

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
July 11, 2023

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, Evan Sharp and Russ TeSlaa. Also present were Community Development Director Corey Broersma, Assistant Planner/Zoning Administrator Kate White and Recording Secretary Tricia Kiekintveld.

Absent: Steve Darrow (Steve Darrow joined the meeting at 6:05pm).

Public Comment:

Pastor Willy Watt of 155 Elberdene Street, Holland, 49424. Pastor Watt stated that there are 275 homeless people in the City of Holland and 126 individuals on the North Side of Holland. He works with Lifeline Ministries trying to provide housing for those individuals in Holland that are looking to get off the streets and helps them find permanent housing; they do not bring in people from other areas.

Pastor Watt went on to state that they received notice that they are in violation of the Township's housing ordinance. They are currently using a barn and inside the barn they have 12 Conestoga Huts. Pastor Watt is asking the Township to give them a year to prove this is working.

Mr. Kortering asked what they are suggesting be done? Pastor Watt said that if the county has any land they would be allowed to use, or if they would be allowed to continue to use the land they are currently using.

Mr. Dan Nash of 4 West 12th Street, Holland, 49423. Mr. Nash stated that they are seeking an answer to the violation they received. He stated that the Conestoga huts are inside a barn so no one can even see them. Mr. Nash stated that the homeless problem is never going away but as citizens we need to try help the people that want to get back on their feet. Lifeline Ministries is trying to provide individuals with a place to live and to call home, as well as helping them find jobs.

Ms. Lolita Anaya of 13232 New Holland Street, Holland, 49424. Ms. Anaya said that she stated that she owns the barn where the Conestoga huts are currently. She noted the violation letter states that they need to have all the people out of the barn by July 24th. Ms. Anaya is asking if this could be postponed until they can find a solution for these individuals.

Mr. Kortering clarified the Planning Commission does not have authority to alter ongoing enforcement matters and he advised these individuals to work with Staff.

Ms. Cindy Visser of 10791 Blair Street, Zeeland, 49464. Ms. Visser stated that they tried during COVID-19 Pandemic to open a temporary farm stand along Chicago Drive. Ottawa County, Ms. Visser said, is the third largest farming community in the state. Ms. Visser is asking the

Commission to revisit the request to put up a farm stand on that location as that is an area that is in need of a place where residents can access fresh produce.

Mr. Mark Hop of 477 Chicago Drive, Holland, 49423. Mr. Hop said he has been in business in Holland Township for 39 years. Mr. Hop is encouraging the Commission to work with people and not against them in order to see the Township thrive.

Minutes:

** It was moved by TeSlaa and supported by Barajas to approve the minutes of the regular meeting of June 6, 2023. A roll call vote was taken. Yes – 6, No – 0, Abstain - 1. Motion carried.

** It was moved by VanderMeulen and supported by TeSlaa to approve the minutes of the Special Meeting of June 20, 2023. A roll call vote was taken. Yes – 4, No – 0, Abstain - 3. Motion carried.

Public Hearings:

Chairman Kortering opened a public hearing for consideration of amendments to the Zoning Ordinance of Holland Charter Township to amend certain sections of the Zoning Ordinance.

Staff went over the changes being made to each of the sections as follows:

Article 4 – Residential Districts – Adding of “Qualified Residential Treatment Program (QRTP)” to the Schedule of Uses: Residential Districts.

Article 8 – General Provisions – Paving requirements for development and emergency vehicle access. Mr. VanderMeulen shared his concern about pavement cracking if a topcoat is applied before all construction is completed and all heavy construction equipment is done driving on the new pavement.

Article 9 – Specific Use Requirements

Minimum garage sizes for single-family and two-family dwellings changed from 20’ length to 22’ length to allow for storage and larger vehicles.

Article 10 – Parking and Loading

Adding the requirement that restaurants with drive-through lanes for pick-up only, have five (5) stacking space are per service window.

Article 11 – Landscaping

Front yard landscapes and buffers shall now be required to have one (1) tree and three (3) shrubs down from one (1) tree and seven (7) shrubs. Individual zoning district columns have been added in the buffer type chart so each district can better address adjacent zoning districts and uses. It was also noted that if there is a fence included in a Type A buffer, then the requirement for shrubs is eliminated. Additionally, a Type D buffer has been created to lessen the buffer requirements between several similar zoning districts. Also, screening for garbage containers now is subject to front yard building setbacks and outside of all landscape buffers; this allows the dumpster to be as close to the property line as a buffer will allow. Internal parking islands for canopy trees was clarified stating that consolidating internal islands is encouraged and may even be required when

practical to improve tree health and provide options of stormwater infiltration, this consolidation of islands also aids in snow removal. Mr. VanderMeulen is concerned with the verbiage of the “rust proof” garbage dumpsters and would prefer that is say “rust resistant”, as the rust proof materials are very cost prohibitive.

