

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Special Meeting
March 16, 2021

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 (Bradenton, Manatee County, FL), Vice-Chairman/Secretary Jack Vander Meulen (Simpson Bay, St. Maarten), Members Doug Becker (Holland Charter Township, Ottawa County, MI), Randy Kortering (Holland Charter Township, Ottawa County, MI), and Miska Rynsburger (Park Township, Ottawa County, MI). Also present were Community Development Director John Said, Assistant Community Development Director Corey Broersma, and Recording Secretary Tricia Kiekintveld.

Absent: Members Dennis Gebben and Norm Nykamp
(Mr. Nykamp joined at 7:05 pm from Holland Charter Township, Ottawa County, MI),

Public Comment: None

Other Business

470 & 471 Howard - Planned Unit Development (PUD) Amendment - Mixed Use – Mike Evenhouse of ME Yacht Restoration described more specifically as 70-16-30-150-035, 70-16-30-150-036 and 70-16-30-126-056. (Originally tabled Dec. 1, 2020)

Mike Evenhouse of ME Yacht Restoration is requesting amendments to the PUD to allow the following: additional boat ramp users, a 42-slip marina, new residential two-family dwellings, new clubhouse/event space, single-family home site, expanded warehouse/service building, exterior work space, and storage building.

Present to speak was Mr. Brandon Simon from Nederveld, Mr. Mike Evenhouse of ME Yacht Restoration, and attorney Mr. William Sikkel.

Mr. Simon stated that they made several revisions after comments made by the Commission at the February 2 meeting. They made the necessary changes to the cul-de-sac to meet International Fire Code standards, revisions to the allowable list of uses, and no recreational usage of the boat ramp - boat launching and retrieval shall be by employees and fully prepaid customers who store their boats at the facility only.

Mr. Simon also noted that their proposed uses for the recreation building are listed on page 1 of their submittal and that page 2 of their submittal is a list of the allowed uses in a C-2 district. He believes there was some confusion that they were asking for all of the items on page 2 to be allowable uses on this property which is not their intent. They have removed the restaurant, banquet hall, recreation facility and vehicle repair. Mr. Simon did note that Mr. Evenhouse does still intend to have a small snack kiosk for the members.

Mr. Simon then stated that they are planning on an enclosure around the dumpster that will be located on the property.

Next, he addressed why the three unloading stations are on the east side of the ramp when Staff is suggesting they should be located on the West side of the ramp. Mr. Simon said that there is a large electrical pad and transformer on the West side, and there is a 36" discharge for storm water that they worked with EGLE on to make sure it was in the proper location. The current location spills out onto the boat ramp which works out well from an erosion stand point. The pedestrian walkway would not be in use during rain events when the pipe is flowing water. It should not be an issue but they have ideas so that the water coming out of the discharge pipe does not interfere with where pedestrians walk, such as curving the walkway around it if need be.

Mr. Simon stated that they are on board with the other recommendations such as combining lots and updating the master deed to not allow short-term rental uses on the residential property.

Staff noted that Mr. Simon was agreeable to all conditions noted in the Staff report. He did note that the applicant needs to clarify on the allowed uses list a specific description for the proposed snack kiosk. Staff also is concerned about the location of the drainage way going across the ramp. They feel it is a safety concern to have this coming out by the ramp. It is a concern that it could get slippery with debris and sediment on a slanted area where pedestrians will be walking. Staff also has an issue with allowing passenger vehicles to use the ramp when that was not the initial desired intent of the ramp. Staff would like to see parking on the west side of the ramp if the parking is to remain. It was noted that the applicant and Staff can work that out.

Mr. Hoeve suggested that Commission possibly give the applicant a few weeks to work out the final details and have them come back at the next meeting.

Mr. VanderMeulen would like to see the sidewalk go all the way to Howard Ave. to avoid having pedestrians walking along the driveway to cross the road. He also mentioned he would like to see the road marked with a designated cross walk. It was noted that this would have to be done through the Ottawa County Road Commission. Mr. Evenhouse pointed out that the ramp/drive is 30' wide which is wider than a normal road so there is plenty of room for both vehicles and pedestrians. Mr. Hoeve asked if they could paint a stripe on the ramp to designate a walking path. Mr. Evenhouse agreed to this.

Mr. Simon addressed the sidewalk on the SW corner of the property. They agree to move the sidewalk closer to the road in front of units 2 and 4 to avoid potential conflicts with cars parked in those driveways.

Mr. Kortering asked Staff why they are concerned with the drainage pipe when EGLE decided on this placement. Staff answered that they don't feel it is a good idea to have debris on a slanted area where people would walk. Mr. Simon stated that there would be very little foot traffic going through that area. They worked with EGLE and the Water Resource Commission complying with their requirements that they have a storm water quality unit that filters out all of the debris so that the water coming out of the pipe is clean and does not contain any silt or debris.

There was discussion on how to state the motion. Would this be a final approval? Can they approve with conditions? Staff stated that this is technically an amendment but basically a final

approval and they can add conditions. Staff would prefer everything to be buttoned up before approval but if Commission would like to approve tonight, they can work with the applicant on any conditions that are stated in the motion.

Mr. VanderMeulen noted that the plan says “preliminary” not “final.” It was stated that this can be handled by Staff. He also asked if they cleared up the garage doors facing the road. It was noted that this is included in the list of exceptions requested as part of the PUD, and would be approved as part of the PUD. The Commission then reviewed the applicable standards and found the request consistent with them.

** It was moved by Kortering and supported by Nykamp to recommend approval of this PUD amendment with the following conditions:

1. Identify all documents as Final, not “preliminary” as currently noted.
2. Revise proposed allowed uses list to be approved by Staff.
3. No outside storage shall be allowed.
4. All lots must be combined.
5. The master deed for the residential property shall include a prohibition on all short-term rental uses.
6. Boat ramp usage shall be limited to members and residents, with no guest usage. (This ramp is not designed for recreational launches.)
7. There shall be no parking along the internal residential road.
8. Fire Department approval shall be obtained for the plan, including emergency access that meets Fire Code requirements.
9. Striping of a pedestrian walkway along the drive.
10. Continuation of the sidewalk all the way to Howard Avenue.

A roll call vote was taken. All in favor. Motion carried 6 - 0.

2763 120th - Contractor’s Facility – Special Land Use – Brad Vander Zwaag/G2G LLC
(Tabled January 5, 2021)

This item to remain tabled.

Authentix; Quincy Street, between 120th and US-31 - Planned Unit Development (PUD) Amendment (#1) – New garage structures - Robert McCaigue/Continental 512 Fund LLC -
(Tabled January 5, 2021)

This item to remain tabled.

0 Black River Ct. – Zoning Map Amendment (Rezoning) – C-3 Highway Commercial to I-1 Light Industrial - Kevin Miller/Mission Design (Tabled January 5, 2021)

This item to remain tabled.

12501 Greenly Street - Site Plan Review - Multi-Family (attached residential) - Patricia Rakoci/Redwood Living/R. Carini Trust

Present to speak to this request were Emily Englehart, Patricia Rakoci and Todd Foley of Redwood Living along with Ian Graham of Bergmann Engineering (7050 W Saginaw Highway, Lansing, MI 48917).

Mr. Hoeve asked if they plan to put in a play structure in the open space across from the pond. Ms. Englehart stated that that land will be a passive recreational area because that land is considered a wet land.

Staff raised concerns over a few areas where the setbacks seem a bit tight. They also asked if the black areas behind some of the units were cement patios or deck structures? Mr. Graham answered that those areas are cement patios and there would not be any structures built. Staff noted that the setback allowed for R-3 multi-family developments are 35' front yard, 20' side yard and 25' rear yard. Staff indicated they are meeting the requirements, and the applicant understands that the 25 foot setback being shown is what is being approved along the side lot lines due to the buildings backing up to those lines. Mr. Graham noted that the patios would be 7' wide.

** It was moved by VanderMeulen and supported by Kortering approve this request noting that it meets Site Plan Conditions and allowing Staff to ensure compliance with landscaping, lighting, and signage requirements. A roll call vote was taken. All in favor. Motion carried 6 - 0.

Zoning Ordinance Text Amendment – To allow accessory use farm stands as Special Land Uses in the C-2 District (Tabled August 11, 2020)

Mr. Kortering gave a summary of the subcommittee meeting held on March 1, 2021. He stated that the subcommittee felt it would be good to bring this back to the Commission to vote on at this point. The committee would like to allow the farm stands in the township but noted that it would be difficult to write wording that would allow these types of sales but not fireworks, blankets etc. out of the back of a truck. They do not want to run into any trouble with that.

Mr. VanderMeulen said that the committee feels the citizens would be well serviced by these types of farm stands and that this would not be a competition to brick and mortar stores because typically buying from a farm stand is more expensive. He stated that he likes the last paragraph in the Staff report that states that they could address this issue at the upcoming annual Zoning Ordinance text amendments package later in the year. Mr. VanderMeulen still wonders too if they could set up something at the Outlet Mall that would have a specific location and times to be open.

Present to speak to this request was Mr. William Sikkel. Mr. Sikkel is willing to submit revised language to address the concerns about sales of other items as he understands the concerns with the existing proposal. He has some wording ideas that could alleviate those concerns and would like to be able to present modified language at a future meeting for the Commission to approve or deny. This language would include the need for obtaining a Special Use permit which will give Commission the chance to verify there is sufficient parking, setbacks, restroom facilities, handwashing stations, etc. It can also be written in the language to require the seller be verified for food safety standards as an extra safe guard.

Mr. Hoeve stated that he is willing to hear modified language.

Staff stated that their view of all requests, including this one, is strictly based on applicable criteria or standards, in this case for text amendments, and this does not meet those criteria. It was also noted that this particular request was noticed as a public hearing with very specific language and section references, and changing the wording would not allow the public to hear and comment on the new wording. We need to be very careful here to not go outside of the parameters of the initial public notice.

Staff also noted that they had a conversation with the township attorney and he is uncomfortable with the request. His concern was the fact that this would be for one site only. That means this really is a variance request which the township does not allow. As a result of this conversation, it may be better to look at a revision of the Zoning Ordinance further down the road.

Mr. Sikkel pointed out that they are not asking for a variance for one property. This would be to allow farm stands in all C-2 districts. Staff stated that the reason to request the change is rooted from one specific farmer. Mr. Sikkel also said that if a legal notice is a concern, they are willing to start over with a new application and a new proposal. They do not want to cause any legal concerns.

Mr. Hoeve stated that he would recommend not approving at this time but rather look at a Zoning Ordinance change later in the year when Staff prepares changes for the Commission to approve. Mr. Nykamp noted that there's been enough review on the current request, and that action should take place.

Staff stated that they just keep going back to the standards and this doesn't meet the standards.

Ms. Rynsburger said that she would like to see a revised proposal because she feels this could be a very positive asset to the community and feels that Mr. Sikkel can word it as such to put safe guards in place to protect against the sale of goods out of the back of a truck on a street corner.

Mr. Becker said he agrees with Ms. Rynsburger and would like to see a revised proposal. He too feels like there is a need in the community but doesn't know if we can get this approved under the criteria.

Mr. VanderMeulen pointed out that at this point no one has found anything out there to address these types of stands in C-2 districts. Park Township found a way to get around it last year. But in looking for other communities no one allows them. So, if we want to move forward on this, we are on our own to figure this out.

Staff noted that comments are only going to be from the applicant, Staff and Commissioners. The public comment time is over and we cannot take any further comment from the public at this point.

Mr. Sikkel noted that his client has received numerous calls from the public that would like to see a farm stand open by the time the growing season starts. He said that he can try to rewrite the proposal within the bounds of the original legal notice or we can start fresh with a whole new submittal. They would be happy to do that to allow the community the chance to weigh in on this.

Mr. Kortering and Mr. Hoeve suggested that this item remain tabled at this time to give Mr. Sikkel time to make revisions to the proposal within the framework of the original legal notice and come back at a future meeting and if that falls through, they can come back with a new proposal.

** It was moved by Kortering and supported by Becker to table this request. A roll call vote was taken. All in favor. Motion carried 6 - 0.

Commissioners disused the item load for the April 13 meeting. Staff said that they have 8-9 items at this point and the deadline was today so no more items can be added. Staff will have a discussion with Chairman Hoeve to decide if the load is too much for one meeting and if we should add a second meeting to April. If that is the case, they will contact the Commissioners to find a good date.

Mr. Kortering reiterated that they only want 8 fully prepared items but then go to a 2nd meeting if it is more than 8 items. Mr. Hoeve also stated that they only want to see proposals that are 99% complete. Staff stated that they actually received 11 applications but told 2-3 of them to retry because they were not complete.

Mr. Sikkel asked if he should be prepared with revised language for the Farm Stands for the April meeting or for the May meeting? Staff responded that because this is a tabled item it can be brought up again at the April meeting; however, they would like to know for sure by next week if Mr. Sikkel will have the revised language ready. If not, it will just remain tabled until the May meeting.

Next meeting will be Tuesday, April 13, 2021 at 7:00 p.m.

Staff noted that there is a bill in front of the legislature right now to extend remote meetings through June. At this point they are planning on an in-person meeting in April unless the bill passes. If we do have in-person meetings there are allowances for Commission members who are sick or in the military to join the meeting remotely. The public and applicants can join in remotely as well. All other Commission members need to be in-person.

The meeting adjourned at 8:06 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary