

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
May 10, 2022

Chairman Randy Kortering called the meeting to order at 6:00 pm and asked for a roll call of members present.

Present: Chairman Randy Kortering, Vice-Chairman/Secretary Jack VanderMeulen, Members Leo Barajas, Doug Becker, Steve Darrow, Miska Rynsburger and Evan Sharp. Also present were Community Development Director Corey Broersma, and Recording Secretary Tricia Kiekintveld.

Absent: None.

Public Comment:

Mr. John Scholten of 13993 Phoenix Place is concerned about the flooding in his neighbor's yard that has now spread into his yard. His concern is that it doesn't just go away in a day or two. He is wondering if there is something the Township can do to help him. Staff indicated to that he should contact the Ottawa County Water Resource Commission and they would be able to assist him in this matter.

Minutes:

** It was moved by Becker and supported by Rynsburger to approve the minutes of the April 12, 2022 meeting. All in favor. Motion carried.

Public Hearings:

Chairman Kortering opened a public hearing for consideration of a special land use permit submitted by Mike Winkler on behalf of Mark's Detailing. Said lands are located at 11336 - 11346 East Lakewood Blvd, described more specifically as Parcel Numbers 70-16-22-432-004, 005, 007, 008, 009. Petitioner is seeking to expand a Major Vehicle Repair facility consisting of vehicle detailing and painting. Property is zoned C-2 Community Commercial.

Present for this request was Mr. Mike Winkler, of Building Safety Consultants LLC, on behalf of Mark's Detailing.

Mr. Winkler explained that the business was started in units 7, 8 & 9 and now the applicant is expanding into units 4 and 5 as well. They currently have a spray booth in one of the units and would like to take that one out and put in a new spray booth into units 4 and 5.

Mr. Winkler stated that they will not be using any additional outdoor parking because with the expansion they will now be parking vehicles inside the building. He did note that they are getting quotes on repaving and restriping the parking lot.

Mr. Winkler said that it was indicated in the Staff Report that Staff would like to see parking lot islands installed and additional landscape buffers on the property. He said that this would not be something his client would be able to do because he does not own the property and therefore is

not able to make those types of changes. Mr. Winkler also pointed out that parking lot islands would not work in this situation because the parking lot is shared with another business that has panel trucks as well as occasional semitrucks in the parking lot.

Mr. Sharp asked if there would be any impact on the neighbors with the proposed special use? It appeared that there would not be any impact on the neighbors as the nature of the business is not changing.

Mr. VanderMeulen asked if the spray booth would need to get Department of Environmental Quality permitting? Mr. Winkler said that he does not know what types of permitting are necessary for spray booths but that the applicant currently has one and would get all of the proper permitting necessary.

Chairman Kortering opened the meeting up for public comments.

Mr. Jim Ondersma of 11283 Chicago Drive, a neighbor to the applicant, wanted to go on record indicating that he has no problem with the changes that Mark's Detailing is requesting.

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

The Commission reviewed the Special Land Use Standards of Approval

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

This was previously approved so this is not an issue.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

Staff has indicated that the public services and facilities appear to be adequate to appropriately serve the proposed use.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

The applicant already has a spray booth so there will be no change.

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

The use is allowed in the Comprehensive Plan.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

The applicant already is in the building and will not be changing the outside of the building so it is not an issue.

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

Not a major impact on traffic.

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

The Commission feels there must be a need because of their desire to expand the business.

** It was moved by VanderMeulen and supported by Darrow to approve the request for a Special Land Use Permit consisting of a Major Vehicle Repair facility consisting of vehicle detailing and painting only, based on the Special Land Use Standards of Approval, with the condition that the parking lot stripping remain clearly visible. A roll call vote was taken. Yes - 7, No – 0. Motion carried.

Chairman Kortering opened a public hearing for consideration of a special land use permit submitted by Rob and Patsy Fishnick of RPF Properties Holdings, LLC. Said lands are located at 11653 Greenway Drive, described more specifically as Parcel Number 70-16-22-100-065. Petitioner is seeking a permit for a Contractor's Facility with Outdoor Storage. Property is zoned I-2 General Industrial.

