

**MINUTES
PARK TOWNSHIP
PLANNING COMMISSION**

Park Township Hall
52 152nd Street
Holland, MI 49418

Regular Meeting
December 12, 2017
6:30 P.M.

~~DRAFT~~ APPROVED COPY

CALL TO ORDER:

Chair Pfof called to order the regular meeting of the Park Township Planning Commission at 6:30 P.M., held in the Township Hall at the Park Township Office.

Pfof welcomed the new member to the Planning Commission, Terry DeHaan.

De Vries noted Agenda Item #2 has been postponed until February 2018.

ATTENDANCE:

Present: Jeff Pfof, Terry DeHaan, Dennis Eade, Rosemary Ervine, David Kleinjans, Denise Nestel, Tom VanderKolk

Staff: Ed de Vries, Community Development Director, Gregory Ransford, Staff Planner, Dan Martin, Legal Counsel

APPROVAL OF AGENDA:

Motion by VanderKolk, supported by Ervine, to approve the agenda as presented.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

APPROVAL OF MINUTES:

Kleinjans noted one correction on page 9. He didn't recall the term "driveup window" mentioned in the first public comment. Pfof requested the Recording Secretary check the audio portion of the minutes. (Note: correction made to reflect an "order window.")

Motion by Eade, supported by Kleinjans, to approve the November 14, 2017 Regular Meeting Minutes as corrected.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

NEW BUSINESS

A. Dirkse Capital Management LLC - Final PUD for Coastal Storage Condominiums

Ransford introduced the request for approval of the final PUD plan by Dirkse Capital Management, LLC. The plan is to construct four (4) store-n-lock buildings totaling twenty-two (22) condominium units located on Ottawa Beach Road, parcel numbers 70-15-25-160-049, 70-15-25-160-029 and 70-15-25-160-051. Pursuant to the Planning Commission's direction provided at the November 14, 2017 meeting, the applicant has revised the Preliminary Planned Unit Development Plan to incorporate staff and Planning Commission comments. As a result, we have reviewed the Final Plan submission and found it generally complete. Ransford's December 6, 2017 memo to the Planning Commission outlines the findings and observations regarding the Final Plan as well as relevant provisions of the Park Township Zoning Ordinance (PTZO) for review.

Pfost noted all public comments, including all correspondence received before the meeting, will be part of the public record regarding this request.

Ransford noted that with regard to the Master Plan Map, it is important to recognize that the approximate northern half of the project is identified on the Master Plan Map as the Commercial Classification and the southern half of the project is located within the Low Density Residential Classification. The latter conflicts with the proposed commercial project. This conflict does not necessarily mean that the proposed use should be prohibited. However, we are unable to provide you with additional insight in this regard because we were not present during the development of the rationale for the boundary line locations.

Ransford pointed out that the Standards for Approval (Section 38-373(9) items *a-m*) are listed in the Memo for review by the Planning Commission. Additionally, Site Plan Standards are also subject to review per Section 38-103. These two standards are listed on the last page of the Memo.

Ransford noted that pursuant to Section 38-373(7), the Planning Commission must prepare a resolution or report that must contain its recommendation to the Township Board regarding the PUD request. The report must state the conclusions, the basis for the Planning Commission's recommendation, and any conditions recommended for approval of the PUD.

A Public Hearing will be held at this meeting.

PUBLIC HEARING

Pfost reminded attendees that each person will be granted up to three minutes for comments.

He opened the Public Hearing at 6:37 P.M.

Paul Borum stated that this project doesn't appear to be in the interest of the neighborhood and does not follow the Master Plan. It doesn't fit this area and doesn't seem to be the best zoning approach to the area. The project should be in keeping with the surrounding neighborhood.

Denny Meyer said he submitted a letter to the Township about this proposal. He emphasized that on the drawing of the plan the members of the Planning Commission will see a deck which is on his property. This development will be visible to his property so he asked for consideration of some of the comments in his letter.

Anna Lattin stated she loves her neighborhood but the proposed storage units don't make her feel safe. It is an unknown factor who will use these. She does not support this idea for her community.

Karen Daniel, a resident in Waukazoo Woods, stated she has lived in Park Township over 30 years and at her current residence for six years, which she described as a beautiful area. The residents are privileged to live there but that privilege also comes with responsibility. The residents feel responsible for preserving the trees and the natural area. The storage units will not benefit the neighborhood. The area needs something that will benefit it.

Neil Daniel, also a resident in Waukazoo Woods, stated he has grown up in Park Township. He hopes to start a family in Waukazoo Woods and hopes his children enjoy the same natural features in the future. He worries about the consequences of storage units changing the area.

John Daniel, a resident of Waukazoo Woods, stated he has an adjoining property to this proposed expansion. He thanked the Planning Commission for time spent on developing the Master Plan. He understands the zoning on two of the parcels, but the neighborhood wants the woods to remain. He stated he believes that the Master Plan goals #1, 8 and 10 are contrary to this proposed plan. He asked to whom will the 22 units would be sold? He feels the proposed PUD does not benefit the community.

Terry Smith stated she lives near this proposed plan. She said it doesn't make sense and this will be in her backyard. She is mindful of the neighbors and the appearance of the community. She grew up on the south side and Waukazoo Woods is her home. She appreciated the opportunity for public comment.

Jennifer Wentworth said this condo storage development does not align with her vision of Waukazoo Woods. She hears the owls in the woods – it's their home and she doesn't want to lose that. This development will be in her backyard. She also mentioned that feeling safe is in jeopardy with this kind of development in the community.

Chris Nunn asked if these units will be open for businesses to operate. She also has a concern about bathrooms being included within the storage units.

William Clear stated he didn't move to Marigold Woods to have storage units in the neighborhood. This will not be a benefit to the area. Property values may drop. He moved here for the ambience which is important and the community doesn't need a semi-industrial area. He recalled that a similar idea was turned down a few years ago.

Ivan Wickens stated he just moved to Park Township. He built his dream house on a lot in Waukazoo Woods, just moved in two months ago, and his house will look directly at these storage units. He would not have purchased a lot in the area if he knew this would happen. This is a residential area and the concept of the woods is why people want to live there.

Michael Wise stated he is a neighbor of the Wickens. He moved to Waukazoo Woods three years ago. The trees, the ambience and the animals are important to the neighborhood. Even a bear was in the area three years ago. The woods are part of the residents' lives. He worries about transient people who frequent storage facilities as far as safety is concerned. His property would be in back of this proposed development. He appreciated the opportunity for public comment.

Fred Wezeman stated he lives in the area and is strongly opposed to the storage units. Storage units do not add to the aesthetics of the area. She asked whether this project will add beauty? Is it worth it just to add tax revenue?

Alyson Wickens stated she lives in Waukazoo Woods. Living here has been the best thing to happen to her and her family. Coming from a duplex in downtown Grand Rapids this is the best opportunity for her children. She loves this area and the secure feeling they have. The animals and the trees are important to the aesthetic beauty of the property.

Jim McMullan stated he moved to Park Township 27 years ago. He fell in love with Waukazoo Woods. He works as a volunteer at the Arts Council and hears people talk about how beautiful this area is. There is one area of his home that is unattractive and that's the garage door. There is nothing aesthetic about garage doors. There will be 22 of these garage doors in a dense area in the project and the plan does not fit the neighborhood. He lives further away from this area but sympathizes with the people who live closer and will be impacted.

Marjo Petroelje stated she lives in Waukazoo Woods. She is concerned about the proposed storage facility like so many other boat storage facilities on Ottawa Beach Road. It is her observation that the development is trying to get 22 units built ahead of someone else. It doesn't fit the area. She looked at the Master Plan and the wording "substantial benefit for the community" - she asked how does it benefit the community? It will benefit 22 strangers, but it doesn't benefit Waukazoo Woods or Marigold Woods. It has no logical reasoning because there is so much commercial property on Ottawa Beach Road already. She is a boat owner. Those units are 50' long – you are going to have boats moving onto Ottawa Beach Road merging with tourist traffic, motor homes, campers, buses, etc. – this is a potential nightmare. Chemicals are involved for winterizing and summerizing boats along with bilge water, antifreeze, detergents, copper oxide in paint, muriatic acid to remove zebra mussels on the bottom of the boats – where does this go? Will it go into the well water? She questioned the developer's claim about preserving trees. She asked the Planning Commission to check the math about the tree removal/preservation area. She questioned how this is provided for in the Master Plan and how this is of benefit to Park Township.

Linda Milanowski stated she lives in Waukazoo Woods. She bought her home from her great aunt in the '80s. It's a great neighborhood. She supports neighbors' comments. She referenced the Master Plan and asked how this development would fit into the "gateway concept" mentioned in the Master Plan. She doesn't see the connection. Do we need more storage? Let's not take a step backward from what's in the Master Plan. She is not convinced this development is of any benefit to the community. How does this fit with a "village center" concept?

Bevan Leach stated he lives in the Waukazoo condominiums adjoining this project. Increased traffic is his concern. It's very problematic and reduces the quality of living. Issues are security lights causing light pollution. He tries to imagine a second floor bedroom coping with these lights. Are there noise buffers in the plan? What other activities will go along with these units? What about hydroponic farming? What will the hours of service be? What about water drainage problems affecting basements along the property lines. The residents' sump pumps are running all the time. He doesn't support the project.

Tom Postma said he was part of the development team for this project. He lives in Zeeland but will soon be moving to Holland. He pointed out that David Dirkse, owner of Dirkse Capital Management, has lived in Waukazoo Woods for 22 years. These are higher end storage condos that create low traffic. You could build commercial businesses on this property that would generate more traffic. Condo units generate one or two cars per day. He estimates the project will save 50% of the trees. The units will be owned not rented. They already have four local residents who have expressed interest.

Brian Dekkinga stated he lives in Park Township. He has observed there is a misconception about this development plan. These are privately owned units and he wants to buy one of these. He doesn't want to leave his boat outside his house. He feels this project would add an upscale project for the neighborhood. The Association will be sure the units are maintained.

Eric Robinson stated he lives in Park Township and has been in the community for a long time. He built the Hatch and owns a yacht business in the Township across the street from this development. He knows David Dirkse, who loves his community. He feels it's a good project for the land, low density and low traffic. They are owned and in his experience he has never seen mishandling of the properties that will be owned. In his observation this project makes the most sense.

Darryl Rieberg stated he lives in Waukazoo Woods and agrees with the storage units going into this area. He questioned the claim that it would bring property values down. Park Township attracts wealth and these people have to store their stuff. The Township needs these kinds of storage units.

Dan O'Brien stated he is a Waukazoo resident and said his fellow residents don't want to change a residential area to a commercial area.

Garrett Daniel stated he lives in Waukazoo Woods and opposes this plan. He recalls in 2014 the Holland Sentinel reported the opposition was record-setting in Park Township regarding a storage unit plan.

Mike Johnston stated he moved to Marigold Woods from the Detroit area because of its uniqueness and the wooded community. These will be storage facilities not condo units. If you want community progress, these units don't employ a lot of people. The land would be better used for a restaurant which will employ many people.

Deborah Vliet stated she feels that the old trees are so important to the Waukazoo Woods area. Old trees are uncommon anymore. We take it for granted but a lot of places don't have tree stands anymore. Storage is progress? She questions why the issue has come up again. Where is the priority – preserving nature or storing stuff? She does not support the storage unit plan.

Doug Peterson stated has lived in the area for 30 years. It is a beautiful neighborhood. These condos are still storage units no matter how nice they will be. This does not fit the area.

Barb Malis of Waukazoo Woods said she is proud to live in Park Township. She has been here 14 years. She lives in the woods and tells people who visit she loves to live in the woods. She supports what other residents who oppose the project said.

Joe Malis said he came here for work in 1984. He visited Waukazoo Woods at that time and hoped to live there some day. Now he does and he cannot support storage units in this neighborhood.

Andrew Radonski stated he is impartial. He would love to purchase a unit but it doesn't belong in this neighborhood. His biggest concern is turning residential property into commercial property. He is against it.

Pfost closed the Public Hearing at 7:42 P.M.

Board Discussion:

Pfost thanked the audience for their well-behaved, concise, and courteous public participation. He commended the residents for being so considerate on such a conflicted issue.

He reminded everyone that the Planning Commission is making a recommendation to the Township Board on this issue. A resolution will be forwarded to the Township Board who will make the final decision in accordance with the ordinances.

Martin advised reviewing the standards as the next step in the discussion.

Pfost suggested a motion to adjourn for a short break.

Kleinjans moved, supported by VanderKolk, to adjourn for a break at 7:45 P.M.

Pfost reconvened the meeting at 7:52 P.M.

Nestel said the prior PUD ordinance that was just replaced was previously poorly worded, so a moratorium was called to revamp the PUD ordinance language. After months of review and discussion the bottom line is there is no law that says the Township has to have a PUD ordinance. It is just a zoning tool which allows flexibility if the developer gives something back in the process. The intent of a PUD is that we can relax a standard if there might be a substantial benefit. She observes that in this case it appears there is no dedicated open space in the PUD plan. In the new ordinance there is the intent to ensure permanent open space for the non-residential portion of a PUD. She read from the ordinance regarding options for the open space requirement. The developer has to give back if we decide to recommend approval of the PUD. Open space has to be provided for the public and the benefit of the community.

Todd Sneller of Capital Management addressed Ransford's latest memo. They redesigned some of the plans to address the concerns. The roof has been changed from metal to shingles to better blend in with the surrounding area. They have also made other changes to cover some of the points brought up by the Planning Commission. There will be replacement of trees

along the east property line and there is space so they can grow. He feels they have addressed all of the issues in Ransford's memo.

Ransford said the Planning Commission's objective is to determine if the proposal meets the PUD standards. Either way, a resolution containing the Planning Commission's recommendation shall be drafted and forwarded to the Township Board. He noted Sneller addressed the roofing change and the dumpster enclosure. The applicant has identified a general area regarding parking spaces to avoid blocking doors. The applicant proposes deferring a pathway along the Ottawa Beach Road corridor which is called for in the Master Plan. The dedicated open space proposed is a connection to a future pathway area for public. Regarding the trees, when the applicant builds the units the damaged trees will be replaced within 25' of the property line. What is not clear is what type of trees they will be. It should also be clear what is planted in the north half and the south half of the property. We should be certain there is no trespass off the sight site into the right-of-way.

Pfost said we should look at the split of the property and the zoning, being that there are both residential and commercial zoned portions within the project.

Eade said looking at the PUD objectives there are a number of questions which Ransford raised. He identified the crux of the issue with which we are faced. He questions whether we can move forward. How are the natural features to be protected? Is this warranted for a residential district and will it enhance the quality of the surrounding neighborhood? Is the proposed development compatible with the intent and provisions of the Master Plan?

Kleinjans says the PUD is there to allow creative applications of development. He doesn't feel this provides anything special. This takes commercial property and turns it into storage units. It is no benefit to the community.

Nestel said when looking at the Master Plan we should be mindful of the quality of life. We have heard the public. It may benefit 22 owners, but it should benefit the community.

Ervine asked if it will benefit the neighborhood. The residents bought there for a reason and their love for the Waukazoo Woods environment.

Vanderkolk said we have to consider if this PUD is unique and special in this neighborhood. This is the question we have to answer.

DeHaan said he needs legal clarification regarding the current residential lot that sits behind the commercial lot. Is it isolated if the commercial lot is developed only and the lot is left by itself. When he looks at this piece of land all three parcels need to be commercial. If not, you landlock the one residential lot and the value disappears as a result of decisions by the Township. He sees the need to have a PUD on that site but whether it should be a storage area is an issue.

Kleinjans asked about the access to the landlocked residential lot.

de Vries said the residential portion was part of the lot that extends to Waukazoo Drive. When the current owner purchased it he bought only the lot behind it and split it. Because he owns the commercial lot he has access to Ottawa Beach Drive.

Martin said he isn't sure why there is a separate tax parcel ID # for the two lots other than it corresponds with the zoning. Theoretically, every lot should have access to a road. #051

becomes landlocked, but it is connected to 049. At the time these lots were being sold the portions might have been sold off. They are contiguous and in common ownership. They are treated as a single property even though they have separate tax ID numbers. The north lot is 049, the southern lot is 051 which used to be a flag lot. There is no access to Waukazoo Road but there is access to Ottawa Beach Road. He does not know why the assessor allowed two separate parcels.

Kleinjans asked if a lot can be zoned two different ways. Martin confirmed it can be zoned that way.

Nestel said this isn't the question. The question is whether this PUD complies with what our PUD ordinance says.

Pfost disagrees in part. The PUD has a requirement to meet the underlying Master Plan. Is it necessary for the owner to get rezoning for one of the parcels?

Martin said the ordinance does not require rezoning before approving the PUD to allow commercial use. It will be the Township Board's decision. If they were doing a mixed use and it required additional density that's when we have to look at rezoning property if the applicant wanted to get additional density.

Vanderkolk said if we approve a zoning change we open the property up to the rights of that commercial property. If we approve the PUD as an exception, it should be of benefit to the community.

Martin agreed with Vanderkolk regarding use and the rezoning issue.

Pfost suggested a review of the standards.

Nestel asked if we should have a motion for approval or denial.

Martin recommended a review of all standards first to see if they have been met. As the review proceeds the Planning Commission can determine consensus. Separate motions are not necessary for each item.

Pfost asked Ransford to review the standards.

Martin said a motion for approval or denial can be made before review of the standards.

Pfost noted that Chief Gamby's memo regarding his findings and fire safety rules be part of the record.

Denise Nestel moved, supported by Kleinjans, that we recommend to the Township Board that this PUD not be approved.

Ransford reviewed the standards for Approval:

- a. ***The PUD will/not result in a recognizable and substantial benefit to ultimate users of the project and to the community, and the benefit would otherwise be unfeasible or unlikely to be achieved.***

The Planning Commission was in consensus that while there may be some benefit to the users of the project, there is not a substantial benefit to the community. There are other options for storage for the users who may benefit from the proposed project.

- b. The PUD will/not result in a significant increase in the need for public services and facilities and will/not place a significant burden upon surrounding lands or the natural environment unless the resulting adverse effects are adequately provided for or mitigated by features of the PUD as approved.**

The Planning Commission was in consensus this standard has been met.

- c. The PUD will/not be generally compatible with the Master Plan and consistent with the intent and objectives of this Chapter 38, Article III, Division 8 and this Ordinance.**

The PUD will not be generally compatible with the Master Plan. The use of the southern half for commercial purposes does not match the Master Plan which calls for residential use of the southern half of the property. Further, the Planning Commission determined that the Master Plan Goal 1 is not met, Goal 5 is not met, and Goal 8 is not met. The Planning Commission was in consensus this standard was not met.

- d. The PUD will/not result in significant adverse effects upon nearby or adjacent lands, and will/not be generally compatible with the character of the surrounding area.**

The Planning Commission was in consensus this standard has not been met. The Planning Commission determined that the PUD is not compatible with the character of the surrounding area, which to the south is residential. The issue is dedicated open space and no maintenance plan has been submitted by the developer.

- e. The PUD will/not protect all floodplains and wetlands from filling except as approved for essential services or recreation amenities.**

The Planning Commission was in consensus this standard has been met. It was not required as there are no floodplains or wetlands on the property.

- f. The PUD will/not preserve and maintain mature woodlands, fields, pastures, and meadows, and create sufficient buffer areas to minimize conflicts between residential and agricultural uses.**

The Planning Commission was split 4/3 whether this standard has been met. Four supported and three did not whether the standard has been met. The details in the plan were not adequately addressed.

- g. The PUD will/not leave scenic views and vistas unblocked or uninterrupted, particularly as seen from public road rights-of-way, insofar as practicable.**

The Planning Commission was in consensus this standard has been met.

- h. ***The PUD will/not protect the rural roadside character where desirable.***

The Planning Commission was in consensus this standard has been met. This is not applicable in this case as Ottawa Beach Road is not a rural road.

- i. ***Pedestrian walkways may be provided so that pedestrians can walk safely and easily throughout the site.***

The Planning Commission was split on this standard 5/2. 5 supported, 1 abstained and 1 did not support.

- j. ***The individual lots, buildings, roadways, and open space areas are/not designed to minimize the alteration of natural and environmental site features.***

The Planning Commission was in consensus this standard has been met.

- k. ***The PUD will/not be adequately served by public utilities and services such as police and fire protection or public or on-site community water or sanitary sewer.***

The Planning Commission was in consensus this standard has been met.

- l. ***The PUD shall be in compliance with all applicable federal, state, county, and Township laws, ordinances, and regulations.***

The Planning Commission was in consensus this standard has not been met because of failing to meet the Township PUD ordinance requirement for dedicated open space conditions on the non-residential project.

- m. ***If a PUD is to be completed in phases, the PUD shall be designed so that each phase is complete in and of itself, in terms of services, facilities and open spaces, and so that each phase contains all of the features necessary to ensure the protection of natural resources and the health, safety and welfare of the users of the PUD and the occupants of the surrounding area. The Planning Commission may recommend, and the Township Board may require that neighborhood amenities such as recreational facilities, walkways, and similar facilities be completed upon occupancy of a determined number or percentage of dwelling units or non-residential uses.***

The Planning Commission was in consensus this standard has not been met.

Ransford reviewed the Site Plan Standards:

- 1) ***The adequacy of streets, alleys, parking areas, loading zones, sidewalks, drainage, water and sewer lines, and traffic control for the proposed use, building, or structure are found inadequately/adequately provided.***

The Planning Commission was in consensus that this standard has been met with the exception of the provision of sidewalks.

2) ***The adequacy of protection afforded lands and the surrounding neighborhood from adverse impact has/not been provided.***

The Planning Commission was in consensus this requirement has been met.

Ransford said the greenbelt area is significant. Kleinjans said according to the residents it doesn't protect the surrounding neighborhood. DeHaan said the buffer is 500' so there is minimal impact.

Pfost asked if this project fits the vision for the gateway concept for Park Central. Ottawa Beach Road is going to be an important corridor. Commercial development is a consideration.

Pfost said we heard from the public this project will not be compatible. This is a land use issue that comes into play.

Vanderkolk says his fear is next time we will look at a site plan that is much less compatible that will be legal.

Nestel asked if it's generally compatible. It is a PUD question.

Kleinjans said it is commercial property and they are allowed to put something there, but it doesn't fit our PUD ordinance.

Pfost said we could recommend additional features as a condition to increase compatibility.

Recommendation to the Township Board:

For clarity the Planning Commission was in consensus that the PUD request does not meet Goals 1, 3, 5 and 8 in the Master Plan goals.

Roll Call Vote:

Eade, aye; Kleinjans, aye; Nestel, aye; Pfost, aye; Ervine, aye; Vanderkolk, aye; DeHaan, aye.

Ayes 7, Nays 0. Motion to deny carried.

Pfost suggested Agenda Item 4c be postponed until January 2018.

PUBLIC COMMENT

Pfost opened Public Comment at 9:15 P.M.

There was no comment.

Pfost closed Public Comment at 9:15 P.M.

ANNOUNCEMENTS

Nestel said she attended a Township Board workshop where the question was asked what other ordinances the Planning Commission is looking at for the near future. She asked if it is correct that special use and upcoming ordinance amendments are on the list. This was confirmed.

de Vries noted the list of 2018 meeting dates that was sent to the Planning Commission.

The Planning Commission discussed the pros and cons of the PUD concept and conditional zoning.

The next meeting is January 9, 2018.

ADJOURNMENT

Ervin moved, supported by VanderKolk, to adjourn the meeting at 9:23 P.M.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

Respectfully submitted,

Judith Hemwall
Recording Secretary
December 14, 2017

APPROVED: January 9, 2018