

DRAFT

**SPRING LAKE TOWNSHIP
PLANNING COMMISSION MINUTES
NOVEMBER 18, 2015 – REGULAR MEETING**

PRESENT: Jack Ketchum, Greg Latsch, Ron Lindquist, Dennis Masson, Russ Tiles.

ABSENT: Crystal Morgan, David Rumpel.

PARTICIPANTS: Lukas Hill, Township Community Development Director
Ron Bultje, Township Attorney

A. Call to Order

Masson called the meeting to order at 7:00 p.m.

B. Approval of Agenda

Lindquist made a motion, support by Ketchum, to approve the agenda as written. The motion passed unanimously.

C. Approval of Minutes

Ketchum made a motion, support by Lindquist, to adopt the October 21, 2015 Planning Commission meeting minutes as presented. The motion passed unanimously.

D. Public Comments

A time for public comment was provided. No comments were offered.

E. Straight Line Design, LLC – Public Hearing

Randy Ruter of Straight Line Design, LLC, presented his request for the expansion of a non-conforming use at 18055 174th Ave. He stated that he currently has his business in the VanWagoner Center office park but has outgrown the space. He has a contract on the Bomer's Cleaners building and wants to make some modifications to the site. He would like to modify the location of customer parking spaces, change the front façade, move the sign and add a truck dock.

Masson asked about the size of delivery trucks. Ruter stated they were mostly box trucks, but there would be some larger trucks. Ketchum stated a concern with semi trucks with trailers backing into the lot, as the VanWagoner intersection is very busy and the trucks would block the roadway.

DRAFT

Lindquist asked what was planned for the south edge of the property. Ruter stated it is currently asphalt and he will have employee parking there.

Lindquist asked if the Road Commission had been contacted. Ruter stated that he had not talked to them.

The public hearing was opened at 7:08pm. There were no comments. Motion by Ketchum, support by Lindquist, to close the public hearing at 7:09pm. The motion was approved.

The Commissioners reviewed the staff memorandum. Ketchum asked for an explanation of item 1, which states “will substantially extend the probable duration of the nonconforming use.” Hill stated that he would interpret that to mean that a new building would extend the use, but that a new façade and renovations probably don’t extend the life.

Bultje clarified that what was grandfathered is the commercial use of the property, not the specific use.

Ketchum asked if it would be a raised dock or a sunken dock. Ruter stated it would be raised, as the area is wet and a sunken dock would be a higher risk.

Ketchum asked about building a road around the building to get trucks to the loading dock. Masson stated he could not support the approval with the loading dock because the intersection is too busy.

Motion by Lindquist, support by Ketchum, to table the request so the applicant has the opportunity to investigate other options for receiving truck deliveries without tying up the intersection of 174th Ave. and Van Wagoner. The motion passed unanimously.

F. Shindy’s Place – Public Hearing

Diane Schindlbeck presented the request for a conditional rezoning to allow a dog kennel at 19130 N. Fruitport Rd. Masson asked if this hearing was just to consider the conditional rezoning. Bultje stated that was correct, and that the kennel would still require a Special Land Use, where additional items may be addressed.

Hill reviewed the conditions offered in the contract for conditional rezoning. The conditions offered by the applicant include:

- A. The Owner shall within two months apply for a special use permit to use a portion of the Property for a kennel.
- B. The application for a special use permit for a kennel on a portion of the Property shall include the material submitted by the Owner, or its authorized representative, consisting of an orange loose leaf notebook with 20 pages, currently in the possession of the Township.
- C. The Township, in considering the special use application, shall apply the special use

factors from its Zoning Ordinance, and may establish conditions on the special use permit for the kennel.

- D. No portion of the Property may be used for any other use in the AG Agricultural Zoning District except a kennel with a special use permit.
- E. The existing commercial use on the Property shall be allowed to continue as a prior nonconforming use, after the Property is rezoned to the AG Agricultural Zoning District.

Masson asked if any commercial use now allowed would still be allowed. Bultje stated that if it is currently allowed it would still be allowed because the commercial aspect of the parcel would be grandfathered in. A commercial use that does not require additional parking or other site plan changes would not require additional permission.

Lindquist asked how much of the property would be rezoned. Bultje stated the entire parcel would be rezoned to AG. However, the Neighborhood Commercial zoning would be grandfathered in.

Masson asked if the request for conditional rezoning was from the owner of the parcel. Hill stated that the owner signed the application, and appointed Schindlbeck to speak.

Latsch asked about condition D in the contract, and whether the Planning Commission was saying that it could be an AG parcel but they were precluding AG uses. Bultje stated that the Commissioners had stated that it was an acceptable site for a kennel, but not for AG uses. The rezoning is for only one particular use, not all AG uses.

Schindlbeck handed out additional material about noise control, and shared a rendering of the updated façade. She then reviewed the packet presented to the Commissioners. Part 1 of the packet included updates to the materials to be used. Part 2 of the packet discussed how she would meet the Kennel requirements of the Zoning Ordinance.

The public hearing was opened at 7:46pm.

Jim and Barb Morrison, 19086 Gildner Creek, stated that they have concerns about odor and sound. They are concerned about noise, especially at night. They stated it is a busy corner and not a proper place for a kennel.

Barb Ruddick, 19097 Gildner Creek, stated that she would like the difference between a kennel and a rescue shelter addressed. She is concerned about breeding and care of the animals. Masson stated that it will be a hotel for dogs, and used for boarding.

Motion by Lindquist, support by Ketchum, to close the public hearing at 7:50pm. The motion was approved.

Masson stated that if there are noise problems, Hill can begin an enforcement action.

DRAFT

Bultje stated that the orange booklet presented by Schindlbeck is the basis for a Special Land Use application, and that the Planning Commission can add additional conditions during that review.

Motion by Masson, support by Lindquist, to recommend that the Township Board approve the conditional rezoning request from Neighborhood Commercial to Agricultural per the conditions voluntarily offered by the applicant and as outlined in the draft contract dated 11/16/2015 provided by the Township Attorney. A roll call vote was taken. With Latsch dissenting, and the other Commissioners voting affirmative, the motion was approved.

G. Master Plan Update - Discussion

Hill reviewed where the Master Plan update process stands. The Commissioners previously approved sending out requests for proposals for a sub-area plan for M104 and 148th Ave. This will be sent soon. The RFP will also investigate the use of a Corridor Improvement Authority in the Township. The goal is to complete the Master Plan Update by spring.

Latsch asked if Hill was still pursuing more public engagement. Hill stated that the RFP was modified to include a very clear public engagement process.

H. Commissioner Comments

1. Township Board: A special meeting of the Board was held at 5pm on November 18. The low bid for the fire station was accepted with a not-to-exceed cost of \$4,000,000. A new fire truck was also approved. The Township has reached an agreement to sell the fire station on 148th Ave.
2. Zoning Board of Appeals: The Reinhart accessory building request has been withdrawn. The Curran variance request for a front yard setback was approved.
3. Community Development Director: No report.

H. Adjournment

Latsch moved to adjourn the meeting at 8:08pm. Tiles seconded the motion, which passed unanimously.

Respectfully submitted,

Jack Ketchum, Secretary
Planning Commission