COUNCIL AGENDA

Tuesday, December 2, 2014
8:00 P.M., Barber School
102 West Exchange Street
Spring Lake, Michigan

1. 8:00 p.m. Call to Order

2. 8:01 p.m. Pledge of Allegiance

3. 8:02 p.m. Roll Call

Present: Bennett, MacLachlan, Meyers, Miller, Nauta, Powers, Van Strate.

Motion to excuse any absent members.

4. 8:03 p.m. Approval of the Agenda

5. 8:04 p.m. General Business

A. Rezoning Request

Subject: On November 25, 2014 the Planning Commission heard a request to rezone property at the corner of Fruitport Road & M-104 from SFR-A to P for the purpose of constructing a fire station (*see attached staff report*). They held the requisite public hearing for the zoning change and ultimately voted (4-1) against recommending the rezoning request.

Due to time constraints imposed by the State of Michigan regarding the CGAP grant application that is associated with the rezoning request, it is necessary to hold a Special Council Meeting to contemplate the recommendation of the Planning Commission.

While a public hearing is not a legal requirement at this point, it is recommended that Council consider holding a public hearing in order to take into consideration those who wish to be heard.

Recommendation: Open the public hearing, accept comments, motion to close the public hearing.

Motion to approve/deny the recommendation of the Planning Commission for rezoning of lots at M-104 & Fruitport Road for the purpose of constructing a fire station.

B. Text Amendment Request

Subject: On November 25, 2014 the Planning Commission heard a request for proposed text amendments: Governmental Facilities as a Permitted Use in the P District (*see attached staff report*). The Planning Commission held the requisite public hearing for the text amendment and ultimately voted (5-0) against the request.

While a public hearing is not a legal requirement at this point, it is recommended that Council consider holding a public hearing in order to take into consideration those who wish to be heard.

Recommendation: Open the public hearing, accept comments, motion to close the public hearing.

Motion to approve/deny the recommendation of the Planning Commission regarding the proposed text amendments.

6. 8:57 p.m. Statement of Citizens

7. 9:00 p.m. Adjournment

M E M O R A N D U M

To: Village of Spring Lake Planning Commission

From: Jennifer Howland, Village Planner

Date: November 25, 2014

Subject: Proposed Rezoning of 106 North Fruitport Road and 0 (Vacant) Cleveland Street

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Overview

The Planning Commission is being asked to consider the proposed rezoning of Permanent Parcel Numbers 70-03-14-451-010 and 70-03-14-451-014 from the Single-Family Residential-A District (SFR-A) to the Public and Semi-Public District (P). The parcels are located at the northeast corner of M-104 and Fruitport Road. Spring Lake Township intends to develop the subject parcels for a fire station.

Surrounding Properties

The subject parcels are located at the intersection of M-104 and Fruitport Road. Land uses are residential to the immediate north and commercial to the immediate east. Residential uses are also across the street to the west and south. The property to the southwest is zoned EED and is expected to be developed as a mixed use commercial development in the future.

	Existing Land Use	Zoning	Master Plan
Subject Property	Residential (vacant)	SFR-A, Single Family Residential	Pre-Planned PUD
North	Residential	SFR-A, Single Family Residential	Low-Density Residential
South	Residential	SFR-A, Single Family Residential, R-4, High-Density Residential (Township)	Low-Density Residential, High-Density Residential (Township)
East	Commercial	GC, General Commercial (Township)	Commercial-Vehicular (Township)
West	Residential	SFR-A, Single Family Residential	Low-Density Residential

Within 500 feet of the subject parcels is property zoned P District. Throughout the Village, parcels in the P District are adjacent to residential zoning districts with the exception of Village Hall and Mill Point Park. There are also several P District parcels that are isolated from other P District parcels (sometimes referred to as “spot zoning”). This is common for zoning related to public land uses. They locate where they make the most sense from an operational standpoint.

Master Plan

Rezoning properties to be consistent with the Master Plan helps ensure that the future development of properties is consistent with the desired development patterns of the community. The Master Plan shows these parcels as "Pre-Planned PUD". There is no definition or guidance for such a land use designation.

The Master Plan also does not indicate any appropriate properties to be zoned Public/Semi-Public District. That concerns staff because there are several critical land uses that are only allowable in the P District – specifically, churches, public parks, public & private schools, and governmental facilities – uses that are recognized as important land uses in any community. Any proposal for these important land uses would therefore necessitate a rezoning of property, unless a property already zoned "P" was proposed for development. There are no vacant parcels zoned "P" in the Village.

Future Development

If rezoned, any proposed use of the subject parcels would be required to meet the Zoning Ordinance standards for uses in the "P" District and all other applicable requirements (parking, landscaping, building form standards, etc). Spring Lake Township intends to develop the subject parcels for a fire station. Such land use is currently considered a Special Land Use in the P District, but a text amendment is also being proposed at this time to change Governmental Facilities to a permitted use in the P District. Regardless of the outcome of the text amendment proposal, the Planning Commission would at a minimum still review the site plan for conformance with the Zoning Ordinance prior to any permits being issued.

Sample Motions

The Planning Commission makes recommendations regarding proposed rezoning to the Village Council. If the Planning Commission is inclined to recommend approval of the proposed rezoning, staff has provided a draft motion that may be considered:

1. Motion to recommend approval of the proposed rezoning of Permanent Parcel Numbers 70-03-14-451-010 and 70-03-14-451-014 from the Single-Family Residential-A District (SFR-A) to the Public and Semi-Public District (P).

If the Planning Commission is inclined to recommend denial of the proposed rezonings, staff has provided a draft motion that may be considered as well:

1. Motion to recommend denial of the proposed rezoning of Permanent Parcel Numbers 70-03-14-451-010 and 70-03-14-451-014 from the Single-Family Residential-A District (SFR-A) to the Public and Semi-Public District (P) for the following reason(s):
    a. *Insert Planning Commission reason(s) for recommending denial.*

Cc: Christine Burns, Village Manager

M E M O R A N D U M

To: Village of Spring Lake Planning Commission

From: Jennifer Howland, Village Planner

Date: November 25, 2014

Subject: Proposed Text Amendments: Governmental Facilities as a Permitted Use in the P District

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The current Zoning Ordinance lists *"Governmental facilities, including, but not limited to, fire and police stations, vehicle and equipment storage and maintenance facilities, water and waste treatment facilities, water storage facilities"* (hereafter referred to as "Governmental Facilities") as a Special Land Use. There are no Special Land Use Specific Requirements for the Planning Commission to consider when reviewing such proposals; the only Standards for Approval are the four (4) items listed in Section 20.4, one of which refers to Section 20.7 Specific Requirements (of which there are none).

Staff believes that Governmental Facilities should be considered a Permitted Use instead of a Special Land Use because such uses are necessary for the regular operations of the Village. The nature of many Governmental Facilities requires that they be located in certain areas or in proximity to certain other services and resources. Leaving such uses to the Planning Commission's discretion, given the limited standards for approval, puts undue burden on the Planning Commission to make a decision whether to approve, approve with conditions, or deny such a request.

Details of the site design would remain under review by the Planning Commission, where the requirements of the Zoning Ordinance for buffering, parking, setbacks, building height, and other items would help ensure proper design of the site in relation to the neighborhood and Village standards.

Below are staff's recommended text amendments. Two specific sections of the Zoning Ordinance would be amended. A new item #8 under Section 14.2 would be added, and #1 under Section 14.3 would be deleted.

Section 14.2 PERMITTED USES.

8. Governmental facilities, including, but not limited to, fire and police stations, vehicle and equipment storage and maintenance facilities, water and waste treatment facilities, water storage facilities.

Section 14.3 SPECIAL LAND USES.

~~1. *Governmental facilities, including, but not limited to, fire and police stations, vehicle and equipment storage and maintenance facilities, water and waste treatment facilities, water storage facilities.*~~

Sample Motions

The Planning Commission makes recommendations regarding proposed text amendments to the Village Council. If the Planning Commission is inclined to recommend approval of the proposed text amendments, staff has provided a draft motion that may be considered:

1. Motion to recommend approval of the proposed text amendments to allow Governmental Facilities as a Permitted Use in the P District.

If the Planning Commission is inclined to recommend denial of the proposed text amendments, staff has provided a draft motion that may be considered as well:

1. Motion to recommend denial of the proposed text amendments to allow Governmental Facilities as a Permitted Use in the P District for the following reason(s):
    a. *Insert Planning Commission reason(s) for recommending denial.*

CC: Christine Burns, Village Manager

all shores
wesleyan church

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

DATE: November 19, 2014

Dear Appointed & Elected Officials,

All Shores Wesleyan Church is supportive of the Village of Spring Lake leasing space in the Village Hall to Spring Lake Township. As we understand there is a desire on the part of township and village officials to be cost effective for the residents, to share services, and to work closely together – all of which we support.

We also support the rezoning of property on the Northeast corner of Fruitport Road & M-104 in order to construct a new Spring Lake fire station. We appreciate the efforts of our community officials to keep our neighbors safe in the best way possible, improve community services and be as cost effective for the resident's as possible.

Julie Burns
Operations Director

Julie Burns

All Shores Wesleyan Church
15550 Cleveland Road
Spring Lake, MI 49456

Village of Spring Lake
NOV 21 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

Dear Appointed & Elected Officials,

I support the concept of the Village of Spring Lake leasing space in the Village Hall to Spring Lake Township for the following reasons:

- Sharing space is the most efficient use of an existing building.
- Spring Lake Village & Spring Lake Township already share a Zoning Administrator, a Finance Director and a Utility Billing Clerk
- Sharing space negates the need to construct a new township hall
- Sharing space will reduce the utility costs for both Spring Lake Village & Spring Lake Township
- Sharing space will ultimately save tax payer dollars in both jurisdictions

I support the rezoning of property on the Northeast corner of Fruitport Road & M-104 in order to construct a new Spring Lake fire station for the following reasons:

- Spring Lake Township & Spring Lake Village are served by the same Fire Department
- This is the most central location as determined by both fire and medical runs
- Both the Buchanan & 148th Street stations need significant repairs/upgrades
- The Buchanan & 148th Street stations can be combined into one new station which would improve response time and be financially more efficient for the next 50-60 years
- Combining the stations will prove to be a more efficient use of equipment and manpower
- The location has been approved by MDOT
- Combining the Buchanan & 148th Street stations will save future tax payer dollars

Comments: I believe that many citizens would agree with the above sensible reasoning!

Name Charlotte Boersma **Date** 11-19-14

Address 15570 Cleveland St., Spring Lake

November 18,2014

Village of Spring Lake

102 W. Savidge Street

Spring Lake, Michigan

Dear Village Council and Planning Commission:

This letter is written in regard to the proposed Spring Lake Village Hall/Spring Lake Township lease agreement and the proposed rezoning of the property on the Northeast corner of Fruitport Road and M-104 for the purpose of constructing a new Spring Lake fire station.

As a Village resident, I support both of these proposals. My reasons for encouraging your approval are based on the need for a new fire station and the efficiencies of operation that would result from these proposals. With the Village and Township sharing space at the Village Hall the need to construct a new Township Hall is eliminated. Common space for shared positions of Zoning Administrator, Finance Director, and Utility Billing Collector will be provided. In addition, operational costs such as utilities and maintenance should be reduced.

The construction of a new fire station is needed. The Northeast corner of Fruitport Road and M-104 is a central location for both fire and medical runs. Combining the Buchanan and 148th Avenue stations will improve response time and result in reduced operational expense.

In summary, I support these proposals and encourage you to vote in favor of an opportunity to achieve efficiency of operation and tax savings for the residents of this community.

Sincerely,

Arthur J. Bolt

826 River St.

Spring Lake, MI

Village of Spring Lake

NOV 2 4 2014

Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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- The Buchanan & 148th Street stations can be combined into one new station which would improve response time and be financially more efficient for the next 50-60 years
- Combining the stations will prove to be a more efficient use of equipment and manpower
- The location has been approved by MDOT
- Combining the Buchanan & 148th Street stations will save future tax payer dollars

Comments: We believe a collaboration between the village and township is a great step toward decreasing costs and wisely utilizing resources.

Name (Jeff) and Kelly Clark **Date** 11/20/14

Address 17379 N. Fruitport Rd SL, MI 49456

Village of Spring Lake
NOV 21 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments:
We have lived in the Village for over 40 years. We appreciate your efforts to save money for the taxpayers, without diminishing the services offered to the residents. Thank you.

Name Arleen and Dennis Cox **Date** 11/19/2014

Address 504 Fleser Ct., Spring Lake, MI 49456

Village of Spring Lake
NOV 1 9 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

Dear Appointed & Elected Officials,

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Comments:
I think it is a very intelligent use of resources & a wonderful spirit of collaboration. The current township hall would be better off as municipal parking / farmers market / community pavilion –

Name J.P. DeLass **Date** 11/18/14

Address 813 W. Savidge St.

Village of Spring Lake
NOV 2 8 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments: I support the rezoning. I would like to see a ~~nicely designed Building with Landscaping Back~~

Name Wesley Redditt **Date** 11-20-14

Address 1105 Fruitport Rd, Sp. Lk MI 49456
South East Corner

Village of Spring Lake
NOV 21 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments:

Name Dennis Furton **Date** 11/19/2014

Address 18593 Woodduck Dr., Spring Lake, MI 49456

Village of Spring Lake
NOV 2 1 2014
[illegible]

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments:

Name Gary Gerlach **Date** 11-20-2014

Address 17036 Hoyds Bayou, Spring Lake, MI 49456

Christine Burns

Subject: FW: Re Rezoning of 106 N Fruitport Rd and 0 and proposed zoning ordinance text amendment

-----Original Message-----
From: kauched@cox.net [mailto:kauched@cox.net]
Sent: Thursday, November 20, 2014 2:44 PM
To: Maryann
Subject: Re Rezoning of 106 N Fruitport Rd and 0 and proposed zoning ordinance text amendment

Maryann,
Given that I will be unable to attend the Nov 25th meeting on the aforementioned subjects would you please forward my comments to the other Commissioners so that I will not be in violation of the open meeting rules and regulations

Fellow Commissioners,
I would like to convey my thoughts on the two agenda topics scheduled for discussion on Nov 25th First, The rezoning of 106 North Fruitport rd and 0
I was originally and remain strongly opposed to this request. for a myriad of reasons
a) once we approve the request for the zoning change the township or any future owner f the property is free to make whatever use of the land that is within the purview of the revised zoning --- it doesn't have to be a fire station and or municipal building
b) but lets assume it is a fire station and municipal building as originally proposed
1) there is the existing traffic congestion at this location compounded several times over in the Spring, Summer and Fall
2) the proposed size of the structure and and it parking and turn around areas extends almost to the property boundaries on most sides of the property
3) the use of this property when sufficient vacant land is already owned by the Township at method street
4) the growth of the township is North, East and South not to the East into the Village
5) the height of the proposed structure
6) This intersection is the entrance to our Village and should serve as a visual focal point rather than
7) Most importantly this location will not improve the response times for either Fire or EMT for the majority of the Township in either its current configuration or as grows into the future and RESPONSE TIME SHOULD BE WHAT FIRE AND EMT LOCATIONS SHOULD BE ABOUT

Second the Proposed Zoning ordinance text amendment
Why would we make a BLANKET change to the existing ordinance ?? If there is a cogent reason for a zoning change to meet a specific need then I believe that either our current board or future boards would approve such a change or grant a special use exception. It is difficult enough to enforce ordinances when exceptions are granted (the setting of precedent) However once a blanket change is approved it becomes almost impossible to control the use of land within the ordinance either by us or those who will follow and of course the catch phrase is the "BUT NOT LIMITED TO".

From my perspective I am NOT in favor of either proposal and would recommend that we advise Village Council that our original recommendation to them remains unchanged

Again I apologize for not being present at the meeting but with children and grandchildren spread across the country for the Holidays time does not allow attendance at both. May you and yours have a most Happy Thanksgiving

Sincerely
Dave Kaucheck
314 Dewitt Lane
Spring Lake Mi 49456
"People sleep peaceably in their beds at night only because rough men stand ready to do violence on their behalf" George Orwell

Village of Spring Lake
NOV 2 1 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

Dear Appointed & Elected Officials,

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- Combining the Buchanan & 148th Street stations will save future tax payer dollars

Comments:

Name Jill Maitzen **Date** 11-18-14

Address 117 Parkhurst Ave., Spring Lake, MI 49456

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

Dear Appointed & Elected Officials,

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Comments: I commend those involved, for their forward thinking and insight to consider sharing not only services, but also physical work space.

Name Chris Reed **Date** 11/24/14

Address 14816 Farmwood Ct Spring Lake

Village of Spring Lake

NOV 2 4 2014

Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments:

Name [illegible] **Date** 11-21-14

Address 17046 Floyd Bergen Dr #230

Spring Lake, MI 49456.

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments:

Name Robert V. [illegible] **Date** 11/24/14

Address 14996 SADDLEBROOK TRAIL

Village of Spring Lake
NOV 2 1 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
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- Spring Lake Township & Spring Lake Village are served by the same Fire Department
- This is the most central location as determined by both fire and medical runs
- Both the Buchanan & 148th Street stations need significant repairs/upgrades
- The Buchanan & 148th Street stations can be combined into one new station which would improve response time and be financially more efficient for the next 50-60 years
- Combining the stations will prove to be a more efficient use of equipment and manpower
- The location has been approved by MDOT
- Combining the Buchanan & 148th Street stations will save future tax payer dollars

Comments:

Name Theresa M. Swa, Mgr. **Date** 11-20-14

Address Evergreen Village Senior Apts.
217 DeWitt Lane
Spring Lake

Christine Burns

From: Maryann
Sent: Friday, November 21, 2014 11:21 AM
To: Christine Burns
Subject: FW: November 25 Meeting

From: Lesley Vega [mailto:lesley@iwantgoodwork.com]
Sent: Thursday, November 20, 2014 5:31 PM
To: Maryann
Subject: November 25 Meeting

November 20, 2014

Maryann,

Good afternoon…

I'm sending on just a few thoughts to share with my fellow commissioners in advance of next week's November 25 meeting.

I voted against the fire station/municipal building plan when it was originally proposed a few months ago. My concerns surrounding the project—shared by several commissioners at the time—included traffic, noise, and questionable lead time response improvement for emergency vehicles, as well as problems with the scope and scale of the physical structure being proposed on that site.

It's my understanding that the Semi-Public (P) zoning change currently being proposed would then allow the township to utilize the combined property for a whole host of government facilities beyond fire and police services. Other uses could potentially include vehicle and equipment storage, water and waste treatment facilities, and water storage facilities.

I don't understand the push toward this new zoning change and am apprehensive about why it's being proposed. The corner at North Fruitport Road and Cleveland Street acts as the gateway into our community—and I believe that fact demands that we be even more mindful of how the property is developed, rather than relaxing the standards for its use.

Therefore, I wish to go on record as saying that I am not in favor of either proposal currently slated for review during the public hearing on November 25. I hope that these issues/amendments can go unchanged until we're able to engage in a more thorough and serious review of intent for the parcels in question.

Again, I'm sorry I can't be there on Tuesday. Travel with family is taking me out of state for the holiday week.

Happy Thanksgiving to you and entire commission team.

Lesley Van Leeuwen-Vega

718 Fall Street

Spring Lake, MI 49456

Village of Spring Lake
NOV 2 . 2014
Received
Village of Spring Lake
NOV 2 4 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

Dear Appointed & Elected Officials,

I support the concept of the Village of Spring Lake leasing space in the Village Hall to Spring Lake Township for the following reasons:

- Sharing space is the most efficient use of an existing building.
- Spring Lake Village & Spring Lake Township already share a Zoning Administrator, a Finance Director and a Utility Billing Clerk
- Sharing space negates the need to construct a new township hall
- Sharing space will reduce the utility costs for both Spring Lake Village & Spring Lake Township
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- Combining the Buchanan & 148th Street stations will save future tax payer dollars

Comments: I think the sharing of office space is a much more efficient use of our resources.

Name Ann White **Date** 11-23-2014

Address 15646 View Dr.

Village of Spring Lake
NOV 19 2014
Received

TO: Spring Lake Planning Commission
Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments:

Name Susan Zubart **Date** 11/17/14

Address 15825 152nd, Spring Lake MI 49456

Village of Spring Lake
NOV 19 2014
Received

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Spring Lake Village Council

RE: Governmental Services Building
Rezoning for Fire Station

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Comments:

Name Toni Zwart **Date** 11/18/14

Address 15825 152nd, Spring Lake, MI, 49456