Present for this request was Mr. Rob Fishnick of RPF Properties Holdings, LLC.

Mr. Fishnick stated that he is here tonight because it was brought to their attention that they failed to get the proper special use permit when they initially moved into the building and they are looking to correct the problem.

Mr. Fishnick stated that they keep all storage of the HDPE pipe in the back and try to keep the front clean and tidy. The lead time on the pipe is 30-60 weeks so they are never sure when it will come in and they need to then store it until they are ready to use it in a project.

Mr. Kortering asked if they have a fence along the western side of the property currently? Mr. Fishnick said that they do not currently have a fence it is just an open parcel. Staff indicated that because of the outdoor storage the Township requires a fence or other screening. Staff stated that the owner is indicating a 6' fence, however, the fence is shown to be built in a depression on the west side of the property which would not serve the purpose of hiding the storage area so Staff is requesting that an 8' fence be built.

Mr. Kortering then asked Staff to clarify what they are asking for around the fuel tanks. Staff indicated that a 10' clear zone is to be maintained around the fuel tanks, including from the adjacent parking stall.

Mr. VanderMeulen asked why the fence is needed along the western edge of the property when there is a long building next door blocking the view already? Ms. Rynsburger stated that the Commission needs to look ahead and if that building next door were to come down or if a new business moved in that had office space and added windows along that side at some point the fence would be necessary. Mr. Becker said that he feels the fence is necessary and is good with a 6' tall fence.

Chairman Kortering opened the meeting up for public comments.

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

** It was moved by Rynsburger and supported by Darrow close the public hearing. All in favor. Motion carried.

The Commission reviewed the Special Land Use Standards of Approval

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

This is not an issue.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

Staff has indicated that the public services and facilities appear to be adequate to appropriately serve the proposed use.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

Staff stated that the hours of operation from 7 am to 5 pm are very reasonable.

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

Outdoor contractors' facilities are allowed when approved as special uses in the I-2 General Industrial District.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

The subject site is already developed.

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

Not an issue.

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

The Commission feels is a need and would rather see the area fenced in rather than out in the open.

** It was moved by Sharp and supported by Rynsburger to approve the request for a Special Land Use Permit consisting of a Contractor's Facility with Outdoor Storage as presented, based on the Special Land Use Standards of Approval, with the condition that an 8' tall fence be erected on the west side of the property and a 10' clear zone be maintained around the fuel tanks. A roll call vote was taken. Yes - 7, No – 0. Motion carried.

Chairman Kortering opened a public hearing for consideration of a special land use permit submitted by Russ Miller of Immanuel Church. Said lands are located at 325 104th Avenue, described more specifically as Parcel Number 70-16-35-400-012. Petitioner is seeking a permit for a Place of Wordship and associated outdoor amenities. Property is zoned AG Agriculture.

Present for this request was Tiffany Smith of MCSA Group, 529 Greenwood Ave SE, Grand Rapids and Mr. Eric Voight, 979 Paw Paw, Immanuel Church Board Member.

Ms. Smith stated that they are looking to be able to use some of the land that is currently being farmed for outdoor activities.

Mr. VanderMeulen asked Ms. Smith to clarify what they are proposing to do now and what would be for future development? Ms. Smith they are asking for approval to be allow to put up outdoor amenities consisting of a multi-purpose field, playground, patio fire pits and paths. They plan to get site plan approval before doing any construction.

Staff stated that they are comfortable in doing the site plan review if the Commission would like to defer that to Staff.

Mr. VanderMeulen has a concern about the large group shelter and if they plan to use that space for bands or outdoor concerts and how that would affect the neighbors. Ms. Smith said that the shelter would be right up behind the current building with a large buffer to the south and west. Ms. Smith also pointed out that they would only be having small groups there like a 3-piece band or a play. They do not want to disrupt the neighbors as they understand that some of them have been there a long time and they want to maintain a good relationship with them.

Mr. VanderMeulen asked about the easement that they have that runs to 32nd street and if they see that being used or if they are open to allowing someone else to use it.

Mr. Voight wanted to clarify that the paths they are proposing would just be general walking trails not designed to be paved. He also addressed the easement and said that there are discussions regarding the easement at least every year by the Board and the Board has no intention of disposing of the easement at this time. Mr. Voight said they are holding on to it for the idea that it could be a potential drive to 32nd Street if they ever needed it.

Chairman Kortering opened the meeting up for public comments.

Mr. John Harris of 10513 Sunbranch Dr., said that the property is currently farmed and is wondering what the intent for the land is. Will some of the property still remain farm land? Mr. Harris also asked how close the project would come to the houses in the Knollwood Subdivision. Mr. Harris is also concerned about potential noise as well as smoke from fires in the proposed fire pits and asked if they could possibly use smokeless fire pits.

Mr. Voight stated that the area to the west of the church building will still be farmed and they are looking to add outdoor amenities to the south and south west portion of the property. Mr. Voight also said that they would be happy to have smokeless fires. Staff answered that the southernmost corner of the proposed field would be 227' from the property line. Mr. Voight stated that the only thing that would come closer to the property line would be the natural walking trail.

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

The Commission reviewed the Special Land Use Standards of Approval

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

No issues.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

Not an issue.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

The proposed uses should not be considered a detrimental use.

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

The existing use is consistent with the master plan.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

Although some of the agricultural use is anticipated to remain, the addition of landscaping, including native seeding, will help maximize the harmony between the residential use to the south.

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

Not an issue and may reduce peak traffic times by encouraging individuals to arrive earlier and stay onsite longer.

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

Mr. Kortering asked the Commission if they had any comments for this point and they did not.

** It was moved by Becker and supported by Sharp to approve the request for a Place of Worship and associated outdoor amenities as presented with the conditions that “future” amenities obtain a separate approval and that the applicant come back to the Commission for site plan approval. A roll call vote was taken. Yes - 7, No – 0. Motion carried.

Chairman Kortering opened a public hearing for consideration of a special land use permit submitted by Miska Rynsburger of Holland Christian Schools. Said lands are located at 556 Butternut Drive, described more specifically as Parcel Numbers 70-16-18-400-105, 112, 118 and 099. Petitioner is seeking a permit for a Place of Worship and associated outdoor amenities. Property is zoned AG Agriculture.

Ms. Rynsburger dismissed herself from the meeting due to a conflict of interest.

Present for this request was Ms. Leanne Halma of Holland Christian Schools.

Ms. Halma said that their plans have changed from what they originally proposed. She said they now are looking at one (1) larger building instead of three (3) smaller buildings, and increasing the size of the greenhouse from 14' x 24' to 24' x 35', they are also not planning to do the butterfly garden/raise garden area at this time.

John Steenwyk, a student at Rose Park Christian School, spoke and stated 4 reasons that he felt having the farm area would be beneficial. He said that 1) it would help the students that are stressed relax, 2) the school has lots of open space and this would be a good way to fill up some of that space, 3) it would be teaching the students responsibility of how to take care of animals, and 4) it would provide an opportunity for students to learn about animals first hand.

Mr. Kortering asked if they are changing the animals from what was originally approved. Ms. Halma said that they are still planning to have 3 chickens and 2 goats.

Mr. VanderMeulen asked if Ms. Halma could describe the materials that would be used in constructing the greenhouse as he is concerned about wind. Ms. Halma said that it will be a galvanize steel structure so that it will be able to withstand winds as well as any stray balls that may hit it.

Ms. Halma also stated that they submitted paperwork on April 4 to combine all of the parcels into one parcel.

Chairman Kortering opened the meeting up for public comments.

Mr. Steven Taylor, 405 James Street. Mr. Taylor is a neighbor to the north west of Rose Park and he stated that he was not allowed to have chickens on his property and this feels it is wrong that now the school would be allowed to have chickens when he couldn't. Mr. Taylor asked if these animals would be strictly for the students or if it would be an open farm for the public?

Ms. Halma said that their intent is to be good stewards and not be a nuisance to the neighbors which is why they are only having 3 chickens and 2 goats. She also said that the animals are only for the students and will not be open to the public.

Ms. Mary Henson, 110 120th Ave, said that she believes this is a great idea to teach the children about animals and to be responsible stewards.

** It was moved by VanderMeulen and supported by Darrow close the public hearing. All in favor. Motion carried.

The Commission reviewed the Special Land Use Standards of Approval

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

The limited number of animals are appropriate for a school and the ability to provide a diverse educational opportunity.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

No issue.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

The use should not be detrimental, hazardous, or a disturbance.

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

Compliant.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

Should be beneficial to the natural features.

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

No public viewing so no change in traffic.

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

Yes.

** It was moved by VanderMeulen and supported by Becker to approve the request for a Special Land Use Permit consisting of a School with Farm Animals, including barn, greenhouse, and fenced pasture, with the condition that the applicant shall obtain site approval from Staff within 60 days of submittal. A roll call vote was taken. Yes - 7, No – 0. Motion carried.

Staff noted that the Text Amendment set a cap of 5 farm animals at schools. He also noted the buildings will need to be approved by the State of Michigan because it will be at a school.

Ms. Rynsburger rejoined the meeting.

Chairman Kortering opened a public hearing for consideration of a special land use permit submitted by Mike Bocks on behalf of Dutch Village/HS&J Land Co. Said lands are located at 12350 James Street, described more specifically as Parcel Number 70-16-21-200-083. Petitioner is seeking a special land use permit for an Outdoor Commercial Recreation Facility, including new facilities, buildings, and attractions. Property is zoned C-2 Community Commercial.

Present for this request was Mr. Mike Bocks on behalf of Dutch Village/HS&J Land Co.

Mr. Bocks stated that Dutch Village was first opened in 1953 and has seen the area around it built up significantly over the years. He also noted that the parking lot renovations have begun at the north end of the property. Mr. Bocks said that they typically work with LARA on any changes they make as they inspect the property two (2) to three (3) times per year rather than working with the Township. Mr. Bocks said that in the past they have only come to the Township for approval when they have constructed a new building.

Staff said that the parking lot renovation is happening now. Staff also stated that the applicant is requesting approval for attractions that are already in place such as the shade awning, plasma car attraction and pirate balloon battle attraction along with new items like restrooms, an event center, a tractor track attraction and a new entrance building.

Ms. Rynsburger asked if the proposed restroom facilities would be the only restrooms in the park? Mr. Bocks indicated that there are others onsite as well.

Mr. Kortering noted that the bushes along US-31 are looking dead and wondered if they will be replaced along with the other changes that are being made. Mr. Bocks said he was not aware if those were in the plans.

Mr. VanderMeulen asked if Staff is satisfied with the new parking lot they are constructing? Staff said that they are and in fact the applicant worked closely with the Ottawa County Water Resources Commission on using and reusing water into the canals on the property which the Township is happy with. Mr. Bocks added that the parking lot is a 2.5-acre parking lot with a capture and reuse systems flowing into the canals with arched bridges and landscaping and will look very nice.

Chairman Kortering opened the meeting up for public comments.

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

** It was moved by Rynsburger and supported by Darrow close the public hearing. All in favor. Motion carried.

The Commission reviewed the Special Land Use Standards of Approval

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

The use and its location are well placed for access and exposure.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

Adequate.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

Given the proximity to a busy corridor, the event noise has not been recognized as a detriment for adjacent properties.

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

Appropriately located.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

Interesting use of stormwater recycling and adding vegetation to the parking lot.

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

The applicant should provide information about the site's new vehicular circulation.

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

Yes.

