

DRAFT DRAFT DRAFT DRAFT

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
November 12, 2024

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, Members, Leo Barajas (joined at 6:02pm), Angela Huesman, Evan Sharp, Jack VanderMeulen, and Russ TeSlaa. Also present were Community Development Director Corey Broersma, and Assistant Planner/Zoning Administrator Kate White and Recording Secretary Tricia Kiekintveld.

Absent: Doug Becker.

Public Comment: None.

Minutes:

** It was moved by Sharp and supported by VanderMeulen to approve the minutes of the regular meeting of October 1, 2024. A roll call vote was taken. Yes – 6, No – 0, Absent – 1. Motion carried.

Public Hearings:

Chairman Kortering opened a public hearing for consideration of a Special Land Use Permit submitted by Jason Hall of Midwest Construction Group on behalf of Eric Heitman of Heitman Properties, LLC for Animal Clinic and Hospital. The proposed Special Land Use permit is for an expansion to an existing Animal Clinic and Hospital. Said lands are located at 2691 120th Ave., described more specifically as Parcel Number 70-16-16-400-076. The subject property is zoned C-2 Community Commercial.

Present for this request was John Tenpas of Driesenga & Associates, 12330 James St., Suite H80, Holland, 49424.

Mr. Tenpas noted they are requesting a special use permit for Ottawa Animal Hospital. They are proposing a 2,400 sq. ft. expansion onto the west side of the current building. This would mean moving the parking lot further to the west. Mr. Tenpas indicated that they will be increasing the size of the parking lot to 45 spaces to accommodate the anticipated increase in customers.

Mr. Tenpas stated that there will not be any new signage. They will be installing new landscaping that will provide the necessary screening for the parking lot and front yard to the north, west and south. He noted that the lighting will be similar to the current lighting on the building as well as in the parking lot. The dumpster will be moving further to the west. Stormwater will be handled in the existing detention pond and modified as necessary. They have submitted plans to the Ottawa County Water Resources Commission and have a meeting scheduled with them this week.

Chairman Kortering asked if there would be any boarding of animals overnight. Mr. Tenpas said they will not be boarding any animals. He noted that they do plan to extend their hours to be open until 9:00 pm; they are currently open until 7:00 pm.

Chairman Kortering asked if the fenced in area to the north is a dog relief area and if that will remain there. Mr. Tenpas said that is a relief area and that will remain. He also noted that there will not be any grooming on site. Staff indicated that the fenced in area to the north was not originally approved and would need to be addressed with this request.

Chairman Kortering opened up the hearing for public comment. There was no one in the audience to speak to the request.

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

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.

This is an expansion of the current use so there will not be any changes to the use. The expansion of the existing use is not expected to be disharmonious or inappropriate.

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.

This was addressed by Mr. Tenpas. The proposed expansion would be served properly by public services.

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.

Mr. VanderMeulen indicated that traffic is not a concern here as this street is being considered an entrance/egress for the mall area. It was also noted that a traffic signal is scheduled to be installed on that intersection because of the addition of the school across the street on 120th.

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

The use already exists on this site. As the Township grows, the desire to expand an existing business shows there is an increased need for the services they provide to the community.

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 will be taking some trees down to accommodate the larger location for the parking lot but that is a necessary change.

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

This was previously discussed in item 3.

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

The applicant feels there is a need by applying for the permit.

Mr. VanderMeulen asked Staff if there is a reason they do not want grooming. Staff answered that they just like to have clarity of the uses.

Staff clarified that the hours are increasing to 9:00 pm, they will not be providing any boarding, or emergency services. Mr. Tenpas clarified they will be providing urgent care services but not emergency services.

** It was moved by VanderMeulen and supported by Barajas to approve the special land use request for the expansion of an animal clinic, with the following conditions:

1. They will not provide emergency services, overnight boarding or grooming;
2. The hours of operation will be until 9:00 pm;
3. The current fenced space is allowed to be used as a dog relief area.

A roll call vote was taken. Yes – 6, No – 0, Absent – 1. Motion carried.

Chairman Kortering opened a public hearing for consideration of an amendment to the Zoning Ordinance and Map of Holland Charter Township submitted Sam Nichols of RDV Corporation on behalf of MSA Lakeshore Center, LLC to rezone the subject property 12429 Ransom St., described more specifically as Parcel Number 70-16-04-100-008, from AG Agriculture to C-2 Community Commercial.

