

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
April 14, 2020

Chairman Hoeve called the meeting to order via teleconference due to the Coronavirus (COVID-19) pandemic at 7:00pm and asked for a roll call of members present.

Present: Chairman Marion Hoeve, Vice-Chairman/Secretary Jack VanderMeulen, Members Dennis Gebben, Randy Kortering, Norm Nykamp, Miska Rynsburger and Ed Zylstra. Also present were Community Development Director John Said, Assistant Community Development Director Corey Broersma, and Recording Secretary Tricia Kiekintveld.

Absent: None.

Public Comment:

Ms. Karen Kehrwecker at 211 N. Franklin St., Zeeland, MI 49464. Ms. Kehrwecker would like it noted that she does not feel that the audio option is a good option despite the COVID-19 circumstances we are in right now. She feels some of the effectiveness is lost doing this over the phone.

** Motion to approve the minutes with one amendment from the regular meeting of March 3, 2020, was made by Mr. Nykamp and supported by Mr. Kortering. Motion carried.

Chairman Hoeve opened the Public Hearing for a Zoning Map Amendment (Rezoning) submitted by Robert Edson and Randall Schipper of Select Genetics LLC for property located at 232 N. Franklin Ave., described more specifically as Parcel Number 70-16-13-300-020. The applicant is requesting an amendment from AG Agricultural to I-1 Light Industrial. (The applicant has also requested that the Future Land Use (FLU) Plan Map of the Comprehensive Plan be changed to correspond to this rezoning request; that matter will be addressed later in the meeting.)

Mr. Randall Schipper and Mr. Robert Edson of Select Genetics were present to speak to this request. Mr. Schipper explained that this parcel has been used as a hatchery since the 1940's. It is now too small for the current use as a hatchery and he believes the property is also not suitable for residential use. Mr. Schipper noted that they have a buyer ready to purchase the lot for a I-1 Light Industrial use. He also noted that there are no potential buyers under the current AG Agricultural zoning. He stated that this parcel has been used as a hatchery for many years and in most cases hatcheries are zoned I-1 Light Industrial not AG Agricultural. Mr. Schipper believes that it would be a bad idea to bring houses onto this property as they would be too close to the I-1 Light Industrial that is already in the area. Mr. Schipper stated that the parcel is only 2.5 acres which is quite small for an AG Agricultural zoned parcel and therefore is not appealing to most buyers. He noted this parcel is right on the edge of I-1 Light Industrial on the Future Land Use Map and right next to a I-1 Light Industrial parcel. Due to this he feels this is not a spot zoning situation. Mr. Schipper also pointed out that the building should be grandfathered in because it is a lawfully preexisting building. He understands that if there was a change in use of the building there would be changes that would need to be made to bring it up to current code.

Mr. Schipper then went on to address the Zoning Ordinance Criteria for Amendments.

1. He feels that rezoning this parcel to I-1 Light Industrial would be consistent with the goals, policies and Future Land Use Map of the Comprehensive Plan as this would simply be a shift of the I-1 Light Industrial lines.
2. Mr. Schipper feels that this use should be allowed on this site due to the fact that it has been used in this form for decades. He pointed out it that it would not be a case of dropping a new use into a residential area.
3. Mr. Schipper stated that he feels this property has been used as a Light Industrial use for decades. He also pointed out that it has direct access onto a principal street.
4. Mr. Schipper noted that the amount of traffic that could be generated with the zoning amendment would not change as there have been trucks coming and going from this property for years without objections from neighbors.
5. This use has generated truck traffic for years without any negative impact on the neighborhood.

Staff replied that even though the applicant has brought up economic issue surrounding this parcel the Planning Commission cannot use that as a factor in determining Zoning Map Amendments. To that point, Staff believes it is false to claim that the property has no value as a residential use parcel zoned AG Agricultural.

Staff noted that this property will be bordering residential to the north. Staff also pointed out that the township's intent was to not extend the industrial zoning further north past the current boundary. As for the building potentially being a "grandfather" issue, Staff would like to point out that they feel this would not fall into that category for any change of use but can check with the attorney on this. Staff also pointed out that the Commission should not allow the proposed change based on a potential buyer with a specific use at this time because at any point in the future this property could change owners and any I-1 Light Industrial use would then be permitted on this parcel. Staff also noted that there are 75 single family homes relatively close to this parcel and there are tentative plans for 30+ new homes immediately north of the property.

Staff also noted that a hatchery is not listed as an I-1 Light Industrial use and believes that the intent is not to keep it a hatchery. It was also stated that the original parcel had been divided into 3 separate parcels thus making this parcel the current 2.5 acres that is being presented in the application. Staff also pointed out that a variance would be needed for this building to be used as anything but a hatchery. Staff also stated that there would need to be significant building improvements in the form of electrical, structural, etc. for any non-farm uses.

Mr. VanderMeulen asked how the building is currently being used? Mr. Schipper indicated that the building was formerly used as a hatchery but is currently vacant.

Mr. Kortering asked what the current zoning is. Staff answered it is AG Agricultural and the adjacent parcels to the north and west are also AG Agricultural, across Franklin is R-2 Medium Density Residential and to the south is I-1 Light Industrial. If this property was rezoned I-1 Light Industrial that would bring I-1 Light Industrial across the current division line. Mr. Schipper noted that there are plans in the works

to rezone the parcel to the north to R-2 Medium Density Residential. Mr. Kortering followed up with asking if the intent is no longer an AG Agricultural use? Mr. Schipper stated that is correct, AG Agricultural is no longer a viable use for the property.

Mr. Schipper pointed out that Staff stated economics are not a factor, but he believes that economics are a factor as the current zoning does not allow for the best use of this land. He also stated that it is not viable to farm 2.5 acres and it is too small for other AG Agricultural uses. The neighbor is not interested in purchasing the property. He also pointed out that they are not looking for a rezoning for a specific user rather a rezoning of the parcel for any I-1 Light Industrial use. Mr. Schipper pointed out that he feels that this property has been used as light industrial since the 1940's. He also feels that any potential use of the property would produce light truck traffic as had been the case since the 1940's with this property. Mr. Schipper stated that without the change requested they are deprived of all value of this property.

Staff replied by stated that the applicant is talking in absolutes, by using words such as "all" and "nothing." Staff believes it is not fair to speak in those terms. The previous land divisions and the relocation or the termination of farm operations have caused some of these problems and now these problems are being turned onto the township when it was not the township that created the situation. Staff's primary considerations are the residential uses nearby.

Mr. Kortering questioned why the property cannot be used for residential under the AG Agricultural zoning? Mr. Schipper answered that the parcel is selling for \$50,000 (figured at \$20,000 per acre for residential land). The new owner would incur the added cost of tearing down the current building and cleaning the ground from the years of use as a hatchery. They estimate that would cost more than \$50,000 to clear the site. Mr. Schipper stated that they asked the neighbor if they were interested in the property and they were not interested due to the potential cost in cleaning up the property.

Ms. Rynsburger pointed out that there is a large listing of uses for AG Agricultural and feels that there should be a usable option for this land under the AG Agricultural zoning.

Mr. Schipper stated that he feels the township would eventually want the parcel changed to residential. Staff answered that the township has no plans to rezone the property, that would be a private matter if an owner would like to rezone. Mr. Schipper stated that with all the residential going up around this parcel it is likely to be rezoned residential.

Mr. VanderMeulen asked if this parcel goes all the way to the subdivision to the west. Mr. Schipper stated that property is a different owner. Mr. VanderMeulen asked if that land is land locked? Mr. Schipper stated that there are easements to the north and east to that property. Staff stated that they do not have record of those easements. Mr. Schipper stated that there are easements of records and he can provide those to Staff if they would like to see them.

Mr. Hoeve asked the depth of the property. Mr. Schipper stated the property is 300' x 300'. Mr. Schipper guesses the piece behind them is at least 1,000' deep from east to west.

Mr. Zylstra asked where the current Land Use Map line is for I-1 Light Industrial. Staff answered that the line follows the south boundary of the subject site then proceeds west to the next subdivision. I-1 Light

Industrial to the south and Residential R-2 to the north. It was the Planning Commission's intent not to allow I-1 Light Industrial to extend any further north.

Public Comments:

Staff read a letter from Jerry and Beverly Machiela at 235 & 237 N. Franklin, Zeeland, MI, 49464, into the record. The Machiela's are in favor of the rezoning.

Staff also noted that they received a voice mail from Sandra Shuck at 335 N. Franklin, Zeeland, MI, 49464. Ms. Shuck is against the rezoning.

