

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
May 9, 2023

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, Steve Darrow, Evan Sharp and Russ TeSlaa. Also present were Community Development Director Corey Broersma and Assistant Planner/Zoning Administrator Kate White.

Absent: None.

Public Comment: None.

Minutes:

** It was moved by TeSlaa and supported by Barajas to approve the minutes of the April 11, 2023, meeting. A roll call vote was taken. Yes – 6, No – 0, Abstain - 1. 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 Mikel Currier of Jones | Petrie | Rafinski on behalf of TRT Partners, LLC. Said land is located at 582 East 15th Street, described more specifically as Parcel Number 70-16-28-482-007. The petitioner is seeking to change the above land from R-2 Moderate Density Residential to C-2 Community Commercial.

Present for this request was Mikel Currier of Jones | Petrie | Rafinski.

Mr. Currier stated that the purpose of the request is to use this property along with three adjacent properties to building a Culver's restaurant with two drive-through lanes. The other surrounding parcels needed for the Culver's development are zoned C-2 Community Commercial.

Mr. Currier noted that there is the East 15th Street public right-of-way north of the subject parcel. He talked with the Ottawa County Road Commission and they wish to have 15th Street vacated. If the street is vacated, Culver's can then incorporate that land into their property.

The plan is to have the central flow of traffic come from East 16th Street with a secondary entrance where East 15th Street is now.

Chairman Kortering noted that the use of Hoover Blvd may be better to use given it is a signalized intersection.

Vice-Chairman VanderMeulen asked about whether they knew of any utilities under the East 15th Street public right-of-way? Currier stated that they had not found anything so far with their surveying work, however, he suspects there might be something there to service the existing house on the subject property. He further mentioned that utilities for this property will be worked out with the City of Holland and their Board of Public Works.

Mr. Sharp asked if the property owner of this parcel they are discussing owns the other parcels intended to be used for a Culver's restaurant. Mr. Currier said yes.

Mr. Broersma mentioned the past attempt in 2019 to rezone this subject parcel to C-2 Community Commercial. The request at that time had been denied by the Planning Commission, however, the request was subject to review against a different Master Plan and Future Land Use Map. Mr. Currier asked if that request in 2019 was for a gas station? Mr. Broersma said yes, one of the concepts mentioned had been a gas station.

Vice-Chairman VanderMeulen noted traffic concerns on 16th Street; it can get backed up at certain times of the day.

Chairman Kortering opened the meeting up for public comments.

Mark Kooyers (property owner of subject parcel) of TRT Partners, LLC – Mr. Kooyers provided a summary of the previous rezoning request in 2019. He noted the Planning Commission denied the request and felt that a gas station may not be suitable in the area. Mr. Kooyers feels that a Culver's restaurant would be more suitable in this area and a better fit than the gas station. Mr. Kooyers asked the Planning Commission to approve the rezoning.

Staff provided a written communication from a Phil and Sara Quinn of 367 Hoover Blvd regarding the proposed rezoning. The Quinns noted concerns regarding increased traffic in the area.

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

Mr. Becker noted that the Future Land Use Map and Master Plan designate this property for mixed-use, which means a housing component should be incorporated in some way. A Culver's restaurant does not incorporate housing in anyway.

Mr. Barajas said that for this property and the neighboring properties, mixed use does not make sense, in his opinion. He is leaning towards a restaurant making more sense in this area.

Mr. Sharp stated that he is leaning towards not eliminating residential zoning districts given the need for housing in the area; however, he noted a restaurant may make more sense here given the property and location.

Vice-Chairman VanderMeulen said he was on the fence. VanderMeulen noted how vacant many storefronts are with traditional retail and that may be a valid concern with mixed use development.

The Commissioners went over the criteria for Zoning Ordinance Map Amendments:

- 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 trends in the area.

The Township's Master Plan and associated Future Land Use Maps have designated the subject property and those to the north, east and south as "Mixed Use". However, as the Planning Commission has discussed, mixed use may be tricky here and another C-2 use may be more appropriate.

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

Any development of the site will physically, geologically, hydrologically, and environmentally impact the site.

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.

Traffic impacts on Hoover Boulevard and 16th Street can be expected, however, the traffic signal may provide additional options for traffic control.

Starbucks, Menards, Speedway, and the new Menards storage unit are located nearby, so a restaurant with drive-through facilities makes sense.

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.

The site is capable and there is an existing sidewalk on Hoover Blvd. The Planning Commission notes that the rezoning does establish a nonconforming C-2 parcel, but they are not worried given what the proposed use would be and the anticipated lot combinations.

Planning Commission recognizes that a street vacation for East 15th Street is anticipated.

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

No issues.

*** It was moved by Darrow and supported by Becker to recommend approval to the Township Board for the proposed Zoning Ordinance and Map Amendment, changing the subject land from R-2 Moderate Density Residential to C-2 Community Commercial. 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 Zoning Ordinance and Map of Holland Charter Township submitted by Dan Terpstra on behalf of Nathan and Emilie Terpstra. Said land is located at 10245 Perry Street, described more specifically as Parcel Number 70-16-24-300-010. The petitioner is seeking to change the above land from AG Agriculture to R-2 Moderate Density Residential.

There was no one present to speak to this request.

Staff noted that with the applicant absent, the Planning Commission may hold the public hearing and table the matter or move forward with their review and decision.

Chairman Kortering opened the meeting up for public comments.

Mary Kraai of 1614 High Pointe Dr – Ms. Kraai said she spoke with Nate Terpstra, the property owner, about their rezoning request and she is okay with their request. It makes sense to her given the rezoning that had occurred for Eagle Meadows north of the subject property. Eagle Meadows property was rezoned to R-2 and this proposed rezoning would align.

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

Vice-Chairman VanderMeulen asked Staff what size of a parcel is the property owner planning to split-off? Staff noted that they had not received a land division application yet, so they cannot confirm the proposed size. Staff would verify compliance with minimum lot area and lot width requirements for the R-2 zoning district at the time they receive an application for division.

Chairman Kortering mentioned that the rezoning to R-2 seems to align with the Future Land Use Map and Master Plan. He polled Commissioners about their comfort moving forward with the request with the applicant absent.

The Commissioners noted their comfort level with the request and decided to move forward with the request even though the applicant was not present.

The Commissioners went over the criteria for Zoning Ordinance Map Amendments:

- 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 trends in the area.**

The Township's Master Plan and associated Future Land Use Map have designated the subject property for "Low Density Residential". The proposed rezoning is consistent with the goals, policies, and Master Plan.

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

The site currently has a single-family dwelling. Any development on a newly divided lot site will physically, geologically, hydrologically, and environmentally impact the site.

- 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.**

The Planning Commission noted that if the property owner were to split the property for a new single-family dwelling, that would not be out of character in this area and a two-family

dwelling would not be permitted along Perry Street as it is not classified as a County Primary Road.

- 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.**

The site is capable of accommodating the uses allowed.

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

No other factors.

*** It was moved by Becker and supported by Barajas to recommend approval to the Township Board for the proposed Zoning Ordinance and Map Amendment, changing the subject land from AG Agriculture to R-2 Moderate 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 Zoning Ordinance and Map of Holland Charter Township submitted by Dave Ash of Lakewood Construction on behalf of Ross Luurtsema of Luurtsema Development, LLC. Said land is located south of and across Adams Street from 10001 Adams Street, described more specifically as Parcel Number 70-16-36-100-007.

Present for this request was Becky Page of Holland Engineering; Ross Luurtsema, owner of ALTL; Claren Lau, president of ALTL; and Dan Callam, Greenway Manager at Outdoor Discovery Center.

Ms. Page noted they are requesting to rezone the subject parcel from C-3 Highway Commercial to I-1 Light Industrial. The company, ALTL (a transportation service business), purchased the subject parcel in 2021 for the hopes of expansion to a new site. Ms. Page noted that ALTL is a family business which has been in operation for the past several decades.

Ms. Page stated that their intention is to use the property for Minor Vehicle Repair which will only provide service to ALTL fleet vehicles. The location of this site is ideal for ALTL given its proximity to the I-196 freeway, as well being close to important clients of ALTL, like Miller Knoll. Ms. Page noted similar truck-oriented businesses in the area, so the proposed use does not seem out-of-place.

Ms. Page noted the purpose of the rezoning to I-1 is to permit outdoor storage on the site and that the intention of the outdoor storage is for tractors, not trailers. She said that those tractors would come and go as they are serviced. Additionally, proposed added landscaping on-site may help improve the view of tractors being stored on-site.

Ms. Page anticipates that much of traffic coming from this site would be heading east towards the I-196 on-ramp and left-hand turns onto Adams Street would not occur often.

Ms. Page mentioned she is working Aaron Nyboer, Director of Public Works, regarding any utility needs and concerns.

Ross Luurtsema noted that when this subject property became available, ALTL invested in the property knowing the area was becoming more of a transportation corridor, so their use made sense here.

Mr. Luurtsema mentioned the Macatawa Greenway and his desire to help improve bike and pedestrian pathways in the area. He has been working and talking with the Outdoor Discovery Center about an easement for their Greenway expansion.

Luurtsema also mentioned that ALTL are good neighbors; they maintain their sites and keep the properties clean.

Claren Lau mentioned how ALTL is a growing business that serves high-end clients with transportation needs, like Miller Knoll, Haworth, Bradford White, etc. They intend to use this site for preventative maintenance (e.g., tire and oil changes) of their fleet vehicles. Lau emphasized that vehicles leaving the site will mostly head east towards the I-196 on-ramp.

Mr. Lau said that Staff had concerns about the daycare center to the west of the subject property; but he noticed that the site is currently for sale.

Chairman Kortering asked about the number of bays, expected maintenance turn-around time, and tractor storage. Mr. Lau said that he expects the maintenance turn-around to be about a day. The number of bays is not certain right now; they have not fully developed plans yet.

Dan Callam stated that the Outdoor Discovery Center views the proposed easement on the subject property for the Macatawa Greenway as a great opportunity to connect the Greenway to Hawthorn Pond on the other side of I-196. The easement could bring potential savings on trail construction and connection.

Vice-Chairman VanderMeulen asked if there is a firm commitment to donate or establish the easement on this property for the Macatawa Greenway? Mr. Luurtsema responded that he has made a personal commitment to make this happen.

Chairman Kortering opened the meeting up for public comments.

There was no one from the public present to speak to this request.

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

Staff noted that this rezoning request is atypical. Usually, Staff would recommend to the applicant to pursue a Future Land Use Map amendment and then pursue the rezoning. The Master Plan designates this property for "Park/Public Space" and a rezone to I-1 would seem inconsistent with the Future Land Use Map; however, staff recognized the concept plan presented shows opportunity for the Macatawa Greenway to expand and connect park spaces, which may qualify as "Park/Public Space" use on a portion of the property. Staff emphasized that if this property is rezoned to I-1 Light Industrial, then the Township would be eliminating the development opportunities associated with the C-3 district, like a hotel, restaurant, banquet hall, etc.

Chairman Kortering noted that he felt this property seems like a logical choice for ALTL's operations.

Mr. Becker mentioned that he appreciated the opportunity to expand the Macatawa Greenway.

The Commissioners went over the criteria for Zoning Ordinance Map Amendments:

- 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 trends in the area.**

Commissioners noted that the proposed rezoning is an adjustment from the future land use map of the Comprehensive Plan, but given what they have discussed, they collectively feel the change is okay.

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

The property is currently farmed, including a majority of the area within the FEMA-designated floodway and floodplain. Any existing environmental features along the river would likely remain and would be expected to naturally expand upon the termination of farming activities. Any proposed development within the “upland” areas of the site will impact the physical, geological, hydrological, and environmental characteristics of the property.

- 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.**

The described uses may be considered more compatible with Miller Knoll who is located across the street. The Commissioners noted concerns about the adjacent daycare use.

- 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.**

Commissioners agrees that the upland portion of the site is capable of accommodating several uses.

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

No other factors.

*** It was moved by VanderMeulen and supported by Becker to recommend approval to the Township Board for the proposed Zoning Ordinance and Map Amendment, changing the subject land from C-3 Highway Commercial to I-1 Light Industrial. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Before hearing the next agenda item, Staff noted that the next agenda item for 12613 and 0 (vacant) James St includes a previous special land use request which is currently tabled. Staff stated that the Planning Commission may wish to untable and deny the old request or they may ask the applicant if he wishes to withdraw the request and accept the withdraw.

Chairman Kortering asked Mr. Wickstra if he would like withdraw the special land use request for outdoor storage on 0 (vacant) James St or have the Planning Commission make a decision on the matter. Mr. Wickstra requested to withdraw the request.

