VILLAGE OF SPRING LAKE
PLANNING COMMISSION

MINUTES
REGULAR MEETING
MARCH 22, 2022 | 7:00 PM

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

1. CALL TO ORDER

Chairman Bohnhoff called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Bohnhoff, Garrison, Johnson, VanderMeulen, Van Leeuwen-Vega, and Van Strate

Absent: Drooger

3. APPROVAL OF THE AGENDA

Motion by Van Leeuwen-Vega, second from Garrison, to approve the agenda as presented. All in favor, motion carried.

   Yes: 6    No: 0

4. APPROVAL OF THE MINUTES – January 25th, 2022 meeting

Motion by Van Strate, second from VanderMeulen, to approve the minutes of the January 25, 2022 regular meeting. All in favor, motion carried.

   Yes: 6    No: 0

5. CORRESPONDANCE

   Alan Lisowicz – W. Savidge - parking
   Scott Harested – supported the project
   Doug Heins – supported the project
   Melissa Brolick – parking concerns

6. STATEMENTS OF CITIZENS – AGENDA ITEMS ONLY
Ken Willison – 917 W. Savidge – concerns with stormwater drainage, parking, road condition, building height and that the building doesn't match the Master Plan.
Kevin Jarco – 917 W. Savidge #38 – opposed due to already overtaxed infrastructure, road condition, and stormwater issues.
Jeff Terpstra – 917 W. Savidge – is opposed to the project due to concerns with parking, road condition, and stormwater.
John Queen – 917 W. Savidge – concerns with parking, and road condition.
Jared VanIttersum – 19080 Walden – in support of the development.
Darcy Dye – 114 N. Fruitport Road – concerned with stormwater and artificial turf.
Jeff Olson – no address given – in support of the development and the solution to a poor road is not to stop driving on it.

7. **PUBLIC HEARINGS**

A. **510 E Exchange Street:**

   Request for a Special Use permit to begin a new short-term rental.

   Chairman Bohnhoff introduced this item and Hoisington provided an overview through a memorandum dated March 16, 2022.

   Motion by Van Leeuwen-Vega, second from Garrison, to open the Public Hearing at 7:19 p.m. All in favor, motion carried.

   Yes: 6  No: 0

   There was no Public Comment.

   Motion by VanStrate, second from VanLeeuwen-Vega, to close the Public Hearing at 7:20 p.m. All in favor, motion carried.

   Yes: 6  No: 0

   The Planning Commission agreed that this Special Use application met all of the requirements.

   Motion by Garrison, second from Johnson, to conditionally approve the Special Land Use request by Nichole Abbott for a Short Term Rental located at 510 E Exchange 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 six (6) people, which requires two (2) parking spaces. The sleeping occupancy will be verified by the building official upon inspection, including but not limited to room size and ceiling height.

   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.
All in favor, motion carried.

Yes: 6  No: 0

REPORT

1. This approval is based on the affirmative findings that all standards of the Special Land Use Criteria outlined in §390-134 have been fulfilled:
   A. 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.
   B. The use is consistent with the adopted Spring Lake Village Master Plan.
   C. The authorized use is compatible with adjacent uses of land, the natural environment and the capacities of the public services and facilities affected by this use.
   D. 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.
   E. The use does not involve activities, processes, materials and equipment or conditions of operation that is unreasonably detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare or odors.
   F. The buildings, structures, and entrances are situated and designed to minimize the adverse effects upon owners and occupants of adjacent properties and the neighborhood.
   G. The site plan and special land use comply with the specific requirements contained in §390-137 of this article, as applicable.

2. The application meets the site plan review standards of §390-126 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
   A. The use proposed will preserve to the greatest extent practical, the existing natural features of the site, including vegetation, topography, water features, and other such features. Only the areas under actual development will be disturbed.
   B. Buildings and structures are proposed to be placed in an orderly, logical fashion consistent with its surroundings and intent of the district. Where open spaces are proposed, it is located and arranged in a manner which provides view protection, visual relief, physical separation, environmentally sensitive area protection, and/or recreational value to the site and surrounding properties.
   C. The proposed use will preserve the views from adjacent properties and streets open to water areas to the greatest extent practical. Placement and height of buildings and locations of open spaces make reasonable provisions for protecting existing views.
   D. The use proposes proper relationships between the existing streets within the vicinity, including deceleration lanes, service drives, entrance and exit driveways, and parking areas to provide safe and convenient movements of pedestrians,
bicycles, and vehicles. Streets, access plans, and/or ingress/egress drives conform to the current regulations of the Village and MDOT.

E. The proposed use has given special attention to proper site surface drainage, so the removal of surface waters does not adversely affect neighboring properties, the public storm drainage system, or nearby bodies of water. Surface water will be collected at designated intervals to prevent standing water that would obstruct vehicle and/or pedestrian traffic. The standards of the Spring Lake Stormwater Management Ordinance are met.

F. All utilities for the proposed use are provided in a manner least harmful to surrounding properties and the utilities are located underground (as applicable), unless specifically waived by the Planning Commission.

G. The proposed use will be screened from view from adjoining streets and properties for any exposed storage areas, trash receptacles, machinery installations, service areas, truck unloading areas, utility buildings and structures, and similar accessory areas. Screening complies with Article XIV.

H. The site plan for the proposed use provides adequate access to the site and all buildings on the site by emergency vehicles.

I. The proposed use provides an orderly transition for all structures to adjacent development of a different scale.

J. The site plan for the proposed use provides outdoor common areas and associated amenities for employees, customers, and/or residents which may include public trash receptacles, bike racks, seating areas, recreation areas, shade trees, bus stop turnouts, and similar facilities; where appropriate.

K. The proposed use complies with all applicable local, state and federal approvals prior to issuing a land-use permit.

L. The site plan for the proposed use is consistent with the intent and purpose of this Ordinance.

B. **940 W Savidge Street:**

Amendment to the Special Use permit for the hotel regarding a revised site plan to include a new patio, splash pad, walking paths, fire pits, and new landscaping.

Chairman **Bohnhoff** introduced this item and **Hoisington** provided an overview through a memorandum dated March 18, 2022.

Zach Voogt, PE, Moore & Bruggink, spoke on behalf of the applicant responding to concerns with artificial turf, flood plain, wetland soils, stormwater improvements, and lighting.

Motion by **Van Strate**, second from **Van Leeuwen-Vega**, to open the Public Hearing at 7:26 p.m. All in favor, motion carried.

Yes: 6  
No: 0
There was no Public Comment.

Motion by VanLeeuwen-Vega, second from Johnson, to close the Public Hearing at 7:27 p.m. All in favor, motion carried.

Yes: 6 No: 0

The Planning Commission agreed that any concerns they had with stormwater, lighting, landscaping, and artificial turf were being addressed by the applicant and staff.

Motion by VanderMeulen, second from VanLeeuwen-Vega, to conditionally approve the amendment to the Special Use amendment application for Holiday Inn located at 940 W 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 condition:

1. A compliant landscaping plan to be reviewed and approved administratively by staff incorporating the following: • Revised plant species and planting sizes that meet the standards of the Zoning Ordinance. • Replacement of 12” caliber tree with equivalent caliber plantings. • Ensure site grading is conducive to landscaping and proper drainage.

2. Lighting fixture and photometric information shall be reviewed and approved administratively by staff.

3. Impact on stormwater retention shall be reviewed and approved by a third-party engineer.

All in favor, motion carried.

Yes: 6 No: 0

REPORT

1. This approval is based on the affirmative findings that all standards of the Special Land Use Criteria outlined in §390-134 have been fulfilled:
   A. 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.
   B. The use is consistent with the adopted Spring Lake Village Master Plan.
   C. The authorized use is compatible with adjacent uses of land, the natural environment and the capacities of the public services and facilities affected by this use.
   D. 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.

E. The use does not involve activities, processes, materials and equipment or conditions of operation that is unreasonably detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare or odors.

F. The buildings, structures, and entrances are situated and designed to minimize the adverse effects upon owners and occupants of adjacent properties and the neighborhood.

G. The site plan and special land use comply with the specific requirements contained in §390-137 of this article, as applicable.

2. The application meets the site plan review standards of §390-126 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

A. The use proposed will preserve to the greatest extent practical, the existing natural features of the site, including vegetation, topography, water features, and other such features. Only the areas under actual development will be disturbed.

B. Buildings and structures are proposed to be placed in an orderly, logical fashion consistent with its surroundings and intent of the district. Where open spaces are proposed, it is located and arranged in a manner which provides view protection, visual relief, physical separation, environmentally sensitive area protection, and/or recreational value to the site and surrounding properties.

C. The proposed use will preserve the views from adjacent properties and streets open to water areas to the greatest extent practical. Placement and height of buildings and locations of open spaces make reasonable provisions for protecting existing views.

D. The use proposes proper relationships between the existing streets within the vicinity, including deceleration lanes, service drives, entrance and exit driveways, and parking areas to provide safe and convenient movements of pedestrians, bicycles, and vehicles. Streets, access plans, and/or ingress/egress drives conform to the current regulations of the Village and MDOT.

E. The proposed use has given special attention to proper site surface drainage, so the removal of surface waters does not adversely affect neighboring properties, the public storm drainage system, or nearby bodies of water. Surface water will be collected at designated intervals to prevent standing water that would obstruct vehicle and/or pedestrian traffic. The standards of the Spring Lake Stormwater Management Ordinance are met.

F. All utilities for the proposed use are provided in a manner least harmful to surrounding properties and the utilities are located underground (as applicable), unless specifically waived by the Planning Commission.

G. The proposed use will be screened from view from adjoining streets and properties for any exposed storage areas, trash receptacles, machinery installations, service areas, truck unloading areas, utility buildings and structures, and similar accessory areas. Screening complies with Article XIV.

H. The site plan for the proposed use provides adequate access to the site and all buildings on the site by emergency vehicles.

I. The proposed use provides an orderly transition for all structures to adjacent
development of a different scale.

J. The site plan for the proposed use provides outdoor common areas and associated amenities for employees, customers, and/or residents which may include public trash receptacles, bike racks, seating areas, recreation areas, shade trees, bus stop turnouts, and similar facilities; where appropriate.

K. The proposed use complies with all applicable local, state and federal approvals prior to issuing a land use permit.

L. The site plan for the proposed use is consistent with the intent and purpose of this Ordinance.

C. **823 W Savidge Street:**

Request for a mixed use Planned Unit Development that would consist of one 4-story building comprised of 1,477 sqft of commercial space and 31 parking spaces on the first floor with 30 residential apartment units located on the upper floors.

Chairman **Bohnhoff** introduced this item and **Hoisington** provided an overview through a memorandum dated March 17, 2022. **Hoisington** added that, at this time, the plans are not considered complete because there is information missing, approvals that have not occurred, and it is not appropriate at this time to consider this application for approval. This public hearing was done as a courtesy to the applicant to get feedback from the Planning Commission and the public. **Hoisington** reviewed the qualifying conditions and compliance with the Master Plan and reported that staff reviewed the proposal against the PUD qualifying factors and have not been able to determine it to be compliant specifically relating to the objectives of the Village’s Master Plan and providing a community benefit. Staff comments are in red, the Planning Commission will need to make a determination before reviewing the rest of the information.

According to the Zoning Ordinance, all standards listed below must be met to qualify for a Planned Unit Development.

1. A PUD may be considered for any property in the Village. However, the applicant must demonstrate that the PUD would result in recognizable and substantial benefits to the ultimate users of a development and to the community in general, where such benefits would be unfeasible or unlikely to be achieved under the conventional requirements of this Ordinance.

   Staff do not believe this qualification is met as the benefits (bike repair station, scholarship based mural wall) are not equivalent or related to the departures needed for the project. The discernable benefits derived from this development are not so significant, such that they cannot be provided elsewhere in the Village.

2. A PUD shall be served adequately by essential public facilities and services, such as streets, pedestrian ways, police and fire protection, drainage structures, refuse disposal, water and sewer, electricity, natural gas, and telecommunications.
The applicant must provide documentation to the Village Engineer to determine if this requirement is met.

3. A PUD shall be compatible with the capacities of public services and facilities it may affect.

The applicant must provide documentation to the Village Engineer to determine if this requirement is met.

4. The parcel shall be under the control of one owner or the subject of an application filed jointly by the owners of all properties and shall be capable of being planned and developed as one integral unit. Applications for a PUD must be made with the written authorization of all owners of the site. If a PUD application is filed by a prospective purchaser or option holder, written consent of all property owners must be submitted as evidence of their concurrence with the PUD application.

The property is under a purchase agreement that has been shared with staff.

5. A PUD shall result in a development that is substantially consistent with the goals and objectives of the Village’s Master Plan, including, but not limited to creating a walkable, sustainable, and attractive community and protecting reasonable waterfront views and access for all waterfront developments.

Staff do not believe this qualification is met. The description for the Marine Development is provided. If the Planning Commission does not feel that the description is applicable to the area, then staff may need to be directed to initiate the process of amending the Master Plan.

Motion by Van Leeuwen-Vega, second from VanderMeulen to open the Public Hearing at 7:30 p.m. All in favor, motion carried.

Yes: 6 No: 0

Ryan Webber, 16916 Cecelia Lane, spoke regarding what they were doing for stormwater runoff, including a green roof, and parking for the development. Mr. Webber said they were looking for conditional approval from the Village Engineer.

Bruce Callen, Engineer for the project, asked for feedback from the Commission on the PUD conditions.

Mike Corby, Integrated Architecture, said that even though there may be engineering-related items that were deemed incomplete, he thought it would be good to get the Planning Commission to have a dialogue on this project as it is a benefit to the community.
Alan Lisowicz – 821 W. Savidge, said he was agnostic about the development but Barrett's owned the triangle piece of property and would not allow the applicant to develop a portion of it that had been mentioned as a possibility. Willison – 917 W. Savidge, said this project would go against the Master Plan and the noise coming from Barrett’s Boat Works bubblers during the winter would be an issue for the tenants. Dye – 114 N. Fruitport Road, commended the Planning Commission for taking their time on this project decision and they should trust the Planner.

Motion by VanStrate, second from Johnson, to close the Public Hearing at 7:40 p.m. All in favor, motion carried.

Yes: 6  No: 0

Wally Delamater, DPW Director, shared his concerns and the Village Engineer’s concerns regarding water and stormwater that have not been resolved by the applicant yet.

Hoisington listed the points of discussion for the Planning Commission:

- Departure Requests
- Stormwater Retention & Utilities – The Commission discussed whether adequate utilities and stormwater issues were the responsibility of the Village or the developer. Hoisington said that the developer was responsible to keep stormwater on the property.
- Building Height – the Commission discussed building height. Van Strate felt that 5 floors would be a burden on the utilities and block views. Garrison didn’t remember the height being an issue at the last meeting, so he wasn’t sure why there was pushback now. Johnson liked the building but felt they should adhere to the Master Plan for height. Van Leeuwen-Vega said she was concerned with the building looking like a large black blob as you come into Spring Lake from the west. Mr. Webber responded that if they reduced the size by taking off another floor it would not be financially feasible. Chairman Bohnhoff felt the building was just too big for the property size.
- Parking & Access Management – Johnson said he didn’t think parking was an issue. Van Strate said he thought parking was an issue because it was an apartment complex and the tenants couldn’t park on the street. VanderMeulen agreed that there was a parking problem in that area, and it should be discussed. Garrison said in the downtown central, there wasn’t a parking issue but there was a bit of an issue in this area, but, in his opinion, Barrett’s slip owners would be happy to rent these apartment units so they would be able to park at Barrett’s. Van Leeuwen-Vega asked if there had been discussions with other business owners about a parking agreement for shared parking. Mr. Webber said they have started conversations with Melissa Brollick at Old Boy’s for shared parking. Chairman Bohnhoff was concerned that doing away with the 1-bedroom units
and turning 2-bedroom units into 3-bedroom units would more than likely add more vehicles and to Garrison’s point that tenants would be boat owners from Barrett’s, but those tenants would not drive compact cars they would drive trucks. Hoisington reminded the Commission that they also needed to address the non-residential parking. Mr. Webber explained that for commercial parking, winter might be an issue, but for summer there was public parking within the 300-foot radius.

Jim Milanowski, Milanowski Engineering, explained that he had worked with Barrett’s over several years and some of those parking spaces were no longer there since the boat storage building had been constructed and Barrett’s was told that no street parking was allowed. Thibault added that even though the applicant has stated that the residential parking was compliant, there were issues that made it non-compliant. The Commission discussed the reduction in lane width.

- Landscaping – Thibault explained that the green roof proposed by Hortech was not 70% native, which was required per the ordinance. Chairman Bohnhoff commented that he preferred the green roof to follow the ordinance at 70% native plants.
- Other Items of Interest
  - Dumpster Enclosure
  - Lighting Information
  - Snow Storage

Chairman Bohnhoff said that the Planning Commission wanted the applicant to work with staff and complete their application before they came back for a decision from the Commission.

Motion by Van Strate, second from Johnson, to table the application until it can be completed. All in favor, motion carried.

Yes: 6  
No: 0

8. **OLD BUSINESS**

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

Alan Lisowicz, 821 W Savidge spoke regarding the assumption they can use Barrett’s parking, the statement of “Buyer Beware” regarding tight parking, and the proposed building height.

Jim Milanowski, felt that to say “buyer beware” on a project that was to be approved by the Village of Spring Lake was totally inappropriate for a Planning Commission to say and to go from 26 feet to 22 feet and blow it off and say there wasn’t enough space was the
applicant’s problem and they need to follow the standards as everyone else did and maybe they have the wrong lot.

10. COMMENTS OF PLANNING COMMISSIONERS

Burns clarified that there was not a miscommunication with the applicant. The applicant was told multiple times that they were not ready, and their plan was not ready, but the applicant insisted that they wanted to go before the Commission.

Garrison said he felt like they had been set up and they didn’t know that this was not a complete application. Hoisington said that it was noted that this application was incomplete.

Van Leeuwen-Vega asked why they even entertained this application, that it wasn’t fair to the board, and it wasn’t fair to the applicant.

Burns said that there was a lot of work going on behind the scenes that the board did not see with gathering support and asking for letters of support when it wasn’t right for consideration and there was a lot of pressure going on behind the scenes that was unfair to put on Hoisington to say, look, all these letters of support. Van Leeuwen-Vega said that it was not their job as a body to monthly entertain and appeal on a project that wasn’t ready and they were not going to do this monthly until the end of the year. That there have to be limits. Johnson said they have to figure out how to prevent this from happening in the future. Delamater said that he sat in enough meetings with the applicant regarding water/sewer that has not been addressed because they won’t provide the information and they kept pushing Hoisington saying they were ready, they were ready. The Planning Commission discussed how far along they want to see incomplete applications.

11. STAFF REPORT

There were no additions to the Staff Report.

12. ADJOURNMENT

Motion by VanStrate, second from Johnson, the meeting adjourned at 9:40 p.m. All in favor, motion carried.

Yes: 6
No: 0

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Cassandra Hoisington, Associate Planner

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Maryann Fonkert, Deputy Clerk