Present for this request were John Whitten, Spark 43 Architects, 924 Fulton West, Grand Rapids, 49504 and Sam Nichols of RDV Corporation, 680 78th Ave, Zeeland, 49464.

Mr. Whitten stated that they are asking to rezone the property from AG Agriculture to C-2 Community Commercial to be able to increase the size of their current building and add an outdoor athletic field to the north.

Mr. Whitten indicated that MSA Lakeshore Center had been in this location since 2022 and the demand for increased sporting options at this location has increased significantly since they opened the location. He said that having this type of sports complex in a community is pretty unique as most communities only have city- or township-owned or school-owned athletic areas.

Mr. Whitten noted that they are asking to attach conditions to the C-2 rezoning request. He indicated that they have given all of the Commissioners a letter with the conditions spelled out.

Mr. Whitten stated that there are families that need to bring their children to Grand Rapids or Norton Shore 2-3 times a week for practices because this facility is not large enough to accommodate all of the teams that need practice space.

Mr. Whitten said that they are asking for conditional approval that limits the allowable use of the property to “recreation facility, commercial, indoor” and “Recreation facility, commercial, outdoor” per Table 5.2 of the schedule of uses in the Township Zoning Ordinance. Mr. Whitten acknowledged that their intent would be that should the conditional rezoning be approved, they would then seek the appropriate special land use permit for the two uses and site plan approval, as required. He stated that they feel they are in a good area with Griff’s Icehouse being right next door. He also noted that they plan to comply with height limits, setbacks, and site coverage limits of the I-1 Light Industrial zoning district. Mr. Whitten said they understand that with the improvement proposed they will need to talk to the Ottawa County Road Commission about possible road improvements on 124th.

Mr. Whitten also indicated that MSA would like to make improvements to their buildings’ entrance making it more welcoming and easier and safer for drop-off and pick-up. He said they are proposing relocating the door from the south side of the building to the east side of the building with a U-shaped driveway coming off from 124th Avenue. They are also proposing additional parking to the north of the expanded building with an outdoor athletic field at the north end of the property. Mr. Whitten noted that currently it is just a large open space with no office space and large poles that run down the middle of the building making it hard to accommodate large groups of volleyball teams. He also noted that they plan to add a turf field house in the expanded building which would allow them to provide a winter training space.

Chairman Kortering asked if they plan to have concessions inside or outside. Mr. Whitten answered they would be inside the building. Mr. Whitten also noted that they have a building code issue with the bathrooms as the code states that there needs to be a restroom 500 ft or closer to the athletic field and with this configuration the building restrooms would be too far away, so they are proposing a restroom and storage building between the athletic field and the new proposed parking lot.

Chairman Kortering noted that the concern with rezoning this to C-2 is if this business fails, the C-2 zoning would allow uses that would not fit it well in the area, such as fast-food restaurants, gas stations, etc. Mr. Whitten indicated that this is why they are proposing a conditional approval as laid out in the letter given to the Commissioners tonight.

Mr. TeSlaa asked if they will have bleachers outside. Mr. Whitten said they will not be installing bleachers. Parents keep chairs in their vehicles and sit in those when watching their children play.

Mr. VanderMeulen asked if they will have locker rooms. Mr. Whitten stated that they will not have locker rooms; the athletes come in their athletic clothing. They have rest rooms and benches for the athletes to change from their outdoor shoes to their indoor shoes.

Mr. Whitten noted that they plan to offer spectator amenities such as concessions with snacks and drinks as well as an area to purchase items needed for practices/games like mouth guards, safety tape, etc. They also plan to offer seating and countertop space so that parents can have a place to work while watching their children play.

Mr. VanderMeulen asked if they plan to install a fence around the outdoor field. Mr. Whitten said they plan to have a fence and will be asking for approval for parts of the fence to be 16' tall to contain balls from going on to neighboring properties.

Ms. Huesman asked what the hours of operation would be. Mr. Whitten said they will be 7am to 9-10 pm. Mr. Nichols stated that typically in the mornings they have pickle ball players, then around noon they have basketball players and then after school, evenings and weekends they are filled with kids' teams. Mr. Nichols also pointed out that they own three (3) locations in Grand Rapids, one (1) location they just purchased in Muskegon and one (1) location in Norton Shores. He noted that they accommodated around 4,000 athletes total between these locations.

Staff indicated that there is an issue with the site coverage statement in the conditional rezoning that was submitted earlier today. Staff has reached out to the Township attorney, and he indicated that the Commission cannot except the rezoning conditions as written. One of the conditions is it is asking for relief from the proposed C-2 zoning district, and conditions can only be more restrictive than what is permitted in the zoning district they are proposing. The proposed I-1 lot coverage condition within a C-2 zoning district would be less restrictive. The Commission can approve the original rezoning request without the conditions if they choose to do so and take the letter only as discussion. Mr. Witten clarified that he understood that their coverage complied with the site coverage for C-2 and I-1.

Chairman Kortering opened up the hearing for public comment. There was no one from the public present to speak to this request.

** It was moved by TeSlaa and supported by Huesman to close the public hearing. All in favor. Motion carried by voice vote.

Staff clarified that the applicant originally submitted a straight rezoning request. With the letter submitted, the Commission is legally required to take it as written and is not able to make any changes or alterations to the letter. The Commission has the option of doing a straight rezoning without the letter or the Commission can table the request and then we work through the next steps.

The Commission discussed how they would like to move forward with this new information and if they are comfortable with a C-2 zoning in the midst of industrial. Mr. VanderMeulen said that normally he would not be comfortable with this mix of zoning but because of the circumstances he is in favor of the rezoning, however, he would like to have conditions to limit the uses. He would be in favor of tabling the item to get the conditions.

Chairman Kortering asked if changes to the Zoning Ordinance made it so that this type of use was no longer allowed under the AG zoning classification. Staff answered that yes, the changes did cause this type of use to no longer be allowed in the AG zoning district as of 2018.

Mr. Witten wanted to clarify with Staff the site coverage for C-2 and I-1. Staff indicated that the maximum C-2 site coverage by building is 25% and the I-1 maximum coverage is 40%, therefore, the proposed condition is not acceptable. Staff also noted that the conditions have to be in writing and volunteered by the applicant.

Mr. Witten stated that they are withdrawing the letter from Planning Commission consideration.

** It was moved by Sharp and supported by Barajas to table the request. A roll call vote was taken. Yes – 6, No – 0, Absent – 1. Motion carried.

Other Business

Chairman Kortering opened a public hearing for consideration of an amendment to the Macatawa Legends Planned Unit Development Final Development Plan, submitted by Kelly Kuiper of Eastbrook Homes on behalf of REIP Land Investments, LLC. The Petitioner is seeking approval for a Major Amendment to the Macatawa Legends PUD for changes in the Fairway View Development Phase 1 which will consist of 40 single-family dwelling units. Changes in Fairway View Phase 1 consist of: (1) the elimination of the 20-foot-wide maintenance access between Units 57-58 of Fairways Phase 2 and proposed Unit 1 of Fairway View Phase 1; (2) the extension of side lot lines west of Mattison Drive to eliminate a varying width gap that was shown behind rear lot lines in the previously approved final development plan; (3) the two cul-de-sac roads in Phase 1 have been extended 10 feet east to widen the frontage of the pie-shaped lots at the cul-de-sac ends; and (4) three units of the east side of Mattison Drive that abut the four stub road units have had their rear lot lines shifted 12 feet west to create more width for the stub road units.

Present for this request was John Tenpas, Driesenga & Associates, Inc., 12330 James St., Suite H80, Holland, MI 49424.

** It was moved by TeSlaa and supported by Huesman to approve the Resolution and Report recommending approval of the amendment to the Macatawa Legends Planned Unit Development Final Development Plan and direct Staff to distribute the document to the Board of Trustees. A roll call vote was taken. Yes – 6, No – 0, Absent – 1. Motion carried.

Tabled Items

410 & 414 E 8th St. – Parcel Numbers 70-16-28-328-002 & -003 – Preliminary P.U.D. – Submitted by Paul DeBoer of MONDAY Impact Development on behalf of David DeKruyter to approve a proposed preliminary development plan for de Anker Planned Unit Development. The subject properties are zoned C-2 Community Commercial. (Tabled Sept. 5, 2023)

Item to remain tabled at this time. Staff noted that the developer is looking at different options for development.

0 (vac) 104th Ave. – Parcel Number 70-16-36-300-015 – Zoning Ordinance Map Amendment – Submitted by Stephanie Hoekstra of Agora Flats, Inc. on behalf of Scott Potter of Ridge Point Community Church. To conditionally rezone 7.05 acres of the subject property from R-1 Low Density Residential to R-2A Medium Density Residential. (Tabled June 4, 2024)

*** It was moved by TeSlaa and supported by Barajas to remove this item from the table. Motion carried unanimously by a voice vote.

Present for this request was Todd Stuive of Exxcel Engineering 5252 Clyde Park Ave. SW, Grand Rapids, 49509.

Mr. Stuive offered the following conditions of approval:

- 1) The 7.05 acre rezoning parcel will be created through a lot line adjustment,
- 2) Any buildings within the future development will be restricted to 2-stories and 35 feet,

- 3) The total number of dwelling units will be restricted to 50; and
- 4) A PUD or zoning variance would be sought for a multi-family development on a non-Primary County Road.

Mr. Stuive indicated that in the drawings shown, there are 39 prospective units consisting of 8 studio apartments for high level need residents and 16 market rate units. These market rate units would have garage spaces available to them along the east side of the property. He noted that the majority of the other residents are not able to drive so they will not be utilizing many parking spaces.

Mr. Kortering asked Staff to explain how the flow of this project would go from here. Staff said the Commission would recommend approval the conditional rezoning and then direct Staff to prepare a resolution and to draft a contract for the conditional rezoning. Staff would then prepare a contract that would be recorded at the Ottawa County Registrar of Deeds. The rezoning would then go to the Board for first reading and then final approval. At that point, the applicant would apply for a PUD and site plan.

The Commission went through the Criteria for Map Amendments

- 1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Comprehensive Plan; or, if conditions have changed significantly since the Comprehensive Plan was adopted, whether the map change would be consistent with recent development trends in the area.**

The applicant has successfully amended the Future Land Use Map for this property to be Medium Density Residential. The rezoning to R-2A would then be consistent with the Future Land Use Map.

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

Yes, the site consists of open fields and is not believed to contain sensitive hydrological or environmental features.

- 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.**

Yes, it is compatible.

- 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.**

Looks like that is good.

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

No other factors.

*** It was moved by VanderMeulen supported by Sharp to recommend approval to the Township Board of Trustees to conditionally rezone 7.05 acres of the subject property from AG Agriculture to R-2A Medium Density Residential with the understanding that the conditions of the rezoning be recorded at the Ottawa County Registrar of Deeds. The proposed conditions of the rezoning would be:

1. The 7.05 acre rezoning parcel will be created;
2. Any building's height will be restricted to 2 stories and 35 feet;
3. The development's total number of dwelling units will be restricted to 50; and
4. A Planned Unit Development approval and/or Nonuse Variance approval for a multi-family development on a street not classified as a Primary Road by the Ottawa County Road Commission will be secured.

A roll call vote was taken. Yes – 6, No – 0, Absent – 1. Motion carried.

0 (vac) Perry St. – Parcel Number 70-16-24-300-038 – Preliminary Planned Unit Development – Submitted by Brad VanderZwaag of Bauvan Land Co. LLC. A request for a proposed preliminary development plan for Eagle Meadows Condominium Planned Unit Development. The proposed residential development consists of 2 single-family units and 15 two-family units served by public street and utilities. The subject property is zoned R-2 Moderate Density Residential. (Tabled July 9, 2024)

Item to remain tabled at this time.

0 (vac) N 120th Ave. – Parcel Number 70-16-22-301-010 – Special Land Use Permit – Submitted by SVB + Reckley on behalf of Travs Timmer of Timmer Holding LLC. The request is for Warehousing. The subject property is zoned C-2 Community Commercial and FP Floodplain. (Tabled Sept. 10, 2024)

*** Moved by Barajas and supported by TeSlaa to remove this item from the table. Motion passed unanimously with a voice vote.

Staff noted that the public hearing is still open.

Present for this request was Dennis Reckley of SVB + Reckley Architects, 76 E 8th St., Holland, 49423.

Mr. Reckley stated that they are proposing to build warehousing units that will be 1,000 sq. ft. each on the parcel. He pointed out that the current zoning ordinance doesn't allow warehousing in the C-2 district without a special use permit.

Mr. Reckley noted that they have gone through the process of getting a wetlands assessment. Due to the amount of 100-year floodplain and wetlands on this property, they are extremely limited on where they can build on the site. He pointed out that because of this, they are dedicating 50% of the site to wetlands.

Mr. Reckley stated that the future land use map indicates this parcel to be a mixed-use parcel and he understands that this use does not fit into the mixed-use plan. He feels that it would be detrimental to the land to develop it as mixed-use as that use would require a lot more asphalt on the property thus minimizing the amount of open space for the water to go.

Mr. Reckley indicated that the front building would be the only building with restrooms in it as they would not want to try to run utilities through the wetlands to the back buildings. He also noted that they are not going to be installing a dump for RV's. They are envisioning most of the units will store RVs, boats, cars, etc.

Chairman Kortering asked where the driveway will be. Mr. Reckley said it will come off from 120th just to the north of Westenbroek Mower, it will then run toward the back with a driveway then going to the south behind Westenbroek Mower connecting to another building and a driveway going to the east leading to 2 more buildings along the back property line.

Mr. VanderMeulen asked if fire protection is required. Mr. Reckley said that it is not required as the buildings are not large enough to require that. Chairman Kortering asked if the units will have electricity and Mr. Reckley said that they will.

Staff noted that the future land use map has this parcel designated for mixed-use, but it is currently zoned C-2. Mixed-use would have housing associated with it.

Mr. Kortering asked if they know how many storage units there are in the Township, as it seems like a lot of them have gone up lately. Staff noted that it is very difficult to come up with exact numbers of warehouse storage versus smaller storage units, however, presented a map with various storage locations.

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

*** It was moved by VanderMeulen and supported by TeSlaa to close the public hearing. Motion carried unanimously by voice vote.

Mr. Barajas said in his opinion that nothing else makes sense on this site. Housing and commercial do not make sense as it would be too much development for the floodplain. He noted that he is not a big fan of storage units and would have rather seen a request for contractor units.

Mr. Kortering agreed that housing doesn't make sense here with the railroad tracks right there and the drainage issues.

Staff noted that they received an email from Charles VanDuren and John VanDuren indicating their concern with fencing and gates around the property so that people are not able to cross over on to neighboring parcels.

The Commissioners went through 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 developer is trying to avoid wetlands and create a nice-looking building on 120th.

- 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.**

Since this is being developed as storage units, they do not need a lot of public services.

- 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.**

This will be ensured during site plan review.

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

The Comprehensive Plan indicates mixed-use, but the Commissioners have agreed that this would not be an appropriate use due to the large area of flood plain.

- 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 is taking this into account and will be looked at more carefully during site plan review.

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

This use will have minimal traffic.

- 7. There is need for the proposed use within the township.**

The Planning Commission believes if the developer is willing to build them, they have determined a need.

Staff pointed out that now would be a good time to address any possible restrictions the Commission may want to place on the request.

The Commissioners discussed several items that they would want to include in a list of restrictions. Including:

1. No storage of barrels with chemicals
2. No manufacturing
3. No hazardous materials
4. No outdoor storage
5. No overnight accommodations / no overnight habitation

*** It was moved by Huesman and supported by Barajas to approve the Special Land Use Permit for Warehousing with the following restrictions:

1. No hazardous waste storage;
2. No manufacturing;
3. No outdoor storage; and
4. No overnight habitation.

A roll call vote was taken. Yes – 6, No – 0, Absent – 1. Motion carried.

Planning Commission Discussion

Review of 2025 Planning Commission submittal deadlines, meeting dates and meeting times.

The Commissioners discussed the date for the September meeting and decided to move the date to September 9th instead of the 2nd.

*** It was moved by Barajas and supported by Huesman to approve the 2025 Planning Commission meeting dates as amended with the September 9th meeting date. A roll call vote was taken. Yes – 6, No – 0, Absent – 1. Motion carried.

Zoning Ordinance Text Amendments

Staff went through the changes that have been made to the Zoning Ordinance Text Amendment and received feedback from the Commissioners. There was discussion about the next steps before the changes become effective.

The next regular Planning Commission meeting is scheduled for Tuesday, December 3, 2024, at 6:00 pm.

The meeting adjourned at 8:14 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary