

AGENDA

**Grand Haven Charter Township Planning Commission
Special Meeting
Monday, March 30, 2015 – 7:30 p.m.**

- I. Call to Order
- II. Roll Call
- III. Pledge to the Flag
- IV. Approval of the February 16, 2015 Meeting Minutes
- V. Correspondence
- VI. Public Comments/Questions on Agenda Items Only (Limited to 3 minutes)
- VII. Public Hearings
 - A. Special Land Use application – Outdoor Pond
- VIII. Old Business
 - A. Special Land Use application – Outdoor Pond
- IX. New Business
 - A. Site Plan Review application – Botello Food Truck as Accessory Use
- X. Reports
 - A. Attorney's Report
 - B. Staff Report
 - Flagstar Bank submitted Site Plan Review application
 - Next Resilient Grand Haven meeting is April 22nd @ 7pm in the Board Room
 - C. Other
- XI. Extended Public Comments/Questions on Non-Agenda Items Only (Limited to 4 minutes)
- XII. Adjournment

Note: Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a "Speakers Form" located on the counter. Completed forms must be submitted to the attorney prior to the meeting.

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
FEBRUARY 16, 2015

I. CALL TO ORDER

Kantrovich called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:30 p.m.

II. ROLL CALL

Members present: Kantrovich, Kieft, LaMourie, Robertson, Taylor, Reenders, and Wilson

Members absent: Gignac

Also present: Fedewa and Attorney Bultje

Without objection, Kantrovich instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the January 5, 2015 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY – None

VII. PUBLIC HEARING

A. Shape Corp – Rezoning of Two Parcels from AG to I-1

Kantrovich opened the Public Hearing at 7:32 p.m.

Fedewa provided an overview of the request through a memorandum dated February 5th.

Shape Corp. was represented by Joe Milburn.

No Public Comments – Kantrovich closed the Public Hearing at 7:33 p.m.

B. Zoning Text Amendment Ordinance

Kantrovich opened the Public Hearing at 7:37 p.m.

Fedewa provided an overview of the proposed amendments through a memorandum dated February 5th.

No Public Comments – Kantrovich closed the Public Hearing at 7:37 p.m.

VIII. OLD BUSINESS

A. Shape Corp – Rezoning of Two Parcels from AG to I-1

Motion by Robertson, supported by Taylor to recommend to the Township Board approval of the Shape Corp rezoning application of parcels 70-03-33-400-011 and 70-03-33-400-012 from Agricultural (AG) to Industrial (I-1) based on the application meeting applicable rezoning requirements and standards of the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map.

Which motion carried.

B. Zoning Text Amendment Ordinance

The Commissioners requested staff describe the proposed changes regarding the height of an accessory building on lots less than 1 acre. Fedewa responded and clarified.

Motion by Robertson supported by Wilson to recommend to the Township Board approval of the proposed Zoning Text Amendment Ordinance addressing clerical revisions.

Which motion carried.

IX. NEW BUSINESS

A. Appoint a New Secretary to the Planning Commission

Without objection, Robertson was nominated and appointed as the Secretary.

B. 2014 Planning Commission Report

Fedewa noted there was an error on the reporting of Reenders attendance at the Resilient Grand Haven Master Plan Update project—he attended four meetings, not three.

Planning Commissioners requested staff to provide a list of all upcoming training opportunities. As well as determine if an On-Site Community Engagement Training Workshop offered by the Michigan Association of Planning is feasible.

Without objection, the 2014 Planning Commission report was approved.

X. REPORTS

A. Attorney Report - None

B. Staff Report

- Speedway PUD Application Submitted
- Two Outdoor Pond Special Land Use Applications Submitted
- Next Resilient Grand Haven Meeting – Feb 25th @ 7pm in GHT Board Room

C. Other - None

XI. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey Fedewa". The signature is written in black ink and is positioned below the text "Respectfully submitted,".

Stacey Fedewa

Acting Recording Secretary

The Pond was installed for two primary purposes:

1. Irrigation for landscaping and garden, and
2. Prevent discoloration of house, yard, and stonework due to a high concentration of iron in the well water.

Upon staff’s request, Mr. Batka invited the Ottawa County Water Resources Commissioner (OCWRC) to inspect the Pond. The approval letter is included for the Planning Commission’s review, but in short—the Pond was constructed in accordance with OCWRC standards; the site is stabilized and does not impact any drainage facilities; and the OCWRC grants approval of the existing pond as constructed.

SPECIAL LAND USE REQUIREMENTS	
Section 19.07.29A Provisions	Compliance
Used for recreation, pleasure, or agricultural only	Meets standard
Compliance with setback requirements of zoning district (RR)	Meets standard
To protect the safety of the general public the Planning Commission can require the pond to be enclosed by a wall or fence.	Not enclosed—Planning Commission has discretion
Constructed to applicable requirements of Conservation District, OCWRC, and MDEQ	CD – n/a OCWRC – Yes MDEQ – n/a
Slope of the banks must be a minimum of 1:3	Meets standard
Pond shall not cause or contribute to the erosion of any adjacent, abutting, or nearby land.	Staff unaware of any issues
Pond shall not create stagnant water	Meets standard – pumped & irrigated each summer

RECOMMENDATION

Based on the findings outlined above, staff recommends approval of the Outdoor Pond Special Land Use application. If the Planning Commission agrees with the aforementioned recommendation, the following motion can be offered:

Motion by _____, supported by _____ to approve the Outdoor Pond Special Land Use application submitted by Stephen Batka for property located at 15467 Lake Michigan Drive, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance.

Please contact me prior to the meeting with questions or concerns.

RECOMMENDATION

1. This approval is based on the affirmative findings that each of the following standards has been fulfilled:
 - A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
 - B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
 - C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
 - D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
 - E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
 - F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
 - G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.
 - H. The proposed use is consistent with the health, safety, and welfare of the Township.
2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
 - A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
 - B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
 - C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
 - D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
 - E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or

- greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
 - G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
 - H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
 - I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
 - J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
 - K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
 - L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
 - M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
 - N. The site plans conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

Recvd 2/2/15 ~~skf~~



GRAND HAVEN CHARTER TOWNSHIP
SPECIAL LAND USE APPLICATION

Fees

Original Application - \$125.00 plus a \$1,000.00 escrow*
Special Land Use Amendment - \$100.00 plus a \$500.00 escrow*

Applicant information

Name Stephen J Batka
Phone 616-402-5790 Fax 616-844-6130
Address 15467 Lake Michigan Drive, West Olive, MI 49460

Owner information (If different from applicant)

Name _____
Phone _____ Fax _____
Address _____

Property information

Address/Location 15467 Lake Michigan Drive, West Olive, MI 49460
Parcel # 70-07-23-400-026
Property size (acres) 4 1/2
Current Zoning Residential Master-Planned Zoning _____

Description of Proposed Use/Request (attach additional pages as needed)

Well water in area carries many parts of Iron. Pond was needed for plant irrigation, landscape irrigation with out doing color damage to house or plants, or yard or stonework.

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 19 and 23 of the Zoning Ordinance. Initially, submit five copies of the required information for staff review. Once staff has granted tentative approval, additional copies will be required as requested by staff.

If approval of this application requires/includes the extension of a municipal sanitary sewer main, an additional \$5,000.00 escrow fee shall be required, and an additional \$2,000.00 escrow fee shall be required for the installation of a lift station.

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

Stephen J Batka
Signature of applicant

1/15
Date

* To cover cost of legal and consulting fees, may be increased as necessary



County of Ottawa
Office of the Water Resources Commissioner

Joe Bush
Water Resources Commissioner

Linda S. Brown
Chief Deputy

12220 Fillmore Room 141 West Olive, MI 49460
waterresourcescommissioner@miottawa.org

Phone (616) 994-4530
Fax (616) 994-4529

February 23, 2015

Ms. Stacey Fedewa, Planning and Zoning Official
Grand Haven Charter Township
13300 - 168th Ave
Grand Haven, MI 49417

RE: Stephen Batka – Existing Pond Approval
15467 Lake Michigan Drive
SE¼ Section 23, Grand Haven Charter Township

Dear Stacey:

At your request, we have inspected the existing pond located at the above referenced address to determine whether it was constructed in accordance with OCWRC standards. It is our understanding our review and approval is necessary as a condition of the special land use permit required accepting the pond's existence.

Based on our inspection and review of the site conditions, OCWRC hereby grants approval of the existing pond as constructed. Since the site is stabilized and does not impact any drainage facilities, no other permits will be required through this office.

If you have any questions, please contact me at (616) 994-4530.

Sincerely,

Joe Bush
County of Ottawa
Water Resources Commissioner

JB/dc

c: Mr. Stephen Batka



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: March 25, 2015
TO: Planning Commission
FROM: Stacey Fedewa, Planning & Zoning Official
RE: Site Plan Review – Botello’s Food Truck

BACKGROUND

Santiago Botello, the owner of Botello’s Party Store located at 15791 Lake Michigan Drive has a mobile food vending trailer (“Food Truck”). In June 2013, the Botello’s were cited for a violation of the site plan. The owners cooperated, and removed the Food Truck.

Since that time the Food Truck has been utilized in other cities within West Michigan. As of now, the owners would like to operate the Food Truck on their parcel when it is not at an alternate location.



EXISTING CONDITIONS

Staff notes the site lacks pavement markings for traffic direction and parking spaces; the refuse container is not enclosed and is visible from the road; and there are numerous vehicles and other items cluttering the rear section of the parking lot. See the following pictures:

PHOTOGRAPHS OF REAR YARD – TAKEN MARCH 18TH



AERIAL VIEW OF SITE



SITE PLAN REVIEW		
Provision	Title	Compliance
15.02	Permitted Use	Yes
15.04	Zoning District Setbacks	Legal Nonconforming (<i>Proposal will not increase the Nonconformity</i>)
15A.03A	Overlay District* (<i>Change in Use-Minor</i>)**	Landscaping – None Proposed
		Access Management – Add Pavement Markings for One-Way Traffic and Parking Spaces
		Discretionary Improvements* – Addition of Planters, Tables, Chairs, and Trash Receptacles for Customer Seating
20.03.2	Nonresidential Accessory Structures	Meets all standards <u>except</u> 20.03.2.G.2 – 25 feet setback from Principal Building (<i>see Planning Commission Discretion below</i>)
20.13.6.D	Miscellaneous Landscaping	Construction of Wooden Fence and Gate around Refuse Container
20A	Outdoor Lighting	None Proposed
24.13	Parking Schedule (<i>Only GFA is known = 3,700</i>)	Meets standards with 18 proposed spaces: Retail stores = 1/150 sq ft UFA = 25 spaces Overlay District = 1/200 sq ft UFA = 19 spaces
24.04	Parking Space Layout	Meets Standards for 45° Angle Spaces with One-Way Traffic
24.06	Signs	None Proposed
25.02	Nonconforming Buildings and Structures	The addition of a portable accessory structure, which will function under a permitted use does not increase the nonconformity of the site (<i>nonconformity is the front yard setback – 25 ft to right-of-way, 58 ft to road edge, 75 ft to lot line</i>)

* The Planning Commission may have discretion in required improvements based upon the circumstances of the property. In determining whether to impose discretionary improvements of the Overlay Zone, the Planning Commission shall determine whether those improvements are reasonably necessary to ensure compliance with the standards of Section 19.05 for Special Land Uses.

** A minor change in use occurs when one permitted land use is replaced by a different permitted land use.

Fire/Rescue has reviewed and approved the Site Plan as submitted. The Public Service Department had no comments to offer.

PLANNING COMMISSION DISCRETION

Staff recommended the applicant place the Food Truck along the south wall of the building to promote the safety of customers and improve traffic circulation. Due to the proximity of M-45 it is possible that stacking may occur on site if patrons were crossing the maneuvering lanes to access their vehicle, store, and the Food Truck. By placing the Food Truck along the south wall of the building the patrons will only cross the maneuvering lane twice (*to and from the vehicle*) as they would for a normal visit. Additionally, limiting pedestrian activity in the maneuvering lane will improve traffic circulation.

RECOMMENDATION

Based on the findings outlined above, staff recommends approval of the Botello Food Truck Site Plan Review application with conditions. If the Planning Commission agrees with the aforementioned recommendation, the following motion can be offered:

Motion by _____, supported by _____ to approve with conditions the Site Plan Review application for Botello’s Food Truck as an accessory use on the property located at 15791 Lake Michigan Drive, based on the application meeting applicable requirements set forth by the Grand Haven Charter Township Zoning Ordinance. This approval is conditioned upon the following:

1. The pavement markings for parking spaces and traffic circulation must be installed prior to operating the Food Truck
2. The numerous vehicles and items cluttering the rear yard shall be removed prior to operating the Food Truck.
3. Annually, the property owner shall submit a renewed license to sell food items, which is issued by the Ottawa County Health Department.

Please contact me prior to the meeting with questions or concerns.

REPORT

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following report of the Grand Haven Charter Township Planning Commission (the “Planning Commission”) concerning an application by Santiago Botello (the “Applicant”) for approval of a Site Plan Review application (the “Project”).

The Project will consist of a portable Food Truck established as an accessory use to the principal structure. Included will be the installation of pavement markings to create 18 defined parking spaces and traffic circulation arrows to designate one-way traffic throughout the site. The Project as recommended for

approval is shown on a final site plan, last revised 3/9/2015 (the “Final Site Plan”), presently on file with the Township.

The Planning Commission finds the Project meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, pursuant to Section 23.06.7, the Planning Commission finds as follows:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
- B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
- C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
- D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
- E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
- H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
- I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
- J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
- K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
- L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
- M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
- N. The site plans conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

BOTELLO'S PARTY STORE TRAILER VENDOR

15791 LAKE MICHIGAN DR. GRAND HAVEN, MICHIGAN

DAVIS FLIA CONSTRUCTION
350 COLLINDALE AVE.
GRAND RAPIDS, MI
(616) 813-5195
judiaf@omeast.net

OWNER:
SANTIAGO & LETICIA BOTELLO

BOTELLO'S PARTY STORE
15791 LAKE MICHIGAN DR.
GRAND HAVEN, MICHIGAN

Drawn By Juan Davis

Checked By JMD

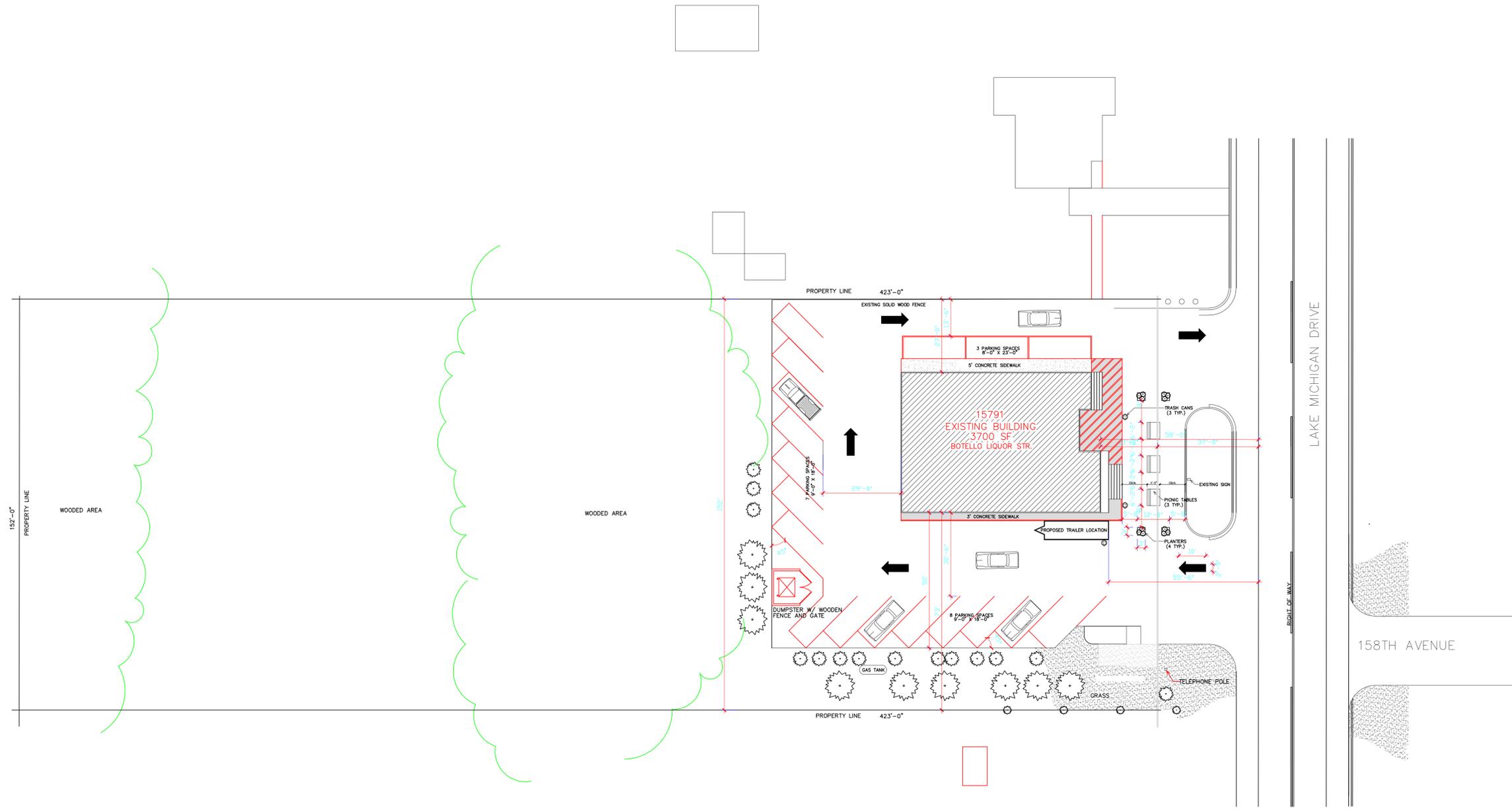
Issued For
07-10-13 PLANNING
07-12-13 PLANNING
02-27-15 PLANNING
03-04-15 REVISION
03-09-15 REVISION

Copyright ©
DAVIS FLIA CONSTRUCTION
These drawings and specifications
are an instrument of service by
DFC for this project. These
documents shall not be duplicated
or reused without written consent of
DAVIS FLIA CONSTRUCTION, LLC

Sheet Number

T

File Number
3507



SITE PLAN

SCALE: 1" = 20'-0"