

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION  
Regular Meeting  
July 9, 2019

**Present:** Chairman Marion Hoeve, Members Ken Bosma, Dennis Gebben, Randy Kortering, Norm Nykamp, and Ed Zylstra. Also present were Community Development Director John Said, Assistant Community Development Director Corey Broersma, and Recording Secretary Laurie Slater.

**Absent:** Vice-Chairman/Secretary Jack Vander Meulen

**Public Comment** - none.

\*\* Motion to approve the minutes from the regular meeting of June 4, 2019, was made by Mr. Bosma, supported by Mr. Zylstra. All in favor. Motion carried.

**Chairman Hoeve opened the Public Hearing for** consideration of an amendment to the Zoning Map of Holland Charter Township, to change the property located at 12749 Felch Street (1.13 acres), described more specifically as Parcel Number 70-16-16-100-063, from O-S Office and Service to R-2A Medium Density Residential.

Corri Sandwick , Architect for Habitat for Humanity, was present to speak to this request. She explained that Habitat for Humanity would like to construct a five unit attached single family housing development on this parcel. The site would include parking and a common accessory building in accordance with the zoning ordinance. She further explained that the rezoning would be compatible with the surrounding area. There is Residential zoning to the West and North and Commercial zoning to the east.

There were several people in the audience to speak to this request:

Pedro Penaloza of 2886 Beeline Road was in opposition of the Habitat development. He does not want his property value to go down. Also, the addition of 5 units will create more traffic at an intersection that is already busy. He spoke with some of his neighbors and they are of the same opinion – they do not want their property values to go down.

Mariano Villanueva of 2900 Beeline Road was also in opposition of the Habitat development. He had concerns of issues with kids on and crossing his property. He does not want his property value to go down. It would be better if it was one house for one family.

Also present was Michael Van Dyke of 2848 128<sup>th</sup> Avenue. He had concerns of adding five to ten more vehicles to an already busy four way stop. If it was one house, one family or a duplex there would not be so many people or cars.

The Commission asked staff if this type of use was allowed in the R-2A Zoning District. Mr. Broersma replied that multi-family / Single family attached are allowed in the R-2A District and added that the issue being presented was for a re-zoning not site plan review.

\*\* It was moved by Mr. Bosma and supported by Mr. Nykamp to close the hearing. All in favor. Motion carried.

The five criteria for Zoning Map Amendments were reviewed.

Motion to recommend to the Township Board that approval be given to rezone the subject property from O-S Office and Service to R-2A Medium Density Residential made by Mr. Bosma and supported by Mr. Nykamp. All in favor. Motion carried.

The Commission recognized that people have concerns, however, the Future land Use Map properly identifies this land for a residential use that will blend well with the surrounding neighborhood.

There was further discussion of where the nearest existing R-2A Residential district is. To the west and north are attached single family condominium developments, however, they are subject to a PUD. To the SE is a more intense R-3 Residential district, which is Kragspough.

**Chairman Hoeve opened the Public Hearing for** consideration of a special use request submitted by Bob Wilsey/Herman Miller Inc. for land addressed as 10001 Adams Street, described more specifically as Parcel Number 70-16-25-300-007. Petitioner is seeking permission for truck and trailer parking and storage. The property is zoned AG Agriculture and C-3 Highway Commercial with an existing PUD (Planned Unit Development) agreement allowing I-1 Light Industrial uses when approved by the Planning Commission.

Present for this request was Ryan Ysseldyke of Holland Engineering on behalf of Herman Miller Inc. He explained that the property is controlled by a PUD. Herman Miller would like to add additional trailer parking and maneuvering. This change would not change the use of the property. They added a drive way unto 104<sup>th</sup> Avenue a few years back because of how busy Adams Street is, it is difficult to make a left turn onto Adams. Instead of adding another traffic light to the area, they put in an exit only driveway onto 104<sup>th</sup> Avenue- it's a left turn onto 104<sup>th</sup>, to the light and left onto Adams. The addition would consist of 75 – 76 parking spaces for tractor trailers.

Dan Kinney of Herman Miller was also present for this request.

Mr. Kinney explained that as the amount of business increases, so does the need for more trucks at the distribution center. Currently there is no space to store partial loads they have to go to other sites to park. This addition would actually cut down on the amount of tractor trailers coming and going.

There was further discussion about Herman Miller using 104<sup>th</sup>. Residents are upset and believed that Herman Miller had agreed not to use 104<sup>th</sup> Avenue at some point. The Commission asked how much of the tractor trailer traffic leaves the development by way of 104<sup>th</sup> Avenue. On the first shift 80 to 90% of the traffic leaves by 104<sup>th</sup>.

He further explained that the loading and switching of the trailers would be no different with the expansion of the parking. The number of trailers that they have would be the same number they have now. The difference would be that partial loaded trailers would not have to leave the site to be stored, so there would be less tractor trailer traffic.

Mr. Bosma commented that Herman Miller did participate in the improvements to make 104<sup>th</sup> Avenue (which was a safety issue not only for themselves, but for the residents in the area) an all-season road to the driveway so that they could use it.

Mr. Kinney commented that in the opinion of their drivers, the additional traffic lights on Adams Street have made it worse for vehicles going left leaving the site by means of Adams Street. The traffic flow is such that it has created problems getting out on to Adams.

They would increase the height of the berm on the north property line to ten feet and plant vegetation on top to buffer the noise created by the switching of the trailers.

Jay Poling of 10308 Summerwood Drive asked for clarification of where the parking lot was going to be.

The parking lot would be going in the field to the south of the service road. The increased berm would be north of the service road.

Gayle Haveman of 1075 104<sup>th</sup> Avenue stated that there is a berm and it doesn't do anything for the switching and the generators running all night long. In her opinion 104<sup>th</sup> is almost a highway. One can hardly get onto 104<sup>th</sup>.

Dave Kossen of 1229 Bentgrass Ct presented a list of 16 neighbors that he collected signatures and comments of concern from. He further stated that the Township must have a noise ordinance that they are not enforcing. They need to hold the second and third shifts to this ordinance. The noise is so horrendous all day and it makes his bed shake at night with the loading and unloading, the hooking and unhooking of the trailers. In his opinion the berm will not help this issue. He wanted to know how the Township is going to enforce the Noise Ordinance.

Chairman Hoeve explained it is not this Commission's job to enforce the noise ordinance.

Mr. Zylstra found the noise ordinance [Section 18-63. – Noise Control] and read from it for the Commission and the audience. "Any noise that is clearly audible from 50' shall be deemed a disturbance under the provisions of this article"

Bill Haveman of 1075 104<sup>th</sup> was also present to speak to this request. His concerns were with the tractor trailers now being out from behind the greenhouse building, which now blocks the sound, there will be more noise out in the open. The property values will go down. He also had concerns about the traffic on 104<sup>th</sup>.

Dave Kossen further noted that the truckers do not follow the speed limit of 15 MPH set within the Herman Miller Development, they drive as fast as they can. Also, they use the 104<sup>th</sup> Street exit even if they are going to the right onto Adams when they should be going out onto Adams Street directly.

Dayna Rowekamp of 10358 Summerwood Drive had concerns with the resale value and property value of her house going down now that the backyard view is noisy trucks.

Jay Poling asked to speak again. He had concerns of his property value going down. Currently his backyard view is an open field with trees and wild life, it will now be a lake of asphalt covered with tractor trailers. They come and go all day long about one every five seconds. This continues until 7:00 or 8:00 at night. Most of the truckers are decent about the speed they drive. The trailers are noisy as they bounce up and down. The view would definitely not be a positive for the property value. They are not exaggerating about the noise. It is so loud it vibrates my house. Sometimes it continues through the night.

\*\* It was moved by Mr. Zylstra and supported by Mr. Kortering to close the hearing. All in favor. Motion carried.

Staff asked if there were plans to extend the greenhouse as shown on the submitted site plan. Matthew Stares, Vice President of Facilities for Herman Miller, stated that there is no plan to extend the greenhouse. However, the extension of the parking lot was always a part of the master plan. The only portion that was not on the Master Plan are the six parking spaces towards the north. They tried to bring the parking as far away from the property line as possible.

Mr. Nykamp asked since there would be additional parking, if there would be a possibility of moving the 50 or so trailers on the northeast property line and put in a berm there to help with the noise and the view for the people who live in the development there.

Mr. Stares stated that they are not interested in being a bad neighbor.

Mr. Bosma stated that Herman Miller was here before the residential developments, they came and made changes to the PUD to make it better, they have been a good industry for the Township, always respectful of the property owners, you tell them now you have to change your PUD to accommodate the residential surrounding that came after Herman Miller.

Mr. Gebben stated that it is the responsibility of Herman Miller with the new design criteria to try to make it so the noise is not heard. They are totally driven by their operations with no regard to the neighbors.

Mr. Stares commented that the easy thing to do would have been to add traffic on the road east to west. They have already doubled the cost of the project in an effort to keep it as far away from the properties as possible. That is a new design criteria. They tried to look at it through the eyes of the residents not just their own.

Mr. Gebben further stated Herman Miller should find solutions other than the berm for the noise issues. They should also look for ways to manage the traffic both trucks and employees other than exiting onto 104<sup>th</sup>.

Mr. Nykamp further stated that they have this one time to make a change – take out a row of trucks and put in a berm to help with the noise.

Mr. Stares replied that they would make an effort to move the trucks, but it would just be from one spot to another and they have limited room for development on the site.

There was further discussion of the wetlands and the corn field to the east.

It was the consensus of the Commission that they would like to see a revised site plan from Herman Miller.

Staff asked the Commission what aspects of the design did they want them to work with Herman Miller on to revise.

They replied the parking locations and the possibility of increasing the berms along the north property line and along the west property line along 104<sup>th</sup> Avenue.

\*\* It was moved by Mr. Nykamp and supported by Mr. Kortering to table this request with instruction to staff to work with the applicant on issues commented on tonight. All in favor. Motion carried.

**Chairman Hoeve opened the Public Hearing for** consideration of a special use request submitted by William Sikkel/Advantage Marine Inc. for land addressed as 455 Douglas Street, described more specifically as Parcel Number 70-16-19-300-061. Petitioner is seeking permission for a boat repair and storage facility with outside storage. The property is zoned C-2 Community Commercial.

Present for this request was Bill Sikkel on behalf of Dave Lamar.

Mr. Sikkel explained that they would like to split the property at 455 Douglas and build a new boat repair facility on the west half of the parcel. This Special Use would be for the west 270' only. The building would be 15,000 square feet and the outdoor storage area would be 10,000 square feet. The property would have 27 parking spaces. Currently their work takes place in Zeeland with trailable boats. Boats that are

too large to put on a trailer and brought to Zeeland, they travel to those. The outdoor storage would be used to stage boats that need work. When it would come time to work on them, they would bring them inside a building with closed windows and closed doors to control the noise. There would be a private road in the 66' easement on the west edge of the property to provide access to the parcel to the rear. The proposed building would meet all the setbacks, everything would be in compliance with the ordinance.

There was discussion by staff of the granting of access rights to the property to the west to allow for a future connection to the parcels to the west. Mr. Sikkel did not know how that would work. That is not his preference. Now you're talking upkeep of the road, who would do the plowing in the winter, etc.

There was no one in the audience to speak to this request.

\*\* It was moved by Mr. Zylstra and supported by Mr. Kortering to close the hearing. All in favor. Motion carried.

The Commission reviewed the special use standards and staff report.

\*\* It was moved by Mr. Zylstra and supported by Mr. Kortering to approve the Special Use considering staff comments points 2-5:

- All repairs shall be done within the building.
- All storage shall be done either within the fenced enclosure or within the building.
- The fence for the storage area shall not exceed 8' in height and shall conform to all applicable Zoning Ordinance requirements.
- The applicant shall obtain final site plan approval from Staff, including provision of a new sidewalk along the west edge of the building. requiring the applicant to obtain Township Public Works approval prior to the Certificate of Occupancy being granted.

All in favor. Motion carried.

**Chairman Hoeve opened the Public Hearing for** consideration of a special use request submitted by David Waldon and Paul Schmuckal / Schmuckal Oil Co. for land addressed as 160 N. River Ave., described more specifically as Parcel Number 70-16-20-325-013. Petitioner is seeking permission for outdoor display and sales. The property is zoned C-2 Community Commercial.

Present for this request was Shelia Weshniak of Schmuckal Oil/Shell.

Mr. Broersma explained to the Board that every gas station was sent a letter that the items they have sitting in the parking lots by the road, such as bags of mulch need to be within the building setback. Also, that any outdoor sales and display items need Special Use approval by the Township.

Schmuckal Oil Co. is asking for the Special Use to be allowed to have outdoor displays and sales on the premises. They want to be compliant with Township Ordinances. They would like a water display in the center between the pumps. Also, displays of firewood, solvent, the ice machine and the propane storage/exchange area adjacent to the principle building.

There was no one present in the audience to speak to this request.

\*\* It was moved by Mr. Bosma and supported by Mr. Nykamp to close the hearing. All in favor. Motion carried.

The Commission reviewed the special use standards and staff report.

\*\* It was moved by Mr. Nykamp and supported by Mr. Koterling to approve the Special Use request as presented. All in favor. Motion carried.

**Chairman Hoeve opened the Public Hearing to hear and consider** proposed amendments to the text of the Holland Charter Township Zoning Ordinance to amend certain sections of the Zoning Ordinance.

The sections under consideration are:

- Article 1 – Title and Purpose
- Article 2 – Zoning Districts and Map
- Article 3 – Agricultural Districts
- Article 4 – Residential Districts
- Article 5 – Commercial and Office Districts
- Article 6 – Industrial Districts
- Article 7 – Overlay Districts
- Article 8 – General Provisions
- Article 9 – Specific Use Requirements
- Article 10 – Parking and Loading
- Article 11 – Landscaping and Screening
- Article 12 – Lighting
- Article 13 – Signs
- Article 14 – General Review Procedures
- Article 15 – Special Land Use Permits
- Article 16 – Planned Unit Developments
- Article 17 – Condominium Developments
- Article 18 – Administration and Enforcement
- Article 19 – Zoning Board of Appeals
- Article 20 – Nonconformities
- Article 21 – Amendments
- Article 22 – General Definition

The proposed text amendments are generally described as modifications and updates to the Township’s Zoning Ordinance.

Mr. Said explained to the Commission that approximately a year ago the Ordinances were revised. After making the changes they started using the ordinances and John and Corey have since collect information and discovered that some ordinances need some clarification. There were some omissions. One particular area that needs some clarity is a Special Use for all Commercial Health and Fitness Facilities. Staff is recommending that if all the activity is indoors, they are a Permitted Use as Personal Services in the C-2 and C-3 Zoning District, therefore they don’t need to apply for a Special Use Permit. There was further discussion that perhaps the size of the facility (Planet Fitness) should be considered.

It was the consensus of the Commission to allow for all indoor health and fitness facilities to be a permitted use in the C-2 and C-3 Zoning Districts.

The other proposed changes were discussed.

\*\* It was moved by Mr. Nykamp and supported by Mr. Koting to close the hearing. All in favor. Motion carried.

The nine criteria for a Zoning Text Amendment were reviewed.

\*\* It was moved by Mr. Bosma and supported by Mr. Zylstra to recommend to the Township Board these changes be adopted.

**Next on the agenda was consideration** of a Site Plan approval for development of a new 150,000 square-foot industrial building. The vacant property is located at the southwest corner of New Holland Street and 124th Ave., and is known more specifically as 70-16-04-100-041. The subject site is zoned I-1 Light Industrial with a Planned Unit Development (PUD) agreement.

Ryan Ysseldyke and Joel Bouwens were present on behalf of this request. Mr. Ysseldyke provided background and history concerning the subject site and the proposed development. There had been a previous PUD on this property, followed by a more recent rezoning to I-1 Light Industrial. No specific user/buyer is yet identified, but there is interest as the building's larger size is desirable in this market. The plan meets applicable zoning requirements. The New Holland access and previous PUD's proposed access to Holland Street was further discussed; placing site access along New Holland makes more sense for circulation.

The Commission, Staff and the applicant further discussed the previous PUD. The Planning Commission concurred that the rezoning of this property essentially nullified the PUD development requirements for this site to be developed with I-1 standards. The new project is being developed in conjunction with the I-1 classification. Mr. Bouwens indicated for the record that they are relinquishing any PUD rights for the subject property and are pursuing industrial development in accordance with the property's zoning.

Mr. Broersma confirmed that a previous lawsuit on this property, along with the former I-1 rezoning, reinforces the essential nullification of the PUD and the applicability of the current I-1 zoning on the subject property.

Site access was further discussed as well, with the conclusion that Road Commission approval will be required for all access to their properties. Access to the property to the west is possible, although there is no conclusion that such access could be provided in the future, depending on eventual development of that property. This proposed development will stand on its own, although the additional driveway to the west would provide an additional opportunity for future access.

The site plan standards were reviewed by the Commission.

\*\* It was moved by Mr. Bosma and supported by Mr. Nykamp to approve the site plan for the subject property, subject to the following:

- Prior to the issuance of any permit, approval from the Ottawa County Water Resources (OCWR) Commissioner will be required.
- Prior to the issuance of any certificates of occupancy, the applicant shall provide a copy of the engineer's certification (this can be in the form of a letter) stating that the drainage features were installed per the OCWRC approved plans.

All in favor. Motion carried.

In response to a question from Mr. Hoeve about the tabled item from 12659 Riley, Staff indicated that the item is expected to be on the Agenda for review at the August 6 meeting.

**Under Other Business**, Staff brought up several items.

The first item was the Waverly Shores PUD and a proposed deck, and whether such could be handled as a minor PUD amendment, similar to the recent discussion about garages, or would require a major PUD amendment. The Commission indicated that the development would need to follow the State requirements first, but otherwise the deck and other accessory improvements, whether attached or detached, would be required to meet current PUD requirements for setbacks. The Commission agreed that for this minor amendment, decks, porches, and similar structures must comply with 24' front, 7' side, and 10' rear setbacks or they would need to apply for a major PUD amendment.

Waverly Shores resident Bob Bouwkamp, 11905 Waverly Shores, spoke concerning his lot and the desire for a deck; the Commission reiterated the PUD requirements.

Next, Mr. Broersma mentioned that the Adams Ridge PUD developer is interested in selling the west edge of its property, ranging anywhere from 50 to 100 feet deep, to the adjacent residents along Garden Ridge Drive. The Garden Ridge residents (within The Ridge PUD) actually approached the Adams Ridge PUD developer to inquire about such purchases, as the property along the west edge of Adams Ridge is not being developed. The Commission expressed concerns regarding ownership, depth, and retention of open space as originally required with the Adams Ridge PUD, and directed that any such proposals would require major amendments to both the Adams Ridge and The Ridge PUDs, and would need to be consistent in depth.

The next item was concerning the Lot 5 Creekside Meadows PUD; the floodplain would limit future development of that lot to a single-family home only, which would be less intensive than the previously allowed duplex on this property in Creekside Meadows. The Commission agreed this would be allowed as a minor amendment.

Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Laurie Slater  
Recording Secretary