

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
December 6, 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, Steve Darrow, Miska Rynsburger, Evan Sharp and Russ TeSlaa. Also present were Community Development Director Corey Broersma and Assistant Planner/Zoning Administrator Kate White.

Absent: None.

Public Comment: None.

Minutes:

** It was moved by VanderMeulen and supported by Darrow to approve the minutes of the November 1, 2022, meeting. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Public Hearings:

Chairman Kortering opened a public hearing for consideration of a Special Land Use Permit for an Animal Clinic / Hospital without boarding or grooming, submitted by Jason R. Sanderson of RWE Design Build on behalf of Gregory O'Brien of O'Brien Veterinary Group. Said lands are located at 369 136th Avenue, described more specifically as Parcel Number 70-16-20-100-003. The special use is proposed to provide 24-hour emergency veterinary services.

Present for this request was Mr. Brad Hoepfner of RWE Design Build and Ms. Deana Scheidt from Emergency Veterinary Care Center.

Mr. Hoepfner explained that they are proposing a 24-hour emergency veterinary clinic in an existing building. They feel these old Family Video locations are a great size for their needs. Mr. Hoepfner said that they will not be offering overnight boarding as the animals will be treated and then released. He noted that there will be a small relief yard in the back where a dog will be brought out on a leash then brought right back inside. Mr. Hoepfner stated that these animals are sick and therefore are not loud and energetic.

Mr. Kortering asked how many locations they have. Mr. Hoepfner answered that this will be their 4th location.

Mr. Kortering inquired if this will be a 24-hour, 7-days a week (24/7) facility and if they get references from other veterinarians that are not open 24 hours. Ms. Scheidt answered that they will be a 24/7 facility. She also explained that primary care veterinarians are overwhelmed which means that there are lots of pets that are not able to get the care they need because veterinarians are not seeing pets that are not already one of their patients.

Mr. Hoepfner addressed the Staff's comments from the Staff report regarding the Standards of Approval for Special Land Uses.

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

The dogs are ill and are not loud therefore will not be disruptive to neighbors. Mr. Hoepfner noted that they have another facility that is close to a residential area, and they have never received any complaints.

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.

As for the eastern driveway behind the building, they are looking to maintain the ease of movement on the property and therefore desire to accommodate 2-way traffic on that driveway.

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.

They plan to keep the natural tree line buffer along the eastern boundary. Mr. Hoepfner noted that they may clean it up a bit but will keep the natural buffer.

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

Regarding using this property as mixed use, he stated that with the current one-story building he does not see how this would be possible.

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 clinic prefers to have as much parking as possible on their sites as they can get very busy. Instead of getting rid of parking spaces they would prefer to add an additional landscaping buffer along the south and western lines.

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

They do not feel their business will have an adverse impact on traffic congestion in the area.

7. There is need for the proposed use within the township, and the use will not be detrimental to the community.

Mr. Hoepfner stated that they feel there is a definite need in the area for a 24-hour emergency veterinary clinic.

Ms. Rynsburger asked what their maximum capacity would be. Ms. Scheidt responded that it would be between 30-40 patients with a maximum of 20 being hospitalized. In their other locations they see 35-50 patients in a 12-hour period.

Ms. Rynsburger inquired about the average duration of stay? Ms. Scheidt stated that most have a 24-48 hour stay. They also can stabilize patients for transfer to a specialist if needed. Mr. VanderMeulen followed up by asking if owners can visit patients? Ms. Scheidt answered that owners can visit but they limit their time to 20-30 minutes because they find visits tend to upset the patients.

Mr. Kortering asked if they put down pets if necessary? Ms. Scheidt stated that they do.

Mr. Barajas asked what animals they treat. Ms. Scheidt answered that they treat dogs and cats. They do not treat large animals such as horses. They will euthanize other small animals for humane purposes if brought to the clinic.

Ms. Rynsburger asked if they have rooms for education or training. Ms. Scheidt said that they do have training rooms, meeting rooms as well as a small space for a doctor to lay down during a long shift.

Chairman Kortering opened the meeting up for public comments.

