

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
December 1, 2020

Chairman Hoeve called the meeting to order via ZOOM due to the Coronavirus (COVID-19) pandemic at 7:00 pm and asked for a roll call of members present.

Present: Chairman Marion Hoeve, Vice-Chairman/Secretary Jack VanderMeulen, Members Dennis Gebben, Randy Kortering, Miska Rynsburger and Ed Zylstra. Also present were Community Development Director John Said, and Assistant Community Development Director Corey Broersma.

Absent: Norm Nykamp, Recording Secretary Tricia Kiekintveld.

Minutes:

** It was moved by Mr. VanderMeulen, and supported by Mr. Kortering to approve the minutes of the November 10, 2020 meeting. A roll call vote was taken. All in favor. Motion carried.

Public Comment: None

Public Hearings:

Chairman Hoeve opened a public hearing for a Planned Unit Development (PUD) Amendment request submitted by Leslie Acerra/Blue Heron Cove Condominium Association seeking approval for an amendment to a final PUD to extend building envelope areas. The specific request is to extend rear envelope areas a maximum of 2 additional feet, or a total of 12 feet, from the existing units, with an additional 3 feet allowed for stairs/ramps.

Ms. Leslie Acerra was present to speak to this request. She provided history and background for this matter, and said that the request is to establish consistency with the master deed already approved by the condominium association for its master deed. She confirmed that the request would be for 12 feet total (previously 10 feet; the new request adds 2 feet) for decks, with an allowance of an additional 3 feet for stairs/ramps. She mentioned a resident along the south side of the development wanting to encroach into the 35' perimeter requirement, and that Building H already encroaches into the 35' perimeter, resulting in a 20' setback, whereas the rest of the area is 30'. Ms. Acerra asked to share her screen, but was reminded that Staff had asked her to submit her information ahead of time for Staff to show during the meeting.

Commission members had questions concerning building locations and the PUD review process as it relates to the condominium association. Commissioners expressed concerns of a possible precedent to have reduced 20' setbacks. Staff, the Commission, and the applicant acknowledged that Building H could be considered similar to a legal non-conforming condition to eliminate that type of encroachment elsewhere on the property. Commissioners noted that the current request is an effort to respond to a problem, and noted that Building H's location itself presented a problem as it relates to the 35' perimeter requirement.

Staff summarized setback requirements and history for this PUD's buildings and decks; all except Building H have 35' setbacks, whereas H has a 25' setback. Control of setbacks can only be achieved in this type of development through the PUD building envelopes, as this is a condo. without interior lot lines.

Mr. Hoeve then opened the hearing to public comment. Condo. president Judy Tuttle attempted to speak, but was unable to do so due to her computer's microphone not working. Staff read 4 letters into the record, all of which recommended against approval of the request. The letters were submitted by the following Blue Heron condo. residents: Gail Meincke (address not provided), David Lane (11283 Kingfisher) who submitted two letters, and Helen Patcott (11300 Kingfisher). The residents all identified concerns with encroachment into common open areas as concerns.

In response, Ms. Acerra said that 97% of the association supported the request, and that the 10' space around the lake would be maintained, and that the expansion was only for 2', with an additional 3' allowed for stairs. Commissioners asked about patios, which Staff explained were not subject to setback requirements as long as they are at-grade.

** It was moved by Mr. Kortering and supported by Mr. VanderMeulen to close the public hearing. A roll call vote was taken. All in favor. Motion carried.

Commissioners discussed the PUD and its possible outcomes depending on their vote. They also summarized the recommended conditions of approval and the various merits of the request and options available, including deck layouts.

** It was moved by Mr. VanderMeulen and supported by Ms. Rynsburger to approve the PUD amendment request to allow for a 12' rear building envelope area, with an additional 3' for stairs only, with the following conditions of approval:

- 1) That the 20-foot setbacks be removed from the approved PUD Plan.
- 2) Applicant shall verify whether 75-foot wide drain easement along north edge of property remains in existence, and if so, indicate on revised PUD Plan.
- 3) Other than the amendment for this PUD, all future improvements shall be shall be subject to those restrictions and requirements specified with the previously approved and amended PUD.

Prior to the vote, the Commission clarified that the 35' perimeter setback would be retained and required, except for Building H which is considered legal non-conforming until such time as the decks need to be renovated or reconstructed. Then Building H will need to comply with the original 10' rear expandable area. Any and all other encroachments into the 10' easement around the pond or 35' building setbacks would also need to be eliminated at the time of renovation or reconstruction.

A roll call was taken. All in favor. Motion carried.

Chairman Hoeve opened a public hearing for a Planned Unit Development (PUD) Amendment request submitted by Mike Evenhouse/ME Yacht Restoration for 470 & 471 Howard for proposed amendments to the PUD to allow the following: additional boat ramp users, marina, new residential two-family

dwellings, new clubhouse/event space, single-family home site, expanded warehouse/service building, exterior work space, and storage building.

Project engineer Kelly Kuiper was present to speak to this request, including providing background and history regarding the existing PUD approval and the new proposal. The business has grown significantly, and ME now wishes to expand their business including marina, event space, and residential development. Part of the request also includes elimination of the previous lettered areas (A, B, and C) on the property, in favor of the PUD plan with the buildings and uses shown.

The project specifically includes expansion of the existing boat storage/service building, addition of a new north side storage and service building, and development of the south side to include 16 residential condominium units (in 8 duplex buildings), a clubhouse/event space (for condominium owners only), and a marina with 42 slips. Expanded use of the boat ramp is also proposed. Ms. Kuiper acknowledged that there are many items that need to be addressed prior to Commission action on this project, with realization that the request will need to be tabled until these all are addressed.

Commission members then proceeded to ask about usage of the boat slips, vehicle-trailer and overall site parking, and the condominiums. While they wish to develop condos without garages, the Commission and Staff find this unacceptable. As to parking, Commissioners are concerned that the 56-space parking lot on the south side will not adequately handle all the parking demand; Ms. Kuiper indicated that overflow parking would be available north of Howard in the spaces adjacent to the storage/service buildings.

Commissioners also expressed concerns about boat-ramp usage traffic and movements; Ms. Kuiper responded that vehicles with boats could pull straight in off Howard, and use the parking lot entrance for a Y-turn to accommodate backing movements from the ramp into the lake, with minimal impact to Howard Ave. In response to a question, Ms. Kuiper also noted that the only allowed use east of the ramp would be for a new single-family home. In response to questions about on-site movements, Ms. Kuiper indicated that gear carts would be available to transfer gear and supplies from vehicles to boats.

Staff identified some additional priority topics for review by the Commission and applicant, including: need to provide emergency access (or full access) from Douglas, limiting proposed uses to what's shown, as opposed to a longer list of commercial/industrial uses that might not be appropriate for this specific development, and concerns regarding the outdoor boat servicing taking place in the open part of the lot north of Howard. Ms. Kuiper responded that boat servicing (cleaning and detailing – possibly including some blasting of boat bottoms) will be significantly shielded from nearby residential by the large-scale service/storage building, and that the existing and proposed uses are similar to what's allowed in I-2 and therefore consistent with the PUD. There will not be permanent outdoor storage here, but will be some staging of watercraft at various times.

Placement of the Douglas Ave. entrance was questioned by the applicant, although Staff replied that this is a requirement for emergency access purposes, and that it could be gated to minimize other access.

Ms. Kuiper noted that the new storage/service building would be 45' in height; Staff repeated that building plans and elevations will need to be provided.

Traffic movements and road widths south of Howard were discussed; Staff indicated that a 26' road width is required for emergency access, and that 25' setbacks will be needed for the condo units. (The

applicant's plans indicate 22' setbacks and 20' road widths.) Staff also noted concerns with potential illegal parking by residents and guests for dock access; Ms. Kuiper replied that a drop-off area could be added adjacent to the walkway. Staff also asked about the stormwater outfall culvert adjacent to the boat ramp; Ms. Kuiper replied that this would be rerouted.

Ms. Kuiper asked the Commission if they had any general concerns about the concept as presented, other than the list of items noted in the Staff Report. In general, the Commission finds the concept to be acceptable, but noted that there are many issues to be addressed, including parking, usage of the events building, etc. Mr. VanderMeulen noted a concern with the proposed 45' height of the new building along Douglas.

There were no public comments on this request.

** It was moved by Mr. Zylstra and supported by Ms. Rynsburger to close the public hearing. A roll call vote was taken. All in favor. Motion carried.

** It was moved by Mr. Kortering and supported by Ms. Rynsburger to table the request. A roll call was taken. All in favor. Motion carried.

The Planning Commission noted that the matter could be reviewed again once the information Staff requests is submitted by the applicant.

Other Business

Final Planned Unit Development (PUD) Resolution and Report – 275 (et.al.) E. Lakewood – Staff presented the Resolution and Report for the Final PUD for the Planning Commission's consideration. Staff noted that Item (g) in the Conditions of Approval needs to be omitted, as that was from a previous request and is not relevant to this one.

** It was moved by Mr. Kortering and supported by Ms. Rynsburger to approve the Resolution and Report, with the stipulation that Item (g) in the Conditions of Approval is omitted, and subsequent conditions will be reordered. A roll call vote was taken. All in favor. Motion carried.

No action was taken on the Special Use at 11363 E. Lakewood, nor on the Zoning Ordinance Text Amendments concerning farm stands in the C-2 District; both items remain tabled. Staff noted that the Planning Commission's Subcommittee on the text amendment will meet on Tuesday December 8 at 9 a.m. to further discuss this matter.

Chairman Hoeve introduced the 2020 Planning Commission Annual Report; Staff commented that the Report reflects the busy year that the Commission has had with a high volume of requests monthly, but at the same time, the Commission was able to achieve completion of the Comprehensive Master Plan for the Township. Staff also noted the contributions of Recording Secretary Tricia Kiekintveld to ensuring smooth administration of the Commission process.

** It was moved by Mr. Kortering and supported by Ms. Rynsburger to approve the 2020 Annual Report. A roll call was taken. All in favor. Motion carried.

Chairman Hoeve introduced the Election of Officers for 2021; he noted that he is entering his last year on the Commission. Brief discussion then took place among the Commission and Staff concerning the positions and responsibilities.

** It was moved by Mr. Gebben and supported by Mr. Kortering to name Marion Hoeve as Chair and Jack VanderMeulen as Vice-Chair/Secretary for the Planning Commission for 2021. A roll call was taken. All in favor. Motion carried.

Commissioner Ed Zylstra, who was attending his last meeting as a Planning Commissioner. Mr. Zylstra expressed his thanks to the Commission and Staff for their efforts, and Staff expressed its appreciation to him for his efforts, including with the Comprehensive Plan Subcommittee.

Staff noted that for the foreseeable future, continued use of Zoom for meetings is anticipated due to the coronavirus pandemic. Staff was asked to check on need for voice vote vs. roll call for perfunctory actions of the Commission.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

John D. Said, AICP
Director of Community Development