



CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES



December 13, 2011

A regular meeting of the Grand Haven Planning Commission was called to order by Chair Cecil Bradshaw on Tuesday, December 13, 2011 at 7:30 p.m. in the Grand Haven City Hall Council Chambers. On roll call, the following members were:

Present: Justin Arnold, Scott Blakeney, Mark Hills, Bob Huff, Jim Kalsbeek, Tamera Owens, Chair Cecil Bradshaw.

Absent: Eric Brenberger.

Also present were and Kristin Keery-Turkelson, City Planner, MaryAnn Zaverl, Administrative Assistant, and Bruce Dodge, Building Inspector.

Motion by Arnold, seconded by Hills, to approve the November 8, 2011 regular meeting minutes was unanimously approved.

Call to Audience

Case 11-40A: A Public Hearing for the request from Ms. Kristin Johnston of Grand Haven Ear & Hearing for a Special Land Use permit for a Mixed-Use Development at 1101 Columbus Street (parcel #70-03-21-451-012).

Keery-Turkelson stated the applicant wished to construct a residential unit in the rear portion of the existing office building. She explained this was considered a mixed use development because there would be office use and residential use on the same level. She stated there was an existing shared parking agreement with the owner of 1045 Columbus and there was also on-street parking. This part of the request was only to determine if the requested use was appropriate for the building.

Chair Bradshaw opened the public hearing.

Public Comment:

1. Remster Bingham, owner of 1128 Columbus, asked if the unit would be a rental.

Keery-Turkelson stated it was not the intention at this time, but noted that although a short term rental was not allowed in this district, a long term rental was a permitted use.

Correspondence:

None

Motion by Hills, seconded by Huff, to close the public portion of the hearing was carried by voice vote.

Motion by Hills, seconded by Arnold, to approve the request from Ms. Kristin Johnston of Grand

Haven Ear & Hearing for a Special Land Use permit for a Mixed-Use Development at 1101 Columbus Street (parcel #70-03-21-451-012) as the application meets the requirements of the ordinance based on the information submitted for review. The motion passed on the following roll call vote: Ayes: Arnold, Blakeney, Hills, Huff, Kalsbeek, Owens, Chair Bradshaw. Nays: None.

Case 11-41: A Public Hearing for the request from Jeff and Sheila Curtis of Grand Haven Transmissions for a Special Land Use permit to operate a Major Automobile Repair business at 200 N Beacon (parcel # 70-03-21-329-012).

Keery-Turkelson stated the application was for a "major" auto repair use which was allowed by Special Land Use in this district. The existing site had some limitations specifically that they would not be allowed to "unpave" any of the parking lot due to environmental issues. The applicants had presented a plan to soften the lot with several landscape planters and would also landscape in the existing planter area around the office. There would be a masonry dumpster enclosure with a wood gate and a light would be added above the door in the front of the building. She stated this part of the request was only to determine if the requested use was appropriate for the building.

Keery-Turkelson pointed out that the pylon sign had been recently hit by a delivery truck and then later knocked down by high wind. She explained the sign was non-conforming at that particular location on the property and therefore could not be put back up in the same spot without either a variance or a landmark sign designation.

Chair Bradshaw opened the public hearing.

Public Comment:

None

Correspondence:

None

Motion by Arnold, seconded by Huff , to close the public portion of the hearing was carried by voice vote.

Motion by Blakeney, seconded by Huff, to approve the request from Jeff and Sheila Curtis of Grand Haven Transmissions for a Special Land Use permit to operate a Major Automobile Repair business at 200 N Beacon (parcel # 70-03-21-329-012) as the application meets the requirements of the ordinance based on the information submitted for review. The motion passed by the following roll call vote: Ayes: Blakeney, Hills, Huff, Kalsbeek, Owens, Arnold, Chair Bradshaw. Nays: None.

Case 11-42: A Public Hearing for the request to vacate a public alley bounded by Franklin, Pennoyer, Hopkins and Beechtree.

Keery-Turkelson stated this alley was drivable and there was one garage at 1441 Pennoyer that appeared to require access from the alley.

Chair Bradshaw opened the public hearing.

Public Comment:

1. Glen Barr, 1441 Pennoyer, stated he used the alley and wanted to keep it open.
2. Dave Machler, 1430 Franklin, stated he would like it vacated.
3. Jack Gould, 1436 Franklin, stated he would like it vacated.
4. Marshall Lystra, 1405 Pennoyer, stated he did not want the alley vacated as there wasn't enough room without the alley way to get in and out of his garage.

Correspondence:

1. AT&T via an email requested that an easement be maintained for both Case 11-36 and Case 11-37 for the utilities they had in each alley.

Motion by Hills, seconded by Arnold, to close the public portion of the hearing was carried by voice vote.

Huff pointed out that the Department of Public Safety had requested that this alley be kept public so he was not supportive of the vacation.

Blakeney, Hills and Owens agreed with Huff.

Kalsbeek stated there was evidence of the alley being used plus Public Safety had requested it stay public so he was not in favor of the vacation. He stated in the future he would like to have more information from Public Safety on the reason why they wish a particular alley to not be vacated.

Motion by Arnold, seconded by Huff, to recommend denial to Council for the request to vacate a public alley bounded by Franklin, Pennoyer, Hopkins and Beechtree based on the above conversation. The motion to deny passed by the following roll call vote: Ayes: Hills, Huff, Kalsbeek, Owens, Arnold, Blakeney, Chair Bradshaw. Nays: None.

Case 11-43: A Public Hearing for the request to vacate a public alley bounded by Washington, Franklin, Hopkins and Beechtree.

Keery-Turkelson stated this alley was also drivable and a garage on the east end was being accessed from the alley. Also there were several commercial businesses using the alley.

Public Comment:

1. Mark Kramer, 1401 Franklin, stated he was in favor of the vacation.
2. Bob Ogle, 1425 Franklin, was in favor of the vacation.
3. Allan VanderZwaag, 1433 Franklin, was in favor of vacating the alley but noted there was an apartment building using the alley but he thought they could park along the side. The other house could make a driveway if the tree was removed.

Correspondence:

1. Ed & Lisa Royce, 1432 Washington, stated they were not in favor of the vacation as they had a narrow lot and no room for a driveway.
2. AT&T via an email requested that an easement be maintained for both Case 11-36 and Case 11-37 for the utilities they had in each alley.

Motion by Owens, seconded by Hills, to close the public portion of the hearing was carried by voice vote.

Hills noted that Public Safety had asked that this alley remain public.

Blakeney stated the owner of 1401 Franklin was asking that it be vacated as least from the Knights of Columbus building at 1416 Washington to the west.

Huff stated the alley seemed to be used quite a bit around the area of the Knights of Columbus building and stressed that Public Safety had requested the alley remain public.

Kalsbeek stated he felt they should at least leave the alley east of 1416 Washington public.

Owens asked what line by the Knights of Columbus would they use in order to not impact 1425 Franklin's ability to use the alley. Keery-Turkelson stated they would have to make a jog of at least 10 feet to ensure there was enough room to back out a vehicle.

Arnold was in support of a partial vacation.

Chair Bradshaw was concerned that they might be creating a non-conforming situation for two-unit buildings at 1430 and 1432 Washington and Keery-Turkelson believed he was correct.

Motion by Arnold, seconded by Kalsbeek, to recommend a partial vacation to Council for the alley bounded by Washington, Franklin, Hopkins and Beechtree beginning 10 feet west of the western boundary of 1430 Washington based on the above conversation. The motion passed on the following roll call vote: Ayes: Hills, Kalsbeek, Owens, Arnold, Blakeney, Chair Bradshaw. Nays: Huff.

Case 11-44: A Public Hearing to gather public input on a proposed text amendment to allow Commercial Day Cares and Educational Facilities as a Special Land Use within the Office Service (OS) zoning district.

Keery-Turkelson explained this was the follow up from Case 11-38 from November's meeting where the applicant had requested a rezoning but the Commission had decided to amend the ordinance rather than rezone the applicant's property. She stated the applicant had therefore withdrawn her rezoning request.

Chair Bradshaw opened the public hearing.

Public Comment:

1. Maryanne Barringer, owner of 1720 S Beechtree, stated her business was sometimes open 11 hours a day and she needs to have her business be conforming in order to possibly expand.

Correspondence:

None

Motion by Hills, seconded by Huff, to close the public portion of the hearing was carried by voice vote.

The Commissioners were all supportive and had no additional comments.

Motion by Huff, seconded by Arnold, to recommend to Council approval of the proposed text amendment to allow Commercial Day Cares and Educational Facilities as a Special Land Use within the Office Service (OS) zoning district. The motion passed on the following roll call vote: Ayes: Huff, Kalsbeek, Owens, Arnold, Blakeney, Hills, Chair Bradshaw. Nays: None

Case 11-40B: A request for site plan approval from Ms. Kristin Johnston to construct an accessory building at 1101 Columbus Street (parcel #70-03-21-451-012).

Keery-Turkelson explained this was now the site plan portion of Ms. Johnston's request. In general the improvements being proposed were the construction of a one-story 336 sq ft detached garage located in the rear yard, the construction of a deck which would attach the principal building with the accessory building, and the construction of a new concrete driveway connecting the proposed garage to the street. She pointed out the deck would be 5 feet above grade and they were proposing a landscape screen wall on a portion of the deck that would basically be 9 feet tall. A fence was only allowed to be 6 feet tall but the owner desired to screen the deck from the view of the street. This landscape screen wall would in essence be screening the 5 feet below the deck from view as well as giving privacy on the deck itself. Keery-Turkelson explained that the screen was basically a railing system with the underside of the deck screened as well.

Keery-Turkelson stated the concern from the previous meeting regarding ingress and egress from the adjacent property had been resolved and was no longer a concern.

There may be a connection to the sewer that could be illegal, but that would be handled by the Department of Public Works if there was a connection discovered during construction. The builder would be notified to be on the watch during the construction process.

Owens asked how far back from the sidewalk the screen wall would be and Keery-Turkelson replied it was 5 feet back.

Kalsbeek agreed due to the elevation of the deck from the sidewalk level that the proposed landscape system was the best solution.

Huff stated the application met the requirements of the ordinance.

Blakeney stated the screen wall was appropriate for the situation.

Motion by Arnold, seconded by Blakeney, to approve the site plan from Ms. Kristin Johnston to construct an accessory building at 1101 Columbus Street (parcel #70-03-21-451-012) based on the drawings dated November 20, 2011 and with the stipulation that the curb cut is replaced and reconstructed no wider than the width of the new driveway and that the railing system meets the ordinance based on the above discussion. The motion passed on the following roll call vote: Ayes: Kalsbeek, Owens, Arnold, Blakeney, Hills, Huff, Chair Bradshaw. Nays: None

Case 11-07B: A request for site plan approval by Preferred Auto to expand their parking lot for the expanded Open Air Business onto parcels 70-03-21-354-020, 70-03-21-354-016, 70-03-21-354-015.

Keery-Turkelson explained this expansion would involve the demolition of the two structures on Columbus, the addition of paved parking area, and the installation of a couple of rain gardens and landscape islands at Beacon and Columbus. The plantings will not exceed 3 feet in height for clear vision safety reasons. The screening for the adjacent residential home is proposed to be vinyl fencing in order to not "wall off" that residential property. A tree in the city right-of-way will need to be removed and that has been approved by the Department of Public Works director.

Mike Bouman, from Pioneer Construction representing Preferred Auto, explained their photometric plan had been revised so there was only 1 candle foot of light, and there would be masonry piers that match the split face block of the building between the panels of the vinyl fencing.

Arnold stated the plan was complete and he stressed how much he appreciated how much work had gone into the design process to get to this point, especially the landscaping design.

Motion by Huff, seconded by Arnold, to approve the site plan for Preferred Auto to expand their parking lot for the expanded Open Air Business onto parcels 70-03-21-354-020, 70-03-21-354-016, 70-03-21-354-015 based on the drawings dated December 15, 2010 and all other documents submitted for review (November 18, 2011) and subject to the following conditions:

1. Footcandles along property lines be reduced to meet section 40-317 of the Zoning Ordinance
2. A drainage plan is submitted for review and approval.
3. Parcels 70-03-21-354-015, 70-03-21-354-016 and 70-03-21-354-020 be combined with parcel 70-03-21-354-024
4. Applicant obtain a demolition permit for the removal of the structures located on 731 and 737 Columbus.

The motion passed on the following roll call vote: Ayes: Owens, Arnold, Blakeney, Hills, Huff, Kalsbeek, Chair Bradshaw. Nays: None.

Case 11-45: A request for site plan approval from Riopelle Building Co LLC to construct a new one-story office building at 1207 Beechtree (parcel #70-03-28-400-007).

Keery-Turkelson explained that after the approval given at the September meeting (case 11-33) the applicant decided they needed to make some changes to their plan and it was her opinion that it was enough of a change to warrant a new review. The building is now proposed to be a single-story 4736 sq ft office building and it will be much closer to Beechtree. The drainage plan will need to be reviewed and approved by the Department of Public Works and also the Ottawa County Drainage Commission. The parcels will not be combined and therefore shared access and utility agreements will be required to be recorded with Ottawa County. The screening being proposed was similar to what the Commission approved in September. Since this was a heavily wooded area the Commission could determine that the proposed screening meets the ordinance. However, she wanted to stress that if the existing natural vegetation were to be removed for any reason that

would require a return trip before the Planning Commission to ensure compliance with the ordinance.

Chuck Posthumus, architect for the project, stated the Drain Commission pointed out that the previously approved building had elevations that were too low for this area and could have resulted in water problems. Therefore they decided to switch to a one-story building, but would still maintain the "campus feel" for the project.

Owens stated the plan met the requirements and she felt this was a much better plan than the previous plan.

Motion by Kalsbeek, seconded by Arnold, to approve the site plan from Riopelle Building Co LLC to construct a new one-story office building at 1207 Beechtree (parcel #70-03-28-400-007) based on the plan dated November 22, 2011 and subject to the following conditions:

1. A Shared access and utility agreement must be provided for review and approval by city staff.
2. The Planning Commission determines that the existing natural vegetation along the south lot line meets the intent of section 40-802.01, thus fulfilling the screening requirements. Any changes to the natural vegetation will require review and approval by the Planning Commission.

The motion passed on the following roll call vote: Ayes: Arnold, Blakeney, Hills, Huff, Kalsbeek, Owens, Chair Bradshaw. Nays: None

Case 11-46: A request for a lot split from Beechtree Leasing LLC for the property located at 1433 Fulton Street (parcel # 70-03-21-427-003).

Keery-Turkelson explained the proposed split created an issue under the State Building Code and therefore an agreement had to be in place that would require the front part of the building to be demolished within 6 months or the windows would have to be removed and replaced with masonry. This agreement protected the City and would allow the developer to move forward. The agreement must be signed and recorded.

Greg Oleszczuk, member of Beechtree Leasing LLC, was there for any questions.

Arnold stated he was comfortable with the split and the conditions for the split.

Motion by Huff, seconded by Arnold, to approve the lot split request from Beechtree Leasing LLC for the property located at 1433 Fulton Street (parcel # 70-03-21-427-003) subject to the condition that the owner /owners enter into a Lot Split Development Agreement and that said Agreement be approved by City Council and recorded with Ottawa County. The motion passed on the following roll call vote: Ayes: Blakeney, Hills, Huff, Kalsbeek, Owens, Arnold, Chair Bradshaw. Nays: None.

Case 11-47: A request for site plan approval from Mulligan's Hollow Ski Bowl Association to construct a storage building at Mulligan's Hollow.

Keery-Turkelson stated part of the Mulligan's Hollow Master Plan discussion was the need for a

maintenance facility. This proposed building would be used by the Ski Bowl Association and by N.O.R. A. but it would be a city owned building. This building would be about 150 feet away from the Mulligan's Lodge building and set into the hill a bit. She explained the plan had already been approved by the Parks & Recreation Board and by City Council.

Denny Dryer of Dryer Architect, 220 ½ Washington, was on hand to answer questions.

Hills asked if there was any thought to installing some sort of fencing to separate the slope from the maintenance building for safety.

Apparently orange fencing was used to block off areas that weren't being used as ski areas.

Motion by Hills, seconded by Blakeney, to approve the site plan from the Mulligan's Hollow Ski Bowl Association to construct a storage building at Mulligan's Hollow based on the drawings dated November 19 and 21, 2011 and subject to some sort of temporary fencing being installed to provide a separation from the ski slope as discussed. The motion passed on the following roll call vote: Ayes: Hills, Huff, Kalsbeek, Owens, Blakeney, Chair Bradshaw. Nays: None.

Adjournment:

Motion by Hills, seconded by Kalsbeek, to adjourn was unanimously approved by voice vote. The meeting adjourned at 9:25 p.m.

A handwritten signature in cursive script that reads "Mary Ann Zaverl". The signature is written in black ink and is positioned above a horizontal line.

Administrative Assistant
Planning Department