



**VILLAGE OF SPRING LAKE  
PLANNING COMMISSION**

**MINUTES  
REMOTE ELECTRONIC MEETING  
June 23, 2020 7:00 PM**

Pursuant to Executive Order No. 2020 – 75, the Village of Spring Lake will conduct its business via conference call to mitigate the spread of COVID-19.

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Present: Bohnhoff, Drooger, Johnson, Martinus, VanderMeulen, Van Leeuwen-Vega (7:04), and VanStrate

Absent: None

**3. APPROVAL OF THE AGENDA**

Motion by **Martinus**, second from **Drooger** to approve the agenda as amended removing item 8. B. 228 W. Savidge St. Site Plan Amendment. Applicant withdrew request. All in favor, motion carried.

Yes: 7                      No: 0

**4. APPROVAL OF THE MINUTES: May 27, 2020 special meeting.**

Motion by **Drooger**, second from **Van Leeuwen-Vega**, to approve the minutes from the May 27, 2020 regular meeting. All in favor, motion carried.

Yes: 7                      No: 0

**5. STATEMENTS OF CITIZENS – AGENDA ITEMS ONLY**

If you would like to comment on Agenda Items Only you may now submit your comments via Facebook Live Stream found at [www.facebook.com/villageofspringlake](https://www.facebook.com/villageofspringlake), email [sfedewa@ght.org](mailto:sfedewa@ght.org), or call (616) 260-4982 when prompted.

There were no statements of citizens on Agenda items only.

**6. PUBLIC HEARINGS**

A. 206 Dixie Street: Special Use to continue existing Short-Term Rental

Chairman **Bohnhoff** opened the Public Hearing at 7:08 p.m.

**Hoisington** gave an overview of the application, explaining that this was an existing Short-Term Rental and that the applicant did not know that short-term rentals required a permit and wanted

to bring the property into compliance. **Hoisington** explained that the lot size did not meet the required size requirement, however, the Zoning Ordinance gave the Planning Commission the authority to request conditions and there was already an existing privacy fence to buffer the rental from the adjacent properties. **Hoisington** said that there were 3 bedrooms and based on the International Property Maintenance Code, a maximum sleeping occupancy of 7 individuals was allowed, which was 1 less than the applicant had requested.

Stephanie Cutter, the applicant, explained that they had owned the home since 2005 and have been rented long-term in the winter and short-term in the summer as well as spending time there themselves, and as far as she knew, they have never had any issues with the neighbors, whom she was on friendly terms with.

There were no comments from the public.

Motion by **Drooger**, second from **Van Leeuwen-Vega**, to close the Public Hearing at 7:11 p.m. All in favor, motion carried.

Yes: 7                      No: 0

**Martinus** said that he had looked at the property and reviewed the application and noted that the applicant was going to remove the fire pit, but he did not know if they had to remove it because he thought they were approved for a fire pit. Ms. Cutter said they were advised that a fire pit needed to be 25 feet from a fence or structure. **Fedewa** confirmed that the Ordinance required 25 feet between a fire pit and a fence or structure. There were no other comments from the Planning Commission.

Motion by **Van Leeuwen-Vega**, second from **Drooger**, to conditionally approve the Special Land Use request by Stephanie Cutter for a Short-Term Rental located at 206 Dixie Street because the application meets the standards of the Spring Lake Village Zoning Ordinance. This motion is subject to the report of findings and the following conditions:

1. The sleeping occupancy is estimated at to seven (7) people, which requires three (3) parking spaces. The sleeping occupancy will be verified by the building official upon inspection.
2. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.
3. The applicant will comply with any other local, state, and federal laws.
4. The applicant will comply with all verbal representations.

#### Report of Findings – 206 Dixie Street

1. That the use is designed and constructed, and will be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.

2. The use is, or will be, served adequately by public services and facilities, including, but not limited to streets, police and fire protection, drainage structures, refuse disposal, later and sewer facilities and schools.
3. The use does not involve activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of traffic, noise, smoke, fumes, glare or odors.
4. The site plan proposed for such use demonstrates compliance with the special land use specific requirements contained in § 390-199 of this article.

All in favor, motion carried.

Yes: 7                      No: 0

B. 303 E Savidge Street: Special Use to continue existing Short-Term Rental

Chairman **Bohnhoff** opened the Public Hearing at 7:18 p.m.

**Hoisington** gave an overview of the application explaining that the property met the minimum standards for lot size and setbacks and required 4 parking spaces based on an occupancy of 10 people, which exceeded the requirement by a two-stall garage and private driveway capable of parking 4 vehicles. **Hoisington** said that staff was aware of a concern that was raised after reviewing the comments on the advertisement reviews, which indicated bachelorette parties occur and spill-over parking utilized the church parking lot across the street.

Jennifer Lynn, representing Thomas Lilley who was present by phone, explained that she wanted to address a few of items from the original application. Ms. Lynn stated that there were actually sleeping accommodations for 12 people instead of the 10 referenced in the staff report, noting that in addition to the 3 bedrooms, there were 2 pull-out couches on the main floor. Ms. Lynn said that, regarding concerns of off-site parking, she had called Harvest Bible Chapel, and was waiting for a call back, to obtain permission for overflow parking to use the church lot. Ms. Lynn said she was requesting that occupancy for 12 be approved.

**Bohnhoff** said that he thought when the Ordinance was created, sleeping was restricted to bedrooms and did not include pullout couches in the living areas. **Fedewa** said she was not familiar with the Ordinance yet, but would work with Manager Burns and the Building Official, so she would recommend that if they made a motion to conditionally approve this Short-Term Rental, that it indicate occupancy of 10 was permitted and 12 would be permitted if approved by the Building Official. **Martinus** agreed with **Bohnhoff** that sleeping was to be restricted to bedrooms.

There was no public comment.

Motion by **Van Leeuwen-Vega**, second from **Martinus**, to close the Public Hearing at 7:28 p.m.  
All in favor, motion carried.

Yes: 7

No: 0

**Martinus** asked who was responsible to make sure activities at the house did not become destructive to the neighbors. Mr. Lilley replied that he lived just a few miles away from the rental home in Strawberry Point and that he had invested a lot of money in the house and was very familiar with the neighbors and had not received any complaints. Mr. Lilley said that his property manager did a good job of vetting the renters. **Van Strate** also confirmed that sleeping was restricted to bedrooms and not pullout couches in the living areas. **Bohnhoff** said that he wanted to make sure the occupancy number was locked in, verify that parking at the church was allowed and that large parties were discouraged. **Fonkert** shared that the Parking Ordinance stated “A minimum of two (2) off-street parking spaces located on the subject property shall be provided per unit (up to 6 occupants), plus one space for every three occupants over six, based on approved occupancy for the dwelling unit”. **Fedewa** said that they should strike condition number 2 then. The Planning Commission discussed parking spaces and it was determined that there were 6 spaces on the property.

Motion by **Drooger**, second from **VanderMeulen**, to conditionally approve the Special Land Use request by Jennifer Lynn, representing Thomas Lilley of TjL Real Estate because the application meets the standards of the Spring Lake Village Zoning Ordinance. This motion is subject to the report of findings and the following conditions:

1. The sleeping occupancy is estimated at ten (10) people, which requires four (4) parking spaces. The sleeping occupancy will be verified by the building official upon inspection.
2. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.
3. The applicant will comply with any other local, state, and federal laws.
4. The applicant will comply with all verbal representations.

Report of Findings – 303 E Savidge Street

1. That the use is designed and constructed, and will be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.
2. The use is, or will be, served adequately by public services and facilities, including, but not limited to streets, police and fire protection, drainage structures, refuse disposal, later and sewer facilities and schools.
3. The use does not involve activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of traffic, noise, smoke, fumes, glare or odors.
4. The site plan proposed for such use demonstrates compliance with the special land use specific requirements contained in § 390-199 of this article.

All in favor, motion carried.

Yes: 7                      No: 0

7. **OLD BUSINESS**

- A. 206 Dixie Street: Special Use to continue existing Short-Term Rental
- B. 303 E Savidge Street: Special Use to continue existing Short-Term Rental

8. **NEW BUSINESS**

- A. 411 W Savidge Street: Site Plan Amendment for Dumpster Enclosure of Brooklyn Bagel

**Fedewa** gave an overview of this Site Plan Amendment explaining that the approved dumpster enclosure was to be constructed of masonry materials to match the building exterior and cement board or treated wood for the gate and bollards were to be placed in front of the dumpster to avoid damage to the structure, however, the dumpster enclosure that had been constructed consisted of corrugated metal paneling and the enclosure gates are attached to the bollards which resulted in a slight gap where the dumpster was visible on each side and the bottom of the gate. **Fedewa** said there was concerns the corrugated metal was not sturdy enough to withstand the damage the waste hauler trucks will/do create.

Norman Dodds, architect representing Ms. Kim Van Kampen, explained that the material used was a heavier gauge and stronger than the average pole building steel and the change was made for both speed and to match a different part of the building, not knowing that an amendment to the site plan was required. **Fedewa** asked what the property owner's thoughts were on the potential of replacing the enclosure. Mr. Dodds said Ms. Van Kampen said she would maintain it into longevity. **Fedewa** asked about the concerns with the gate being attached to the bollards leaving quite a gap causing the dumpster to be visible. Mr. Dodds said there were always gaps where the gates were attached. Chairman **Bohnhoff** and **Fedewa** both said that, normally, the gates were attached to the structure and any gaps were very small.

**Van Strate** said he would like to see the dumpster enclosure as it was approved. **Van Leeuwen-Vega** said she also preferred the approved enclosure and asked if the applicant only had to provide something that was functional or were they held to what was approved. Chairman **Bohnhoff** said he thought they needed to stay with the approved site plan. **Martinus** said he did not think the enclosure was unpleasing and he had seen worse, so it was satisfactory in his opinion. **VanderMeulen** thought that the approved enclosure was very nice but the current enclosure materials did match the building too and was acceptable, but he did think the gaps were larger than what was normal. **Johnson** said that he did not have too much of a problem with what was constructed but his concern was the future ramifications of not holding applicants to following through with the approved site plan. **Drooger** agreed with **Johnson** regarding holding applicants accountable for building according to the approved site plan, however, he also did not have a problem with what was constructed. **Van Leeuwen-Vega** asked if the gaps could be closed up rather than requiring a teardown and rebuild. Chairman **Bohnhoff** asked what they were opening up themselves too if they approved an after the fact amendment and that even though he felt the applicant should have followed the approved plan, he was not a fan of tearing down a structure that was functional, especially during this time. **Fedewa** said that was an issue but going forward they could make it known that when an application was approved, that the applicant understand that any changes would need approval from either the Planning Commission or staff. **Johnson** asked if the applicant could bring an amendment back that would be more in keeping with the

originally approved site plan but not have to tear down the current structure. **Fedewa** said she would recommend that the applicant provide a revised plan for staff approval but require them to close the gaps on both sides of the gates, paint the bollards to match the enclosure and to plant evergreens around all three sides of the dumpster enclosure or they could table the motion and require the applicant to submit a revised plan for approval. Mr. Dodds asked if he could ask for an approval with conditions that staff could approve a revised plan.

Motion by **Drooger**, second from **Johnson**, to conditionally approve the request by Brooklyn Bagel for a minor site plan amendment, located at 411 W. Savidge St., to modify the dumpster enclosure materials to the corrugated metal that has been installed. This is conditioned upon staff approving the revised plans that would include closing the gaps near the bollards where the gates attach, as well as paint the bollards to match the color of the enclosure and plant evergreens around 3 sides of the enclosure. All in favor, motion carried.

Yes: 7                      No: 0

B. 102 S Buchanan Street: Site Plan Review to Construct a New Dental Office.

**Fedewa** gave an overview of the Site Plan to construct a new dental office, explaining that the new building was proposed at 3,392 sq. ft and includes 6 standard treatment rooms, 1 private oral procedures room, and 1 imaging room. It also included the typical accoutrements of a reception desk, waiting area with separate kids' room, private offices and restrooms and also included 18 parking spaces. **Fedewa** said the proposal also included a partial demolition of the building with the majority of the southern portion being razed and the remaining area would be in the northwest corner of the site which would allow the dentist to continue operating the business while the new building was being constructed. **Fedewa** shared details of color, building materials, stormwater management and shared parking with Callen Engineering. **Fedewa** noted that they were very close to amending the Zoning Map which would create nonconformities once approved and hoped the applicant would be willing to incorporate items such as a wrought iron fence and arched windows into the current site plan so it could be approved and be compliant under both the old and new zoning map and Ordinance.

Dr. Achey discussed some of the nonconformities, specifically, the wrought iron fence and, in his opinion, did not fit with the design of his building and there were no other fences in the area of his building. **Van Leeuwen-Vega** and Chairman **Bohnhoff** agreed with Dr. Achey.

The Planning Commission discussed the proposed zoning map for this property and agreed that rezoning to the Central Business District was inappropriate and would create too many nonconformities. The Planning Commission agreed with the staff recommendation to revise the zoning map and show the subject property and neighboring property of Callen Engineering as part of the Community Commercial district instead. There was also discussion regarding cross access between the Dentist office and Callen Engineering. **Fedewa** said that if Planning Commission wanted to adopt a motion that included the cross access agreement, they could include that and have Attorney Bultje draft that cross access agreement for all parties to sign and then they would need a revised site plan that eliminated the 8 parking spaces and showed the internal driveway connection. Ken Dixon, Dixon Architecture, discussed the color pallet with the Planning Commission.

Motion by **Drooger**, second from **Van Leeuwen-Vega**, to conditionally approve the Site Plan Review application for Spring Lake Family Dentistry located at 102 S Buchanan Street based

on the submittal meeting the requirements of the Spring Lake Village Zoning Ordinance. The motion includes and is subject to the following conditions and report of findings:

1. Direct staff to revise the proposed zoning map to change the designation to C – Community Commercial to prevent the creation of non-conformities.
2. Submit a revised photometric plan, including
  - a. Spec sheets for all 3 types of luminaires
  - b. Verify IESNA cutoff compliance
  - c. Provide Color Rendering Index for each type of luminaire
3. Provide proof the two lots have been combined prior to issuance of a building permit.
4. Demolition of remaining structure, and restoration of the area, must be completed within 60 days of receiving a certificate of occupancy.
5. Installation of street trees and modification of curb cut must be coordinated through the Department of Public Works.
6. Construction plans must be reviewed and approved by the Village Engineer and Fire Inspector. If the review results in revisions, the Village Planner must approve prior to issuing a building permit.
7. Applicant will comply with all local, county, state, and federal laws.
8. Addition of a Cross Access Agreement with Callen Engineering.

#### Report of Findings – 102 S Buchanan Street

1. Existing natural features of the site are preserved to the greatest extent practical. Only those areas under actual development are disturbed.
2. Buildings and structures are placed in an orderly, nonrandom fashion such that an uncrowded, open appearance is maintained.
3. Views from adjacent properties and streets open to water areas are preserved to the greatest extent practical. Placement and height of buildings and locations of open spaces make reasonable provision for protection of existing views of the significant visual resources of the Village.
4. Driveways, parking, and circulation.
  - a. Vehicular access to the site is designed to provide reasonable access to the site, while minimizing the impact of driveways on the efficiency and safety of traffic operations along the public roadways.
  - b. Vehicular and pedestrian circulation facilities are designed so as to provide for safe and efficient movement of vehicles and pedestrians, in a manner which avoids conflict between vehicles and pedestrians. Points of vehicular access to public streets shall be limited to the minimum number required to provide reasonable access to the site. On corner lots, driveway access should be limited, where practical, to the street carrying the lower average daily traffic volume at the time of review of the site plan.
  - c. Where possible, access driveways on opposite sides of a street shall either be directly aligned, or offset a minimum of 150 feet, measured between driveway center lines.

- d. If applicable, separation distance between driveways and between driveways and public street intersections shall be maximized. At a minimum, driveway-to-driveway spacing of at least 35 feet shall be provided, measured between driveway throats at their narrowest point. Driveway-to-intersection spacing of at least 10 feet shall be provided, measured from the edge of the driveway throat to its narrowest point, to the right-of-way of the intersecting street.
5. The site provides proper site surface drainage so that the removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create standing water in the paved areas.
6. If applicable, all new utility distribution lines shall be placed underground.
7. Exposed storage areas, trash receptacles, machinery installations, service areas, truck unloading areas, utility buildings and structures and similar accessory areas are screened from view from adjoining streets and properties. This screening is in accordance with Article XXI, Landscape Regulations.
8. Outdoor activity areas are designed and located to minimize conflicts with nearby residential neighborhoods. Fencing or landscape screening are used to protect adjoining residential uses from noise or other disturbances from outdoor seating areas, which shall be consistent with the provisions of Article XXI, Landscape Regulations. [Amended 7-1-2010 by Ord. No. 319]
9. The site plan provides for adequate access to the site and all buildings on the site by emergency vehicles.
10. Exterior lighting is located and designed so that illumination is directed away from adjacent properties and streets.
11. All landscaping is in accordance with Article XXI, Landscape Regulations. [Amended 7-1-2010 by Ord. No. 319]
12. All structures adhere to the design standards of the district, as applicable.
13. All structures provide an orderly transition to adjacent development of a different scale.
14. The site plan provides outdoor common areas and associated amenities for employees, customers, and/or residents which may include public trash receptacles, bike racks, seating areas, recreations areas, shade trees, bus stop turn-outs, and similar facilities where appropriate.

All in favor, motion carried.

Yes: 7                      No: 0

- C. Review Draft Zoning Ordinance: Review the New Amendments to the draft zoning ordinance requested by the Planning Commission at the May 27<sup>th</sup> meeting.

**Fedewa** reviewed the new amendments that the Planning Commission requested at the May meeting which included the following:

1. Planning Commission will continue to approve expansions of non-conforming structures via a special land use application. See Section 390-25. C.2, which is page 48.
2. The digital sign regulations needed to be more robust and will only be permitted as a special land use to enable the Village Planning Commission to have thoughtful and meaningful input on any new digital signs. See Section 390-105, which is page 130.

The Planning Commission discussed shape and method of measurement.

Motion by **Van Leeuwen-Vega**, second from **Johnson**, to direct staff to incorporate the additional lighting guidelines for digital signs into the draft zoning ordinance as well as changing the measurement requirements for the sign size to the rectilinear, definition provided in staff memo, and to schedule the public hearing for the next regularly scheduled meeting to begin the adoption process. All in favor, motion carried.

Yes: 7                      No: 0

**9. STATEMENTS OF CITIZENS – NON-AGENDA ITEMS ONLY**

If you would like to comment on Non-Agenda Items you may now submit your comments via Facebook Live Stream found at [www.facebook.com/villageofspringlake](http://www.facebook.com/villageofspringlake), email [sfedewa@ght.org](mailto:sfedewa@ght.org), or call (616) 260-4982 when prompted.

There were no comments from citizens.

**10. COMMENTS OF PLANNING COMMISSIONERS**

Planning Commission member had no further comments.

**11. ADJOURNMENT**

Motion by **Johnson**, second from **Drooger**, without objections, the meeting adjourned at 9:02 p.m. All in favor, motion carried.

Yes: 7                      No: 0

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Stacey Fedewa, AICP, Village Planner

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Maryann Fonkert, Deputy Clerk