Mr. VanderMeulen asked if they will continue to have the single access point off James Street? Mr. Bocks stated that the access point through the towers will become an entrance only and that they will direct exiting traffic through the two (2) drives to the east exiting at the traffic light between Arby's and Popeyes.

** It was moved by Becker and supported by VanderMeulen to approve the request for a Special Land Use Permit for an outdoor Commercial Recreation Facility, including **the presented** new facilities and attractions at Dutch Village with the following conditions:

1. A site plan based on a professional survey is submitted for approval by Staff or the PC;
2. Attractions are moved as required to comply with setbacks or seek necessary variances.
3. Restrooms are reconstructed as required, immediately.

A roll call vote was taken. Yes - 7, No – 0. Motion carried.

Chairman Kortering opened a public hearing for consideration of an amendment to the First Michigan Bank PUD submitted by Adam Grill of Family Church. Said lands are located at 10717 Adams Street, described more specifically as Parcel Number 70-16-26-400-019. The PUD Amendment consists of changing the use from corporate offices to a Place of Worship. The underlying zoning is AG Agriculture.

Present for this request was Mr. Ed Zwyghuizen from Gen1 Architectural Group, 9818 Perry Street and Pastor Adam Grill from Family Church, 9198 Bluff Lake Street.

Mr. Zwyghuizen said that they are planning to leave the lower level unchanged initially. He said they plan to turn the first floor into a sanctuary, lobby, fellowship area, café area and offices. The top floor they will convert into all educational spaces for Nursery through 5th grade, with a center lobby and small office area. Mr. Zwyghuizen stated that the exterior will stay the same, including lighting, parking, landscaping etc. They are only making internal changes at this time.

Mr. VanderMeulen asked if the lower level was currently empty. Mr. Zwyghuizen said that it is not occupied but the old buildout is still there. Staff said that they would like to see an application with plans for the lower level if they intend to use the space. Pastor Grill said that the lower level could be used for educational space in conjunction with a local private school system, a daycare, or other options that they could use to best serve the community.

Mr. Kortering asked Staff if they would want the Commission to specify that the lower level be used strictly for church use only unless they come back with another request? Staff said the unused lower level needs to remain unused because that is what the application states. Ms. Rynsburger said that she feels the Commission would be most concerned with subleasing but not so much with church functions.

Mr. VanderMeulen stated that they would currently have more than enough parking but if the church grows or does add something to the lower level eventually then parking could become an issue. Mr. Zwylghuizen said that they have more than enough parking for two (2) events in the building at one time both with 800-person capacity, per Township calculation guidelines.

Staff noted that churches are becoming more and more of a mixed-use facility as they have office spaces, educational spaces, large gathering areas, etc. and parking will be based on the mix of uses, not just the sanctuary.

Mr. Darrow noted that there is a concern with traffic coming and going on the hill. Staff said that the Planning Commission could add a stipulation that the applicant needs to get Ottawa County Road Commission approval. Staff did note that there is a driveway going out to Quarter Line so not all of the traffic will be coming in and out of one drive way.

Chairman Kortering opened the meeting up for public comments.

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

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

Mr. Kortering read from the Staff Report that Staff would support a recommendation of approval to the Board of Trustees with an acknowledgement that:

1. The property and grounds must be maintained at the level originally approved; and,
2. A revised site plan is submitted indicating the 100-space parking lot that was added between 2004 and 2008.

Mr. Kortering also noted that there are some questions about how to handle the lower-level usage.

** It was moved by VanderMeulen and supported by Darrow to approve the Final Development Plan and direct Staff to prepare a resolution and report for review at the next available regular meeting of the Planning Commission. With the following conditions:

1. The property and grounds must be maintained at the level originally approved;
2. A revised site plan is submitted indicating the 100-space parking lot that was added between 2004 and 2008;
3. The Commission is also asking the applicant to have a conversation with the Ottawa County Road Commission about possible road improvements that may need to be made; and
4. The applicant will have to come back to the Commission to approve any use other than something directly associated with a place of worship.

A roll call vote was taken. Yes - 7, No – 0. Motion carried.

Chairman Kortering opened a public hearing for consideration of an amendment to the Macatawa Legends PUD submitted by Michael McGraw of Eastbrook Homes for an Amendment to the Macatawa Legends Planned Unit Development Final Development Plan, generally consisting of an addition of land and revisions to neighborhood street configurations, housing types, and clubhouse area amenities, including a new golf course restroom, pool area restrooms, pool deck shade structure, and playground. Said lands are located south of New Holland and east of 144th. The underlying zoning is AG Agriculture.

Present for this request was Mr. Michael McGraw of Eastbrook Homes, 3918 Egypt Valley and Eric Klomp maker with Driesenga and Associates.

Mr. McGraw said that they are excited about the diversity of these new plans compared to the original plans. He brought with him a letter of support from the Macatawa Legends Homeowners Association Board of Directors, Donald S Owens, Secretary, urging the Township to approve the updated PUD. The changes resulted in a decrease in number of units from 608 to 606.

Mr. McGraw stated that the northwest corner has undergone significant changes. The street layout has been improved, private roads have changed and have a slightly narrower right-of-way similar to other existing streets within the development and added pedestrian crossing islands to encourage a calmer traffic flow. He said they have added guest parking spaces to the homes along the alley. Mr. McGraw expects the Fire Chief to be involved in the final approval of the roads. They have worked on improving pedestrian walkability by adding walking paths going north/south and sidewalks on main roads going east/west.

Mr. McGraw said that the northeast corner changes include a density reduction from 68 units to 43. The previous design had 4 units that were attached homes and now those are all detached homes.

Mr. McGraw indicated that the southwest area has only minor changes including traffic calming islands and enhanced streetscaping in the area.

Mr. Kortering asked if all the streets have sidewalks. Mr. McGraw said that they all have sidewalks on at least one side.

Mr. VanderMeulen said that he likes the changes and the nice use of land, sidewalks and street calming. He, however, was surprised to see some side yard setbacks at less than 5' after he thought the Commission had agreed that a 5' side yard setback would be the minimum. Mr. McGraw said that none of the new phases have less than a 5' side yard setback. Staff stated that the Commission can address site yard setbacks again if they choose too.

Mr. Sharp wondered if the cul-de-sacs are a concern with the Fire Chief? Staff said that the project was approved many years ago and will meet circulation requirements. The Commission can have the applicant run a fire turning radius around that to make sure it meets all requirements. Mr. McGraw noted that the Fire Chief was at a planning meeting and he did not voice a concern at that time. Staff also noted that the Fire Chief is researching traffic calming islands and that Staff can work with the Fire Chief on those.

Mr. Barajas asked about connectivity to future sidewalks on 144th? Mr. McGraw said that they are aware these could go in at some point and have planned for connectivity.

Chairman Kortering opened the meeting up for public comments.

Ms. Kathleen Teichman at 4676 Macatawa Legends Blvd. Ms. Teichman is concerned about the units along the alley. In the neighboring home owner's association, that she is a part of, they are also on the alley but they have a boulevard on the other side of the homes. She is concerned that delivery trucks will block the road and is wondering how moving trucks will move people in when there is no way to get to the homes. Ms. Teichman is also concerned about the density of vehicles on the alley and that cars will not be able to pass each other with it being so narrow. She is also concerned about fire trucks accessing the homes. Ms. Teichman said that the original plan was to have 10 units on that alley but now she is seeing 18 units. She is also concerned that there are only 8 visitor parking spaces for that many units.

Mr. McGraw stated that the width of the alley will be determined by the Fire Chief so that it is accessible to emergency vehicles.

Mr. VanderMeulen is concerned about congestion on the alley as well. He would like to see a wider road.

Mr. McGraw said they are excited to offer the option of some units fronting green space instead of a road. This is a concept that is gaining popularity in other areas and they are excited to offer it here.

Mr. Dan Oberholtzer, 14154 Georgian Bay Drive. Mr. Oberholtzer asked about the plans for 144th Avenue and the Township's infrastructure plan. Staff stated that the non-motorized path is not earmarked to go forward yet but with this new development going in at Macatawa Legends there would be pressure to move forward with the plan.

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

Mr. Becker said that he is sympathetic to the alley situation and would also like to see a wider road but would like to see the basic plan kept.

Staff stated that they are also proposing some new amenities near the Club House including restriping the parking lot, turning the tennis courts in to pickle ball courts, a pool deck shade structure, event pavilion, playground, basketball courts and an expansion of the building to include restrooms.

There was some discussion regarding the number of HOA's that are included in the development and what authority Mr. Owen, who signed the letter in support of the development, has.

Mr. McGraw said that the alley width can be adjusted per Fire Chief's requirements. He addressed parking concerns by stating that each unit will have four (4) parking spaces including a two (2) stall garage and two (2) spaces on the driveway. They will also be paving a new alley that will replace the old alley that was never finished. Mr. McGraw indicated that alleys are normally 14' to 20' wide and they are within that range.

Mr. VanderMeulen asked about bus stops. Mr. McGraw said that he does not know about bus stops as that is something the school system decides. He did say that they could contact the transportation department.

Mr. VanderMeulen also asked about mailboxes and where those will be located. Mr. McGraw said that they leave that up to the post offices as they have requirements that the developers have to follow. Mr. VanderMeulen said that in the past the post office requirements have caused some issue with the development plans when it requires a spot for residents to pull off the road etc. He would suggest that the applicant have a conversation with the post office to get an idea of where they would want a mail station to make sure it does not require a change to the development plans.

Staff pointed out to the Commissioners that because this is a PUD that this is handled a bit different. He said that what they approve will be the final and will move forward. Staff stated that if the Commissioners are going to want to see an adjusted plan that they table the request and have the applicant come back with revised plans.

Mr. Becker stated that he thinks tabling would be a good idea with all of the things that were discussed tonight.

Mr. VanderMeulen agreed with Mr. Becker on tabling and allowing the applicant to talk with West Ottawa Transportation Department about bus stops and the post office regarding locations of mail stations. He stated that this will also give them the opportunity to draw up plans with a wider alley that will allow two vehicles to pass each other.

Mr. McGraw said that mail stations have not been an issue for them in other jurisdictions. He said that the post office tells them where it needs to be and that is what they do. Mr. Kortering said that they have seen these requirements mandate changes to the plans and that would then require them to submit another application for another amendment and he would like to avoid making the applicant do that.

Mr. Becker stated that the same could be true for bus stops if they need a pull off area. Mr. VanderMeulen also said that depending on location of the bus stop a covered area could be a good idea as well.

Staff said that now is a good time to clarify setback and separation requirements for the development. He also asked about HOA approvals and if we need to get those before moving forward? Staff also said that the Commissioners can stipulate that they need to see the locations of the mail stations and bus stops before approving as well.

Mr. McGraw responded to the setback issue. He said that they require 12' between foundations and they had 5' setbacks and they worked on 5' foundation separations but Township says the 5' separation is based on overhangs which caused problems in prior buildings in the development.

Mr. Kortering asked Staff to explain the setback issues. Staff said that the 5' foot setback is absolute and nothing can be in that zone like air-conditioning units, decks, eaves, etc. This leaves a 10' building separation, anything less would be a building code issue. Staff would like to see this requirement included in a motion.

Mr. McGraw said that the side yard spaces between the units are designated for personal spaces for the units. He showed pictures that have fences that conceal the area with patios and yard furniture in the area. Mr. McGraw stated they build units with one of the units having lots of windows on that side, that would be the unit that uses that space for personal outdoor living space, and the neighboring unit would not have as many windows on that side and they would be higher windows that keep them from seeing out to the space but still allows natural light to come through.

Staff said that this is fine because fences are excluded. He said that a 10' minimum is measured from the closest point of the one building to the closest point of the next building. Staff would like this included in the motion as the Commission will not see individual site plans.

Staff stated that they would like the Commissioners to give Staff direction on side yard setback on the chart. The chart currently says 3' setbacks and that would stay that way moving forward unless the Commissioners make a change in a motion.

** It was moved by VanderMeulen and supported by Rynsburger to approve the PUD Amendment request and ask Staff to draft a resolution and report to present to the Commission at the next available regular meeting of the Planning Commission with the following conditions:

1. Setbacks for any projects going forward will include no less than 5' minimum setbacks.
2. The width of the alley is based on density and be increased to allow cars to safely pass each other – a minimum of 20' width and Fire Chief approval.
3. The applicant shall talk to West Ottawa Transportation Department regarding placement of bus stops and any requirements for pull-off lanes, shelters, etc.
4. The applicant shall contact the post office regarding placement of a mail station and the possibility of a pull-off lane so vehicles are not blocking the road.
5. The applicant shall work with the Fire Chief regarding the 144th Avenue entry road and triangular island in the northwest section to make sure it meets the Fire Chief's turning requirements for emergency vehicles.

A roll call vote was taken. Yes - 7, No – 0. Motion carried.

Other Business:

0 James Street – Future Land Use Map Amendment – 70-16-16-300-011 Request by Mark Tomasik of Innovative Design to amend the future land use designation of the subject land from Low Density Residential to Community Commercial. (Tabled April 12, 2022)

This item to remain tabled.

Sidewalks - Silverwater

Discussion on long term maintenance of the sidewalks.

Mr. Becker asked if the zoning ordinance requires sidewalks on one (1) side or both sides? Staff indicated there currently only needs to be room provided for sidewalk installation. Mr. VanderMeulen answered that if regulations were updated to require sidewalks, sidewalks on one (1) side but not on both sides would be his preference.

Mr. Kortering asked who should maintain the sidewalks? Staff responded that the Master Association or homeowners should maintain the sidewalks in a site condominium.

Mr. VanderMeulen asked if you can have a revocable license for maintenance of a sidewalk. Staff said for condominiums it should be in the Master Deed.

Mr. Kortering asked if we want to consider making this a requirement going forward? Mr. Barajas said that he feels this is especially important when it connects to a park and he thinks in general it is a safe thing to have. Staff stated that the Board would have to approve a similar change like this for the subdivision ordinance if consistency is desired. It was asked if Mr. Becker could bring this up to the Board at the next meeting?

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

Mr. Kortering said that after his review of the discussion at the last meeting it looked like the consensus is that the Commission wants to make the 8th Street Corridor a walkable area. He then asked how do we want to go about making this a possibility?

There was discussion that we will need to have some residential zoning in the area and that this would be able to be done with an overlay. Staff asked if they would like to mandate that housing be on the 2nd, 3rd or higher floors? He noted that right now upper-level dwellings are allowed in the C-2 Community Commercial area but has never actually happened. It was stated that would be a very good idea. Staff also indicated that if we narrow our focus on what can be built in the area that also narrows the focus on the swath of developers that will want to develop in that area.

It was asked if the Commission would want to do the same overlay for all three (3) areas in question (8th Street Corridor, North River Corridor and the Chicago Drive Corridor) or make them each unique. The consensus was to make them each unique as they are all very different areas citing the street profiles as an example.

The possibility of a hotel like the Marriott in downtown Holland was brought up and asked if we can word the overlay to allow for that to happen with commercial on the main floor to encourage restaurants and shops there.

The Commission asked Staff to draft up an overlay for the 8th Street corridor focusing strictly on the land directly bordering 8th Street and including the land to the north along Clover Avenue that currently has the Secretary of State and Ditto's on it.

The next Planning Commission meeting is scheduled for Tuesday, June 7, 2022 at 6:00 pm.

The meeting adjourned at 9:00 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary