

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
September 1, 2020

Chairman Hoeve called the meeting to order via ZOOM due to the Coronavirus (COVID-19) pandemic at 7:00 pm 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:

Mr. Chris Meyer of Warner Norcross and Judd - Mr. Meyer was present to speak on behalf of Quincy Street Inc, DeGraaf Excavating LLC and Western Equipment LLC along Quincy St. where the Township proposes to put a bike path. Mr. Meyer stated that the industries along Quincy are very concerned with the safety of potential bike riders and pedestrians that will use the bike path. Some of the businesses along Quincy are high traffic businesses and the visibility of the semi-truck drivers to see people on the bike path and to stop in time is a big concern. They are also concerned at the rate of speed that trucks and business traffic need to use to safely turn into their driveways due to the lack of a turn lane or deceleration lanes on that road. He said they are also concerned about how dark Quincy is in the early morning and evenings therefore making visibly a concern. Mr. Meyer stated they are not opposed to bike paths but they are opposed to mixing pedestrian and bicycle traffic with truck traffic on a high-speed road. The businesses he represents are asking that the proposed bike path be removed from the Township's Master Plan.

Mr. Bill Martin of Indiana Packers – Mr. Martin wanted to thank the Commissioners for continuing to hold meetings via Zoom under the current circumstances the country is in. Mr. Martin stated that they are very happy to be doing business in Holland Township and have a very good working relationship with both the Township and the County. He stated that their main concern with the proposed bike path is the safety of their employees and the citizens of the community and is concerned that this bike path will not be safe.

** It was moved by Mr. Nykamp and supported by Ms. Rynsburger to approve the minutes from the regular meeting of August 11, 2020. A roll call vote was taken. All in favor. Motion carried.

Public Hearings

Chairman Hoeve opened a public hearing for a Special Use submitted by Andrew Lawrence for property located at 148 S. Waverly, described more specifically as 70-16-35-100-064. The applicant is seeking permission for a contractor's facility and warehousing. The property is zoned C-2 Community Commercial.

Mr. Andrew Lawrence of Lawrence & Cornerstone Heating & Cooling / Cornerstone Building & Maintenance was present to speak to this request. Mr. Lawrence stated that their heating and cooling business began in 2014. He stated that they would like to run their business out of the building as well as use a portion of the building for storage of extra business material and use the remainder of the building for personal type storage. Mr. Lawrence stated that they receive deliveries in the morning and then cargo vans come to get stocked throughout the day and then come back at the end of the day. He clarified that the open space they are not using for the heating and cooling business they would like to use as heated indoor storage for personal and extended family use.

Ms. Rynsburger is happy to see no outside storage is being proposed. Mr. Lawrence added that the garbage will be contained on rolling carts that will be stored inside the building until garbage pickup day and then rolled out for pickup. He also noted that they have 4 cargo vans however, they are not stored on-site. The employees take them home at night.

Mr. Nykamp asked about set-backs for parking and landscaping. Staff answered that they will work with the owner on landscaping to maintain a buffer.

Staff asked if there will be individual storage units? Mr. Lawrence stated that it will continue to be one large space to store items such as RV's, boats, etc.

Public Comment: None.

** It was moved by Mr. Kortering and supported by Mr. Zylstra to close the public hearing. A roll call vote was taken. All in favor. Motion carried.

There was no further discussion.

** It was moved by Mr. Kortering and supported by Mr. Gebben to approve the request, subject to the following conditions:

- 1) Prior to obtaining a building permit, the applicant shall obtain site plan approval from Staff, including relocation of the dumpster enclosure to a compliant location, and addition of landscaping corresponding to the proposed improvements to be done on the site.
- 2) There shall be no outside storage of any materials, equipment, boats, RVs, trailers, or any other item on this site.

A roll call vote was taken. All in favor. Motion carried.

Chairman Hoeve opened a public hearing for a Zoning Map Amendment (Rezoning) submitted by Derek Sjaarda for property located at 113 104th Ave., described more specifically as Parcel Number 70-16-35-400-015. The applicant is requesting an amendment from AG Agricultural to R-1 Low Density Residential.

Mr. Derek Sjaarda was present to speak to his request. He stated that his plan is to build a single-family home on the property. He was surprised to find this ½ acre lot was still zoned AG after he purchased it since everything around it is zoned R-1. He would like to change his to R-1 to match the surrounding area.

Ms. Rynsburger stated that she is in support of the change when looking at the criteria.

Public Comment: None.

** It was moved by Mr. Nykamp and supported by Mr. Zylstra to close the public hearing. A roll call vote was taken. All in favor. Motion carried.

The Commission then reviewed the standards for rezoning.

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 consistent with the Comprehensive Plan, including both the current Plan and the proposed Plan. The subject site is shown with a Low-Density Residential designation.

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

There are no conflicts with this provision.

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 property is proposed to be developed with a detached single-family home, which is consistent with the proposed zoning and surrounding areas.

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 allowed uses; adjacent similar parcels have already been developed with single-family homes.

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

The Planning Commission may wish to identify specific issues as part of consideration for this property.

** It was moved by Mr. Nykamp and supported by Mr. Zylstra to approve the request. A roll call vote was taken. All in favor. Motion carried.

Chairman Hovee next opened a public hearing for a Preliminary Planned Unit development (PUD), submitted by Scott Geerlings/Geerlings Development. The applicant is seeking Preliminary Planned Unit Development (PUD) approval for a mixed-use project containing residential and commercial uses (to be called “275 E. Lakewood” (Note: applicant should confirm whether this address will be available) on the subject property along the north side of Lakewood, between North Park Drive and Beeline Road, which contains approximately 20.7 acres total.

Mr. Mike Corby and Mr. Scott Geerlings were present to speak to this request.

Mr. Corby opened by stating that they are submitting a revised plan for approval after working with Staff. The constants remain walkability, a natural area, strong massing, and a sense of place. Mr. Corby stated that the units proposed are desirable to the target market. He said that they are closer aligned to the township requirements as well as MISHTA guidelines than the previous design. Mr. Corby added that this is a better mix of more desirable units than the original approved plan. He pointed out that they have removed the studio apartments from the plan which are the least desirable apartments. Mr. Corby said that diversity of unit types is still important and therefore they are offering a variety of 1-bedroom units ranging in size from 512 sq. ft. to 630 sq. ft. They are also offering different unit types for 2-bedroom units. Mr. Corby stated that in the previous plan they had townhouses which are inefficient and they have taken those out.

Mr. Corby described that they have changed building heights to allow for a better flow with the neighboring buildings. They are now offering a mixed use to correlate with the Master Plan adding a building that consists of 2 levels of residential and 1 level of commercial on the east side of the property. Mr. Corby added that they are happy to address any concerns in the Staff Report. He stated that one of the concerns listed is with the easement to connect to the west. Mr. Corby noted that the neighborhood to the west has voiced their concerns over this and that they do not want a connection going to their neighborhood. Mr. Corby pointed out that if the Commission wants them to have it, they will put it in.

Mr. Geerlings stated that they really worked on taking the neighbors suggestions from the last meeting along with Commissions comments and suggestions and applying those to this new plan. Mr. Geerlings pointed out that 70% of the units now comply with size requirements. He stated that making a truly mixed use makes it less dense and adds more 2-bedroom units. Mr. Geerlings added that they have done a formal parking study, however it was not completed in time to submit to Staff for this meeting. He stated that this study is better than the previous study due to moving units further east away from the subdivision to the west.

Mr. Hoeve pointed out that there are still 1-bedroom units under the minimum size requirement. Mr. Geerlings answered that there are some that are under the minimum but they also are offering 640 sq. ft. 1-bedroom units as well. Mr. Hoeve feels like a 20% cutback on size is a lot. Mr. Corby stated that MISHTA understands that unit size restructuring is something they are now allowing. He also stated that the market is driving them to more 1-bedroom units.

Ms. Rynsburger asked if the easement is shown on the drawings? Mr. Corby stated that they would put it at the drive that would connect to the residential development to the west; however, he pointed out that the neighbors were not in agreement with that. Mr. Geerlings asked if the easement should instead be on the interior road closest to Lakewood Blvd. then it would not directly connect to that subdivision but instead go to the vacant property to the west. Staff said that they can work with the developers on that.

Mr. Gebben asked if this development would be all private roads? He is not supportive of the easement connecting to the subdivision to the west as he doesn't like to see private roads connecting to public roads.

Mr. Nykamp pointed out that we only have one chance to get the easement on the plans, even if it is never used at least it is there if needed.

Staff stated that they are always keeping safety in mind. The more access points that are available helps to increase safety.

Mr. VanderMeulen stated that there could be more development in the vacant land to the west and this easement could be beneficial to both parties at that point.

Mr. VanderMeulen asked what will be in Building C? Mr. Corby stated that that building would house the leasing office, a social area, on-site maintenance, a mail area and outdoor facilities with pickle ball and a playground. Mr. VanderMeulen asked if there would be a gathering room? Mr. Corby said that there would be a clubhouse room with a covered outdoor patio.

Mr. Hoeve inquired if Staff could handle the 8-10 pages worth of information in the Staff report with the applicant or if some of these items need to be handled tonight? Staff answered that there is a lot to deal with, such as unit varieties and fire department access. They stated that the mixed use is good and the connectivity is good. Staff also would like the Commission to make sure this meets the requirements to establish a PUD or if this should instead be an R-3 development with a Special Use?

Mr. Hoeve asked if we have the ordinances in place to separate this into multiple zones if we decided not to approve this as a PUD? Staff stated that yes, we do.

Mr. VanderMeulen stated the main question is should this be a PUD? He stated that he feels it should as it still meets the requirements as much as it did 6 months ago. Mr. Hoeve agreed that we should not back track now.

Mr. Geerlings stated that they have been working towards connectivity. He also pointed out that this would all become 1 parcel.

Public Comments

Staff read into the record a letter dated August 19, 2020, from Mr. Gordon Jaehnig. The letter stated several concerns Mr. Jaehnig has like the wildlife that currently lives on the property and the fact that there would be 190 multifamily units in his back yard. He would like the developer to find a more suitable area for this development.

Staff then read into the record a letter from Mr. Gary Bouwman and neighbors also expressing concern over the development and how it would affect their neighborhood.

Mr. Gordon Jaehnig of 337 Donann Drive was present to speak. He stated that 190 low-income units adjacent to his neighborhood is only going to increase crime and decrease property values. Mr. Jaehnig also feels like more neighbors should have been notified than just those located within 300' feet of the proposed development. He also is concerned about the retention pond being a cesspool. Mr. Jaehnig did some research and found there are 185 units available right now in the Holland area and therefore doesn't feel there is a need for 190 new apartment units.

Mr. Gary Bouwman of 335 Hillview Drive was also present to speak. He said that there are currently 100-200 unoccupied units available in the area. Mr. Bouwman also stated that there are currently millions of dollars being spend on the building of new units. He said that he recently talked to an Ottawa County Sherriff Deputy and asked him how he feels about these types of developments and he said to stay away from them they have a high crime rate. Mr. Bouwman is concerned about noise and violence and is afraid they will have nothing but problems with this development in their neighborhood. Mr. Bouwman stated that he has tried several times to connect with Mr. Geerlings and has not heard back from him. Mr. Bouwman would like to see Building G moved to the back green space and then creating a green space where Building G currently is. He also asked if the current drainage ditch will be left alone or if it will be filled in? Mr. Bouwman stated that the original plan was for 183 units and now it's up to 190 units. He doesn't like that it is getting bigger, he would suggest getting rid of Building G altogether to keep this development smaller.

Mr. Matthew Topping of 307 Hillview Drive was also present to speak. Mr. Topping stated that he lives behind what is being shown as Building B. He would like to see the development remain the same size as it was 6 months ago when the Commission approved it. Mr. Topping stated that the dumpsters are too close to the houses in the adjacent subdivision and that large dumpsters like that in a large community are not a good idea they just create problems. He would prefer to have something developed on this property that is owner occupied and not rental.

Mr. Ken Kruis of 195 Surry Oak Dr. Mr. Kruis is concerned about light pollution. He would also like to see them install speed bumps by the easement to help control the speed of traffic that could come through the subdivision. Mr. Kruis is worried about this development especially when the size of the some of the units are undersized.

Ms. Julie Topping of 307 Hillview Drive stated that she is against the easement running to their subdivision. Staff stated that they would like to connect to the undeveloped land to the west rather than to the current subdivision so that in the future there could potentially be a connection to Lakewood Blvd.

** It was moved by Mr. VanderMeulen and supported by Mr. Kortering to close the public hearing. Roll call vote was taken. All in favor. Motion carried.

Mr. Hoeve stated that he would like to see Mr. Geerlings work with Staff some more on the issues listed in the Staff Report and then come back to the Commission. Mr. VanderMeulen agrees with Mr. Hoeve and believes this does meet the PUD requirements. Mr. VanderMeulen asked the Commission if they are good with giving a concession for the units that are smaller than requirements? He also asked if there are other items that the Commission can give them guidance on moving forward?

Mr. Hoeve expressed his concern over unit sizes and storage sizes. Mr. Corby stated that the unit sizes were discussed in detail at the previous meeting when they received approval for the first plans. He pointed out that at that time only 30% of the units were in compliance and now 70% are compliant.

Mr. Corby added that they are trying to balance affordable housing with the cost of square footage per unit. He addressed the square footage of storage in some units stating that only 38% of units do not comply with the minimum requirements. Mr. Corby stated that maintaining a 120 sq. ft. requirement is hard to do while maintaining a marketable unit. They have really worked hard to make this a better plan than the original by increasing unit and storage sizes.

Mr. Corby addressed some of the neighbor's concerns. He stated that the creek would not be touched without state approval because it is a protected wetland. He also said that the dumpsters can easily be moved to a different location. Mr. Corby pointed out that Building G only has 8 west facing units as opposed to the original 10 units. He stated that they have added berms to help with light pollution. Mr. Corby stated that they are very willing to work with Staff as they move forward on details as they complete the plan for final review.

Mr. Geerlings also address some of the resident's concerns. He stated that these are not low-income units, as someone had indicated, rather they are work-force housing. They are gearing these towards those with single income levels like nurses and teachers. Mr. Geerlings also stated that they will offer discounts for certain income levels as well. He said that they have tried to upgrade everything including sizes of units from the original approved proposal.

Mr. Gebben asked about the items listed in the Staff Report as requirements for an application for final PUD (item 1. a-h on page 13). Mr. VanderMeulen stated that the Planning Commission approved the first project and this is an improvement over those plans so why would we not approve this? He feels they have listened to the concerns of the Commission and the neighbors as well as consulting with MISHTA and have come to the Commission with a better plan. Mr. Kortering stated that he agrees with Mr. VanderMeulen and that they have listened to the neighbors and the Commission and made some good changes. Mr. Nykamp also agrees.

Mr. Gebben asked again if the Commission needs to go over items a-h. Mr. Kortering answered that they already have waived the minimum unit size and storage area requirements and feels like they can work with Staff on the other items.

Mr. Hoeve asked if it is in our best interest to approve now or to table the request? Mr. Kortering wanted to make sure we clarify that we are expecting to have a-h worked out with Staff, except item g which we have waived. Then come back for final approval. Staff stated that if the Commission has a consensus then Staff can work out details with the developer. However, Staff would like to have the Commission give as much guidance as possible at this time.

Staff stated that they would like to have a better breakdown of sizes of the units. Mr. Corby stated that they did submit an email to Staff today with these breakdowns. Staff stated that being that it came today it was too late for them to review the email. For the record, Mr. Corby stated that there will be 16 units at 512 sq. ft, 41 units at 540 sq. ft., 17 units at 630 sq. ft. and 58 units at 540 sq. ft. or larger. Mr. Corby noted that in the previous plan there were 440 sq. ft. units approved. Mr. Geerlings stated that the previous plan consisted of 57 studio units, 99 1-bedroom units, 18 2-bedroom units, and 15 townhouses. Mr. Corby added that they have taken a lot of time to increase these sizes since the last approval. They really have spent a lot of time making this a better development over the initial approved plan.

**It was moved by Mr. Gebben supported by Ms. Rynsburger, subject to the following condition of approval:

1. In the application for Final PUD, the applicant shall:

- Combine all lots;
- Obtain Fire Department approval for the proposed plan.
- Specify all proposed uses to be allowed in the PUD.
- Include a stub road, 66-foot wide public access easement, and an acceptable road section between the main entrance traffic signal and the west edge of the site nearest to Hillview Drive.
- Provide detailed screening and fencing information.
- Revise landscape plans to comply with applicable Zoning Ordinance requirements, including the addition of shade trees.
- Include all walkways in access easements and provide an instrument to establish an easement for future construction of public pedestrian bridges over the creek.

A roll call vote was taken. All in favor. Motion carried.

Other Business

Quincy Street and 136th Northwest Corner – Final Site Condominium – Silverwater Phase 1 – The applicant seeks Final Site Condominium approval for Phase I of the Silverwater detached single-family home development, consisting of 41 lots of the total 213 lots. The project is located at the northwest corner of 136th and Quincy Street, with Phase I being the southwest portion of the project, adjacent to Quincy Park. Phase I contains about 13.77 acres of the total +/- 83.76 acres of the project.

Mr. Dan Larabel was present to speak to this request. Mr. Larabel indicated that they had received preliminary approval November 2019. They are now working on the Phase 1 construction plan on the southwest portion of the property. Mr. Larabel circulated the plans to county agencies in August. He indicated that the Road Commission is holding final approval until a deposit is made, at this point they have approval via email. Mr. Larabel indicated that he will make the deposit once he has final site plan approval from the Commission. He stated that the Water Resource Commission gave them approval today, which he sent to Staff. Mr. Larabel stated that the water main and sanitary sewer permits have been issued by the state.

Mr. Larabel said that the two temporary cul-de-sacs will be built to permanent standards (3" asphalt, permanent drainage, and constructed beyond phasing limits) and are asking that bonding not be required to loop those together. Mr. Larabel pointed out that when Phase 2 is constructed those temporary cul-de-sacs will be removed and street connectivity will be completed. That configuration was approved in November as well. Mr. Larabel added that the developer retains control of the lot for future connectivity which meets the objective and allows for future connectivity.

Mr. Larabel addressed some of the submittal issues listed in the Staff Report. The first item is a missing cover sheet listing all documents included in the site condominium plan. Mr. Larabel stated that the site condominium plan is only one sheet so they didn't feel a cover sheet was necessary. He stated that they did submit construction plans with a cover page. Included in the plan is: survey information, legal description, the easement, lot dimensions, flood plain, site plan elements (including lot lines, building setbacks, roads). Mr. Larabel then addressed that the must-be-built items such as sanitary sewer, storm sewer and public road are shown on the site plan. He stated that the utility plan is shown on both the site plan and construction plans. Mr. Larabel said a landscaping plan was submitted in 2019 and they are not proposing any changes to the plan so they didn't realize they needed to resubmit the plans. Mr. Larabel indicated that they have been in contact with West Ottawa school regarding bussing and have identified 2 intersections as potential bus stops. Mr. Larabel feels like they are in a good position for final approval from Commission. He stated that they would be happy to work with Staff and the Commission on any odds and ends and any specific details.

Staff brought up some key issues that need to be addressed. The first being the Fire Chief would prefer a loop road instead of two cul-de-sacs. Adding the loop would free up space to add additional homes which is cost beneficial to the developer. If the rest of the project never happens then this temporary cul-de-sac now becomes permanent. The other option would be to have the developer provide a bond to make sure the connection will be completed at a later date. Staff stated that circulation is of the utmost concern at this point. Staff also pointed out that phasing has changed from the original plan.

Mr. VanderMeulen added that a looped road would also be good for looping of the water system.

Mr. Larabel responded that the phasing was changed due to constructability and engineering. He stated that if they would have kept the phase the same, they would have had to essentially build Phase 2 at the same time and this would have caused them to over extend. Mr. Larabel said that this is just not a good idea and can lead to failure. They are building sanitary sewer for Phases 1-4 upfront which is already a lot of cost at the start. Mr. Larabel pointed out that these are temporary cul-de-sacs, and once Phase 2 is complete they will no longer be cul-de-sacs but will then create a looped road.

Staff stated that they do not want to be doomsayers but this is a matter of public safety. They stated that the Master Plan lays out specific requirements. Staff pointed out that the applicant just needs to provide a letter of credit to make this go.

Mr. Gebben stated that he feels there should be a loop in Phase 1 and that a letter of credit seems very acceptable.

