

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION

Regular Meeting

September 3, 2019

Present: Chairman Marion Hoeve, Vice-Chairman/Secretary Jack Vander Meulen, Members Ken Bosma, Dennis Gebben, Randy Kortering, Norm Nykamp, and Ed Zylstra. Also present were Community Development Director John Said, Assistant Community Development Director Corey Broersma, and Recording Secretary Tricia Kiekintveld.

Absent: None

Public Comment: None.

** Motion to approve the minutes from the regular meeting of August 6, 2019, was made by Mr. Kortering, supported by Mr. Nykamp. All in favor. Motion carried.

Chairman Hoeve opened the Public Hearing for consideration of a special use request submitted by Jean Ramirez/The Shops at Westshore/Urban Air for land addressed as 12331 James Street, Suite 190, described more specifically as Parcel Number 70-16-16-400-086. Petitioner is seeking permission for an indoor commercial recreation facility. The property is zoned C-2 Community Commercial, with the specific tenant space being located within the existing The Shops at Westshore commercial center.

The subject tenant space, which is now vacant, was previously a retail location within Westshore, and contains about 32,485 square feet in the southern portion of the existing commercial building. The applicant plans to build out the interior of the building to accommodate a variety of indoor amusement activities, primarily focused on trampolines and other bouncing and jumping activities. This includes areas for: dodgeball, basketball slam dunks, gymnastics, obstacle courses, virtual reality and party/event areas. The activities will be geared for families with children ages 0-14 years; however, most activities can also be utilized by adults as well.

Commissioners inquired about a restaurant in the facility as well as safety and insurance concerns. Ms. Ramirez said that they will offer a café for patrons. She also explained that Urban Air leads the industry in safety precautions and that each location is required to purchase an insurance plan that goes above and beyond that which is required for such a facility.

Questions were also raised as to noise and the time frame they are looking to have the facility open to the public. Ms. Ramirez explained that due to the nature of the equipment and noise absorption materials used in construction they do not have issues with noise in their other locations. She explained that if everything moves along as expected they would be looking to open the facility in May.

** It was moved by Mr. Bosma and supported by Mr. Zylstra to close the hearing. All in favor. Motion carried.

The Commission reviewed the special use standards and staff report.

** It was moved by Mr. Nykamp and supported by Mr. Bosma to approve the Special Use as submitted. All in favor. Motion carried.

Chairman Hoeve opened the Public Hearing for consideration of a site plan review request submitted by Chelsea Penn/Sam's Real Estate for land addressed as 2256 N. Park Drive, described more specifically as Parcel Number 70-16-21-100-069. Petitioner is seeking approval for a freestanding fuel station with kiosk in the existing Sam's Club parking lot. (Special Use for fuel station previously approved on May 14, 2019.) The property is zoned C-2 Community Commercial.

The proposal consists of a canopy and kiosk for Sam's Club members to fuel their vehicles; eight lanes will be provided for fueling (four pump islands). The fueling station will be constructed in the north portion of the existing parking lot. In response to Staff recommendations, the applicant's plans include numerous trees and shrubs in the adjacent parking lot islands and perimeter of the site adjacent to the proposed fueling station.

Steve Pawlaczyk from CEI Engineering Associates. Inc. and Pete LaMourie from Progressive AE were in attendance to talk about the traffic flow and a possible additional access driveway to the parking lot.

Mr. VanderMeulen is concerned with the safety of pedestrians with cars driving straight through the parking lot to get to the gas station. Mr. Pawlaczyk answered by saying that they are not able to stop vehicles from driving across the parking lot; however, they are going to have curbed islands with trees near the gas station to prohibit direct access which will slow traffic down.

Mr. Nykamp commented that customers that are coming in to shop will not use the north driveway. That driveway will now be used primarily by gas station customers. An additional entrance would alleviate this problem. Mr. Bosma answered that any additional entrances would cause more congestion on the road with so many entrances on that road already.

Mr. VanderMeulen brought up concerns with customers leaving the Sam's Club parking lot. Currently most customers choose to leave via the north entrance even when heading south due to the limited sight lines at the south entrance and the close proximity of the Wal Mart parking lot entrance across the street. His concern is with the gas station being located at the north end of the parking lot that customers will be looking for another way out of the parking lot to avoid the possible congestion by the gas station and will go around the store by the loading docks which is undesirable.

There was additional discussion regarding at what point are too many access points along that road a hazard. This is a private road not a county road so the county would not have any control over this. It was determined that adding more entrances would cause more congestion and therefore cause safety concerns.

Mr. LaMourie stated that in their study of the property they feel minimizing the number of access points along that road maintains a safer road.

** It was moved by Mr. Bosma and supported by Mr. Zylstra to approve the site plan as presented based on the 7 criteria for Site Plan approval from the zoning ordinance. All in favor. Motion carried.

Other Business

12978 James St. – Raleigh Woods - PUD – Staff is seeking direction on a proposed tenant within the Raleigh Woods PUD. The tenant is BeCozi; a primarily internet-based yarn and yarn product distributor. Staff provided a letter describing the use from Larissa Koedyker of BeCozi for the Commission’s review.

Staff’s review of the PUD finds this type of use inconsistent with the specific uses allowed by the PUD, and therefore not a Minor Change per Section 16.9.A, based on a list of proposed uses and O-S, Office and Service zoning district information provided by Staff. Staff believes the uses in this PUD were intended to support the local community while also providing opportunities to serve other tenants and their employees.

Staff asked for Commission direction as to whether the proposed use would be considered an acceptable use within the PUD via a minor PUD amendment or if a major amendment may be needed. Staff questions if this would be better served in an Industrial Zone because of the distribution.

Commissioners discussed the definitions of a minor versus major amendment with Staff. It was also discussed that this type of business is not listed in the 2005 PUD Amendment. The Commissioners discussed an amendment with focus on: allowing internet sales, limited distribution uses, no loading docks, no hi-los for loading and unloading shipments, no overhead doors, and specified floor space limits to be determined by Staff. It was mentioned that semi-trucks should not be excluded to allow for catering and food deliveries being made to other types of commercial businesses located and allowed in the PUD.

The Commission concluded that this request is a minor amendment that Staff can work with based on the limitations specified during discussion.

Sapphire Lakes Traditional Condominiums - PUD – Staff brought up a concern regarding the building of decks and sunrooms at Sapphire Lakes Traditional Condominiums that are not approved in the original PUD. There are a number of them that pulled building permits and have been there for years.

Contrary to the PUD, Staff indicated that the Association’s Condominium Documents (3rd amendment, June 2002) allow for a 10’ x 14’ limited common area; however, these are not common areas. Staff requested Commission direction on how to move forward with the current decks and sunrooms and how to proceed with any future requests. Should the current ones be considered legal non-conforming? Should the Township amend the PUD to consider the areas shown within the Condominium Documents? Can the Commission conclude that all condominium complexes are allowed to have a 10’ x 14’ deck or sunroom in the township?

The Commission concluded that this is a minor amendment for Sapphire Lakes as long as all future improvements would be within the existing 10’ x 14’ areas specified in the referenced Condominium Documents, and that any existing improvements beyond this would be considered legal non-conforming.

The Commission discussed affordable housing and how the Township can help facilitate the development through the Master Plan, tax incentives, etc.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary