

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION

Regular Meeting

May 1, 2018

The meeting was called to order by Chairman Marion Hoeve at 7:00 p.m.

Present: Chairman Marion Hoeve, Vice-Chairman/Secretary Jack Vander Meulen, Members Ken Bosma, Dennis Gebben, Vern Johnson, Norm Nykamp, and Ed Zylstra. Also present were Community Development Director John Said, Assistant Community Development Director Corey Broersma, and Recording Secretary Sheri Thomassen.

Motion to approve the minutes for regular meeting of April 10, 2018, made by Mr. Nykamp, supported by Mr. Gebben. All in favor. Motion carried.

Chairman Hoeve explained the Public Hearing process to the audience.

Chairman Hoeve opened the public hearing for consideration of a Special Use request submitted by Jack Ventimiglia/DGF-Felch Street LLC – 12635 Felch St., Suite 40 for a kennel operation consisting of pet daycare and overnight boarding within a new retail pet store (PetSmart). The subject property is the large retail/commercial strip center on the west side of US-31, between Riley and Felch, and is zoned C-2 General Commercial.

Jack Ventimiglia, PetSmart's landlord (Harding St., Canton MI), was present to speak to this request. He summarized the request for a "Doggie Day Camp" in the back of the 23,000 SF space (formerly OfficeMax) with an enclosed play yard and possible short-term overnight/weekend stays. Additional information from the applicant was distributed just prior to the meeting. Comments and questions from the Commissioners follow:

Floor plan was reviewed and explained by Mr. Ventimiglia.

Are there employees overnight with the dogs? What is the ratio? What is the maximum number of dogs allowed on site?

Yes, no dogs are left alone.

The dog-to-associate ratio is 17:1.

Maximum number of dogs allowed is unknown at this time. Applicant will get number from PetSmart and report to Staff.

Most of the day is spent in the 1,100 SF play area, 100% indoors; there will be no outdoor activity.

PetSmart is situated between two other retailers. What about noise?

Construction is soundproof.

Customers will enter with dogs through the front entrance and proceed directly to drop-off area in the back of the store.

Are there other facilities in the area that do this?

Yes, there are in other shopping centers. There are 216 PetSmart retailers throughout the country that provide this service.

What about pet waste clean-up in the parking lot? There will be dog waste stations/bag dispensers in the parking lot.

Does the Ottawa County Health Department get involved in this kind of thing?

Unknown at this time; to be determined.

Are dogs separated by size?

Unknown at this time; Mr. Ventimiglia will follow up with PetSmart.

What about interior pet waste clean-up and effects on waste water system? Must comply with waste water requirements.

They use a product called Virex. Compliance is unknown at this time; to be determined.

As a landlord, what does he do with a tenant like PetSmart?

They are a well-known national tenant and certain restrictions may be set up in leases including noise and restrictions from building outdoor play area. If something gets out of whack within the lease, tenant will be noticed.

Mr. Said read a letter dated April 29, 2018 from Steven Rus (3000 Raspberry Ln.).

Audience member, Jennifer Knoll (2903 Beeline) asked the following:

Where is the solid waste going to be disposed of?

Mr. Ventimiglia pointed location out on floor plan. Any waste is disposed of immediately by flushing down a toilet.

How will the parking lot be kept clean?

There is a sweeper that will come through daily, along with responsible pet owners.

How many dogs will be allowed at one time? How many will be overnight?

Unknown at this time; to be determined.

Can we be guaranteed that dogs will not be walked in nearby neighborhoods?

Yes, the only outdoor activity will be between the vehicle and front entrance.

Audience member, Curt Knoll (2949 Beeline Rd.) asked the following:

Will barking ordinance be enforced if Township is called?

Yes, Code Enforcement would try to correct the problem with the business.

If PetSmart wants to add an outdoor kennel will they have to come before the Planning Commission again? Mr. Knoll wants assurance that it won't happen.

Commissioners, with support from Mr. Ventimiglia, assured Mr. Knoll that an outdoor kennel would not be allowed.

Motion to close the public hearing made by Mr. Vander Meulen, supported by Mr. Nykamp. All in favor. Motion carried.

Motion to approve the Special Use subject to no outdoor activity and verification of compliance with Holland area waste water treatment program and Ottawa County Health Department, and to confirm the number of dogs to be allowed for boarding at the facility, which will be reported to the Planning Commission, made by Mr. Bosma, supported by Mr. Vander Meulen. All in favor. Motion carried.

Chairman Hoeve opened the public hearing for consideration of a Special Use request submitted by Lynnelle Berkenpas/KDG Enterprises LLC – 23 James St. Petitioner is requesting special use approval for expansion of an existing self-storage facility, Tulip City Storage. This is an expansion of an existing use, which was originally approved in 2016 and then constructed. The expansion is a result of the acquisition of additional land and will consist of 98 additional units within 3 buildings in the northeast portion of the subject property. An additional driveway to be installed to access 132nd Ave. The subject property is zoned I-2 General Industrial.

Bruce Zeinstra, Holland Engineering, was present to speak to this request. He summarized the request for this extension of the special use approved in 2016. This phase will include a watermain and second entrance (off 132nd) for emergency use only, gated with lock box. Comments and questions from the Commissioners followed:

What about Building 6?

The backside of the building (with 50' setback) will be against north boundary and will be larger for RV storage (pending future variance).

New ordinance calls for a 6' solid fence or 4' berm with appropriate landscaping. Staff recommends 6' solid fence for noise reasons. Applicant will discuss with Kurt Glupker, KDG Enterprises.

Is there a need for this additional storage facility?

Yes, supply and demand. They keep getting rented out.

Phase 3 will include deferred parking.

Audience comments – None.

Motion to close the public hearing made by Mr. Bosma, supported by Mr. Zylstra. All in favor. Motion carried.

Special Use Considerations were reviewed.

Motion to approve the Special Use as presented, consisting of an additional 98 units within 3 new buildings, with stipulation that site plan review/landscaping is approved by Staff, made by Mr. Nykamp, supported by Mr. Johnson. All in favor. Motion carried.

Chairman Hoeve opened the public hearing for consideration of a Special Use request submitted by Henry Voetberg (on behalf of H. Kievit Trust) - 2727 N. 120th Ave. Petitioner is requesting special use approval for a new self-storage facility in the eastern portion of the subject site, adjacent to 120th Ave. Phase 1 consists of 3 (or 4) buildings closer to 120th, while Phase 2, containing 5 (or 6) buildings, will be placed further back; a total of 195 individual storage units are proposed. The subject property is zoned C-2 General Commercial.

Note: This site was the subject of the recent rezoning request, which consisted of a change from Ag, Agriculture to C-2, General Commercial; the Second Reading and Consideration of Adoption will be reviewed by the Township Board on May 3, 2018.

Henry Voetberg (687 Northshore Dr.) was present to speak to this request. He summarized the scope of the project and stated the intent, need and benefits for storage units in the Township. Mr. Voetberg feels this is an ideal location due to tremendous growth in the area, as well as medical and other business growth to the south. Times are good, and people need bigger units. He compares this to Felch Street Storage. He spoke with neighbors and is confident that he will meet a need and compliment the area with many apartments using self-storage, plus it's a great tax base and feels that the growth will continue. Comments and questions from Commissioners followed:

Chairman Hoeve asked if there will be an easement on Felch St. The remaining (west) part of the property will be accessible from Felch St., the north lot line is on Felch.

What will be done with the balance of the property (9 acres)?
Unsure if they will continue with storage. At this time, they're looking at using the 5-1/2 acres, 726' x 330' approximately.
The 9 acres on backside is low and may be used temporarily for fill from the 5-1/2 acres in front.

There will be a fence around the entire property. Front will look like James St. Storage (wrought iron). Landscaping requirements will be met.

If there is a future development to the west, will he have to put a buffer on a future lot line?
Yes.

Applicant should indicate signage on site plan since it will be required for any sign permit.

Building construction will be metal, same as on Ottawa Beach Road storage facility project (using the same company).

Mr. Gebben indicated Mr. Voetberg's comments regarding market need and use were helpful.

Will storage units be large enough for boat trailers and RVs?

Yes; there is currently a need a for larger units (10'x20' and 10'x30', for example).

Audience comments – None.

Motion to close the public hearing made by Mr. Nykamp, supported by Mr. Zylstra. All in favor. Motion carried.

Special Use Considerations were reviewed.

Motion to approve Special Use as presented, consisting of 199 storage units in 9 buildings, subject to adding rear lot line buffer at time of development of western property and the review/approval by the Ottawa County Road Commission and Fire Chief, made by Mr. Bosma, supported by Mr. Zylstra. All in favor. Motion carried.

Chairman Hoeve opened the public hearing for consideration of a Rezoning from I-2, General Industrial and C-2, General Commercial to R-2, Single-Family and Two-Family Residential submitted by Warren Miyasato – 505 E. 16th St.

The petitioner proposes to rezone the subject property from I-2, General Industrial and C-2, General Commercial to R-2, Single-Family and Two-Family Residential. The property, 505 E. 16th Street, is located on the north side of 16th Street, between Lane Avenue and the railroad tracks. The subject parcel contains approximately 1.35 acres, with C-2 in the south portion and I-2 in the north portion.

Warren Miyasato (5155 Ruby Ridge) was present to speak to this request. He explained that the existing main floor office, vacant for two years, at 505 E. 16th St. would be renovated to a 3-bedroom, 1 bath dwelling (rental). He added that there are a lot of vacant office spaces and a great need for housing at this time.

Audience comments – None.

Motion to close the public hearing made by Mr. Johnson, supported by Mr. Nykamp. All in favor. Motion carried.

Rezoning considerations were reviewed.

Motion to approve the rezoning request and recommend to the Township Board made by Mr. Bosma, supported by Mr. Nykamp. All in favor. Motion carried.

Chairman Hoeve opened the public hearing for consideration of a Rezoning from C-2 General Commercial to R-1 Single-Family Residential submitted by Gregory and Bethany Erickson – 295 Howard Ave. The petitioner proposes to rezone the subject

property from C-2, General Commercial to R-1, Single-Family Residential. The property, 295 Howard Ave., is located at the northwest corner of Howard Ave. and Jackson St. The subject parcel contains approximately 0.227 acres. Surrounding properties are zoned C-2 with the exception of the property to the south, across Howard, which is zoned I-2 General Industrial, but contains Dunton Park.

Bethany Erickson was present to speak to this request. She indicated that their request is being sought for mortgage purposes and that a loan could not be obtained for a dwelling on commercial land due to the possibility of not being able to resell a (legal) non-conforming use. Staff read a letter from Al Teerman, Union Home Mortgage, confirming this.

Audience comments – None.

Motion to close the public hearing made by Mr. Nykamp, supported by Mr. Bosma. All in favor. Motion carried.

Motion to approve the rezoning request and recommend to the Township Board made by Mr. Zylstra, supported by Mr. Vander Meulen. All in favor. Motion carried.

Chairman Hoeve opened the public hearing for consideration of amendment to the Sapphire Lake Estates Planned Unit Development – (128th Ave., north of Felch St.). The petitioner, Dan Brown (4220 Estate Dr.) on behalf of Sapphire Lake Estates PUD, is requesting an amendment of the PUD to accommodate a proposed rear yard setback change of 10 feet, for decks only, from the previous 35 feet to 25 feet. This would apply to the Sapphire Lake Estates Association, Sapphire Lake Condominium Association, and Sapphire Lake Villa Association. Mr. Brown, the Vice-President of the Estates Association, is representing all three of the associations for this request. Several restrictions are also being proposed to maintain sightlines and minimize sight line obstructions of any future decks from other properties. The affected areas include those decks around the perimeter of Sapphire Lake, as well as the perimeter of the PUD.

Staff added that properties within 300' were re-noticed to clarify the amendment. Comments and questions from the Commissioners followed:

How will the Township know if permits are pulled and decks built to code?

There is no guarantee people will get permits; Condo Association can add deed restrictions, but they're not in there now. Mr. Brown added that restrictions could be added to condo bylaws.

Mr. Vander Meulen expressed concern about "weekend warriors" building decks. He also suggested that the maximum deck surface height from grade of 12' may be too high and cause instability.

Audience member, Dan Water (13080 Blueberry Ln.), has lakefront property and wants to build a deck. He added that existing decks are not extravagant and were probably built when property was building because they're all the same or very similar, and some

need deck boards replaced. Staff clarified that replacing deck boards is a maintenance issue and does not require a permit; structural changes, however, do require a permit.

Motion to close the public hearing made by Mr. Bosma, supported by Mr. Nykamp. All in favor. Motion carried.

Motion to approve PUD amendment subject to the following: permits will be obtained when needed for decks, decks shall not be constructed in easements, and the list of nine conditions provided by Sapphire Lake Estates Condominium Association and have Staff prepare a favorable Report & Resolution for Planning Commission review/approval by June 5, 2018, made by Mr. Vander Meulen, supported by Mr. Nykamp.

Resolution and Report – Adams Ridge Planned Unit Development

The draft Resolution and Report dated 5/1/18 was reviewed and approved with the following 4 revisions:

1. Item 3(i) edit to include the phrase “Except as expressly modified or revised by these conditions” at the beginning.
2. Item (l) edit to include 36 unit threshold for final paving.
3. Item (l) also will include note to require engineering certificate upon completion to confirm that road meets Ottawa County Road Commission standards.
4. Item (m) will be edited to omit “retention area” references and replace with “storm water system containing pre-treatment basins”.

Mr. Vander Meulen asked if a variety of trees would be planted in case of disease in one? Applicant representative indicated they are not opposed to that since they usually plant 2-3 different types.

Motion to approve Report with 4 revisions and recommend to Township Board made by Mr. Vander Meulen, supported by Mr. Zylstra. 6 in favor, 1 opposed (Gebben). Motion carried.

Public Comment – None.

Other Business

Great Lakes Crossfit

Business will be moving to new site, and Staff recently received a parking reduction request. Site plan will show deferred spaces (for this user only). Commissioners are comfortable with Staff continuing to work with Crossfit on this request.

Jersey Mike's

New sub shop on the corner of US31 and James St has requested Staff's assistance with required parking. There is no room to add parking. A parking variance would be required. Commissioners would like to know how many spaces are needed by other tenants in that building. Staff will invite Jersey Mike's back on 6/5 under “Other Business”.

Mr. Said announced that tonight is Commissioner Vern Johnson's last Planning Commission meeting after many years of dedicated service. Thank you, Mr. Johnson. It was a pleasure!

The next regular meeting is scheduled for Tuesday, June 5, 2018 at 7:00 pm.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Sheri Thomassen,
Recording Secretary