Mr. Larabel stated looping with a gravel road would be an option but he can't pave the road through Phase 2. Staff said that this would depend on the Fire Department requirements. Staff said that they are not looking for a road to be completed, simply for a letter of credit or similar financial guarantee. Mr. Gebben asked the applicant why a letter of credit would not work for them. Mr. Larabel said that what he would be able to obtain would be a surety bond but he would rather make something else work that to go that route.

Staff said they did not receive the detailed plans that show sanitary, water, etc. The drawings they have just have lines with no labels to show what those lines are. They stated that they do not know the limits of the utilities; perhaps Oasis Ave. will have utilities installed already. But they cannot see those details on what was provided. Staff also stated that Certificate of Occupancies, will not be issued without the road being completed with a base course, and that the Township will not provide snow removal until the road is complete; however, they can get by with a base course.

Staff stated that they require approval from all outside agencies before being able to grant final approval. Staff also stated that all documentation needs to be submitted by the deadline to give Staff ample time to review all documentation. Staff also pointed out that they need to follow the requirements as laid out in the Zoning requirements. Staff has not received information from the Ottawa County Water Resource Commission and this needs to be provided before an approval can be given per the Zoning Ordinance.

Mr. Larabel stated that he takes full blame for not getting the full constructions plans to Staff if those were not in the packet submitted. He stated that he did submitted the Road Commission full approval early August with the packet and that he understands that he submitted the Water Resource Commission approval today which was too late for tonight's meeting.

Mr. Kortering asked if the previously submitted landscape plan is good to use or if he needs to submit a new plan. Staff answered that they should see a new landscape plan since Phasing has changed.

Mr. Gebben stated that since all submittals are not complete that the Commission should probably table this request at this time. Mr. Gebben asked Mr. Larabel what this would do to his construction plans? Mr. Larabel stated that they are still ok to continue moving forward, that this would not stop them at this point. Mr. Larabel did ask Commission if the layout is approved for the Road Commission? He also asked if the loose ends they need to tie up would be landscaping plans?

Staff added that they would need a financial guarantee for a loop. Mr. Gebben stated that they need to make sure that the township isn't left having to deal with the stubs in the future and the best way to make sure that doesn't happen is a surety bond. Mr. Larabel indicated he is not sure he can get one since those are usually given for construction that is currently happening and will be complete in a couple months and is then release after work is complete.

**It was moved by Mr. Gebben and supported by Mr. Kortering to table the request to give the applicant time to work with Staff and with their financial people regarding the loop. Roll call vote was taken. All in favor. Motion carried.

165 Greenly Street – Final Site Condominium – Bluejay Crossing – The applicant is seeking Final Site Condominium approval for the Bluejay Crossing single-family home development, consisting of 19 lots with a private street cul-de-sac (to be called Jayberry Drive). The project is located at 165 Greenly, east of 136th, and is zoned R-2 Moderate Density Residential. The three additional single-family lots being proposed with Greenly Street frontage (Lots A, B, and C), are not part of this condominium. This project received preliminary approval at the May 12, 2020, Planning Commission meeting.

Mr. Dan Larabel was present to speak to this request. Mr. Larabel stated that he is submitting his application to the Water Resource Commission and he is waiting on further permits after he gets approval from the Water Resource Commission. He understands that he will probably need to be tabled tonight but he is happy to answer any questions the Commission may have.

**It was moved by Mr. Zylstra and supported by Mr. Nykamp to table the request. Roll call vote was taken. All in favor. Motion carried.

Zoning Ordinance Text Amendment – To allow accessory use farm stands as Special Uses in the C-2 District - Consideration of amendments to the Zoning Ordinance to allow accessory farm stands as special uses in the C-2 Community Commercial District, submitted by William Sikkell on behalf of Visser Farms LLC.

**It was moved by Mr. VanderMeulen and supported by Mr. Gebben to remove the item from the table. Roll call vote was taken. All in favor. Motion carried.

Mr. Kortering asked Mr. Nykamp to explain to the Commission the Township Board's denial of the exception request from a legal perspective. Mr. Nykamp explained that legally the Board could not give out a one-time special permit and that if it was ever challenged in court we would lose because it would not be legal.