Ms. Karen Kehrwecker at 211 N. Franklin St., Zeeland, MI 49464 spoke against this request. She is concerned with this parcel being rezoned to I-1 Light Industrial. She has been directly involved as a family member with this property going back to the 1930's. She currently lives across the street from this property and has a vested interest in the neighborhood. The building has been vacant for a very long time and she likes it that way.

Ms. Jacklyn Leeuw from 334 N. Franklin, Zeeland, MI, 49464. Ms. Layo stated that she is concerned that she and several neighbors did not receive notifications in the mail regarding this meeting. It is to be noted by the Planning Commission that notifications are sent out to neighbors that are within 300' of the applicant property and Ms. Layo's property is outside of this perimeter according to Ottawa County GIS.

** It was moved by Mr. Nykamp and supported by Mr. Zylstra to close the hearing. Motion carried.

Mr. Nykamp stated that there are valid points both ways. He also noted that changing the zoning would be a game changer for this property. Mr. Nykamp stated that the neighborhood is changing even now without this parcel being rezoned. He personally doesn't want to see them expand the I-1 Light Industrial zoning. Mr. Nykamp also noted that this zoning change could lead to many uses on this property that may not be good for this neighborhood.

Ms. Rynsburger agreed with Mr. Nykamp. She stated that industrial uses in this neighborhood wouldn't be in line with the Comprehensive Plan.

Mr. VanderMeulen stated that if all of the property talked about, including the larger piece of adjoining land to the west, could be combined into one parcel then there were to be an option of development into an R-2 development or other uses for a larger piece of AG Agricultural property.

Mr. Hoeve stated that the other land Mr. VanderMeulen is talking about has been cut off from this parcel, but he agrees that if it would have been kept intact that there would be more options for uses for this land. He reiterated what Staff stated earlier that the Planning Commission cannot take economic impacts into consideration.

The Commission addressed the Criteria for 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 proposed rezoning is not consistent with the goals, policies, and Future Land Use Map of the Comprehensive Plan, as explained above.

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

I-1 uses could negatively impact the site's environment to a much greater extent, due to noise, odors, truck traffic, lighting, and other impacts.

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.

Same reasons as stated in #2.

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 amount, and especially the type, of vehicular traffic resulting from a I-1 industrial use would have a negative impact on the streets in the area.

** It was moved by Mr. Zylstra and supported by Mr. Nykamp to deny this request. A roll call vote was taken with all members voting in favor of denying the request. Motion carried.

It is noted that Mr. Schipper asked that all comments made during this request be submitted for their Comprehensive Future Land Use Plan Amendment request to be address at the end of the agenda.

Chairman Hoeve opened the Public Hearing for consideration of a Special Use request submitted by Doug Pasma of Pasma Group Architects and Scott Potter of Ridge Point Community Church for property located at 340 104th Ave., described more specifically as 70-16-36-300-013. Petitioner is seeking permission for an existing place of worship and the ability to add a preschool and accessory outdoor uses. The property is zoned AG-Agricultural District.

The subject property is a large-scale place of worship located on a parcel of approximately 17+ acres. The site includes a large parking lot and three driveways with access to 104th Ave. The parcel backs up to I-196 and is located between Mason and Ottogan Streets.

Mr. Doug Pasma and Mr. Scott Potter were present to speak to this request. Mr. Pasma stated that they are making a formal request for the place of worship to be a permitted special use. The church is also

requesting to develop the property with many outdoor amenities including expanding the northeast parking lot with an additional 116 spaces, adding outdoor activity spaces to the east and south including an outdoor play structure, a plaza area with informal sitting spaces, outdoor trails, an outdoor shelter, an outdoor assembly area with a platform for small scale outdoor events, a basketball court, a volleyball grass court, a pickleball court and a soccer field adjacent to the student ministries area of the church. Along the north side of the property they will be adding a playground and a sidewalk for a proposed preschool that will be housed inside the building in pre-existing spaces. A small area just inside the building will be renovated for a sitting area accessible to the playground.

Ms. Rynsburger asked if there will be adequate fencing to keep the kids safe from the highway that is relatively close. Mr. Pasma stated that yes both play structure areas will have 4' tall aluminum fences to protect the children.

Mr. Nykamp asked if this will be done in phases or if it will be a one-and-done project. Mr. Pasma answered that this will be a one-and-done project with possibly the exception of the soccer field. Mr. Potter stated that the soccer field will also be included in the initial project.

Ms. Rynsburger asked about any potential bussing and if there will be a designated bus drop-off point. Mr. Pasma answered that there is a drop-off point on the side of the building where the addition to the parking lot is located. He stated that most of the traffic will consist of individual cars, as all of the kids will be arriving with parents parking and bringing the kids into the building. Ms. Rynsburger stated that it can cause problems and unsafe conditions to have busses use the same drive path as parents that are walking kids into the building especially on dark mornings. Mr. Pasma stated that the initial plans do not have a separate bussing area, however, they do not plan on many busses at this point.

Ms. Rynsburger stated that with this being a nature-based preschool there is usually some sort of water element. She is not seeing a water element on the plans, is there one planned? Mr. Potter stated that currently there is not one within the fenced in area on the plans; however, they are working very closely with the Outdoor Discover Center and that is something that may still be added. Ms. Rynsburger also pointed out that with the addition of a water element they need to keep the safety of the children in mind. Mr. Potter stated that is why they are working so closely with the Outdoor Discover Center.

Mr. Gebben asked Staff if they need to include in the motion an approval of the special use of the worship center. Staff answered that yes it does need to be stated and if they would prefer, they can be made as two separate motions.

Mr. Gebben inquired if the number of students and staff is critical in the approval process of the special use. Staff indicated that this would not necessarily be an issue for the special use, it would be more of a facilities issue with the size of the building.

Mr. Hoeve asked if they have received all necessary licensing. Mr. Potter answered that the State of Michigan has given them all green lights after doing a walk-through of the facility. As for the size of the building they handle 500 kids on weekends so handling a preschool of around 100 kids and staff would not be an issue. Mr. Hoeve pointed out that the state would regulate the numbers.

Public Comment: None.

Mr. VanderMeulen asked if any work is to be done inside the building? Mr. Potter answered that there will be some paint and a fire door.

** It was moved by Ms. Rynsburger and supported by Mr. VanderMeulen to close the hearing. Motion carried.

The Commission reviewed the Special Use standards.

** It was moved by Mr. VanderMeulen and supported by Ms. Rynsburger to approve the request for a pre-school and associated outdoor amenities as presented with the condition that the applicant submits a floor plan to Staff for review. A roll call vote was taken with all voting in favor. Motion carried.

** It was moved by Mr. VanderMeulen and supported by Mr. Zylstra to approve the special use request for the place of worship on the site. Motion carried.

Chairman Hoeve opened the Public Hearing for consideration a proposed preliminary site condominium plan for the Bluejay Crossing Site Condominium Development, submitted by Dan Larabel of Allen Edwin Homes for land at 165 Greenly Street, described more specifically as 70-16-08-100-016. The proposed site condominium consists of 19 detached single-family residential units with a private road, public watermain and sanitary sewer, and private stormwater retention facilities. The subject property is zoned R-2 Moderate Density Residential.

The subject parcel contains about 8.3 acres. The proposed development includes 19 single-family home lots, 17 of which are situated around a proposed private street cul-de-sac, approximately 450' in length. The two additional lots will front Greenly Street. The applicant proposes to have three additional single-family lots created, fronting Greenly Street, that are not part of this condominium. Surrounding properties that are developed contain single-family and two-family residential uses. The subject property, and surrounding properties, are zoned R-2 Moderate Density Residential and planned for Moderate Density Residential (R-2 equivalent).

Mr. Dan Larabel was present to speak to this request. Mr. Larabel summarized the project stating that they are proposing 19 site condo units to be called Bluejay Crossing. They are proposing to meet dimensional zoning requirements of R-2. The project has a 600' private road. Mr. Larabel stated that Allen Edwin will set up an HOA and will, when appropriate occupancy has been met, turn the HOA over to the residents to maintain the snow removal of the private road. Evergreens will be preserved as a buffer along the west side of the property, along the north is a wooded vacant lot providing an 80' buffer and along the east side of the property are some nice large trees they plan to keep.

Mr. Larabel stated that they plan to start construction this year despite the economic uncertainty.

Mr. Larabel addressed the Staff comments in the Staff Report.

- Have not met requirements for floor plans, renderings, vertical boundaries of each unit, and building sections and details.
 - He stated that they had not seen that rendering of homes was an application requirement.
 - Vertical boundaries will be 15' below grade and 15' open airspace.
 - Standard residential products placed at the setback lines in the middle of the lot – nothing alternative.

