

**VILLAGE OF SPRING LAKE
PLANNING COMMISSION**

**MINUTES
REGULAR MEETING
May 27, 2014 7:00 PM**

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

1. CALL TO ORDER

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

2. ROLL CALL

Present: Bohnhoff, Boon, Kauchek, Miller, Van Leeuwen-Vega, and VanStrate.

Absent: Yasenak.

Staff Present: Jennifer Howland, Village Planner and Maryann Fonkert, Administrative Assistant.

3. APPROVAL OF THE AGENDA

Motion by VanStrate, support by Kauchek, to approve the agenda. All in favor, motion carried.

4. APPROVAL OF THE MINUTES – March 25, 2014 regular meeting

Motion by Van Leeuwen-Vega, support by Bohnhoff, to approve the minutes of the March 25, 2014 regular meeting. All in favor, motion carried.

5. CORRESPONDENCE - Resignation of Planning Commission member Stuart Johnson

Chairwoman Miller reported that Commission Member, Stuart Johnson, resigned his position due to family obligations. Chairwoman Miller said Johnson was a great asset, especially with his architecture experience and would be missed.

6. PUBLIC HEARINGS

A. Expansion of a Nonconforming Structure: 217 Dixie Street

The Village of Spring Lake Planning Commission will consider a request from Joel Burkel to add several additions to his house which is a nonconforming structure. The land subject to the requested determination is located at 217 Dixie Street, Permanent Parcel Number 70-03-16-448-020. This request pertains to Section 3.18, D, 1 of the Zoning Ordinance concerning the expansion of a nonconforming portion of an existing nonconforming structure.

Chairwoman Miller introduced this item and asked Village Planner, Jennifer Howland, if she would give an overview of this item. Howland provided an overview stating that the applicant desires to expand the single family home by adding an attached garage, a covered front porch, an addition to the rear of the house, and a second floor. The existing home is a nonconforming structure as it relates to the front and rear yard setbacks. The required rear yard setback is 25 feet in the MFR-A District; the existing house has a rear yard setback of 23 feet. The proposed addition would reduce the rear yard setback to 14 feet 10 inches. The required front yard setback is 25 feet; the existing house is 12 feet 8 inches from the front property line. The proposed front porch is 4 feet deep, reducing the front setback to 8 feet 8 inches. A covered porch is permitted to encroach 8 feet into a required front yard, which would be 17 feet from the front property line. The existing house without a porch is closer than that. The overall height of the house will be 27 feet 4 inches, which is within the 30 foot maximum building height in the MFR-A District. All other zoning requirements are being met by the proposed project.

Howland also stated that the essential character of the area is residential and will remain residential if the project is approved. The homes in the neighborhood vary in size and number of stories and that the expansion to the rear of the house will bring the structure 8 feet 2 inches closer to neighboring structures. Howland went on to say that the pattern of development in this area is inconsistent in terms of setbacks in the rear yard, with several structures exhibiting nonconforming features and It appears that most houses on Dixie Street are about the same distance from the street, so the proposed front porch would bring the house out of alignment with most of its neighbors but the applicant could omit the expansions that encroach into the front and rear setbacks and instead only add a conforming attached garage and a smaller second story.

Motion by Kauchek, support by Bohnhoff, to open the public hearing. All in favor, motion carried.

Mr. David Schneider, 213 Dixie, said he owns a home next door to the applicant and has seen the plans and felt it was a good plan and had no complaints.

Carmen Entin, 718 Monarch, said she was told by someone at the Village that her shed was on the applicant's property. Mr. Burkel said they were good and he had no problems with Ms. Entin's shed.

Chairwoman Miller asked Howland if she could check into Ms. Entin's property lines and shed placement. Howland said she would do that.

Ms. Entin said she was fine with Mr. Burkel's additions.

Motion by Van Leeuwen-Vega, support by Bohnhoff, to close the public hearing. All in favor, motion carried.

The Commission discussed their concerns with the front porch addition being too close to the lot line but all agreed the house would not be very attractive without the porch.

Motion by VanStrate, support by Van Leeuwen-Vega, to approve the request from Joel Burkel to add several additions to his house, located at 217 Dixie Street, Permanent Parcel Number 70-03-16-448-020, which is a nonconforming structure.

Yes: 4

No: 2 (Kauccheck & Bohnhoff)

B. Special Land Use Permit: 311 East Exchange Street (The Little Red House)

The Village of Spring Lake Planning Commission will consider a request from David Bos on behalf of The Little Red House for a Special Land Use Permit to expand The Little Red House adult day care facility at 311 East Exchange Street, Permanent Parcel Number 70-03-15-452-026. This request pertains to Section 20.7, B, 23 of the Zoning Ordinance concerning a Special Land Use Permit for an Adult Day Care Facility.

Chairwoman Miller introduced this item and asked Howland to give an overview of this request. Howland stated that the Little Red House is proposing an expansion to their facility at 311 East Exchange Street. Howland said that Adult Daycare Facilities are considered a Special Land Use in the P, Public & Semi-Public Zoning District. Howland said the expansion includes a 4,191 sq. ft. building addition to the north of the existing building, removal of the easternmost curb cut, and parking lot improvements. Howland explained that the building elevations have been designed to match the single-family residential character of the existing building and a covered portico will be constructed to the east of the building to provide an entrance that is protected from the elements.

Howland went on to explain that a new 20-vehicle parking lot will be constructed to the east of the building. The easternmost curb cut will be removed, leaving two remaining curb cuts off of Exchange Street. The western curb cut will be an exit only driveway. The easternmost row of parking is proposed to be 7 feet from the front lot line. Per Section 16.1, C the Planning Commission must approve parking that would closer than 10 feet to the front lot line. Per Section 16B.7, a decorative brick and wrought iron fence or solid hedge and a minimum 5 foot wide landscaped area is required along the south property line because it is a street frontage in the P District and parking is in the front yard. The landscaped area must include one tree for every 25 feet and one bush for every 5 feet of length.

Howland said although the Zoning Ordinance requires street trees within the parkway per Section 16B.3, D, the presence of an overhead power line may prevent some larger species of trees from maturing. The Public Works Director should determine appropriate street tree plantings in the parkway. An existing vinyl privacy fence that runs between the main building and the garage will be relocated to the east property line to serve as a screen for the parking spaces. The applicant has offered to plant a greenbelt in this area in lieu of the fencing if preferred by the Planning Commission. In any case, the fence and/or landscaping should run along both side and rear property lines per Section 16B.7 of the Zoning Ordinance. The Planning Commission should give the applicant direction on the type of screening required. Storm water management features will be added to the site, including two rain gardens and perforated storm sewer lines. The contract Village Engineer (Moore & Bruggink) reviewed the plans, including storm water calculations and recommended showing the location of the sewer and water laterals on the site plan and connecting downspouts to the storm collection system. The Fire Chief reviewed the plans and recommended that the applicant consider adding a gate through the northern fence to allow secondary emergency access. He also recommended that the applicant verify whether sprinkler system was required.

Howland said that Section 20.7, B, 23 of the Zoning Ordinance provides specific requirements for an Adult Day Care Facility, which The Little Red House currently follows, and will continue to follow. Section 20.4 of the Zoning Ordinance lists the criteria for approving a Special Land Use Permit.

Builder, David Bos, with David C Bos Homes, 17220 Hickory St, Spring Lake, gave the Planning Commission updated site plans for the proposed addition. Mr. Bos explained to the Commission that

he, Jody Herrelko and the Board of The Little Red House have been working together for four (4) years and said how honored he was to be involved with such a dedicated Board to a much needed facility. Mr. Bos said the main goal was to create a feeling of being in someone's home while keeping it a safe and efficient environment.

Kyle Wilson, Nederveld, 217 Grandville Ave SW, Grand Rapids, MI, 49503, explained that he had worked with Ryan Arends, the Village's contract Engineer from Moore & Bruggink, on adding the roof drains and tying them into the storm system so the building addition will be directed into the infiltration system and also extending the water/sewer services into the new addition. Wilson said they had also worked through the detention system and have had soil testing done to make sure the rain garden will function properly and they are very confident in the stormwater system.

Motion by Kauchek, support by Van Leeuwen-Vega, to open the public hearing. All in favor, motion carried.

Karen Chalupa, 115 Prospect, asked if The Little Red House was a private business. Jody Herrelko, Director of The Little Red House, said that it was a Non-Profit and also wanted to make it clear that she was not the owner of The Little Red House as the Public Notice had stated. Ms. Chalupa said she was concerned that if there was going to an expansion, was there going to be additions to staff too, because she had had an incident with a guest wandering down to her house and when she brought him back to the Little Red House, the staff member seemed to be too busy to be concerned with how the guest had left the premises.

There being no further public comments, motion by VanStrate, support by Bohnhoff, to close the public hearing. All in favor, motion carried.

Van Leeuwen-Vega asked about the lack of windows on the west and north elevation. Bos explained that the guests at the house are very distractible and very prone to investigate so there are fewer windows, and what windows there are, are up higher but would still provide plenty of light.

Boon felt taking care of our aging population often gets overlooked, especially in a home based manner, so he appreciated the proposed design that would keep the building looking the same. Boon asked if the stormwater runoff was adequate.

Mr. Wilson explained that the stormwater overflow would run out into the street. Chairwoman Miller asked Howland if that was acceptable. Howland said that the stormwater currently drained into the street.

Kauchek said that he really liked the design of the building but was concerned that there were not enough parking spaces, especially if there was another winter like last year and would there be enough room for the snow.

Mr. Bos explained that the guests that come every day do not drive and staff is, in general, the only ones using the parking lot so there is usually ten to twelve extra parking spaces. Mr. Bos also said that Mr. Verplank was a major supporter and has the equipment to empty the snow from the parking lot.

Landscaping requirements were discussed regarding the front yard and side yard. Mr. Bos said he would like to keep the current landscaping along the front to stay in keeping with the residential look and that the resident on the east side did not want a 6 foot tall fence but would prefer a hedge. Kauchek said he remembered that from the original request and the Planning Commission had approved the hedge instead of the fence.

There was a question regarding fire suppression and Mr. Bos said that their certified architect has studied the State fire code ordinance and a fire suppression system is not required per that ordinance

and that the building meets all fire safety requirements. Herrelko added that their staff is very competently trained and regular fire drills are performed for the resident's safety.

Motion by Kauchek, support by Boon, to approve the request by The Little Red House for a Special Land Use Permit and Site Plan approval to expand the Adult Day Care Facility located at 311 East Exchange Street. The following conditions apply:

- a. Parking is approved to be located 7 feet from the front lot line as shown on the site plan.
- b. No additional landscaping is required along the south property line.
- c. The existing fence along the west and north property lines will serve as the required screen.
- d. The east property line will be screened with the relocated fence as shown on the plans, as well as evergreens and a berm from the end of the fence to the south property line.
- e. The applicant shall plant street trees every 25 feet within the parkway per Section 16B.3, D of the Zoning Ordinance.
- f. The project shall be built in compliance with the submitted site plan and elevation drawings.
- g. The applicant will comply with any other local, state, and federal laws.
- h. The applicant will comply with all verbal representations.

All in favor, motion carried.

Yes: 6 No: 0

7. NEW BUSINESS

A. Review of the Fiscal Year 2014 Capital Improvement Plan

Village Manager Burns will present the Fiscal Year 2014 Capital Improvement Plan for review and recommendation by the Planning Commission.

Chairwoman Miller introduced this item and Manager Burns presented the Fiscal Year 2014 Capital Improvement Plan explaining to the Commission that this was a very minimalistic plan for the next fiscal year that included the 3 Year Deficit Elimination Plan that was adopted in December 2012. Manager Burns said that when the results from this year's audit come out in September, they are hoping the Village will be out of debt a year early. This early payoff was due, partially, to the fact that no large projects were done last year. Manager Burns went on to give an overview of the rest of the Capital Improvement Plan.

B. Discussion about Planning Commission Membership

The Planning Commission will discuss possible reductions in the total number of Planning Commission members and draft a policy for the Village Council to consider regarding recommending appointments of new members.

Chairwoman Miller introduced this item and said that the Commission had looked at this item several years ago and was told the Commission had to have nine (9) members. Howland said that according to the Planning Enabling Act of Michigan they were allowed to have 5, 7, or 9 members with no set ratio to follow, but there needed to be good representation of the community. Howland felt that, based on other local community populations and board sizes, that if the Commission wanted to lower the membership from 9 members to 7 members, the community would still be well represented, and that it would be a good time to make the change since they had 7 members at this time

Motion by Bohnhoff, support by Kauchek, to recommend to Village Council to reduce the required number of Planning Commission members from nine (9) to seven (7). All in favor, motion carried.

8. STATEMENTS OF CITIZENS ON ITEMS NOT ON THE AGENDA

Darcy Dye, 114 N Fruitport Road, said she was a part of a group in the area called River City Wild Ones that do a lot of local plantings in public spaces using Michigan native plants. Ms. Dye explained that by using Michigan native plants in places, such as the bike paths landscaping, maintenance becomes minimal because those plants tend to send roots down 6 to 18 feet, are drought tolerant and tend to take over so the weeds don't have an easy time growing. Ms Dye said she would love to be on a sub-committee to plant these types of plants in the Village's public areas such as the bike path landscaping. Howland suggested Ms. Dye bring this suggestion to the Council and that she would mention it to Manager Burns. Ms. Dye said she would drop a note to Manager Burns with her request. Chairwoman Miller asked that Ms. Dye keep the Planning Commission updated on this project.

Howland informed the Commission that they would probably be moving forward with the Industrial Re-Zoning of the remaining properties in the downtown area.

9. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:50 p.m.

Jennifer Howland
Village of Spring Lake
616-842-1393