Mr. Zylstra asked if the Board talked about a text amendment at all. Mr. Nykamp stated that there was some sentiment that they liked the idea of the stand but that this was not the legal way to do it, there was one Board member that did vote against the motion to deny. Mr. Kortering stated that even the Ottawa County Commissioners sent a letter encouraging us to allow them to have the stand. Mr. Nykamp stated that letter may have been a bit out of place for them to do since legally the Township cannot approve this.

Staff stated that at the Board meeting, there was discussion about the other options that Visser had available to them. For instance, if they would have moved inside the building they would have been within the ordinance. They could use existing AG land. They also could have done a special event stand. This

could be like a farm market done on say Friday's and can be set up throughout the township in any non-residential area. Mr. Kortering clarified that for them to be set up as a special event they are then limited to 14 days. Mr. Hoeve asked for clarification for temp outdoor sales. Staff clarified that they can be open up to 14 days a year over two separate periods. It was noted that a special use is limited to a regional event, like Tulip Time, so this would not apply. It was clarified that a vendor cannot set up outdoors every Friday, per say, for 14 weeks.

Mr. Bill Sikkel was present to speak to this request. He stated that in order to set up outside with those parameters they would already need to be setup in a brick and mortar store and then set up a temporary stand outside in the parking lot. He stated that to be in a brick and mortar building would be too expensive and also that is not what the public wants. The public wants an outdoor farm stand to purchase their produce. Mr. Sikkel stated that they should be able to put in wording that differentiates food verses blankets or other goods being sold. He stated that the public is looking for an inexpensive convenient place to buy produce.

Mr. Hoeve asked if they would have gone inside that building, they would have been fine? Staff answered yes if they complied with capacity regulations, etc.

Mr. VanderMeulen asked how are the citizens of the township best serviced? He stated that he feels they would best be serviced by having access to farm stands like this. Is there a way to fix that the Township Zoning Ordinance will not allow this?

Staff said that they are allowed in Agricultural zoned areas of the community and that in Holland Township roughly 25% of our land is zoned AG which is way more than the Commercial zoned property. Staff noted that they could lease the land but the land would have to be part of an active farm operation. The Commission asked if the farm needs to be a certain type of farm to be able to sell produce? Mr. Sikkel believes that the farm would have to be growing the items related to those they would be selling at the farm stand. Mr. VanderMeulen clarified that someone cannot just sell on any Agricultural piece of land, there are requirements that need to be met.

Staff noted that the Zoning Ordinance complies with GAAMPS (Generally Accepted Agricultural Management Practices) and at this point we are all speculating on what those requirements are.

Mr. Hoeve asked if we can we have Staff look into the various legal requirements and have them come back to us in a month or two?

Mr. Kortering inquired if could a place like Apple Valley grocery store have a separate fresh fruit stand in their parking lot every Saturday? Staff said that would not work because the brick and mortar store would be at a disadvantage and the Township prohibits third-party sales.

Mr. Kortering stated that he keeps thinking that the people would love a produce stand that people could walk to and not have to drive a distance into the country to get their produce from a farmer.

Mr. Gebben pointed out that in the 1960's and 1970's the township did have a farmer's market. He agrees with what Mr. VanderMeulen said that we need to provide a place for a fresh produce market to the township.

Mr. Kortering asked if they could get together and brainstorm some ideas for getting this to happen by next year? Staff stated that yes, they could it would just have to be a noticed Public Special Meeting of

the Planning Commission. Mr. Hoeve asked if they should appoint a sub-committee that will meeting with Staff to come up with ideas. Mr. Hoeve appointed Mr. VanderMeulen, Mr. Gebben and Mr. Kortering to this sub-committee along with Staff.

This item is to remain tabled.

Special Use Amendment for expanded outdoor storage – boat repair and storage facility - 483 Douglas
– Consideration of an amendment to an existing special use submitted by William Sikkel on behalf of Advantage Marine, Inc. for land located at 483 Douglas, described more specifically as 70-16-19-300-095. Petitioner is seeking permission for an expanded outdoor storage area for a boat repair and storage facility. The property is zoned C-2 Community Commercial.

Applicant is requesting this item remain tabled.

The meeting adjourned at 9:29 p.m.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary