

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
NOVEMBER 4, 2019

I. CALL TO ORDER

Cousins called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:00 pm.

II. ROLL CALL

Members present: Cousins, Wilson, Chalifoux, Wagenmaker, Kieft, LaMourie, Reenders, Taylor

Members absent: Hesselsweet

Also present: Community Development Director Fedewa, Attorney Bultje, McKenna
Planning Consultant Khorey

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the October 7, 2019 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. Special Land Use – Outdoor Pond – Cook

Cousins opened the public hearing at 7:02pm.

Fedewa provided an overview through a memorandum dated October 30th.

The applicants, James and Lisa Cook, were present and available to answer questions:

- The land is flat with a high water table. Pond will be used for personal enjoyment, crop irrigation, and spoils will be used as fill for constructing a single family dwelling.

There being no further public comment, Cousins closed the hearing at 7:05pm.

B. Stonewater Sub No. 2 – Tentative Preliminary Plat

Cousins opened the public hearing at 7:05pm.

Fedewa provided an overview through a memorandum dated October 31st.

The project engineer, Rick Pulaski, and developer, Jeff Klaasen, were both present and available to answer questions.

There being no further public comment, Cousins closed the hearing at 7:07pm.

C. New Zoning Ordinance, including Short Term Rentals

Cousins opened the public hearing at 7:07pm.

Fedewa provided an overview of the process through a memorandum dated October 31st and a supplemental memorandum dated November 4th that details the Short Term Rental subject.

McKenna Planning Consultant Khorey provided a presentation on the substantive policy changes of the proposed zoning ordinance.

- Laird Schaefer – 12543 Wilderness Trail – Short Term Rental concern:
 - Concerned some Short Term Rental licensee’s may “evade” the 6 day minimum stay duration by issuing a refund for the unused days.
 - Fedewa and Bultje explained that would be a technical violation of the Short Term Rental license and the property owner would be subject to code enforcement and possible revocation of the license.

- Kristin Turkelson – 14542 Angelus Circle – Proposed Zoning Ordinance concerns:
 - Township needs to review with a broader lens and ensure the district’s Statement of Purpose is followed.
 - Objects to expanding non-residential uses allowed in the R-1 district. Believes it is inappropriate because there is no infrastructure to support certain new uses being proposed in the district. Such as, a kennel, child care center, parking lot, and indoor recreation.
 - The Institute of Transportation Engineers (ITE) 10th edition manual for trip generation indicates a child care center could produce up to 110 trips during peak hours.
 - If non-residential uses will be allowed in residential districts, then performance standards should be incorporated.
 - Housing affordability is needed in the community and believes 2-3 unit dwellings should be allowed.
 - Concerned about allowing Major Home Based Businesses because it could allow a vehicle repair business, which would have a negative effect on the neighborhood.
 - Does not agree with identifying recommended best management practices within an ordinance because it is too subjective.
 - Township does have the right to obligate design and aesthetic standards for accessory buildings particularly as it relates to scale and massing.

- Supports the landmark tree preservation efforts. Noted the mature trees saved on the Dollar General site is positive. However, a minimum canopy requirement may be the better method of regulating.
- Stan Boelkins – 11790 Garnsey – Minimum Lot Width for RP and RR Districts
 - Desires his land to be rezoned RR at US-31 and Buchanan.
 - Believes a 330 foot minimum lot width for RP is grossly excessive. His engineering firm recommends a 250 foot minimum instead.
 - RR should only have a 150 foot minimum lot width.
 - Fedewa explained the minimum width for RR is unchanged at 150 feet.
 - Requests the Township reconsider the minimum width requirements.

There being no further public comment, Cousins closed the hearing at 7:56pm.

VIII. OLD BUSINESS

A. Special Land Use – Outdoor Pond – Cook

Reenders recuses himself because he owns property within the public notice area.

Motion by LaMourie, supported by Wilson, to **conditionally approve** the Outdoor Pond Special Land Use application for 14607 Winans Street, based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report and condition:

1. Shall provide the Township with a copy of the Soil Erosion and Sedimentation Control permit.

Which motion carried unanimously.

REPORT – COOK OUTDOOR POND – SPECIAL LAND USE

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 conform 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.

Reenders rejoined the Commission.

B. Stonewater Sub No. 2 – Tentative Preliminary Plat

The Planning Commission offered the following comments:

- Questioned how the Township was addressing the dead ends (*roads and utilities*) of the site development.
 - Fedewa explained a financial surety is posted with each phase.

Motion by Wilson, supported by Chalifoux, to recommend the Township Board **approve** the Tentative Preliminary Plat for Stonewater Subdivision No. 2 based on the application meeting the requirements of the Grand Haven Charter Township Subdivision Control Ordinance. **Which motion carried unanimously.**

C. New Zoning Ordinance, including Short Term Rentals

The Planning Commission offered the following comments:

- Clarify the “state licensed” facilities in the use table.
- Inquired about what options may be available to allow a child care center in the R-1 district.
 - Fedewa indicated that options could include key street segments, minimum acreage, availability of sidewalks and/or pathways, etc.
- Discussed minimum lot width of RP and RR.
 - Fedewa clarified that RR has a minimum width of 150 feet in both the existing ordinance and the proposed ordinance. Explained how minimum lot width is measured on a cul-de-sac.
- Some members believe more special land uses should be allowed in the AG district. Particularly commercial-type uses that do not need public utilities such as, self-storage units, outdoor storage, and warehousing.
 - Others raised concerns with the intensity of those uses and they may need paved roads or could be obtrusive to adjacent uses.
 - Requested staff review self-storage regulations in surrounding communities.
- Questioned why the Short Term Rental ordinance for the zoning ordinance does not contain actual regulations.

- Attorney Bultje explained the Short Term Rental ordinance intended for the zoning ordinance can include a reference to the regulatory ordinance. Ultimately, a comprehensive regulatory ordinance is the best method.
- The number 12 was selected for maximum occupants after Superintendent Cargo performed research on behalf of the Township Board.

Motion by Taylor, supported by Wagenmaker, to **table** consideration of the new zoning ordinance and direct staff to address the following items:

1. Performance standards for child care centers in residential zoning districts.
2. Research self-storage regulations from other communities.
3. Review and consider other comments such as the Major Home Based Businesses.

Which motion carried unanimously.

IX. NEW BUSINESS

A. 2018 Planning Commission Report

Fedewa provided an overview of the report in a memorandum dated November 4th.

The Commissioners affirmed the findings and information provided in the report.

X. REPORTS

A. Attorney's Report – None

B. Staff Report

- Will have meetings on the last two scheduled dates – Nov 18th and Dec 2nd

C. Other – None

XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:47 pm.

Respectfully submitted,



Stacey Fedewa, AICP
Acting Recording Secretary