Pursuant to Executive Order No. 2020 – 129, the Village of Spring Lake will conduct its business via conference call to mitigate the spread of COVID-19.

Motion by Van Strate, second from VanderMeulen, to nominate Van Leeuwen-Vega as Temporary Chair. All in favor, motion carried.

Yes: 5  No: 0

1. CALL TO ORDER

Vice Chair Van Leeuwen-Vega called the meeting to order at 7:03 p.m.

2. ROLL CALL

Present: Johnson, Martinus, VanderMeulen, Van Leeuwen-Vega, and VanStrate

Absent: Bohnhoff and Drooger

3. APPROVAL OF THE AGENDA

Motion by VanderMeulen, second from Martinus to approve the agenda as presented. All in favor, motion carried.

Yes: 5  No: 0

4. APPROVAL OF THE MINUTES:  June 23, 2020 meeting.

Motion by VanderMeulen second from Johnson, to approve the minutes from the June 23, 2020 regular meeting. All in favor, motion carried.

Yes: 5  No: 0

5. STATEMENTS OF CITIZENS – AGENDA ITEMS ONLY

There were no statements of citizens.

6. PUBLIC HEARINGS

A. 204 Dixie Street: Special Use to continue existing Short Term Rental

Vice Chair Van Leeuwen-Vega opened the Public Hearing at 7:08 p.m.

Hoisington gave an overview of the Special Use application for a Short-Term Rental located
at 204 Dixie St explaining that the property is a legal lot of record. The MFR-A district requires a minimum 8,000 sqft and the subject property is 0.1-acres, or about 4,395 sqft in size. The existing house is also non-conforming in regard to the front and rear setback. The Zoning Ordinance requires a minimum of 2 parking spaces based on the occupancy load. This requirement is fulfilled by a concrete driveway capable of storing up to 4 vehicles. There is no fire pit on the property and open flame is prohibited by the house rules. The house rules also regulate quiet hours to minimize impact on neighbors. The deck is more than the minimum 3’ from the lot lines. The existing patio appears to be about 3’ from the lot lines based on Ottawa County GIS. The dwelling has two bedrooms and is capable of sleeping up to three individuals. Based on the International Property Maintenance Code (IPMC) a bedroom must have a minimum of 70 sqft per bedroom and 50 sqft additional per occupant. Based on the IPMC, Bedroom 1 (115 sqft) is capable of sleeping 1 person and Bedroom 2 (125 sqft) capable sleeping of 2 people. The application indicates an occupancy limit of five people. For this reason, staff has proposed a condition of approval to change the occupancy limit to three people to comply with IPMC. No cooking facilities are located in any sleeping areas.

The applicant, Chad Setterbo, was not present to represent his application.

There was no comment for the public.

Without objection, the Public Hearing closed at 7:13 p.m.

The Planning Commission discussed the absence of the applicant and agreed they had no concerns regarding the application that required Mr. Setterbo’s presence.

Motion by Van Strate, second from Johnson, to conditionally approve the Special Land Use request by Chad Setterbo for a short-term rental located at 204 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 three (3) people, which requires two (2) 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 – 204 Dixie

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, water 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: 5 No: 0

B. 521 E Savidge Street: Special Use to begin a new Short Term Rental

Vice Chair Van Leeuwen-Vega opened the Public Hearing at 7:19 p.m.

Hoisington gave an overview for the Special Use application for a Short-Term Rental located at 521 E. Savidge explaining that the property is a legal lot of record. The lot meets the minimum lot size requirements but does not meet the minimum width requirement. The minimum width required for lots in SFR-B is 66’ and this property is 62.5’ wide. The Zoning Ordinance requires 4 spaces based on the occupancy load of 10 people. The applicant has indicated this requirement will be exceeded because there are 6 off-street parking spaces available. There is no fire pit on the property. The deck is more than the minimum 3’ from the lot lines. The dwelling has four bedrooms and is capable of sleeping up to 10 individuals per the applicant and no separate cooking facilities are provided in any sleeping rooms.

Rhonda Cobb, property owner, explained that they had purchased the home in 2018 and have since renovated the house with upgraded features. Ms. Cobb said they were now moving to Spring Lake and would like to use the house as a Short-Term Rental.

There was no public comment.

Without objection, the Public Hearing closed at 7:24 p.m.

The Planning Commission had no additional questions or comments.

Motion by Van Strate, second from VanderMeulen, to conditionally approve the Special Land Use request by Rhonda Cobb for a Short Term Rental located at 521 E Savidge 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 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.

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, water 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: 5  No: 0

C. Zoning Ordinance + Map: An updated zoning ordinance and map regulating the development and use of land in the Village

Vice Chair Van Leeuwen-Vega opened the Public Hearing at 7:27 p.m.

Fedewa gave an overview of the Zoning Ordinance Draft explaining that the Planning Commission’s June 2020 meeting reviewed a couple more amendments to the draft and staff have incorporated those changes and are summarized below:

1. Sign area measurement – modified to the typical rectilinear method.

2. More robust digital sign provisions, including a method to measure the light intensity.

3. Zoning Map has been modified for the Spring Lake Family Dentistry and Callen Engineering sites to be in the Community Commercial District instead of the Central Business District.

Fedewa explained that there were two new items that arose over the last month.

1. One was Public Service Signs – now exempt, including a digital sign, but they have to be approved by Village Council first. It should be noted, that if the Village ever exercised this provision, the digital sign would exemplify the spirit and intent of the new digital sign regulations. The specific text will be included in next draft

2. The Village President requested an addition to the ordinance. In brief, the President wants to prevent dwellings from being demolished and converted to a parking lot. In the previous draft, the ordinance allowed administrative approval for <10 parking spaces. That has been removed to require all parking lots be approved by the Planning Commission.

Andy Moore, Williams & Works, provided an overview of the process they had gone through to update the Village Zoning Ordinance.
There was no public comment.

Without objection, the Public Hearing closed at 7:38 p.m.

VanderMeulen said he liked the simplicity. Van Leeuwen-Vega agreed and said the consolidation of zones made it easier for everyone and that she hoped it would continue to be a living document that was adjusted over time.

Motion by VanderMeulen, second from Van Strate, to recommend the Village Council approve the revised draft of the Village zoning ordinance and zoning map. All in favor, motion carried.

Yes: 5  No: 0

7. STATEMENTS OF CITIZENS – NON-AGENDA ITEMS ONLY

Darcy Dye shared that COVID 19 and heat had put a dent on her aging core of volunteers, so a small group had been working on weeding. Dye said there would be some adaptations to downtown gardens next spring spearheaded by Robert Lopez.

8. COMMENTS OF PLANNING COMMISSIONERS

9. ADJOURNMENT

Motion by Johnson, second from Van Strate, without objections, the meeting adjourned at 7:44 p.m. All in favor, motion carried.

Yes: 5  No: 0

Stacey Fedewa, AICP, Village Planner  Maryann Fonkert, Deputy Clerk