Article 13 – Signs

Change to the verbiage for pylon signs, which are only allowed along the I-196 and US-31 corridors, include that measurements will allow for wrapping of the pole with a 24” wide credit. Also, temporary yard signs not exceeding 6 square feet in size will be exempt from permitting in commercial, office, and industrial zoning districts. The verbiage of “Election Day” was questioned if that was specific enough, Staff will talk to the Clerk about this verbiage and will make any necessary changes.

Article 22 – Definitions

Adding the definition of “Qualified Residential Treatment Program (QRTP)”

The Planning Commissioners commented on the changes stating that they have been working on these changes for five months now. It was also noted that the Commissioners will be working on more changes later, as these are not all-encompassing changes. Mr. Kortering noted that one of the items they need to work on will be housing and they will be working with Housing Next.

Chairman Kortering opened the meeting up for public comments.

Mr. Rick Bareman of Litho Printing Services 10972 Chicago Dr, Zeeland, 49464. Mr. Bareman asked about the raised curbs islands in parking lots in regards to their expansion on Chicago Drive. He is wondering how the changes proposed will affect the island requirements and would that mean they would not have to have raised curbs in the parking lot? Staff clarified that they would still be required to put in raised curbs but those curbs could have a cut out to allow for stormwater drainage into permeable soil. Mr. Bareman also asked about allowing the property line buffer to overlap with the fire lane. Staff said those are independent and cannot overlap because buffers cannot constrict the fire lane.

Mr. Doug Smith of 4845 146th Ave, Holland, 49424. Mr. Smith questioned the size of the base of a ground sign and if it needs to be the same size as the sign? Staff answered that with input from the Zoning Board of Appeals a determination was made that the base shall be at least as wide as the sign, however, 25% of the sign may then cantilever or extend from the base to allow design flexibility. Mr. Smith also stated that a maximum height of an 8’ sign is quite low for higher traffic roads such as River Avenue and this causes safety issues when drivers cannot easily see the signs. This code makes a great deal of current signs out of compliance.

Mr. Brian Huffman of 516 Howard Ave., Holland, 49424. Mr. Huffman asked the Commissioners if there is a process to submit issues with the current Code of Ordinances? He questioned if this is the time to speak or is there a formal process that he should go through to request changes? Mr. Kortering told him that he can come to any meeting and speak during the Public Comment time at the beginning of a meeting, or that he could send Staff an email outlining the changes he would like to see and then the Commissioners can look at those suggestions during the next round of changes. Staff also noted that he could submit a Zoning Text Amendment which would allow him to submit the exact wording that he is looking to change.

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

Mr. Kortering summarized the changes the Commissioners would like to see made:

- “Election day” verbiage to be clarified with the Clerk to address State elections
- “Rust proof” change to “rust resistant”

The Commissioners went through the criteria for text amendments:

1. The proposed text amendment would clarify the intent of the ordinance.
2. The proposed text amendment would correct an error or oversight in the ordinance.
3. The proposed text amendment would address changes to the State legislation, recent case law or opinions from the Attorney General of the State of Michigan.
4. The proposed text amendment would promote compliance with changes in other County, State or Federal regulations.
5. In the event the amendment will add a use to a district, that use shall be fully consistent with the intent of the district and the character of the range of uses provided for within the district.
6. The amendment will not create incompatible land uses within a zoning district, or between adjacent districts.
7. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
8. As applicable, the proposed change shall be consistent with the township’s ability to provide adequate public facilities and services.
9. The proposed change shall be consistent with the township’s desire to protect the public health, safety, and welfare of the community.

Commissioners agreed that the criteria have been met; the proposed changes address concerns by community stakeholders, clarify language in the ordinance, have been researched to understand whether proposed changes would be comparable with neighboring communities, address changes in State/Federal legislation, and do not compromise the Township’s desire to preserve and protect public health, safety, and welfare.

** It was moved by Sharp and supported by Becker to recommend approval of the proposed amendments to the Zoning Ordinance of Holland Charter Township as presented to the Township Board of Trustees with the following wording concerns: Section 11.8.A.1. change “rust proof” to “rust resistant” and in Section 13.4.B.12 verify the term “election date” is specific enough with the Clerk. Yes – 7, No – 0. Motion carried.

Chairman Kortering opened a public hearing for consideration of a Future Land Use Map Amendment submitted by Peter Rhoades | McKee Attorneys on behalf of Macatawa Bank to amend the future land use designation of the subject lands from Community Commercial to Low Density Residential.

Present for this request was Mr. Peter Rhoades of Rhoades | McKee Attorneys of 55 Campau Avenue NW #300, Grand Rapids, MI, 49503, on behalf of Macatawa Bank.

Mr. Rhoades clarified for the Commissioners that the area to the south of the current drive that comes off Paw Paw Drive will be changed to a conservation easement buffer.

Chairman Kortering opened the meeting up for public comments.

There was no one present to speak to this request.

Staff noted the City of Holland was the only municipality to respond and not object to the change. Also, that Mr. Charles VerBeek of 10730 Paw Paw Drive, Holland, 49424, submitted a letter to the Commission. One of Mr. VerBeek's concerns is with storm water drainage if homes are built on the proposed parcels. Staff noted that because this is not a residential development project, each lot would likely need a soil erosion permit from the Ottawa County Water Resources Commissioner where drainage and earth changes can be evaluated. Mr. VerBeek is also concerned with the noise those homeowners would hear when Macatawa Bank's parking lots are plowed during the winter and when garbage is picked up. Mr. VerBeek also stated that he would like to see this property remain commercial.

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

The Commissioners discussed the following items:

- Whether the proposed amendment is consistent with the goals and policies of the Comprehensive Plan.
- Whether the proposed amendment would be consistent with changes to conditions and recent development trends in the area that have taken place since the Comprehensive Plan was adopted.
- Whether the proposed land use designation is compatible with surrounding land use designations.
- Whether the proposed land use designation is compatible with the physical, geological, hydrological and other environmental features of the site.
- Whether the potential uses allowed in the proposed land use designation are compatible with surrounding uses in terms of land suitability, density, potential influence on property values, and traffic impacts.
- Whether the property, if redesignated, would be capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting.
- Other factors deemed appropriate by the Planning Commission.

*** It was moved by Becker and supported by Darrow to recommend approval of the proposed amendments to the Zoning Ordinance of Holland Charter Township as presented to the Township Board of Trustees. 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 a Vehicle Wash facility submitted by Mandi Brower of QCW Enterprises, LLC. Said land is located at 9627 Adams Street, described more specifically as Parcel Number 70-16-25-100-023. The subject property is zoned C-3 Highway Commercial.

Present for this request was Steve Witte of Nederveld Inc. and Mandi Brower of QCW Enterprises, LLC.

Mr. Witte explained that the plan for this location is to build a car wash that would look the same as the one on North Park Drive. The land is 4.9 acres; however, they are looking to only purchase the southern 2.3 acres. Mr. Witte said that there would be one drive on Adams Street and one drive on 96th Avenue. Ottawa County Road Commission has approved both of these drives and also stated that an additional drive going to the rest of the property to the north would be fine if that were to be developed in the future.

Mr. Witte pointed out that in the plans, they are leaving the north section of their parcel undeveloped for now and would like the special use to only be applied to the part of the land that is being developed for the car wash.

Mr. Witte said they plan to install landscaping per the ordinance. He also noted that the canopy is not correct in the rendering but is correct in the site plans. It will only go over the first payment lane, not all three lanes. Mr. Witte also addressed the concern of potential icing on the roads. He said that this wash is set further off the road than some of their other locations so that will help, as well as the grading of the drive will cause water to flow back onto their property and not onto the road.

Mr. Witte also addressed the need for another car wash and he stated that QCW Enterprises does a lot of market research before deciding to build a new car wash so that they know they are making a good investment.

Mr. Kortering asked what they are planning to do with the land that is not being developed right now? Mr. Witte said that they will leave it natural and it will be a good area for stormwater.

There was discussion about how to designate which part of the property would be covered under the special use and Mr. VanderMeulen thought a measurement from the road right of way would be the best way to do that. Mr. Witte said that the building is set approximately 186 feet from the Adams Street right-of-way.

Chairman Kortering opened the meeting up for public comments.

There was no one present to speak to this request.

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

The Commissioners 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 proposed use is consistent with the other existing uses in the area, as there is a gas station next door.

- 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.**

Existing infrastructure in the area should be good.

- 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.**

Haven't seen any issue in previous car washes by QCW Enterprises.

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

The proposed is allowed as a special land use in C-3 Highway Commercial zoning 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 proposed use will certainly increase the amount of impervious surface, however, similar to many other Highway Commercial uses, the site must meet applicable stormwater and landscape requirements.

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

The applicant needs to ensure that access is maintained to the satisfaction of the Planning Commission and Road Commission, and keep Adams Street and 96th Ave from icing in the winter.

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

The applicant has noted that there is a need.

*** It was moved by VanderMeulen and supported by Becker to approve the Special Land Use Permit for Vehicle Wash facility for the land 186 feet north from the Adams Street public right-of-way. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Other Business

9627 Adams Street – Parcel Number 70-16-25-400-023 – Site Plan Review – Consideration of a site plan review submitted by Mandi Brower of QCW Enterprises, LLC for site plan approval of a Vehicle Wash Facility with vacuums. The subject property is zoned C-3 Highway Commercial.

Present for this request was Steve Witte of Nederveld Inc. and Mandi Brower of QCW Enterprises, LLC.

Mr. Witte stated that they are waiting on approvals from the Water Resource Commission and the BPW. He also noted that the package contained some calculation errors that have been corrected. Mr. Witte stated that the pylon sign will be removed from the plans as well.

Staff noted that the canopy over the one lane is an encroachment into the front yard setback and they would need to go before the Zoning Board of Appeals for approval of this encroachment. Staff also recommended a cross access easement be provided for the driveway that comes off

from 96th Avenue should the property be divided further, as shown by the “possible future lot line” on the submitted site plan.

*** It was moved by Sharp and supported by Barajas to grant tentative Site Plan approval for Vehicle Wash facility with vacuums noting that the applicant will work with Staff, Ottawa County Road Commission and Ottawa County Water Resources Commission for final approvals. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

3717 Beeline Road – Parcel Number 70-16-09-200-037 – Site Plan Review – Consideration of a site plan review submitted by Caroline Kimmel of Kittle Property Group, Inc. on behalf of Keith Smith of K & J Legacy, LLC for site plan approval for a 252-unit multi-family apartment complex, consisting of 6 three-story apartment buildings and 10 one-story garage buildings. The subject property is zoned R-3 High Density Residential and FP Floodplain.

Applicant requested to postpone their request at this time.

0 (vac) 140th Ave – Parcel Number 70-16-07-200-022 – Site Plan Review – Consideration of a site plan review submitted by Brad VanderZwaag of BauVan Land Co, LLC for site plan approval of a 120-unit multi-family apartment complex, consisting of 5 three-story apartment buildings with 24 units each and 5 one-story garage buildings. The subject property is zoned R-3 High Density Residential.

Applicant requested to postpone their request at this time.

13928 Westwood Lane – Parcel Number 70-16-07-231-007 – Site Plan Review – Consideration of a site plan review submitted by Brad VanderZwaag of BauVan Land Co, LLC on behalf of Neal Kelley of NFK Properties LLC one multi-family building, consisting of 9 townhome style units measuring two stories in height. The subject property is zoned R-3 High Density Residential.

Applicant requested to postpone their request at this time.

Tabled Items

0 (vac) Quincy St – Parcel Number 70-16-09-100-026 – Special Land Use Permit – Consideration of a Special Land Use Permit for a Service Station submitted by Ryan Halder of Kum & Go, L.C. on behalf of Gary Granger of River Street Development, LLC. This item was previously tabled at the April 11, 2023, Planning Commission meeting.

Present for this request was Mr. Jamie Antoniewicz of Atwell LLC representing Kum & Go, L.C.

*** It was moved by VanderMeulen and supported by Becker to remove from the table the Special Land Use request for a Service Station. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

Mr. Antoniewicz stated that the Ottawa County Road Commission will review the proposed driveway on West Shore Drive as if the driveway were to be connected to a public road but it is not dedicated yet. He also noted that they eliminated the separate canopy with diesel so as to not attract semitruck traffic.

Staff said that they have concerns with West Shore Drive as it has not been demonstrated that the road meets Township standards for a private street nor County standards for a public road. Mr. Antoniewicz said that the seller is incentivized to get this road issue taken care of as the sale is dependent on this issue.

Staff noted that Ottawa County Road Commission didn't get all the necessary documentation when the road was originally constructed to certify the road. There are still multiple steps before construction can begin so that gives time to continue working on this road issue.

The Commissioners 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.**

It is logical for it to be placed on US-31.

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 concerns regarding this standard.

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 use will increase traffic in this area, particularly at the West Shore Drive and Quincy Street intersection, however, the applicant has followed the Ottawa County Road Commission recommendation for a single driveway in order to improve traffic safety on West Shore Drive.

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

The proposed use is permitted when approved as a Special Land Use in the C-2 Community Commercial Zoning 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 property is void of any natural features beyond grass. The applicant will need to install landscaping per zoning ordinance requirements as well as accommodate stormwater runoff per the Ottawa County Water Resource Commissioner.

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

The applicant has noted that the developer is working on getting documentation to ensure the road is accept either as a public road or private street.

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

The applicant has noted there is a need.

*** It was moved by Darrow and supported by Barajas to approve the Special Land Use for a Service Station under the condition that the road certification meets Township or County requirements. A roll call vote was taken. Yes – 7, No – 0. Motion carried.

410 & 414 E 8th St – Parcel Number 70-16-28-328-002 & -003 – Preliminary PUD – This item was tabled at the April 11, 2023, Planning Commission meeting.

No new information was received so the item remained tabled.

The next regular Planning Commission meeting is scheduled for Tuesday, August 1, 2023, at 6:00 pm.

The meeting adjourned at 7:45 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary