

**MINUTES  
PARK TOWNSHIP  
PLANNING COMMISSION**

Park Township Hall  
52 152<sup>nd</sup> Street  
Holland, MI 49418

Regular Meeting  
November 14, 2017  
6:30 P.M.

**DRAFT-APPROVED COPY**

**CALL TO ORDER:**

Chair Pfost 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.

**ATTENDANCE:**

Present: Jeff Pfost, Dennis Eade, Rosemary Ervine, David Kleinjans, Denise Nestel

Absent: Tom VanderKolk, Terry DeHaan (excused)

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

**APPROVAL OF AGENDA:**

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

Voice Vote:

Ayes 5, Nays 0. Motion carried.

**APPROVAL OF MINUTES:**

Motion by Ervine, supported by Nestel, to approve the October 10, 2017 Regular Meeting Minutes as presented.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

de Vries said plans are to post the meeting packet on the website in the future.

## **NEW BUSINESS**

### **A. Dirkse Capital Management LLC - Preliminary PUD for Coastal Storage Condominiums**

Ransford introduced the application request. He stated his memo points to several minor items that can be taken care of before the final PUD application, so he will focus on the more important details. The applicant's plan is to construct twenty-two (22) condominium units for storage to be located on Ottawa Beach Road. Ransford, de Vries and Chair Pfof met with the applicant for a pre-application conference. Noteworthy discussion points from this meeting included:

1. No outdoor activity
2. No outdoor storage
3. Optional renderings of the building elevations to be provided to the Planning Commission

The application does not include optional renderings.

The application narrative states there will be an area of 84,628 square feet of trees that will be preserved. That should be listed on the plan. The landscaping buffer that the applicant proposes to plant trees every 15' but the Planning Commission should consider if this is sufficient. Each unit is proposed to contain a bathroom. While he agrees in the convenience of this, in his experience if they are proposing to sell these as contractor units there have been issues. He cautions the Planning Commission to be clear as to what the use will be as they move forward. Some possible examples are that it becomes the contractor's office and workplace where even though the documents prohibit outdoor work, they may do that on occasion. No pathway was proposed along Ottawa Beach Road which per the Master Plan is something to consider. The PUD ordinance does require some open space open to the public, nothing was shown on the plan. There are additional requirements that should be shown on the preliminary plan, but could be addressed by the final PUD application if the Planning Commission agrees. The plan has been designed according to the provisions in the C-1 zone in which other storage units have been approved previously. The ordinance does require a 50 foot buffer in the front, which is provided but the Planning Commission may wish to address the extent of landscaping for that area. Pfof noted that although this is a preliminary plan he was concerned that there are 18 items of deficiency in this plan.

Nestel asked where the dividing line is between R-3 and C-1 on the plan, it does not show up on the plan. Do we have to rezone R-3? And are storage units acceptable in R-3?

Martin said rezoning is not typical – differing uses are allowed in the PUD. Storage units are not acceptable in R-3, but in a PUD uses can be permissible.

de Vries said in a PUD any use allowed in the zoning ordinance is permissible . If this were a residential PUD the density would have to match the underlying zoning district, otherwise there would have to be rezoning.

Martin explained that the PUD allows modifications beyond what the zoning requires. With regard to density, if the applicant wanted to have the property residential there would have to be rezoning of the commercial property to residential to get the benefit of acreage for the purpose of density calculation. If it were mixed use, for both residential and commercial, the applicant would only get the residential density. To use the property for commercial use it does not have to be rezoned to allow that. The PUD will allow any use within the zoning ordinance.

Nestel asked if residential density is the issue. Martin said it is not.

Kleinjans referred to the covenants of the PUD that state the storage is for personal property only.

Todd Sneller spoke to the application as representative for Dirkse Capital Management. He is also one of the partners. The idea in the PUD plan is there is a demand for upscale private self-storage. There will be a condo association with bylaws. They are sensitive to making the property compatible with the neighborhood with a buffer along the southern part of the property with 54% trees. The architecture of the units will give a natural woods environment to blend in with the surrounding residential area. The bylaws will state there is to be no outdoor storage. Screening will include 6' - 8' trees on the property. The trees grow about a foot per year, so in three years the screen will be in place. He explained that is why the spacing dimension states 15' will be allowed for the growth of the trees.

Pfost asked if the Planning Commission wanted to review the 18 points or postpone discussion of the PUD. He asked Sneller for the timing of the project construction. Could he bring it back to the Planning Commission and address the 18 points of concern.

Sneller said they want to begin construction in the spring of 2018.

Pfost asked for the details at the December meeting as the final recommendation. The applicant should work with Township staff so the Planning Commission can focus on the PUD plan.

Nestel asked Martin about the dedicated open space for non-residential uses. Does it apply here? Martin said it does.

Nestel asked Sneller if he will cut down trees. Will there be a bench or area for the public.

Sneller said there will be landscaping near the retention pond. The developer can accommodate that if it means placing a bench along the road.

Pfost advised this is a detail that staff can work out with the applicant.

Pfost asked if they should postpone action on the preliminary. The Planning Commission concurred that more input is necessary.

Martin said the bylaws can be changed to accommodate restrictions. It could be a condition upon approval.

Nestel asked Ransford about the notation on bathrooms in the units. What else would go on with these units? She said the Planning Commission should see something specific in the approval about what is allowed and what is not allowed.

Ransford said bathrooms are not illegal but can be problematic.

Kleinjans suggested there could be one bathroom and not individual bathrooms.

Ervine observed that individual bathrooms would make it more marketable. She didn't see a problem.

Nestel asked about allowing repairs on the property.

Sneller said the units are just for storage. Minor repairs can be done by individuals but it won't be a repair shop or any offer of service.

de Vries asked if the units will be for storage and no commercial business will be allowed, would the bathroom issue then be a concern.

Ransford asked about contractor use of the property. This could be a condition of the PUD.

Kleinjans asked about screening along the west side.

Sneller said it is not required. It has a zero setback.

Kleinjans asked about the swale on front – is there a water retention concern.

Sneller said he doesn't have a detailed landscape plan yet but it will be irrigated and will look appealing with appropriate landscaping. He will provide a landscape plan.

Ervine asked for the size of the units.

Sneller said each unit will be 1500 square feet, they are 25 X 60 with one floor. The bathroom is at the rear.

Nestel asked about the wording, "as market conditions allow" and "30 months completion." There is a time limitation in the PUD ordinance. This should be defined.

Kleinjans suggested looking at utilities, landscaping, and public areas so this is defined.

Pfost said since we aren't taking final action, we could approve the preliminary plan then the staff will do the detailed work and submit a complete plan for consideration at the next meeting.

Ervine asked Sneller how much time is required to complete the list of concerns.

Sneller said it could be done at a meeting. The engineer and architect could attend and complete the finalization of the 18 points of concern.

Pfost said if progress for completion of these concerns is acceptable to staff, it will be on the next agenda.

de Vries said we have three weeks to prepare this.

The Planning Commission recommended that the staff meet with the applicant to resolve concerns for next meeting.

Kleinjans moved, supported by Ervine, to approve the preliminary plan for the PUD with follow-up review by staff and the applicant at the next meeting.

**Voice Vote:**

Ayes 5, Nays 0. Motion carried.

Ransford asked if the list of concerns included more detail about landscaping. Pfost confirmed.

**B. Lolo's Restaurant – Site plan and parking variance for indoor seating**

Kleinjans said he is uncomfortable with applicants who do not adequately prepare ahead of time and have to return to the Planning Commission with additional requests for modifications.

Ransford presented the details about the site plan for this applicant. The request is for an indoor restaurant at 1862 Ottawa Beach Road. The time period will be from Labor Day to Memorial Day. The special use request is for less parking than what is required. In the spring 610 parking spaces were approved where 750 were required. After construction of the new storage building, 614 spaces were provided. The applicant needs approval to reduce the number of parking spaces by eleven for use by the restaurant.

Ransford reviewed the site plan with the Planning Commission. Most of the elements were handled in the spring when the request was first submitted. Approval is for the floor layout for this request.

Nestel asked de Vries if this request meets the site plan requirement.

de Vries said most of the site plan requirements were met last spring. This request is for interior layout and special approval for fewer parking spaces.

Nestel asked if the kitchen plan is acceptable. She noted several areas on the site plan that have been crossed out.

de Vries said no walls will be moved. He recalled that the kitchen area was reviewed previously.

Ransford said the applicant is ~~just~~ requesting special use approval as the majority of the request is for the change in required parking. We don't deal with design because of the recent approval that addressed those details.

Nestel asked if the business needs a permit. de Vries said permitting depends on the extent of the interior renovation.

Pfost said the question is the parking issue – this is what the Public Hearing is for.

Tina LaFave, applicant, explained that the request is to use the kitchen for the restaurant and catering and to allow retention of employees during the winter season. The request is not for an extension of the parking lot.

Ervine asked about the issues regarding parking.

LaFave said the time period is the issue. They won't need as many spaces in winter once boating season is over. There will be about 25-30 people that will require parking spaces.

Eade asked if she had dedicated parking for people who enter the restaurant.

Den Herder, owner of the property, noted that no boats are stored in the winter in the parking area next to this building. There is an area on the opposite end of the property where sailboats are parked.

## **PUBLIC HEARING**

Chair Pfost opened the Public Hearing at 7:35 P.M.

He noted comments should be focused on the special use for parking.

Bryan Kaps asked if the restaurant will be open during the summer. He lives 300' from the marina and said parking has been an issue – the slip holders have had a problem.

Katherine Janis lives in the area. She asked if there will be security in the area. The Marina won't have security in the off-season.

Tom Den Herder, owner of the Marina, addressed the parking issue. Security is usually for events at the conference center and at the Marina.

Chair Pfof closed the Public Hearing at 7:40 P.M.

Board Discussion:

Nestel asked if there was currently an order for structural repairs and if a building permit is required.

de Vries said the applicant has to repair or replace the deck area before the restaurant is opened next spring. A building permit is required when there are structural changes.

Nestel asked Ransford if he is comfortable with the request for the site plan.

Ransford said he would prefer a more detailed site plan. If the indoor restaurant is permitted they need to have one space for every two seats. He would like the site plan re-submitted to be consistent with the previous approval and if the applicant can satisfy the need for dedicated space free of obstruction for parking.

Nestel asked if a restaurant is permitted in C-2 space. De Vries confirmed it is.

Eade asked if restrooms are required.

de Vries said they are required. They are constructing restrooms for the restaurant.

Pfof suggested this is a joint use facility and the Township has worked hard to make this Marina property happen. This is an opportunity to provide restaurant space but it's not without problems. He recommended postponing this request. The applicant should return with a more detailed site plan that addresses the concerns of the Planning Commission.

Ervine asked Martin about a review of the three standards.

Martin said the Planning Commission should review them before making a decision.

**C. Scott Geerlings for Dune Dogz – Amendment to conditional rezoning and site plan approval (postponed from June)**

### Conditional Rezoning

de Vries presented the background for this application, updated since June 2017.

Scott Geerlings, on behalf of Dune Dogz, is requesting an amendment to the Conditional Zoning for the business pertaining to hours of operation. Dune Dogz wishes to open earlier in the morning to serve breakfast items, stating they have had a number of requests for this service. An amendment to the Conditional Zoning is treated as a rezoning of the property. The Planning Commission will make a recommendation to the Township Board. There will be a public hearing for this request.

There is also a request for a site plan review for an 8'8" x 18' addition to the existing building which is unrelated to the rezoning request. As the building size was not one of the conditions for the Conditional Zoning, this can be processed as a site plan review with the Planning Commission making the final determination.

In his Staff Memo of November 6, 2017, de Vries provided a review of the conditional rezoning for this property and subsequent requests for amendments. He noted that a conditional zoning is already in effect. The request is to amend the conditions of the hours of operation. The conditions must be offered in writing by the applicant and agreed to by the Township Board *after* recommendation from the Planning Commission.

Section 38-129(4)a lists the four conditions related to Conditional rezoning (listed on pages 5 and 6 of the Staff Memo of November 6).

### Site Plan Approval for Addition to Restaurant

The applicant proposes to build an 8'8" x 18' addition to the south side of the building.

With a few minor exceptions the required conditions for Section 38-453 are met. However, there are some missing items that require additional information per Section 38-102, such as location of utilities. The Planning Commission may waive those requirements, or request an amended site plan be provided.

De Vries shared copies of a memo from Kim Wojahn offering revised conditions. Kim is the co-manager of the Dune Dogz restaurant. The Township received this on the day of the meeting.

Martin said conditional rezoning requires the owner voluntarily offer in writing the conditions which can be accepted or rejected by the Township. In terms of the notice, we should determine whether the notice indicates the nature of what the conditional amendment was. The memo just gives more information regarding hours of operation stating. Martin clarified the new memo is the new condition.

De Vries read the memo from Wojahn for the record.

Martin reviewed the list of items in the Wojahn memo:

- 1 – reference to change requests is not a condition
- 2 – requests from resident for breakfast is not a condition
- 3 – statement regarding deliveries is arguably a condition
- 4 – statement regarding hours is arguably a condition
- 5 – statement regarding neighbor concerns is not a condition

It was his analysis that out of these 5 points only two are potential conditions. Opening at 7 or 7:30 or 8 is not specific. They are offering that music will not start until 11:00. A statement that deliveries will not increase has no baseline and is not very clear.

## **PUBLIC HEARING**

Chair Pfof opened the Public Hearing at 8:00 P.M.

Jan Walters expressed concern about the recent Dune Dogz request for a new building for storage but she understands from the drawing it will include a prep area an an order drive-up window. Any changes should be submitted in detail to the Planning Commission. She is concerned about hours, loud music and the recent requests for changes with regard to this business.

Joel Welch said conditional rezoning is a poorly written law, prostituted by developers in his opinion. The developers consider the area as a commercial haven. From this hot dog stand there have been requests for several changes. “Before 10:30” is an open-ended statement. He called for more specificity for what the owner plans. We don’t know what is going to happen on this property. Opening doors to early operation preparation time is usually earlier than that. Delivery trucks show up early according to his observation. He is concerned that the Planning Commission is setting a precedent. He asked for specificity about this site plan.

Dave Lind has no problem with the operator and applicant. He wonders how the Planning Commission does its job regarding conditional rezoning. The owner has requested a lot of changes over the years. He noted the Master Plan does not allow changes to the historical district and no commercial development south of 168<sup>th</sup>. The Dune Dogz operation is south of 168<sup>th</sup>. Why is the Planning Commission allowing changes in this residential district. The real issue is the zoning. The more you go down this path the more damage you do. Put a halt to this on behalf of the future generations. He asked for this request to be denied. He asked for consideration of the residents in this community - it is a special place.

Bill Grimes owns a condo at Lake Ranch Resort. He has managed it for 9 years, and has lived there for 28 years. He understands the concerns. He considers the business as a “gem” in the community. Personally, he is not aware of any complaints from any of the Lake Ranch owners.

He has never heard loud music or is aware of rowdiness. The operators want what's right for the community.

Mike DeVrenth lives in Grand Rapids but rents a cottage on 2<sup>nd</sup> Ave. known as the "pink cottage." He gets up early and would enjoy breakfast at Dune Dogz in the morning. Improvements on Ottawa Beach Road have been welcome. An early opening would be a positive addition. It's clean and the food is fantastic. Most people out earlier are walkers and joggers and there is not much traffic in the morning.

Tyler Schmidt is from Grand Rapids and has been coming to the area since he was a child. He fishes and would appreciate something good to eat early at Dune Dogz.

Tom Cunningham moved to the community five years ago. He is a regular customer of Dune Dogz. He has appreciated the improvements on this property and said it is an asset to the community. He supports opening earlier.

Dan Ross said he is one of the managers of Dune Dogz. This is their seventh year of operating the business. He questioned the number of requests that were claimed by neighbors. Customers in the area want breakfast. They have taken care of the noise problem. Deliveries are once a week on Wednesday, which include the general store, the Ottawa Beach Inn and the State Park. They are usually in the afternoon, never early in the morning. The trash man doesn't come until 11:00 A.M. to avoid noise. He won't be open in the winter. Breakfast preparation won't involve turning on fans. He wants to try the idea and would like the opportunity. Conditional zoning has been a hardship. The new addition will house the cooler so staff won't have to go up and down stairs. He said there will be no service from the addition.

Joel Welch asked if there has been documentation regarding residents who want breakfast.

de Vries said there was a phone call today of support from a resident of Holiday Haven. de Vries said the letters are in the record.

Chair Pfof closed the Public Hearing at 8:34 P.M.

Applicant, Scott Geerlings, owner of Dune Dogz building, said the conditional zoning has been a frustration. He wants his renters to be able increase the profit and productivity of the business. He wants to do the right thing for neighbors. Whatever works for the Planning Commission regarding the request for morning hours is acceptable to him.

Regarding the expansion he explained that the new building addition will look like the rest of the building. This is a walkup restaurant with no intention to have a dining establishment. The intent is to store food and items in one space and move it from upstairs which is problematic for the employees.

Pfost suggested looking at the expansion. The applicant received approval from the Zoning Board of Appeals for the expansion as outlined in the Staff Memo. The primary setback was approved.

De Vries reviewed Section 38-102. The site plan included everything that was required including exterior lighting and signage. The lights for the parking lot are shown on the site plan. Shielded lighting will be included. There will be no outside seating so additional parking is not required.

He advised a condition should include shielded lighting.

Geerlings said the new addition is very simple – it will be completed in 30-40 days. Shielded lighting is there with an overhang for the 8' addition.

Kleinjans moved, supported by Eade, to approve the site plan with the condition for shielded lighting.

**Voice Vote:**

Ayes 5, Nays 0. Motion carried.

Nestel said regarding conditional rezoning she observes there is no menu. It is a potential menu subject to change.

Martin said the original condition stated that the prior operators had a limited menu. It was amended to sell only food and drink items. If it goes beyond this with sale of other items the owner would have to come back for a condition.

Pfost asked if we can undo conditional zoning. Is there a process involved?

Martin said that is why we have removed menu restrictions. Under the law it's not clear although the Township Board could change it to C-2, eliminate the conditional rezoning, and have a spot zone of C-2 property with conditions. What is not clear, if they violate conditions, the statute says you have to return to prior zoning. Turning it back to R-4 would be subject to referendum. Now the applicant is asking for a change in the open hours of operation. Do we need a condition in this case because the Township has a noise ordinance. If you want to eliminate conditional rezoning you can rezone the property to commercial or to R-3 or R-4.

Nestel asked if the noise ordinance takes care of the problems as expressed by some residents.

Martin said we are looking at the fact you now have incompatible uses which might make this different. With a condition it could be enforceable. The noise ordinance can be enforced. If the owner violates the condition the property will revert back to its prior zoning classification.

With a voluntary offer you can accept it and can enforce it. He noted the Township noise ordinance is between 11 PM and 7 AM which is enforceable.

Martin said the managers say they won't play music until 11:00 A.M. Ross indicated deliveries are early afternoon once a week from one vendor.

Nestel asked if that is a voluntary condition. Martin said the offer is voluntary and it can be enforced by the Township.

Martin said with a new owner and any changes the owner would have to come back with an amendment request.

Kleinjans said he stood across the street from Dune Dogz and he could hear the music. This was a problem for him in light of some of the noise complaints from residents.

Pfost asked Dan Ross if he wants to make any changes to the Wojahn memo of November 14. If so, it must be done in writing.

Ross requested to make a change. Pfost requested he bring it back to the Planning Commission so residents can be notified as to what they are. He reminded Ross the conditions must be clear.

Martin advised the change should be as *clear and concise as possible* so they are conditions not statements. Staff can provide clarity but not alter the conditions or change the language.

Ross said he would prefer to make the change immediately.

Pfost tabled the item for the end of the meeting to allow the applicant to return with the change. This will include specific language about opening hours and the beginning hour for the music.

**D. Tim Allspach for Ron Meyering – Site plan review for fence at 621 S. 160<sup>th</sup> Avenue**

Ransford introduced the item. The fence has not yet been constructed. The applicant was approved for a storage building in the C-1 district and wants to construct two different types of fence - aluminum and a black chain link fence. It is an alteration to the approved site plan.

A black vinyl coating for the chain link fence is usual but it wasn't clearly stated. There is a mention of fabric but he questions what the quality of the fabric is and the purpose for the fence. The question is the intent and explanation of the finish of the proposed fence.

Steve Barber, works for Ron Meyering, addressed the question about the term fabric. The nomenclature for chain link is “fabric” although it is not literally fabric material. The vinyl- coated product is the spray paint or vinyl which is sprayed on. It lasts longer.

Barber explained that the site plan change is just the fence. It provides some security for the storage building and protection from theft.

Kleinjans asked if there has been trouble with security. Barber said there has not been but it prevents trespassing.

Kleinjans asked for the procedure to open the gate.

Barber said it will be a code.

Kleinjans asked if there would be a traffic problem for someone opening gate. Barber said there is a drive-in space off the road.

Ransford said the explanation is satisfactory.

Pfost reviewed the standards for Section 38-103:

***(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; and***

***(2) The adequacy of protection afforded lands and the surrounding neighborhood from adverse impact.***

Nestel moved, supported by Ervine, to approve the black vinyl coated chain link fence and aluminum fence as presented on the site plan.

Kleinjans asked about the wording stating the fence would “enhance traffic control.” Ransford stated that the language refers to control of access to the property to answer the requirement of the standard.

**Voice Vote:**

Ayes 5, Nays 0. Motion carried.

Return to Agenda Item #4. The manager of Dune Dogz presented his written and signed copy of condition changes for opening hours and beginning hour of music.

Pfost read the written offer. Opening will be at 8:00 A.M. and there will be no music until 11:00 A.M.

Martin asked if Dan Ross signed it. Pfost confirmed he did.

Martin noted the Planning Commission must consider the impact of those changes before the Planning Commission submits a recommendation to Township Board. The standards in Section 38-129, Subsection 4 should be addressed for this recommendation.

Martin reviewed the standards for consideration:

**1. Bear a reasonable and rational connection and/or benefit to the property being proposed for rezoning;**

**2. Are necessary to ensure that the property develops in such a way that protects the surrounding neighborhood and minimizes any potential impacts to adjacent properties;**

**3. Will lead to a development that is more compatible with abutting or surrounding uses than would have been likely if the property had been rezoned without the proposed voluntarily offered conditional zoning agreement, or if the property were left to develop under the existing zoning classification; and**

**4. Meet the basic requirements of the requested zoning district.**

In consideration of these standards:

Pfost asked staff if the hours are reasonable. And he also expressed concern about the impact to the neighborhood since the major complaints are noise and music. To not allow music played until 11:00 will minimize the impact.

Nestel's concern is allowing spot zoning. She is concerned about neighbors' complaints.

Eade doesn't see any serious impact with an 8:00 A.M. opening.

Ervine noted there is a balance between who supports the conditions and who does not in the community.

Martin said a finding by the Planning Commission that the standards have been met should be followed by a recommendation to the Township Board, either for approval of the amendment and accept the conditions, or non-approval with reasons why the conditions have not been met.

Kleinjans moved, supported by Eade, that the applicant satisfies the first standard as a benefit to the property.

Kleinjans reviewed the standards for 38-129 Subsection 4:

**#1 Standard** – It benefits the property and is acceptable based on its meeting the standard.

Nestel questioned the applicant's statement for meeting profitability. Pfof said this is a measure of success.

**Roll Call Vote:**

Kleinjans, aye; Ervine, aye; Pfof, aye; Nestel nay, Eade, aye.

Ayes 4, Nays 1. Motion carried.

Kleinjans moved, supported by Eade, that the applicant satisfies the requirement for conditions are necessary to protect the neighborhood.

**#2 Standard** – The noise issue is a problem for some of the residents. Pfof pointed out the applicant can play music after a given time. Ervine said the delivery time is not a problem. de Vries noted that some of the letters state the noise "could be" a problem if the business opens earlier. A number of letters address the conditional rezoning. Kleinjans questioned whether the music minimizes impact on the neighborhood. Nestel cannot ignore these concerns.

**Roll Call Vote:**

Kleinjans, nay; Ervine, aye; Pfof, aye; Nestel nay; Eade, aye.

Ayes 3; Nays 2. Motion carried.

Kleinjans moved, supported by Nestel, that the suggested conditions meet the third standard in that the business property is more compatible with surrounding uses than if it had been rezoned.

**#3 Standard** – the property has already been rezoned as conditional zoning so this point is moot.

**Roll Call Vote:**

Kleinjans, aye; Ervine, aye; Pfof, aye; Nestel, aye; Eade, aye.

Ayes 5, Nays 0. Motion carried.

Kleinjans moved, supported by Eade, that the proposed conditions meet the basic requirements of the zoning district.

**#4 Standard** – the property meets the requirements of the zoning district because it is a restaurant which is an allowed use.

**Roll Call Vote:**

Kleinjans, aye; Ervine, aye; Pfof, aye; Nestel, aye; Eade, aye.

Ayes 5, Nays 0. Motion carried.

Martin advised a separate motion to transmit the Planning Commission's approval to the Township Board.

Eade moved, supported by Ervine, to recommend to the Township Board to amend the conditions to open at 8:00 a.m., and no music would be played until 11:00 a.m.

Kleinjans, nay; Ervine, aye; Pfof, aye; Nestel, nay; Eade, aye.

Ayes 3, Nays 2. Motion carried.

Pfof suggested the discussion of Special Use amendments and Site Plan requirements be postponed until the next meeting.

**PUBLIC COMMENT**

Chair Pfof opened Public Comment at 9:46 P.M.

Shawn Jacob bought property in Park Township on Lakewood and Lakeshore, a six lot development. Randy Bouwkamp is the builder. The association has given approval for a flat roof. He looks forward to living in the area and hopes the current ordinance will be amended to allow his plan for a flat roof. He would appreciate the Planning Commission's consideration.

Joel Welch said he was disappointed with the outcome regarding the Dune Dogz business. He challenges Township government helping a business. It is his observation the requests will continue from this property.

Chair Pfof closed Public Comment at 9:50 P.M.

**ANNOUNCEMENTS**

Status of NHP Overlay for Macatawa area: Pfof said last night's presentation at the Township of the action committee for this project represents one of the best planning efforts, however, it was not well received. Staff presented a thoughtful approach. The next progress point is the remainder of the NHP area. The Planning Commission must look at these areas in detail. Howard Fink has done an excellent job in leadership on this project. Pfof thanked de Vries, Martin, and Ransford for their individual contributions.

Martin observed that many residents think that everything is fine the way it is based on their comments. Maintaining the status quo would not upset them.

The next meeting is December 12, 2017.

**ADJOURNMENT**

Nestel moved, supported by Eade, to adjourn the meeting at 10:00 P.M.

**Voice Vote:**

Ayes 5, Nays 0. Motion carried.

Respectfully submitted,

Judith Hemwall  
Recording Secretary  
November 15, 2017

APPROVED: December 12, 2017