- Building details: 1,400 sq. ft. ranches, 2,000 sq. ft. bi-levels, and 2,000 sq. ft. 2-story homes all with attached garages.
- Landscaping plan
 - Happy to discuss further. Homes will be landscaped at completion of each home.
- Obtain Ottawa County Water Resource Commission approval for the proposed development, including the stormwater management design
 - They understood that they needed Planning Commission approval before going to the county for approval.
- Obtain Ottawa County Road Commission approval for the private cul-de-sac's connection to Greenly
 - They understood that they needed Planning Commission approval before going to the county for approval.
- Planned schedule for site development and building construction
 - They plan to begin construction this summer and fall with foundations going in before the end of the year.
- Confirmation that all lots meet minimum spatial requirements (lot area, lot width, etc.) for the R-2 district. A few of the lots (#3 and #17) appear to be close to the minimum lot area requirement.
 - #3 is 64' x 131' – 8,400 sq. ft.
 - #17 is similar in dimension - 8,408 sq. ft.
- The proposal should be revised to include a stub to the east for a future connection to Jill Ave. Township Comprehensive Plan goals identify connectivity and access as important aspects for future development.
 - Mr. Larabel stated that they are asking for a waiver of the requirement for a stub stating that this would not be an unreasonable restriction to any future development(s) of adjoining properties. To this account they have contacted the property owner to the east and they are not interested in selling their property at this point making connection impossible at this time. They are asking the road configuration to be approved as presented.

Staff responded by stating that this is a site condominium approval and not a site plan approval. Within that scope, there are items that are non-negotiable with in a site condominium development per Sec. 17.5. From a legal perspective these are things that the Commission is not able to say they can have Staff deal with later. Staff is suggesting that the Commission table the request until all items are provided per Sec. 17.5.

Staff also noted that in regards to adding a stub to the east they are suggesting that the opportunity is there for a future stub to facilitate connectivity and community building. Making sure there is a plan for a future stub even if it is not possible to put one in now. If there is no connectivity that would result in 3 cul-de-sacs in close proximity. This causes issues with public safety, emergency management, maintenance, fire department and sheriff's department.

Staff also noted that the 164' leg north of units 9, 10 and 11 essentially becomes undevelopable or if it is developed that it would be a single loaded cul-de-sac putting the road in someone's back yard. This road would be either in the back yards of units 9, 10 and 11 or in the back yards of the houses on Jack Ave. That would be poor planning on our part if we allow that to stay. We need to make sure that this doesn't stay a cul-de-sac but instead a public road network that perhaps extends closer to the north property line and

extends east to the eastern property line. Mr. Hoeve asked why they had not acquired the north property. Mr. Larabel stated that the owners didn't want to sell.

Mr. VanderMeulen stated that he feels they do not have enough information to put this to a vote tonight. He also stated that he is concerned how the leg to the north of this parcel would be used. He feels that the Water Resource Commission will have to deal with the water retention area and doesn't feel like that is a big problem. The cul-de-sac doesn't bother him so much. He would be more concerned with the property to the east not tying into Jill Ave.

Ms. Rynsburger stated that they have dealt with floor plan issues with other developments. And she is suggesting that the Commission should see the floor plans to make sure they comply with requirements with Holland Charter Township.

Public Comments:

Ms. Janina Oczkowski at 13488 Jack Street, Holland, MI 49424. Ms. Oczkowski asked if there could be a road running right behind her property? Staff stated that the parcel directly behind her is not part of this property in question.

Mr. Gebben inquired about the water level on the property and the retention basins currently around the property. Where are they proposing the retention basins will go in the new development. Will the high-water table affect basements? Mr. Larabel stated that engineers will be hired to handle the retention basins as well as making sure the basements are not an issue. The drawings show a concept plan to detain all water on-site and release it at a rate that would be equivalent to if the site was not developed. The basin material would remain on-site and used to build up the road and the building sites.

Mr. Gebben asked if the retention area is so large because they cannot go very deep due to the high-water table? Mr. Larabel stated the footprint of the retention area is due to the flatness of the sight. He also stated that they will need to figure that out as they develop the plan; in fact the retention area may not be large enough, they may need more fill. Mr. Gebben stated that they do not want issues with water in basements. Mr. Larabel said that they will obtain Drain Commission approval but must have an approved preliminary plan in place first.

Mr. Hoeve asked if they should table the request until the applicant can provide the proper documentation. John will look up the requirements of the site condominium and see if they can give preliminary approval without the Drain Commission approval. Mr. Hoeve asked if we can table then have the applicant come back to Staff with responses to the questions in Staff Report. Then we can give approval with approval from the county as a condition of approval.

Staff referenced Sec. 17.7. Final approval needs all approvals from County Water Resource Commission or County Road Commission and construction plan approval for a final plan. They do not need the approvals from the County Water Resource Commission or County Road Commission for preliminary approval.

****** It was moved by Mr. Zylstra and supported by Mr. VanderMeulen to close the hearing. Motion carried.

Commission stated that the applicant needs to work with Staff on the issues listed in the Staff Report. Mr. VanderMeulen asked how the rest of the Commissioners feel about the stub. He stated that he felt there

was some mixed feelings on if they needed the stub or not at this point. Mr. Gebben said he's not ready to give a yes or a no to that. He said that it really depends on the narrow leg at the north end. Mr. Kortering said no the stub is not needed. Mr. VanderMeulen state that he agrees with Mr. Gebben the leg is bothersome and that it is landlocked. He is going to vote no on the stub if they meet the other conditions. Mr. Zylstra stated he feels it is not necessary. Ms. Rynsburger is voting no on the stub. It was declared that the majority does not believe there needs to be a stub.

Mr. Larabel asked if they should go to Staff with any further questions they may have. Mr. Hoeve stated yes, they should be in contact with Staff regarding any questions they may have.

** It was moved by Mr. Nykamp and supported by Mr. Gebben to table the hearing. Motion carried.

Chairman Hoeve opened the Public Hearing for a Zoning Map Amendment (rezoning) submitted by Pine Creek Construction and Ron Meyer & Associates, for property located on Panther Drive, east of 136th Ave., from O-S Office and Service to R-2 Moderate Density Residential, described more specifically as Parcel Number 70-16-08-300-045. The subject property contains approximately 0.43 acres.

Mr. Doug Gritter was present to speak to this request. He stated that they are looking to develop work-place housing on this property. Mr. Gritter stated that every year they try to build 2-3 work-place homes and they believe that this site would be a good site for this type of housing. This lot abuts an O-S Office and Service parcel on the west and an R-2 parcel to the north. The R-2 parcel is owned by Habitat for Humanity. Mr. Gritter stated that as he understands it the goal of the township is to have O-S Office and Service in rear yards only and this plan would facilitate this. If this parcel was to be developed as O-S Office and Service, then the future Habitat home would then be adjacent via a side yard to O-S Office and Service which goes against the township's goal. Ron Meyer has been unable to sell the parcel under its current O-S Office and Service zoning due to its small size. Mr. Gritter also pointed out that this plan would provide an additional buffer zone to the Habitat home from the O-S Office and Service parcels.

Mr. Gritter stated that to the east, across the road, there is a water retention pond that seems to him will not be developed; however, maybe Staff knows if there are plans to develop this parcel with an O-S Office and Service building. Mr. Gritter also stated that Panther Dr. consists of residential and O-S Office and Service. He feels that the O-S Office and Service directly impacts the adjacent residential. Their goal is for 2 homes to face Panther Drive (running North to South) with the rear of the parcels being the O-S Office and Service property.

Mr. Gritter addressed some of the Staff notes in the Staff Report. The report states that there is plenty of R-2 land already present in the township and that the applicant could choose one of those parcels. Mr. Gritter pointed out that all of those would need to be fully developed with extensive costs. Mr. Gritter stated that they are trying to fill "in-fill" sites with workplace housing. He pointed out that he feels this is not a spot zoning; they are just extending the residential by a house or two. Mr. Gritter feels that the neighbors would prefer additional residential on this parcel verses O-S Office and Service there. He also stated that if the Planning Commission would like to see a PVC fence or landscaping in the back yard to what is currently a day care that is a possibility, however, he doesn't feel this is necessary.

Staff clarified that this is similar to the previous rezoning request where they pointed out that the owner is stating they cannot sell under the current zoning. Staff pointed out that there is a fire station as well as a library and that there is a fair amount of traffic due to those buildings that would affect this property. Cost is not a factor within the zoning ordinance.

Mr. Gebben feels that when looking at compatibility the day care, fire station and library are very compatible buildings in a residential area. He also stated that he feels the Habitat house would prefer to have another house next to them verses an O-S Office and Service building.

Mr. Kortering agrees with Mr. Gebben that this .43-acre parcel seems too small for an O-S Office and Service building. Mr. Gritter stated that this size would work well for 2 residential lots with the yards in the rear to O-S Office and Service. Staff countered that the lot is not too small for O-S Office and Service, pointing out that the minimum requirements are 15,000 sq. ft. for O-S Office and Service and this lot is 19,000 sq. ft. so it is well above the minimum requirement.

Ms. Rynsburger inquired about whether the compatibility should extend Panther Drive going east and west with O-S Office and Service or should the compatibility extend Panther Drive going north and south with additional residential. Ms. Rynsburger feels that if the residential is extended to include these two new homes these new homes would not fit in with the overall feel of Brentwood Village. She is also concerned with the fire station being on that corner and the fire trucks coming out right across the street from these proposed homes.

Mr. Nykamp asked if we know the dimensions of the parcel? Mr. Nykamp stated that it seems like 2 residential lots would not fit here. He also said that it would seem to him if this lot was made residential that it would feel like residential was extended into an O-S Office and Service area. Staff responded that the lot dimensions are approximately 122' East to West and 155' North to South. Staff also pointed out that one of the lots would be a corner lot and therefore would have 35' setbacks on both roads which would be a significant portion of the lot. Staff is concerned that this would create potential difficulties that would then require a zoning variance due to very tight dimensions of the property. Mr. Hoeve stated if they divide the property north to south, they could make it work. Staff stated that there are challenges with the site layout either way. Mr. Hoeve commented that the hardship would be self-created. Mr. VanderMeulen pointed out that Mr. Gritter is planning to build these houses himself so a future owner would not be faced with the tight restrictions, so he doesn't feel this is really an issue. Mr. VanderMeulen commented that the 2 35' front yard setbacks would put a crunch on the lot making a garage almost impossible depending on the house design.

Public Comment: None.

Mr. Gritter stated that if the lot can be split on an east to west basis, he feels it will work with the 35' setbacks. If it doesn't work, then they would do just one home. They are proposing to keep the driveways on Panther Drive where the other homes driveways are so that it is in keeping with the neighborhood.

Staff stated that it could be an 80' corner lot when divided. If you take a 35' setback out on the south and the 7' side yard setback on the north end of the corner parcel that leaves 38' remaining for the width of the house.

** It was moved by Mr. Nykamp and supported by Mr. Kortering to close the hearing. Motion carried.

Mr. Gritter asked if the Habitat lot is about the same size as the 2 proposed lots would be? Mr. Hoeve stated that it looks pretty close. Mr. VanderMeulen stated that some of the lots in the subdivision are even smaller than the lots that are being proposed tonight. Staff stated that the Brentwood Village PUD

is a very complicated PUD with many different setbacks for individual parcels and that it would not be recommended to grant this type of PUD in the township again.

** It was moved by Mr. Nykamp and supported by Ms. Rynsburger to deny this request as submitted. A roll call vote was taken. Motion carried with members Hoeve, Kortering, Nykamp, Rynsburger and Zylstra voting in favor and members VanderMeulen and Gebben voting against.

Other Business

12191 and 12199 Felch - Planned Unit Development (PUD) Final - Vishal Arora of Magnus Capital Partners LLC - The applicant seeks Final Development Plan and Planned Unit Development (PUD) approval for a 114- unit multi-family rental residential project, to be called 'HOM Flats at Felch Street', on the north side of Felch, west of 120th Avenue. The applicant received Preliminary PUD approval at the January 2020 meeting, and previous rezoning of the property to R-3 High Density Residential. The Future Land Use Plan for this site designates the primary (eastern) portion as High Density Residential, with the western portion being designated as O-S Office and Service.

The applicant seeks to obtain a PUD density bonus to allow 114 units on this +/- 7.9-acre site. The project meets the minimum requirements for all dwelling unit sizes, including one-, two-, and three-bedroom units. Of the 114 total units, 20 will be 1-bedroom, 62 will be 2-bedroom, and 32 will be 3-bedroom. The project will consist of 3 4-story buildings, an on-site leasing office, fitness center, bicycle storage, a walking trail, outdoor plaza, and other amenities.

A total of 200 parking spaces are proposed, with 87 more deferred spaces shown on the plan for possible future development. This meets the minimum required total meeting the 2.5 spaces per unit ratio of 285.

Mr. Vishal Arora was present to speak to this request. Mr. Arora stated that they are looking for relief from the 120 sq. ft. minimum storage area for the 1-bedroom apartments. He also addressed the access easement issue stating that they have attempted to make contact with Wallick Communities/Falcon Woods without any response. Therefore, Mr. Arora is asking for approval without the connectivity between the two developments. In light of this situation they would need to propose two egress points along Felch Street, one to the east and one to the west. Mr. Arora also address the dumpster, lighting and signage issues. He stated that these issues are not complete on the plans yet, however they are planning to comply with township regulations. They are asking for approval tonight contingent upon Staff review of these items at a later date. Mr. Arora also address Staff's question in the Staff Report about project phasing stating that this would all be done in one phase.

Mr. Hoeve asked Staff if the 2 egress points onto Felch are good enough to replace the connectivity with the neighboring development? Staff responded that they feel not everything is complete for this application at this time and because this is a final approval everything needs to be complete. They also stated that regarding the 2 entrances they understand they cannot get in touch with the neighbors; however, they have not seen new plans with the 2 drives coming off Felch. They are concerned about the placement of the drives and if the Ottawa County Road Commission will approve them due to the potential proximity to the existing drive at Falcon Woods. Mr. Hoeve questioned if it would be possible to create a merged driveway with Falcon Woods. Staff answered that at this point that doesn't seem like it would be an option as Wallick Communities/Falcon Woods does not seem to be interested in

communicating with the developers. Mr. Arora pointed out that the driveways would be approximately 25-30' from the 2 drives. Mr. Hoeve asked Staff if the Commission can approve this request with the condition that Staff would handle this issue? Staff pointed out that this is the final approval, therefore everything needs to be presented including final plans. It is not advised to leave loose ends at this point. Staff pointed out that they would also like direction on the storage waiver request. Mr. VanderMeulen stated that the request for 46 sq. ft. of storage space verses the required 120 sq. ft. of storage space was granted at a previous meeting. He also stated that he feels the Road Commission needs to approve the 2 egress points onto Felch before we can approve the final plans.

Mr. Gebben stated that he would still like to hear from Falcon Woods. He questioned if it would be possible for Staff to try to contact them and get an answer? Staff stated that they do not feel comfortable doing that because it may look like they are taking sides on the issue. Mr. Gebben then inquired if we should get the township attorney involved and ask him to call? Staff stated that they don't feel we should set a precedence of having the attorney call and that Staff would attempt to make contact as a status check-in.

** It was moved by Mr. Gebben and supported by Mr. VanderMeulen to table the hearing. Motion carried.

198 Manufacturers Drive, Suite 10 – Roberto Arrendondo of Beto's Garage – Tabled at the November 5, 2019 Meeting – The applicant is seeking Special Use approval for property located at the 198 Manufacturers Drive, Suite 10, described more specifically as Parcel Number 70-16-17-310-001. The applicant is seeking permission for vehicle repair and outdoor storage. The property is zoned I-1 Light Industrial District.

The applicant has asked for their request be remain tabled due to scheduling issues, until the May meeting.

76 E. Lakewood Blvd., Suite 10 - Philip Tran and Giap Tran of Puppy Parlor – Tabled at the March 3, 2020 meeting - The applicant is seeking Special Use approval for animal services including daycare, grooming, and kennel. The property is zoned C-2 Community Commercial.

The subject property is a retail tenant space in a building with one other tenant space, also operated by this owner. No information has been provided concerning the size of the space. The applicant's plans appear to indicate that the space will be renovated to accommodate grooming and kennel space for the dogs.

Mr. Philip Tran was present to speak to this request.

Staff noted that they have not received any further information requested from the applicant at this time. Mr. Tran answered that he did not see an email from Staff and was not aware of what additional information Staff needed. Mr. Tran asked if Staff could re-email the information needed to him. Staff stated that they will resend the Staff Report, noting the information needed is listed on pages 17 & 18.

The request will remain tabled.

232 N. Franklin Ave. – Robert Edson and Randall Schipper of Select Genetics LLC. – The applicants are seeking a re-designation of the Future Land Use Plan Map for the subject parcel from AG Agricultural to I-1 Light Industrial.

Mr. Robert Edson and Mr. Randall Schipper requested that the comments made in their Zoning Map Amendment be submitted to this request.

** It was moved by Ms. Rynsburger and supported by Mr. Kortering to deny this request as presented.
Motion carried.

Staff wanted to express gratitude to everyone involved tonight for being so helpful in spite of these difficult circumstances.

The meeting adjourned at 9:47 p.m.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary