if there is room for outdoor storage in the area to the east of the current building with setbacks, easements, etc.

Chairman Kortering opened the meeting up for public comments.

There was no one present to speak to this request.

** It was moved by Becker and supported by TeSlaa to close the public hearing. All in favor. Motion carried.

Mr. Kortering stated that they will need screening for the scrap steel and proposed outdoor storage. If there is an encroachment onto any private drainage easements, then they will need approval from the Ottawa County Water Resources Commission. Mr. Kortering noted that they will need to include in a motion that they must comply with all setbacks, if the Commission is looking to authorize the use tonight.

Mr. Becker asked if there would be limitations as to where the applicant can have outdoor storage after the new building is built. Staff stated that the motion should state specifically where outdoor storage is located.

Mr. VanderMeulen clarified the conditions of approval would include outdoor storage by the existing building, a temporary parking lot with landscaping on the frontage of the second parcel and a second future warehouse building on the second parcel.

Staff noted that because they are combining lots, they need a new special use, however, there are no provisions for temporary paving. Mr. Kortering stated that it makes sense to not pave the parking lot if they are going to build a new warehouse on the site. The Commissioners agreed with the temporary parking lot.

Mr. Kortering asked if storing the steel poles is an issue. Staff asked the Commissioners to make a motion with conditions including height, volume, and what is allowed to be stacked.

Mr. Becker and Ms. Huesman said they would like the motion to be less prescriptive in regards to where the storage is located, as long as they follow the setback rules.

Mr. VanderMeulen suggested that they table the request to allow them to come back with a plan showing where they would like the outdoor storage, since what they are asking for is different than what is shown in the packet.

** It was moved by Sharp and supported by Huesman to table the item. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

It was noted that the applicant can work with Staff on any specifics.

Chairman Kortering opened a public hearing for consideration of a Special Land Use Permit for a 7,740 square foot Contractor's Facility without outdoor storage and a 2,166 square foot warehouse, submitted by Mark Maier of BR Garages, LLC. Said lands are located at 961 Black River Dr., described more specifically as Parcel Number 70-16-25-474-001.

Present for this request was Todd Stuve, of Exxel Engineering, 5252 Clyde Park Ave. SW, Grand Rapids, 49509.

Mr. Stuive indicated the property is located at the end of the cul-de-sac with a pond running the length of the back yard along the highway. They are proposing two relatively small buildings on the property. The southern building could contain warehouse space or offices. They will plumb the entire building with water and sewer and can customize each unit depending on the tenant's needs. Mr. Stuive indicated that there will not be any outdoor storage and that they have 16 parking spaces provided.

Mr. Kortering asked for clarification of what will be in each building. Mr. Stuive answered that the southern 7,740 square foot building will be leased spaces for contractors and the northern 2,166 square foot building will be warehouse space only. Mr. Stuive indicated that currently there are no proposed walls in the contractor's facility building. They will add walls and any necessary plumbing as the building is leased. He noted that some tenants may want to lease out more than one of the units.

Staff questioned if the drawings indicate enough restroom facilities in the southern building and asked the Commissioners if they are comfortable with this building being part Contractor's Facility use and part Warehouse use. Staff also noted that the parking requirements would vary depending on how much of the space is used for office and warehousing. A warehouse space would only require one parking space per 2,000 square feet but an office space would require additional parking at 1 per 300 square feet. The Commissioners agreed that using the southern building for both warehouse space and contractor's facility space would be a good use of the building. Staff noted that the Commissioners will want to include in the motion that the building can be used for warehouse or contractor's facility.

Chairman Kortering opened the meeting up for public comments.

There was no one present to speak to this request.

** It was moved by Sharp and supported by Barajas to close the public hearing. All in favor. Motion carried.

The Commissioners went through the Special Land Use Standards of Approval

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

The Commissioners agree given the presence of many similar uses along Black River Dr.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

Public services and facilities appear to adequately serve the proposed use.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

We do not know yet what the uses or materials stored may be. It was suggested that the motion include no hazardous materials.

4. The use will be consistent with the intent and purposes of this ordinance and the Holland Charter Township Comprehensive Plan.

The proposed use is permitted by Special Use in a C-3 zoning district.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

Development will be required to provide appropriate stormwater management and the installation of landscaping per zoning requirements.

6. The use will not result in traffic congestion, nor have an adverse impact on roads, nor cause hazards.

No more than any other commercial use would on this property.

7. There is need for the proposed use within the township, and the use will not be detrimental to the community.

The Commissioners are assuming they know what is best for their business.

** It was moved by Huesman and supported by Barajas to approve the Special Land Use permit for a 7,740 square foot contractor/warehouse facility without outdoor storage and 2,166 square foot warehouse without outdoor storage, both excluding hazardous materials storage. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Other Business

9696 Black River Ct. – Parcel Number 70-16-36-200-031 – Site Plan Review

The applicant requested the item be postponed at this time.

Tabled Items

410 & 414 E 8th St. – Parcel Number 70-16-28-328-002 & -003 – Preliminary PUD – This item was tabled at the September 5, 2023, Planning Commission meeting.

Item to remain tabled at this time.

575 E. 16th St., 595 E. 16th St., 367 Hoover Blvd., 582 E 15th St. – Parcel Numbers 70-16-28-482-005, -006, -001 & -007 – Site Plan Review – Consideration of a site plan review submitted by Chris McGuire of McCon Building Corporation of behalf of TRT Partners LLC of a restaurant with a double drive-through. The subject property is zoned C-2 Community Commercial.

Mr. Chris McGuire, McCon Building Corporation, 1209 Joseph St., Dodgeville, WI, 53533.

Mr. McGuire stated that since they were here the last time, they conducted a traffic study, changed the access off 16th Street to a “right in only” access, and they modified the site accordingly due to this change. He noted that the abandonment of 15th Street’s reciprocal easement cannot be complete until the sale of the property. Mr. McGuire is asking for a reduction in landscaping requirements due to the limitations of the property. He also noted that his measurements do not seem to agree with Staff’s measurements in regard to landscaping. Mr. McGuire would like to be able to work with Staff on the landscaping.

** It was moved by Becker and supported by VanderMeulen to remove the request from the table. All in favor. Motion carried.

Mr. Kortering is concerned about the amount of parking proposed at this location as other Culver’s he has been to seem to have more parking than what is proposed here. Mr. McGuire said that the trend is more toward drive-through traffic rather than sit down customers. He also stated that the owners are working with the neighbor, Nederveld, for the abandonment of 15th Street. They currently have an outline of an agreement in place with Nederveld which will be a reciprocal easement agreement with can be finalized after the sale of the property. Mr. McGurie also noted that they are talking to Nederveld to be able to possibly use part of their parking lot for employee parking as they have a parking lot much larger than what they currently use.

Mr. Kortering is also concerned about the neighbors across the street and the lights from cars that will potentially shine into their homes. Mr. McGuire said they plan to install a natural berm with shrubs on top of the berm along Hoover Boulevard to block car headlights.

Mr. VanderMeulen is concerned about the time of day the restaurant will receive deliveries as that could backup traffic on 16th Street. Mr. McGuire said that the restaurant will open at 10am and all deliveries will take place before they open in the morning.

Mr. VanderMeulen also asked about a “To Go” service. Mr. McGuire said they will have “Curb Side” parking space for customers that have placed on-line orders to park for a few minutes to come into the building to pick up their food, as well as various food delivery services that could use the same spaces.

Ms. Huesman asked how many spaces they have designated after the drive-through window for vehicles that need to wait for their food to be ready. Mr. McGuire said they have 8 spaces at this location where their older stores only have 4 spaces.

Mr. VanderMeulen expressed concern with the retaining wall along the west side of the property. He doesn’t want that to be an eye sore and asked if there is anything that can be done to make it look better than just a wall. Mr. McGuire said they plan on conforming to the ordinance with the retaining wall. He suggested they could put vines on the wall or use colored materials.

Staff stated that the big issue they see related to the retaining wall is going to be adhering to building setbacks with anything over 30” in height. As shown the retaining wall is as high as 6 feet or more in some areas, which would require the wall to be 15 feet off the property line. The applicant could seek to secure a Zoning Board of Appeals variance for the retaining wall that could possibly relax the 15-foot setback down to maybe 5 feet which would allow space for planting of shrubs along the base of the wall for aesthetics.

Mr. McGuire suggested that they could look at installing a box culvert instead of the retaining wall and wondered if that would work with the Township. Staff stated that the applicant would need to

work with the Ottawa County Water Resource Commission on that and see if that is something they feel would work in this application. If the Ottawa County Water Resource Commission is good with it then the Township would definitely take a look at it as well.

Staff went through the following items they would like to see addressed in a motion:

1. The retaining wall reduced to 30" or less or seek the proper variance as needed; the applicant would then work with the Ottawa County Water Resource Commission on a culvert design and/or any easement encroachment.
2. Work with the Road Commission on the driveway design as it encroaches on the frontage of the neighboring Nederveld property.
3. City of Holland would be the authorizing agency for the driveway on 16th Street.
4. The possibility of a parking lot peninsula at the Southeast corner of the building for the safety of parked vehicles as customers exit the drive-through lane.
5. The Township will need to see formal documentation from Nederveld regarding the abandonment of 15th Street.
6. The Fire Chief will need to see schematics showing turning radii around the building.
7. Landscaping needs to meet the ordinance.
8. Lighting needs to meet the ordinance.
9. Documentation of the lot combination.

Mr. McGuire stated that he likes the island idea but would need to work with the Fire Chief to make sure that doesn't infringe on the turn radii for the fire vehicles.

** It was moved by VanderMeulen and supported by Becker to approve the Site Plan for a restaurant with a double drive-through with the following conditions:

1. All properties combined into one parcel.
2. Provide documentation to the Township for the abandonment of 15th Street.
3. Provide Ottawa County Road Commission approval for the Hoover Boulevard entrance.
4. Provide Ottawa County Water Resource Commission approval.
5. City of Holland written approval of the 16th Street entrance.
6. Applicant to work with Staff on buffers and the end parking space (possible island).
7. Plans be provided that show emergency vehicle radii.
8. Landscaping and lighting be worked through with Staff.
9. Work with Staff on the retaining wall to meet the ordinance or go to ZBA; soften the appearance of the wall somehow.

A roll call vote was taken. Yes – 7, No – 0. Motion carried.

0 (vac) 140th Ave. and 13928 Westwood Lane – Parcel Numbers 70-16-07-200-022 and 70-16-07-231-007 – Site Plan Review – Consideration of a site plan review submitted by Brad VanderZwaag of BauVan Land Co, LLC for approval of a 120-unit multi-family apartment complex, consisting of 5 three-story apartment buildings with 24 units each and 5 one-story garage buildings along with one multi-family building, consisting of 9 townhome style units measuring two stories in height. The subject property is zoned R-3 High Density Residential.

Present for this request was Chuck Hoyt of Nederveld Engineering, of 347 Hoover Blvd., Suite C, Holland, 49423

**It was moved by Becker and supported by Huesman to remove the item from the table. All in favor. Motion carried.

Mr. Hoyt said that they are combining the two parcels that would contain the 120-unit apartment project and the 9-unit townhome project into one parcel as shown on the site plan. He acknowledged that cross access easements are still required. Mr. Hoyt said they added a playground to the plans and located it at the west end of the north parking lot. This puts it in close proximity to the canopy area and the walking paths. He noted that they made changes to the landscape plan as required. Since the last meeting, they also had a tree survey completed to document the heavy tree canopy along the west end of the property. Mr. Hoyt stated that they changed the parking areas to leave space for snow storage. He also noted that the Ottawa County Road Commission approved the entrance off 140th Ave.

Mr. VanderMeulen noted that he likes the fact that they put the mailboxes along the northeast side of the development and that there are 2 sets of mailboxes to diminish traffic backups.

The Commissioners reviewed the criteria for Site Plan Conditions of Approval as follows:

1. Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
2. Ensure that the use is compatible with adjacent land uses and activities.
3. Protect natural resources, the health, safety, welfare and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
4. Ensure compatibility between the proposed use or activity and the rights of the township to perform its governmental functions.
5. Meet the intent and purpose of the zoning ordinance, be related to the regulations and standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.
6. Ensure compliance with the intent of other township ordinances that are applicable to the site plan.
7. Ensure compatibility with other uses of land in the vicinity.

** It was moved by VanderMeulen and supported by Barajas to approve the site plan for a 120-unit multi-family apartment complex and one multi-family building consisting 9 townhome-style units with the following conditions:

1. Proof of lot combinations is provided;
2. Provide written approval from the Ottawa County Water Resources Commission stating that the proposed site drainage is adequate;
3. Provide written approval from the Ottawa County Road Commission for the driveway connections to Westwood Lane and 140th Avenue;
4. Submit a revised landscaping plan meeting the provisions of Article 11; and
5. Submit a revised lighting plan compliant with Article 12.

A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Zoning Text Amendments

The Commissioners discussed possible Zoning Text Amendments, including minimum storage areas for multi-family and single-family attached dwellings. It was determined that the Planning Commission felt comfortable with changing the required storage area to 10% of the minimum floor area requirements.

The next regular Planning Commission meeting is scheduled for Tuesday, May 14, 2024, at 6:00 pm.

The meeting adjourned at 8:13 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary