

PROPOSED MINUTES  
LAKETOWN TOWNSHIP  
PLANNING COMMISSION  
4338 BEELINE ROAD  
ALLEGAN COUNTY  
HOLLAND, MI 49423  
(616) 335-3050

May 6, 2009

ARTICLE I. CALL TO ORDER

Chairman Bob Cook called the Planning Commission workshop meeting to order at 7:00 P.M.

MEMBERS PRESENT: Bob Cook, Ed Stielstra, Linda Howell, Al Dogger

MEMBERS ABSENT: Bob Slikkers

STAFF PRESENT: Al Meshkin – Township Manager  
Ron Bultje – Township Attorney  
Diane Ybarra – Recording Secretary

ARTICLE II. APPROVAL OF MINUTES

The Commission reviewed the minutes of the April 21, 2009 meeting. Following discussion, **a motion was made by Linda Howell and seconded by Al Dogger to approve the minutes as written. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. 64<sup>TH</sup> STREET BAKERY SPECIAL USE PERMIT AMENDMENT

Elizabeth Smith / 64<sup>th</sup> Street Bakery and Café / Hidden Treasure Antiques, owner or agent of property located at 3604 64<sup>th</sup> Street, that being tax parcel #0311-200-001-00, requests an

amendment to the existing special use permit to expand the bakery and café, have alcohol sales, have an outdoor flea market, extend the building, and have indoor sale of antiques on the upper level.

Mike McAllister represented Elizabeth Smith. He presented a document to the Commission requesting a temporary six month permit to operate a flea market on the 64<sup>th</sup> Street Bakery and Café site. He explained that a flea market has been on the property three times in the past. He is requesting the temporary permit to allow for operation during the upcoming season. Elizabeth Smith explained that Mr. McAllister is the coordinator of many vendors that would be interested in returning to the area. His request is for a smaller 25 vendor operation. He has obtained signatures of support from most neighbors in the area. Ms. Smith explained that she will place a co-ed restroom facility on the property. She stated that this flea market is crucial to the survival of her business. She employs a number of local Laketown Township area students.

Attorney Ron Bultje explained that a temporary permit is the jurisdiction of the Township Board authority and not the Planning Commission if the request does not meet the requirements of the ordinance.

Ms. Smith stated that the site had been grandfathered as a flea market. She claims to have made a call to the Township to confirm this and after her purchase she was advised differently.

Chairman Bob Cook stated that the Commission could not address the flea market request until a professional plan was provided in order to better understand the intent for property use. Ron Bultje stated that his notes from September 2008 describe the expansion of the restaurant and flea market. Al Dogger noted in January Sue Koeman spoke in regards to the inability for representation and asked that the item be tabled until further notice. Bob Cook reiterated that a specific plan with parking, landscaping and dimensions be submitted.

Ms. Smith explained that she had already marked out parking places for review. She does not understand why it is necessary to contract an architect to submit the plan.

Ron Bultje stated in June 2008 the site plan requirements were relaxed in order to permit the business to begin its season. In September it was requested that a specific site plan was requested to demonstrate compliance with Ordinance 15.05 and 15.06.

Mr. McAllister asked if a copy of the site plan with an architect's stamp would be acceptable. The drawing Mr. McAllister is referring to had not been submitted to the Commission previously.

Chairman Cook explained that the property is commercially zoned and the Commission is responsible to uphold the ordinances and remain consistent to all applicants.

Mr. McAllister asked if the Blue Grass festival is required to have a permit like this. He would like

to hold a fundraiser for veterans at this site. Isn't it the same thing?

Ed Stielstra stated that he recalls in September 2008 that a request was made for a specific detailed drawing.

Ms. Smith explained that she is most interested in pursuing the flea market to save her business. The previous request for the café is separate from this request. The Red Barn has a flea market and Douglas has a flea market so why can't Laketown Township have a flea market?

Ron Bultje explained that it is possible to have approval but the process has to be followed. Ed Stielstra explained that it is not the fault of the Commission that this has been delayed as it has not received the requested information.

Ms. Smith pleaded for the approval in order to keep her business running. It will cause twelve people to lose their jobs if she has to close.

Ed Stielstra reminded Ms. Smith that she was told previously not to wait until the last minute before the season to submit new information.

Ms. Smith removed her drawing from the table and stated that she will give the business back to the Township for sale and discontinue her request for permit.

Ron Bultje reiterated what the Commission had done in June of 2008 to allow for a special permit in order to enable the business to meet the season opening. It is not the fault of this Commission that we are at the beginning of another season and the requirements are not met.

Mr. McAllister asked what he can do to meet the Commission's requirements in order to get their approval.

Linda Howell advised that Mr. McAllister should read the ordinance and follow the requirements with exact dimensions to submit for review.

Ms. Smith again claims that she was told that the flea market was grandfathered in.

Ron Bultje responded that there was never a grandfather clause on this property for a flea market. This was specifically discussed in June of 2008. An appeal can be made to the Zoning Board of Appeals. The Planning Commission made no ruling on the grandfather position. It cannot be appealed to the Commission. Bob Cook reiterated that there are specific requirements in the ordinance that must be followed. The Planning Commission does not have the authority to grant a temporary permit.

Ed Stielstra stated that the Commission has left this item on the agenda from month to month with no response from the applicant.