Mr. Jason Yuhasz, 500 Snapdragon Ln, DeWitt, MI 48820. Mr. Yuhasz is with Family Video. He informed the Commissioners that they have closed the chain and are now leasing out their buildings. They have leased one of their locations to O'Brien Veterinary Group with an apartment complex nearby. Mr. Yuhasz said that there have not been any complaints or issues with this location. He said that they are good tenants that take good care of the building.

Mr. Yuhasz said that they have had very little interest in their buildings from other types of businesses other than dollar stores or vape shops and they prefer to lease their buildings to this type of lessee. He also pointed out that this building has been vandalized several times. They are excited that this will be a business that is open 24/7 as he feels that this will alleviate the vandalization problem they have been having.

Ms. Nicole Sharp with MWI Animal Pharmaceuticals said that there is a huge need along the lakeshore for a 24/7 emergency veterinary clinic. She said that veterinarians do not do emergencies like they used to. Ms. Sharp said that she has a letter from Ms. Heather TenHarmsel, that states how much this is needed in the area. Ms. Sharp also noted that a vet in South Haven had to send a pet to Kalamazoo where they had to wait 3 hours to be seen and when they finally were able to be seen, their pet ended up needing to be euthanized because it took too long to get treatment.

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

Mr. VanderMeulen addressed the mixed-use issue and said that just because it is allowed doesn't mean it has to be mixed use. He said he feels that mixed-use would be a better use for a vacant property versus a property with a preexisting building. Mr. VanderMeulen said that this proposed special use not being mixed-use would not hold him back from approving the request.

Staff stated that they would like to have any motion state that they will be treating only dogs and cats in the facility.

The Planning Commission acknowledged the standards for approval that had been previously discussed and had no further comments.

*** It was moved by Rynsburger and supported by Sharp to approve the request for a Special Land Use Permit for an Animal Clinic / Hospital without boarding or grooming for dogs and cats. With the following conditions:

1. The applicant details the area provided for the eastern drive aisle and “relief area”; and
2. Front yard landscaping and screening is added along the 136th Avenue frontage (south of the driveway) and a Type C Buffer is installed along the southern property line (west of the driveway).

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 for Vehicle Sales of new and used non-commercial Vehicles and Recreational Equipment with accessory Minor Vehicle Repair, submitted by Kevin Lehman of Performance Motorsports, Inc. The request is for the entire property and the related building (suites 1 and 2). Said land is located at 11099 Water Tower Court, described more specifically as Parcel Number 70-16-23-320-006. The subject property is zoned C-2 Community Commercial.

Present for this request was Kevin Lehman of Performance Motorsports, Inc.

Mr. Lehman stated that they will be only doing minor repairs to what they currently have in stock. He also said that they are going to add landscaping in the corners especially in the southwest corner similar to what Eddi & Barkus has.

Chairman Kortering opened the meeting up for public comments.

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

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

The Commission went over 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 current use has been in operation for several years. Additionally, the use is consistent with the general vehicle related uses in the area.

- 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.**

The use is adequately served by public services and facilities.

- 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.**

Proposed repairs will occur within the building so no disturbances are anticipated.

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

The Planning Commission recognized Staff's comment that the Comprehensive Plan indicates "establishments within Community Commercial areas should include the sale of goods and services that can benefit the community on a wider scale" with buildings "constructed of high-quality materials" and "robust landscaping installed throughout the site."

- 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 business is already there, and they are going to add landscaping.

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

The business is already there so there will be no impact.

- 8. There is need for the proposed use within the township, and the use will not be detrimental to the community.**

Since they have been in business for years, they have proven the need.

*** It was moved by VanderMeulen and supported by TeSlaa to approve the request for a Special Land Use Permit for Vehicle Sales of new and used non-commercial Vehicles and Recreational Equipment with accessory Minor Vehicle Repair. With the following conditions:

1. A front yard landscape is installed along Water Tower Court.
2. Suite 1 is provided a maximum of 11 display spaces and Suite 2 is provided a maximum of 7 display spaces, as detailed on the site concept.
3. Any vehicles repaired on site shall be owned and placed for sale by the business.

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

Other Business

2352 North Park Dr. (70-16-21-100-045) – QCW Enterprises, LLC – Site Plan Approval for an access driveway connection between Tommy's Express and Chick-fil-A submitted by Mandi Brower of QCW Enterprises LLC.

The applicant has requested to withdraw the site plan request.

*** It was moved by Rynsburger and supported by Darrow to accept the withdrawal of the site plan request. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

2505 VanOmmen Drive – Parcel Number 70-16-16-376-003 – Special Land Use – Submitted by Kerry Bouwkamp on behalf of Jerry L Nienhuis for a special land use permit for a contractor's facility with outdoor storage.

Present for this request was Kerry Bouwkamp of JR Bouwkamp & Associates.

Mr. Bouwkamp noted that they reduced the space in the fenced-in area and pulled back from the property lines. He said that they are leaving a small opening in the fence facing south to access the fenced-in area. He also said that they plan to add some landscaping to the front yard.

Mr. Kortering inquired about the issue of the northern parking encroaching onto the property by the neighbor. Staff responded that if allowed to remain, the neighbor should obtain an easement for it.

Mr. Bouwkamp stated that they have already purchased trees that they will plant in the spring. He also said that he is concerned about the neighbor to the north that if they take away the use of that driveway it will cause their business to fail, and he does not want to see that happen. He is asking the Commission to extend grace in this situation. Mr. Bouwkamp also pointed out that the trailers that were being used for storage on the property are gone.

Staff also said that they feel this is a good result after the applicant has spent time working with Staff and they are willing to allow this arrangement between property owners in this situation.

The Commission went over 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 applicant has addressed this 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.**

Ok there.

- 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.**

No smoke, odors, or hazardous conditions are anticipated.

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

Contractor Facilities with Outdoor Storage are allowed when approved as special land uses in the C-2 Community Commercial 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.**

They are going to add trees & landscaping.

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

The use does not appear to have a major impact on traffic congestion or roads.

7. **There is need for the proposed use within the township, and the use will not be detrimental to the community.**

Since they have been in business for years, they have proven the need.

Staff would like to see the gravel pulled back from the property lines at least 10 feet.

*** It was moved by Sharp and supported by Darrow to approve the special land use request with the condition that the next time 30% or more of the encroaching parking lot for 2525 Van Ommen Drive needs to be repaired, the asphalt encroaching onto 2505 Van Ommen Drive will be removed. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Smithfield Condominiums PUD – 0 (Vacant) & 3846 120th Avenue – Parcel Number 70-16-10-100-006 & -007) – Submitted by Smithfield Development, LLC on behalf of Smith Trust & Payback Properties, LLC.

Mr. Kortering noted that this item is to remain tabled until the February 7, 2023, Planning Commission meeting. He also noted that the public hearing was previously held and is closed. There were members of the public in the audience that wanted to speak so Mr. Kortering asked the Commissioners if they would allow them the chance to speak. The Commissioners agreed to allow them the chance to speak given the agenda did have the topic listed. Mr. VanderMeulen did note that it will be hard for them to get many answers without seeing what is actually being proposed.

Those from the public that were present asked if they would be allowed to speak at the February 7, 2023, meeting when the applicant is present? Mr. Kortering advised them that they would be able to speak but it would need to be during the “public comment” period at the beginning of the meeting not while the applicant is presenting their proposal to the Commission.

Staff also told the members of the public that the package from the applicant is due on January 10, 2023, and after that date, members of the public are free to come into the office to view the documents any time Monday – Friday from 8 am – 5pm and that may help in preparing their comments for the February 7 meeting.

2022 Planning Commission Annual Report

Mr. Kortering noted that the moratorium on Future Land Use Map amendments expires December 31, 2022. Staff said that if the Board chooses not to take any formal action on this item then the moratorium will expire on December 31st.

*** It was moved by VanderMeulen and supported by Sharp to approve the 2022 Planning Commission Annual Report. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

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

Staff will be working to bring on a consultant group to work on the Federal District Overlay in the first quarter of 2023.

The next Planning Commission meeting is scheduled for Tuesday, January 3, 2023, at 6:00 pm.

The meeting adjourned at 7:10 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary