



**VILLAGE OF SPRING LAKE  
PLANNING COMMISSION**

**MINUTES  
REGULAR MEETING  
June 25, 2019 7:00 PM**

**Barber School Community Building  
102 West Exchange Street  
Spring Lake, MI 49456**

**1. CALL TO ORDER**

Chairman **Kauchek**, called the meeting to order at 7:01 p.m.

**2. ROLL CALL**

Present: Bohnhoff, Kauchek, Martinus, Nauta, Van Leeuwen-Vega, and Van Strate.

Absent: Johnson

**3. APPROVAL OF THE AGENDA**

Motion by **Van Strate**, second from **Bohnhoff**, to approve the agenda as presented.  
All in favor, motion carried.

Yes: 6                      No: 0

**4. APPROVAL OF THE MINUTES: May 28, 2019 regular meeting**

Motion by **Nauta**, second from **Van Leeuwen-Vega**, to approve the minutes from the May 28, 2019 regular meeting. All in favor, motion carried.

Yes: 6                      No: 0

**5. PUBLIC HEARINGS**

- A. **510 Buena Vista Drive**: The Planning Commission will consider a request for a Special Use Permit for a Short-Term Rental located at 510 Buena Vista Drive, Permanent Parcel Number 70-03-15-448-001.

Chairman **Kauchek** introduced this item. **Howland** gave an overview of this Short-Term Rental request explaining that the home at 510 Buena Vista Drive was a certified long-term rental located in the SFR-A Zoning District where the minimum lot size was 8,000 sq. ft. and that the subject property appeared to meet that standard.

**Howland** said staff estimated that the sleeping occupancy would be 7 for the 2-bedroom home based on a square footage calculation per the International Property Maintenance Code which would require 3 parking spaces but since the property only had two parking spaces located on private property – one in the garage and one in the driveway, the sleeping occupancy will be limited to 6 people. **Howland** said the only outdoor congregating area was a covered front porch, and the backyard was fully enclosed by a fence.

Motion by **Bohnhoff**, second from **Van Leeuwen-Vega**, to open the Public Hearing at 7:04 p.m. All in favor, motion passed

Yes: 6                      No: 0

Mr. Bruce Thomas, 510 Buena Vista, explained that he and his wife currently spent most of his time in Maryland and had owned the Spring Lake property since 2005 and started renting it out in 2006. Mr. Thomas explained that he has had primarily the same 3 in season renters the entire time they have rented the home and then rent from August or September through the winter, and to his knowledge, there have never been any issues and he planned to keep it that way. Mr. Thomas asked if he were to sell this property, would the Special Use Permit transfer to the new owner? **Howland** said that the Special Use Permit for the Short-Term Rental could come back to the Planning Commission and if the new owner agreed to all the terms of the Special Use Permit, then it could be transferred, but the Planning Commission would need to be involved.

The Planning Commission had no questions for Mr. Thomas.

Motion by **Bohnhoff**, second from **Martinus**, to close the Public Hearing at 7:08 p.m. All in favor, motion carried.

Yes: 6                      No: 0

Motion by **Van Leeuwen-Vega**, second from **Bohnhoff**, to approve the request for a Special Use Permit for a Short-Term Rental located at 510 Buena Vista Drive, Permanent Parcel Number 70-03-15-448-001, subject to the following conditions:

- a. With two parking spaces on the property, sleeping occupancy will be limited to six (6) people. The sleeping occupancy will be verified by the building official upon inspection.
- b. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.
- c. The applicant will comply with any other local, state, and federal laws, including revisions required by the Fire Chief and Village Engineer.
- d. The applicant will comply with all verbal representations.

All in favor, motion carried.

Yes: 6                      No: 0

- B. **207 South Park Street**: The Planning Commission will consider a request for a Special Use Permit for a Short-Term Rental located at 207 South Park Street, Permanent Parcel Number 70-03-15-364-009.

Planning Commission member **Martinus** recused himself due to a conflict of interest as the property owner.

Chairman **Kauchek** introduced this item. **Howland** gave an overview of this Short-Term Rental request explaining that the home at 207 South Park Street was a certified long-term rental and located in the SFR-B Zoning District where the minimum lot size was 8,000 sq. ft. and the subject property had an area of approximately 6,750 sq. ft. but, **Howland** noted, there was not a lot of overcrowding in that neighborhood so she was not concerned about buffering it from any other residential use. **Howland** said there was a proposed paved driveway because, at this time, they did not have a driveway, so the site plan showed a proposed paved driveway that would accommodate two vehicles. **Howland** explained that staff estimated the sleeping occupancy would be 6 for the 2-bedroom home based on a square footage calculation per the International Property Maintenance Code and that an attached deck provided on the south and east sides of the home was no closer than 90 feet to any property line, so it did not appear to be too close to neighboring properties.

Motion by **Nauta**, second from **Van Strate**, to open the Public Hearing at 7:13 p.m. All in favor, motion carried.

Yes: 5                      No: 0

Marianne Martinus explained that she had been the owner of the property for about 31 years and the nice thing about this being a short-term rental was that they lived right next door so if there was anything they didn't like going on they could speak to the tenants right away, but they have never had any issues. Mrs. Martinus said that they have had a grass driveway since they owned the property, but they had just received approval for a driveway that would be put in as soon as the weather allowed.

Lee Schuitema, 408 W Exchange, said that the proposed property was right in his back yard and that the grass driveway always grew back didn't look bad, so he didn't see why grass needed to be dug up to make a driveway. **Howland** explained that a paved driveway was a requirement to the Ordinance and there was no way to get around that.

Motion by **Van Strate**, second from **Nauta**, to close the Public Hearing at 7:16 p.m. All in favor, motion carried.

Yes: 5                      No: 0

The Planning Commission had no questions for Mrs. Martinus.

Motion by **Nauta**, second from **Van Leeuwen-Vega**, to approve the request for a Special Use Permit for a Short-Term Rental located at 207 South Park Street, Permanent Parcel Number 70-03-15-364-009, subject to the following conditions:

- a. The sleeping occupancy is estimated at six (6) people, which requires two (2) parking spaces. The sleeping occupancy will be verified by the building official upon inspection.
- b. The proposed driveway must be installed as shown on the site plan. A permit will be required for the improvements within Village right-of-way.
- c. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.
- d. The applicant will comply with any other local, state, and federal laws, including revisions required by the Fire Chief and Village Engineer.
- e. The applicant will comply with all verbal representations.

All in favor, motion carried.

Yes: 6                      No: 0

- C. **411 West Savidge Street**: The Planning Commission will consider a request for a Special Use Permit and Site Plan Review for a renovation of an existing building into a restaurant with drive-through located at 411 West Savidge Street (parcel #70-03-15-356-001).

Chairman **Kauckeck** introduced this item. **Howland** gave an overview of this Special Use Permit and Site Plan Review explaining that this request was for a restaurant with a drive-through located at 411 W Savidge and the proposed tenant was Brooklyn Bagels. **Howland** further explained that the operation must comply with Section 390-196 and 390-199.B.13 of the Zoning Ordinance and the applicant had provided written responses and plans that addressed these standards, specifically, one access point would be provided on Cutler and Savidge Streets, sufficient stacking would be provided, and six (6) parking spaces provided beyond the pickup window. **Howland** noted that the property was surrounded on all sides by commercial uses, so the dense evergreen vegetative buffer was not required and access to the property would be via one curb cut on Savidge and one curb cut on Cutler, which was a reduction from the current two curb cuts per street. **Howland** said the applicant proposed to encroach into the Village-owned Cutler

Street right-of-way to provide additional parking spaces and that the use of Village property for private purposes must be approved by the Village Council via an encroachment permit and at the same time, the existing pole sign, which was located in Village property, would also need to be approved via an encroachment permit. **Howland** explained that the applicant proposed to shift the public sidewalk on Cutler Street approximately 17 feet west, which put it close to the vehicle travel path, so staff recommended that the sidewalk be shifted as far east as possible for safety reasons. **Howland** said the site would have a one-way circulation pattern with arrows painted on the pavement to direct drivers around the site and that a total of 12 parking spaces were required; the plans provided 17 spaces. **Howland** said a dumpster enclosure constructed of masonry materials to match the building would be constructed in the northeast corner of the site and landscape areas would be provided around the perimeter of the property and Michigan native plant species would be utilized where possible. **Howland** said the former service station would be renovated into the restaurant with a cooler addition added in the northwest portion of the building and the original enamel panels and CMU block would be restored and painted using the provided exterior color palette for the Planning Commission's information. **Howland** said the applicant had not yet provided the Village the required engineering Storm Water Management and Utilities information so, as a result, the Village Engineer had not reviewed the plans for conformance with applicable ordinances but once they were submitted, if there was any concerns, she would bring them back to the Planning Commission.

**Kauck** asked if there was any concern with in-ground tanks left on the property. **Howland** said that would be a question for the applicant. **Van Leeuwen-Vega** asked what the measurement was between the sidewalk and street. **Howland** said it was approximately 4 feet between the edge of the proposed sidewalk to where the curb started.

Motion by **Nauta**, second from **Bohnhoff**, to open the Public Hearing at 7:23 p.m. All in favor, motion carried.

Yes: 6                      No: 0

Chris Markham, Landscape Architect at Paradigm Design and Project Manager, explained that by eliminating one of the curb cuts they would utilize one-way traffic to create a continual flow through the parking lot to either a parking space or enter the que line for the drive-through window. Mr. Markham said they would maintain the building as is but would be painting it and adding a covered outdoor cooler space. Mr. Markham said the sign would be in the existing sign site and since he was the Landscape Architect, 90% of the landscaping would be Michigan native plants. Mr. Markham explained that the sidewalk placement was a challenge

because there was a fire hydrant in the pathway that they had to work around, but they could possibly move the it over a couple of feet east.

Trent Dyer, accompanied by his grandparents, parents and brother, said that Brooklyn Bagel's was a family owned business with 3 locations in Muskegon, that his dad started almost 20 years and was a bagel shop, bakery and café that specialized in bagels and bagel sandwiches for breakfast, lunch and dinner, with a full barista bar that served smoothie drinks and specialty coffees from Magnum coffee. Mr. Dyer said everything was made in house and buy local whenever possible. Mr. Dyer said he and his family were more than excited to come and be a part of this community.

**Kaucheck** asked who would have to approve the curb cuts they were planning. Mr. Markham said MDOT would have to approve. **Kaucheck** asked if there were any tanks left underneath that property. Ms. Kim Van Kampen, 15721 Little Field Ln. Spring Lake, said she was told all tanks had been removed.

**Bohnhoff** asked if the colors would be consistent with their other stores. Ms. Van Kampen said she was the designer on this store and it would not be exactly the same but would have a cozier, warmer feel, unique to Spring Lake.

Motion by **Nauta**, second from **Van Strate**, to close the Public Hearing at 7:32 p.m. All in favor, motion carried.

Yes: 6                      No: 0

**Van Strate** said that he was fine with the plan as long as the sidewalk/fire hydrant issue was resolved. **Howland** said that if there was a fire hydrant in the way, it did not show on the plan, so for safety reasons, moving it as far as possible to the east would be preferred. **Van Leeuwen-Vega** said that the sidewalk was her only concern also. **Martinus** said he was excited for the opportunity to have Brooklyn Bagel to join the community. **Bohnhoff** asked if some kind of brick/wrought iron structure between the sidewalk and Cutler was an option. **Howland** said she would have to speak to the DPW Director in regard to adding another obstruction in the right of way.

Motion by **Bohnhoff**, second from **Van Strate**, to approve the request for a Special Use Permit and Site Plan Review for a renovation of an existing building into a restaurant with drive-through located at 411 West Savidge Street (parcel #70-03-15-356-001), subject to the following conditions:

- a. The public sidewalk on Cutler Street must be shifted east to provide additional separation from Cutler Street.
- b. An encroachment permit must be granted by the Village Council for improvements within the Village right-of-way, including parking and signage.

- c. MDOT must approve changes within their right-of-way, including closure and modifications to the curb cuts on Savidge Street.
- d. Parking lot arrows must be shifted to appropriately reflect vehicle circulation patterns.
- e. Landscaping shall utilize Michigan native species where possible.
- f. The applicant will comply with all Village Engineer requested plan revisions.
- g. The dumpster enclosure must be constructed of masonry to match the building.
- h. The applicant will comply with any other local, state, and federal laws, including revisions required by the Fire Chief and Village Engineer.
- i. The applicant will comply with all verbal representations.

All in favor, motion carried.

Yes: 6

No: 0

## **6. STATEMENTS OF CITIZENS ON ITEMS NOT ON THE AGENDA**

Darcy Dye, 114 N Fruitport, gave an update on the Adopt A Garden Program, noting that there were now 29 butterfly pocket gardens. Dye said she had officially stepped down in her current capacity as full-time un-paid landscape gardener for the Village and would be working with staff to scale back the program, so it truly was a volunteer job and not a full-time job for 2020 and they would probably be working with a smaller core group of dedicated volunteers on a much smaller scale.

## **7. ADJOURNMENT**

Motion by **Nauta**, second from **Van Strate**, the meeting adjourned at 7:38 p.m. All in favor, motion carried.

Yes: 6

No: 0

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Jennifer Howland, Village Planner

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Maryann Fonkert, Deputy Clerk