*** It was moved by VanderMeulen and supported by TeSlaa to accept the withdrawal of request for a Special Land Use Permit for Outdoor Storage on 0 (vacant) James St. A roll call vote was taken. Yes – 6, No – 0, Abstain – 1 (Darrow). Motion carried.

Chairman Kortering opened a public hearing for consideration of a special use permit, submitted by Matt Wickstra of Lick, LLC for a Contractor's Facility with Outdoor Storage and Warehouse Facilities. Said lands are located at 12613 and 0 (vacant) James St, described more specifically as Parcel Numbers 70-16-16-300-049 & -052, respectively. The subject properties are zoned C-2 Community Commercial.

Steve Darrow abstained from this agenda item and left the room.

Present for this request was Matt Wickstra of Lick, LLC, applicant.

Mr. Wickstra stated that they are coming forward with a new concept for the two properties where the lots will be combined. He noted that he had been in front of the Planning Commission previously for these properties, where 12613 James St had received an approved Special Land Use permit and the vacant adjacent James St property had been tabled based on some disagreements relating to lot combination needs. He has worked with Staff and feels like this concept works.

The new concept addresses the existing outdoor storage on 12613 James St and its setback from property lines. Mr. Wickstra noted that Staff felt comfortable with the compromised 10-foot setback for outdoor storage on this site given the history of the site. Mr. Wickstra noted the new combined site would have an additional area for outdoor storage which would comply with the required setbacks.

Mr. Wickstra said he agrees mostly with Staff comments in their report; however, he requests that the Planning Commission permit the new outdoor storage area to be used for RV/boat/trailer storage. He noted the short-term vision is for the new outdoor storage area to be used by Masonry Arts, but they would eventually transition that space for storage of recreational vehicles associated with the Warehouse condo units.

Vice-Chairman VanderMeulen asked what type of uses are in the existing building on 12613 James St? Mr. Wickstra noted that it is mostly contractor services, he believes.

Chairman Kortering opened the meeting up for public comments.

There was no one from the public present to speak to this request.

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

Mr. Becker asked about recreational vehicle storage and whether it is okay for the Planning Commission to approve it for such a use. Mr. Broersma noted that outdoor storage may be associated with mini-warehouse/self-storage uses or contractor facility uses. Mr. Broersma

emphasized that the outdoor storage presented would need to be associated with the approved contractor's facility.

Vice-Chairman VanderMeulen noted that RVs, boats, and other recreational vehicles can be stored indoors in the warehouse units.

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.

Currently, the subject properties are surrounded by similar uses and the proposed warehouse units will be of a lower intensity than additional Contractor Facilities. There are no issues.

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.

Commissioners do not see an issue with this standard.

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.

The Planning Commission does not support the outdoor storage of boats, RVs, trailers associated with the Contractor's Facility or Warehousing.

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

The proposed uses (Contractor's Facility with Outdoor Storage and Warehousing) are permitted when approved as a Special Land Use in the C-2 Community Commercial 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.

Commissioners note that development of the vacant property will bring some landscaping and greenery, and generally enhance the site. They note that Staff is comfortable with the landscaping provided.

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

No adverse impacts.

7. There is need for the proposed use within the township.

The business has been there for a long time, so they have proven a need.

** It was moved by TeSlaa and supported by Barajas to approve the Special Land Use Permit for a Contractor's Facility with Outdoor Storage and Warehouse Facilities. A roll call vote was taken. Yes – 6, No – 0, Abstain - 1. Motion carried.

Mr. Wickstra asked for clarification of the outdoor storage for RVs. Mr. VanderMeulen indicated that use was not authorized.

Steve Darrow rejoined the Planning Commission.

Other Business

0 (vac) Greenly St – Parcel Number 70-16-10-100-048 – Hickorywoods Farm No. 6 Preliminary Plat – Consideration of a request for preliminary plat approval submitted by DeYoung Developments, LLC for a residential subdivision consisting of 38 lots (lots 220-257) located along an extension of Elderberry Drive, south of Quincy Street and connecting south to Greenly Street. Subject lands are zoned C-2 Community Commercial.

Present for this request was Rick Pulaski, Director of Planning at Nederveld.

Mr. Pulaski noted that this will be Phase 6 in the Hickorywoods development. This new phase will make a second connection to Greenly Street, which was a previous desire from the Planning Commission to establish that second connection.

Mr. Pulaski stated that the Ottawa County Road Commission did not like the proposed curve in the new road heading north off of Greenly Street. The development team straightened out the road and created a T-intersection instead of a four-way intersection. Pulaski noted the Road Commission is okay with T-intersection and the new cul-de-sac it creates, as long as the developer puts in a road stub for the next phase.

Mr. Pulaski feels this change in the road layout is a minor change and does not require a major amendment in the final development plan for Hickorywoods. He noted the required change was the result of a change requested by a regulatory agency (Road Commission) and that the change did not impact lot configurations.

Mr. Pulaski mentioned that no sidewalks are planned in this phase, as no sidewalks were installed in phase 5 of the development. He noted that homeowners in phase 5 did not want sidewalks. Mr. Broersma noted that if sidewalks are planned in subdivisions, then those sidewalks should be private, maintained and owned by the HOA, not the Township.

Mr. Broersma noted that since the final development plan for the Hickorywoods Planned Unit Development does not require sidewalks as a regulation in their agreement, then the Planning Commission cannot require sidewalks be installed.

Mr. Becker noted that there may be concerns relating to emergency vehicle turnaround in the new cul-de-sac.

Staff noted that the Master Plan encourages connectivity in neighborhoods and a cul-de-sac does not encourage connectivity. They also stated that if the Planning Commission is okay with phase 6 of this development, then they may make it known to the applicant that there is a possibility they

will request the elimination of the cul-de-sac to encourage flow and connectivity in the neighborhood. Staff asked the Planning Commission if they felt the proposed road layout change was a minor or major amendment to the Hickorywoods PUD.

*** It was moved by Barajas and supported by TeSlaa to recommend that the proposed change to Hickorywoods PUD is a minor amendment and direct Staff to handle the minor amendment. All in favor. Motion carried.

*** It was moved by Sharp and supported by Barajas to recommend approval of the Preliminary Plat for a residential subdivision consisting of 38 lots (lots 220-257) located along an extension of Elderberry Drive, south of Quincy Street and connecting south to Greenly Street and direct Staff to forward their report and recommendation to the Board of Trustees. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

0 (vac) 140th Ave – Parcel Number 70-16-07-200-022 – Site Plan Review – submitted by Brad VanderZwaag of BauVan Land Co, LLC.

The applicant requested review of the item be postponed at this time.

13928 Westwood Ln – Parcel Number 70-16-07-231-007 – Site Plan Review – submitted by Brad VanderZwaag of BauVan Land Co, LLC o.b.o. Neal Kelley of NFK Properties LLC.

The applicant requested review of the item be postponed at this time.

Staff noted that this proposed development impacts a previous site plan approval for duplex units by the Planning Commission in December of 2021. Staff has received new plans for the revised duplex development on the new smaller parcel. Staff is comfortable providing the review, unless the Planning Commission wishes to review the amended site plans.

The Commissioners were okay with Staff completing the review for the new duplex units.

2332 North Park Dr – Parcel Number 70-16-21-100-046 – Site Plan Review – Submitted by Frank Gawdun of Esencia LLC o.b.o. Jason Rosier of Chick-Fil-A. The request is for site plan approval regarding the installation of free-standing canopies within the existing drive-through facility.

Present for this request was Frank Gawdun of Esencia LLC; Jason Rosier of Chick Fil-A; Shaun Page, the owner and operator of the Chick Fil-A at this location; and David Caldon of Varnum Law.

Jason Rosier stated that Chick Fil-A is trying to improve their business service and provide better face-to-face connection with customers. Additionally, they want to improve wait lines in the drive-through for better efficiency. Mr. Rosier noted that employees are already servicing customers outdoors, they want to provide some protection from the elements for those workers.

Chairman Kortering asked how many Chick Fil-A locations have canopies? Mr. Rosier noted that there are about 1,800-1,900 locations with canopies and that all new Chick Fil-A locations will have a canopy constructed.

Chairman Kortering asked about safety standards for employees. Mr. Rosier said that Frank Gawdun would be able to address those safety features.

Frank Gawdun discussed how Chick Fil-A started receiving complaints from neighbors and other municipalities about the stacking of vehicles onto public street due to how busy their drive-through lanes can be. Chick Fil-A established this model of having employees outdoors, taking and delivering orders to improve drive-through wait times and limit stacking onto the streets.

Mr. Gawdun went over the canopy design features and safety measures (striping, safety vests, bollards). He noted that they could install more landscaping along US-31 to limit the visual impact of the canopy, if the Planning Commission wants.

Vice-Chairman VanderMeulen likes the canopy ideas, but he is hung up on the two-foot walkway intended employees. He wondered if OSHA has reviewed their outdoor service standards for safety and whether it complies. He wants reasonable space for employees to be safe when that close to vehicles. Mr. Gawdun noted that they have two-foot walkways for the employees at many locations and they have not had any accidents with vehicles hitting employees. The cars in the drive-through drive very slow.

Mr. Sharp voiced concerns over icy walkways and slipping employees near moving vehicles. Mr. Gawdun said that if the Commission wants the walkway widened to three feet, they could do that.

Vice-Chairman VanderMeulen made a motion to take a five-minute break. Supported by Becker. All in favor. Motion carried. Planning Commission recessed at 7:45 p.m.

Vice-Chairman VanderMeulen made a motion to reconvene from the break. Supported by Becker. All in favor. Motion carried. Planning Commission resumed at 7:49 p.m.

Vice-Chairman VanderMeulen re-asked the question about whether OSHA has looked at it their outdoor service procedures? Mr. Gawdun said no. VanderMeulen noted that he saw something in the building code relating to the need for a 36 inches wide pedestrian pathway. Mr. Gawdun noted that employee/service walkway is not the same as a pedestrian walkway intended for the general public.

David Caldon that the proposed canopy work is considered a safety enhancement. Chick Fil-A wants to improve safety by limiting the stacking of vehicles into streets.

Shaun Page stated that Chick Fil-A has had no incidents at this location and they have had employees outside since the grand opening of their business. He really wants to protect his employees from the weather and also ensure safety for his employees. Mr. Page noted that roughly 2/3 of the Chick Fil-A staff at this location are high school students, so he wants them safe. He noted that they train about safety in the drive-through lanes.

Mr. Broersma noted that business services conducted outdoors does not meet the intent of the zoning ordinance. If the Planning Commission were to approve the site plan, he may need to have a conversation with the Township attorney about whether such a use of outdoor business service

is permitted. Additionally, Mr. Broersma noted that the Zoning Board of Appeals may need to get involved if the applicant would be looking to reduce the width of the service lanes.

Vice-Chairman VanderMeulen noted that the COVID-19 Pandemic had changed the way businesses operate. He likes the idea of providing protection to employees with the canopy, but his main concern is related to the safety of the employees. If it meets all of the applicable building and safety codes, he would be okay with the canopies. Mr. TeSlaa, Barajas, Sharp, and Darrow agreed with VanderMeulen.

Mr. Becker asked whether the Commission really wants to encourage outdoor business services?

** It was moved by VanderMeulen and supported by Barajas to approve the canopies but a minimum 10-foot-wide drive lane must be maintained per the zoning ordinance, and a 3-foot-wide walkway for employees must be provided. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

0 (vac) Quincy St – Parcel Number 70-16-09-100-026 – Special Land Use Permit – This item was tabled at the April 11, 2023 Planning Commission meeting. No new information was received so the item remained tabled.

0 (vac) Quincy St – Parcel Number 70-16-06-400-026 & -024 – Final Site Condominium – This item was tabled at the April 11, 2023 Planning Commission meeting. No new information was received so the item remained tabled. Staff noted that the item is anticipated to be heard at the June 6th meeting.

Planning Commission Discussion – Master Plan Sub-Area Overlay Zoning District(s)

Staff provided updates on the stakeholder meeting held at Russ' Eastown restaurant on April 17th. Staff reminded Planning Commissioners of the special meeting on May 16 to discuss McKenna's policy memo.

Staff informed the Planning Commission that some proposed zoning text amendments will be presented to them for discussion and they anticipate a public hearing will be held for the zoning text amendments at the July 11th regular meeting.

The next regular Planning Commission meeting is scheduled for Tuesday, June 6th, 2023, at 6:00 pm.

The meeting adjourned at 8:36 pm.

Respectfully submitted,

Kate White
Assistant Planner & Zoning Administrator