Ms. Smith claimed that she has put her life savings into this dead building and not one of the Commissioners has come to support her. The charge that she has received is a request to spend \$1500.00 that she does not have. Ed Stielstra explained that anyone with a tape measure and ruler can create what is necessary to meet the requirements in the ordinance.

## B. ZONING ORDINANCE DISCUSSION

Bob Cook gave a brief overview of the April 21 discussion wherein it was determined that Al Meshkin would compile the feedback of “likes” and “dislikes” from the Commission for review. Al Dogger read the list submitted.

Bob Cook suggested reviewing the “likes” first and asked for any disagreements. Linda Howell pointed out the number of similarity of the comments. Al Dogger likes the single chapter section as opposed to scattered throughout the Zoning Ordinance noted in item #19. Ed Stielstra had a concern on item #17 Facilitate development. Linda Howell noted item #20 requiring brick buildings could be a concern. She also noted the multiple levels as being favorable. Bob Cook pointed out that some of the comments are more philosophical rather than specific requirements. Al Dogger emphasized item #26 Useful, attractive signage. Bob Cook agreed also disagrees with overly restrictive signage. Al does not feel they should not exceed the height of the building. Al Meshkin stated that the current pylon sign requirement is 35 feet. He reminded the Commission that they should be looking at the bigger overall picture and not the details at this point, although they are necessary to address at a later time.

Al Meshkin stated that the list is compiled from three Planning Commissioners and himself. The list was a result of emails he had received with no editing. The next step could be to contract with McKenna & Associates to draft an ordinance for approximately \$2,600.00 using the list as a starting point. Dick Darby provided his feedback on the list.

Ron Bultje spoke to the overlay chapter of Grand Haven Township as an example of specific provisions for the development. With regards to parking there is an allowance for businesses to bank the parking. The ordinances will allow for spaces to be banked but not actually paved at the initial development.

Ed Stielstra noted that he likes the idea of being flexible with the parking based on business needs. Bob Cook stated that one of the difficulties is that with a strip development of sorts if the businesses are not committed the uses are not known.

Al Meshkin commented that sometimes if there is too little parking for a business it may be a good thing. The parking could grow with the development.

Bob Cook reviewed the list of “dislikes”. Ed Stielstra stated that rooftop mechanics would not be attractive.

Bob Cook asked to look at section two and what the next steps are. He stated that he has no issue with McKenna & Associates creating a draft of the ordinance. It would be the beginning of the integration with the Township ordinances. Al Meshkin stated that it would be a good starting point and it would be a long term project. Linda Howell suggested using the Grand Haven overlay. Ron Bultje responded that there are several differences in the properties. Ed Stielstra stated that it should not be too specific that it could not be used in other areas. Ed asked if the expectation of McKenna is to not only look at the overlay but to look at existing ordinances. Al responded that would be a good question and he will pose that thought to McKenna for a response.

Al Meshkin will contact McKenna with noted questions accordingly and provide the responses at the next meeting.

#### ARTICLE IV. NEW BUSINESS

##### A. DEYOUNG SITE PLAN REVIEW

Jeff and Jennifer DeYoung, agents and owners of property located at 6633 Forest Beach Drive, also known as Parcel #0311-170-043-00 presented a site plan for a single family residence to be located on this property.

Jeff DeYoung gave a brief explanation of his intent to construct a single family residence.

Al Dogger stated that he has no questions or concerns on the site plan. Linda Howell asked that the soil erosion and sedimentation control permit be provided. Ed Stielstra stated that the details are very impressive.

Following discussion, **a motion was made by Linda Howell and seconded by Al Dogger to approve the DeYoung Site Plan finding it meets the criteria in Ordinance 14.24, based on the standards in that section, and contingent upon compliance with the application, county state, federal provisions, P.U.D. conditions and all DEQ requirements. UNANIMOUS DECISION – MOTION APPROVED**

##### B. ADOPTION OF REVISED RULES OF PROCEDURE

Bob Cook gave a brief overview of the prepared Rules of Procedure document. Mr. Cook questioned the length of service stipulation of retaining seat until a replacement is put in place. Ron Bultje stated that this definition of servitude is correct. Bob Cook stated that he prefers to keep the meetings informal and questions not required to be addressed to the Chair only.

Following discussion, **a motion was made by Al Dogger and seconded by Linda Howell to approve the Adoption of Revised Rules of Procedure. UNANIMOUS DECISION – MOTION APPROVED**

#### ARTICLE V. CITIZEN COMMENTS

Marcia Perry of Blue Star Highway stated that she appreciated seeing the “likes and dislikes” list but wondered if there was room for direct public input. Bob Cook explained that the results of the visual survey and discussion were used as a basis for this list. Marcia Perry pointed out that not only building fronts but facades and actual structure should be considered. The integrity of a building that gives a sense of place should be considered for long-term value. She also pointed out that big box stores were on the “likes” list wherein it had been discussed as a dislike in previous meetings. Marcia also noted that the job of the governmental body is not to facilitate or dictate development. She would like to reiterate the consideration of “built” to “natural space”. Bob Cook noted it is addressed in item #8. Ms. Perry also expressed concern over the allowances for natural green space. What percentage do we want for commercial development in Laketown Township? Bob Cook explained that this area would be more commercially developed than other areas in the Township. Marcia also commented on the need for “green” requirements.

#### ARTICLE VI. ADJOURNMENT

**A motion was made by Linda Howell and seconded by Al Dogger to adjourn the meeting at 8:41 P.M. UNANIMOUS DECISION – MOTION APPROVED**